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Planning, Design & Access Statement

Relating to an application for:

Residential development of 2 units,

On behalf of

Mr M Pearson

at:

Land adjacent to Waverley Villa, 2 Drain Bank South, Cowbit, Spalding. PE12 6FR

Submitted

November 2018

To be read in conjunction with the submitted plans and all other supporting informaiton.

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Introduction

This multi-faceted statement has been produced to support a full application for the addition of 2 dwellings adjacent to the host property.

Although not strictly speaking a national requirement, I have for completeness produced a Design and Access Statement along with a Planning Statement under the cover of this single document. This constitutes a significant part of the justification in support of the proposed development and seeks to demonstrate that the proposal would be a sustainable form of development in conformity with the NPPF and the development plan.

The proposal

Having fully engaged with the client and having appraised both the constraints and opportunities presented by the site, it is considered that a modest development comprising 2 residential units, would make the most efficient use of the site whilst providing a sustainable form of development which would contribute to the established community within the area. It is also considered that the proposals would satisfy a local need for additional market dwellings in this area which would allow the continued support of the existing facilities and services in the village. The development would also contribute to wider objectives of promoting additional housing on small-sites, and in particular those which would meet custom or self-build requirements.

The drawings depict the scheme to be determined, which demonstrates how the scheme would be an acceptable form of development within this rural area. As can be seen, the proposals are for two high quality dwellings, utilising traditional design forms and which would be constructed of robust materials.

The application has evolved with these objectives in mind, with full recognition of both national and local planning policies.

The scheme would have the following benefits:

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- Provide additional residential units in a sought after location, contributing to the housing needs for the area and which would allow additional occupancy which would support existing facilities within the locality.
- Provide small-scale development opportunities, which would suit the market demand of custom or self-builders, along with small scale local building firms
- Provide energy efficient new dwellings which would compliment existing housing stock
- Would enhance the established character and context of the area and would make the most efficient use of an under-used parcel of land.

Pre-application commentary

No pre-application engagement was undertaken on this proposal

The existing situation and context

The application site is located on the outskirts of Cowbit, adjacent to Barrier Bank which is the main through route serving the settlement of Cowbit.



The land is currently agricultural, adjacent to an existing dwelling. It is under-utilised, and given its position in relation to Cowbit and other dwellings, it is considered appropriate for residential re-development.

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Although the site is located on the fringe of Cowbit, it does not occupy an isolated position. There are sporadic groupings of dwellings which form short linear patterns of development, or clusters. The site also has a close relationship with existing dwellings.



It should be recognised that Cowbit does benefit from a strong range of existing facilities and services despite its relatively rural location. Therefore the site cannot be considered as unsustainable per-se. Furthermore, there is an adopted pedestrian route which runs along the Barrier Bank which provides

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a pedestrian link between the application site and the main part of Cowbit as depicted in the images below.







Summary assessment of the proposed development

Use

The proposal would see the use of the land changed from agricultural to residential, given the proximity to other dwellings and the established settlements, it is considered that residential use on this site would be appropriate.

Amount

The scheme seeks to provide 2 dwelling units on the site. It is considered that the amount of development proposed would be acceptable on the site, with appropriate plot sizes, ensuring a quality development would be the end result. The development would not appear cramped, contrived or over-developed.

Layout

As this is a full application, it can be seen that the 2 dwellings can easily be accommodated with each dwelling having its own driveway, served off a central access and providing proportionate plot sizes to serve the dwellings that are proposed. The layout chosen would allow for a high quality form of development.

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Scale & Appearance

The dwellings would be of a two storey scale, and would comprise traditional house types with appropriately proportioned pitched roofs. The dwellings would be high quality, and well proportioned architecturally with appropriate solid:void rations. High quality materials would reinforce the design quality. There is variance within the area with single and two-storey dwellings. Design is also varied, and in this respect would be relatively unconstrained, although it is anticipated that a traditional scale and design ethos would provide good quality rural housing stock. A simple, yet robust palette of materials would allow the development to successfully blend into the established context of the area. Should it be deemed necessary, conditions can be applied to secure appropriate design detailing through the use of planning conditions which can be adopted at the approval of reserved matters stage.

Access

The proposal would see individual driveways served from a central access point, to required design standards, provided from Barrier Bank. This would provide appropriate levels of forward visibility, along with requisite visibility splays. There would be ample parking space to serve each unit.

Landscaping

Landscaping would balance the amount of hard and soft landscaped areas in order to provide a development that would not appear out of character within this context. Further, all reasonable endeavours would be used to ensure that the established boundary vegetation would be retained where possible in order to further aid in mitigating the visual impact of the development. If the Local Planning Authority considers that further screening / soft-landscaping is necessary then this could be controlled through the imposition of relevant planning conditions.

Policy context

National Planning Policy Framework (NPPF):

The recent revision of the National Planning Policy Framework (NPPF 2) which was released on published (24th July) replaces the earlier 2012 variant. The revised Framework should be read as a whole including its footnotes and annexes. It focuses on:

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1. Building the right number of homes in the right places;

2. Promoting high quality design of new housing and places;

3. Attaching greater weight to Neighbourhood Planning; and

4. Greater responsibility and accountability of Councils and Developers for the delivery of housing.

The 'approved' Framework makes a series of subtle changes to the draft version, some of which may have not insignificant impact on planning decision, and in a number of areas the revised Framework adds clarification and new direction to the original published in 2012.

The revised framework tightens the definitions on the presumption in favour of sustainable development and increases the emphasis on high-quality design and place-making. The revised framework crucially says that from November 2018 Councils will have a Housing Delivery Test focused on driving up the numbers of homes delivered in their area. Whilst the emphasis is on increased delivery, the revised Framework recognises that the quality and design of housing is crucial to ensuring greater community support. **There is to be a greater reliance on small sites coming through the planning system.**

A fundamental element of the NPPF is to achieve sustainable development and identifies three dimensions to sustainable development. These are regarded by the NPPF as being interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): -

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth;

- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to

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improve biodiversity and adapting to climate change, including moving to a low carbon economy.

The following paragraphs are cited as being particularly pertinent to the proposal currently submitted for consideration:

Paragraph 11 confirms the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where the policies which are most important for determining the application are out-of-date, granting permission unless:

> *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Paragraph 59 supports the Government's objective of significantly boosting the supply of homes stressing it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 68 stresses that small sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare and support the development of windfall sites through their decisions.

Paragraph 71 contains interesting new provisions for entry-level exception sites suitable for first-time buyers or those looking to rent their first home. This paragraph sets out that local planning authorities should support the development of such sites (unless the need for such homes is already being met in the local authority's area) and that these should be:

a) on land which is not already allocated for housing;

b) comprise entry-level homes that offer one or more types of affordable housing as defined in (the now widened) Annex 2 of the new NPPF; and

c) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the NPPF and comply with any local design policies and standards.

Paragraph 73 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, **or against their local housing need where**

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the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Paragraph 75 states that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

Paragraph 77 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 78 identifies that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. With policies seeking to identify opportunities for villages to grow and thrive, especially where this will support local services, and makes it clear that where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 79 retains the restrictions relating to the need to avoid the development of isolated homes in the countryside unless specific circumstances would be met. These include:
a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
c) the development would re-use redundant or disused buildings and enhance its immediate setting;
d) the development would involve the subdivision of an existing residential dwelling; or
e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 103 says that significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making

Paragraph 117 states that planning decisions should promote the effective use of land in meeting the need for homes.

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Paragraph 123 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.

Paragraph 127 states that decisions should ensure that new developments:-

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of spaces, building types and materials to create attractive, welcoming and distinctive places to live;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green space) and support local facilities and transport networks.

The White Paper, 'Fixing our Broken Housing Market (the housing White Paper)', set out proposals to tackle the housing challenge as a key part of building a stronger, fairer Britain where people who work hard are able to get on in life. It argued that we need to build more houses of the type people want to live in, in the places they want to live. This requires a comprehensive approach that tackles the failure at every point in the system.

Local Policies:

South Holland Local Plan 2006

The South Holland Local Plan is dated from 2006. It uses a settlement hierarchy approach to development across the district as set out in the image below.

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The following policies of the Local Plan are of particular relevance to this proposal. However, it must be recognised that these are the "saved" policies following a direction by the Secretary of State.

Policy SG1- General Sustainable Development

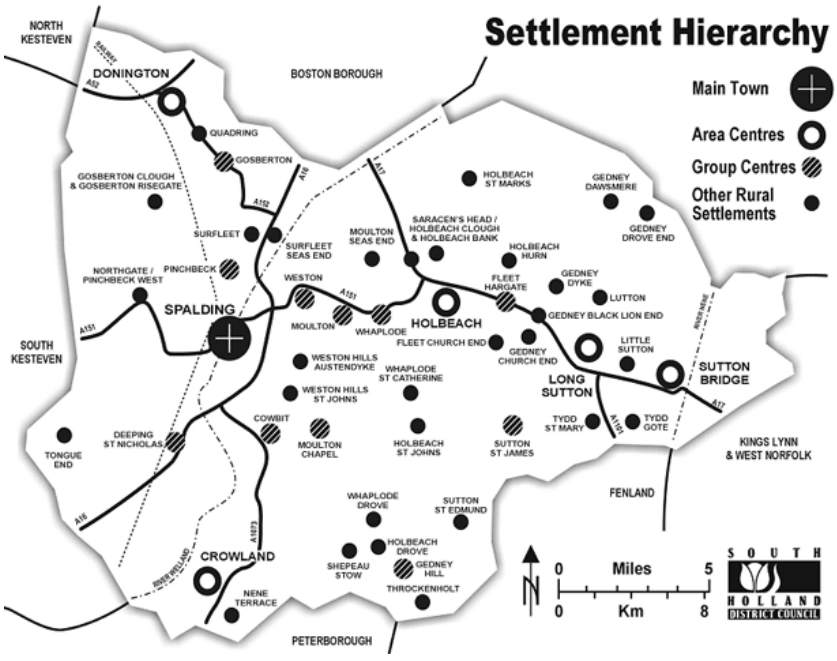
Planning permission for development will be granted where the Council is satisfied that the proposal is consistent with the principles of sustainable development, and where:

1) **the quality of life for residents is unimpaired or enhanced;**

2) **reasonable measures have been taken to conserve energy and natural resources; and**

3) **South Holland's essential character and main environmental assets are not damaged.**

Policy SG2 - Distribution of Development



All proposals for development must be located having regard to sustainable development principles. They should:

1) **adopt a sequential approach which gives priority to the use of previously developed land and buildings within defined settlement**

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limits, then to greenfield land within defined settlement limits and finally to land adjacent to defined settlement limits;

2) **make efficient use of land;**

3) **ensure that, wherever possible, development is served by a choice of transport modes including existing public transport or by improvements to public transport infrastructure linked directly to the development and the existing highway network; and**

4) **ensure that the development is acceptable in terms of traffic generation and road safety in the surrounding area.**

Policy SG3 - Settlement Hierarchy

For the purposes of controlling and regulating development, and also to reflect the wider functions of settlements the following hierarchy will be applied:

1) **Main Town – Spalding**

Spalding is defined as the District's principal urban settlement. It will be the main location for new development.

2) **Area Centres**

The towns of Holbeach, Long Sutton, Sutton Bridge and Crowland and the main village of Donington are defined as Area Centres. They will continue to provide for housing, employment and commercial development to support their roles as service centres for surrounding rural areas.

3) **Group Centres**

The villages of Cowbit, Deeping St Nicholas, Fleet Hargate, Gedney Hill, Gosberton, Moulton, Moulton Chapel, Pinchbeck, Sutton St James, Weston and Whaplode will act as local service centres for the surrounding rural area. New development should support or improve their role as a focus for local social and economic activity, having regard to their role within clusters or groups of settlements.

4) **Other Rural Settlements**

In all other rural settlements (as shown on the proposals map) only a very limited

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amount of new development will be permitted and only in exceptional circumstances to meet demonstrated local needs and where the location of the development is well related to the built up area of the settlement.

Policy HS8 - Affordable Housing

On residential development sites of three or more dwellings, or sites of 0.1 hectares or more, the Council will require the provision of a minimum of one third of the residential units as affordable housing on the site.

The requirements of this policy will also apply to proposals for conversion of buildings to residential use.

Any planning application which, on the grounds of viability, proposes a lower level of affordable housing provision than is required by this policy must be accompanied by evidence prepared by the applicant demonstrating that affordable housing at the level normally expected would impair the viability of the scheme and that the level proposed is the most that is achievable.

Whilst these policies are identified as being the only relevant "saved" policies forming the local planning policy framework. It is considered that these policies are "out-of-date" in relation to the requirements of the NPPF as is identified later in this report and therefore primacy should be given to the NPPF.

In considering housing proposals, it is clear from recent decisions made by the Local Planning Authority that there is considerable reliance on the NPPF. Thus in terms of the determination of this proposal, it is asserted that the proposals should be judged against the NPPF, with regard to the Planning Practice Guidance as opposed to the out of date Local Plan.

South East Lincolnshire Local Plan

On 5th July 2011, the South East Lincolnshire Joint Strategic Planning Committee Order 2011 came into force, creating the South East Lincolnshire Joint Strategic Planning Committee. This is a new, separate, statutory local planning authority covering Boston Borough and South Holland District, which will be responsible for the production of a new local plan for the area.

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The published Local Development Scheme (LDS) identifies that the report should be adopted in February 2017. Whilst various background evidence documents are being compiled, and a first stage consultation is currently underway, it is considered that no formal weight can be attached to this document. Only when the various policies have undergone the various stages of consultation and examination can greater weight be afforded to it as a replacement for the historic local planning policies.

Since the original LDS was produced, it has been revised to reflect the updated timetable, and it is noted that the Local Plan has now undergone Regulation 19 consultation, and has been submitted for Examination in Public (EiP). As a result of this submission, the Inspector has made a number of Proposed Main Modifications to the plan, which have recently been consulted upon. Following completion of this review, the Plan will then be returned to the Inspector for final consideration and recommendation as to whether the plan is 'sound' or not.

For the purposes of this application, no weight has been attributed to the Plan, albeit, as referred to later in this report various evidence documents have been utilised in the development of this current submission and these are afforded appropriate weight as part of the overall evidenced position.

The identification of how this proposal would sit alongside this planning policy framework and why it would be acceptable is set out in the evaluation section of this report.

Evaluation

The main issues relating to this proposal are:

1. Principle (including consideration of planning policy, housing need and 5year land supply)
2. Impact on the character and appearance of the area including heritage matters
3. Impact on the amenities of neighbouring uses
4. Highways access

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1. Principle

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Owing to the current status of the Local Plan, the planning policy context is currently quite complicated. This section will provide a precis of the current policy situation, and will also seek to demonstrate why this proposal is acceptable, and how it represents a sustainable form of development.

The current Local Plan.

The policy section of this report identifies the current context of Local Planning Policies.

The Local Plan is considerably out of date, pre-dating the NPPF and having been subject of a saved policies Direction. Therefore the Local Plan cannot constitute an up-to-date local policy framework (see para 12-14 of the NPPF). Similarly, it is considered that policies associated with this framework, such as the Affordable Housing SPG (dated 2007) should also be considered out-dated and therefore should be afforded no material weight.

It is noted that South Holland District Council is in the process of developing a new policy framework in conjunction with neighbouring authorities to form the South East Lincolnshire Local Plan, however, as outlined earlier in this report at this stage can be afforded no material weight.

It is therefore the contention that significant weight should be applied to the NPPF in the consideration of the suitability of this proposal.

The National Planning Policy Framework (NPPF)

The NPPF represents the Governments overall framework and approach towards planning policy. It provides succinct guidance for both the development of Local Plans, but also forms a useful tool in the decision-making process. The purpose of the planning system is to contribute to the achievement of sustainable development.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning

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Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The NPPF makes it clear that there is a duty to promote sustainable development, and as part of this requirement there is a desire for local planning policies to be kept up-to-date, and there is a firm requirement for such policies to be consistent with the overall aims of the NPPF. Where policies are out-of-date, absent or silent, there is a duty to grant permission unless doing so would contradict the requirements of the NPPF.

The NPPF provides detailed guidance on the assessment of housing related proposals and also the development of housing policies, the following paragraphs are considered of particular relevance:

Paragraph 59 supports the Government's objective of significantly boosting the supply of homes stressing it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 68 stresses that small sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare and support the development of windfall sites through their decisions.

Paragraph 71 contains interesting new provisions for entry-level exception sites suitable for first-time buyers or those looking to rent their first home. This paragraph sets out that local planning authorities should support the development of such sites (unless the need for such homes is already being met in the local authority's area) and that these should be:

a) on land which is not already allocated for housing;

b) comprise entry-level homes that offer one or more types of affordable housing as defined in (the now widened) Annex 2 of the new NPPF; and

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c) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the NPPF and comply with any local design policies and standards.

Paragraph 73 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, **or against their local housing need where the strategic policies are more than five years old**. The supply of specific deliverable sites should in addition include a buffer of 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

Paragraph 75 states that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

Paragraph 77 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 78 identifies that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. With policies seeking to identify opportunities for villages to grow and thrive, especially where this will support local services, and makes it clear that where there are groups of smaller settlements, development in one village may support services in a village nearby.

It is considered that this proposal would meet many of the aforementioned objectives through the delivery of a small scale site for housing which would contribute to meeting the local housing demand and would provide opportunities for custom or self-builders. It would contribute to the

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provision of additional dwellings in the rural area which would not be isolated and which would contribute to the continued support of existing services and facilities within Cowbit.

The proposals would also contribute towards District objectives of promoting sustainable economic growth, delivery of opportunities for small scale housing to support local builders and contributing towards the overall 5 Year Housing Land Supply (5YHLS) for the District.

The NPPF also states that if there is no five year supply, relevant housing policies are considered out of date and therefore developments would be subject to the presumption in favour of development, subject to criteria. The weight to be afforded to development plan policies relies to a great extent on whether a five –year supply of deliverable housing sites can be demonstrated.

Interrogation of the Councils evidence base relating to housing, and in particular the background documents to the South East Lincolnshire Local Plan identifies that as at 31st March 2018, the Council was unable to demonstrate a 5YHLS (4years as at 31st March). This document identifies a number of facts, including the persistent under-delivery of housing within the area over a significant period. As a consequence the Council accepts that it must consider itself as an under-performing authority, failing to meet its need and demand for housing, and as such, it must apply a 20% buffer to its housing supply, as established by the NPPF.

The issue of housing supply is important, the Council appears to accept that there is a distinct lack of a 5-year land supply and that there has been a significant period wherein there has been persistent under-supply of housing delivery. In light of these points, the proposal would be an eminently deliverable scheme for 2 new units, which although a relatively modest number, this would contribute to meeting the delivery gap within the wider area and would in our opinion be a size and form of development that would be commensurate to the size and characteristics of the area. The scheme would provide for 4 units of residential accommodation, and it is considered that this submission demonstrates how the proposals can be accommodated without any harmful, or demonstrable impacts. Therefore the NPPF would offer support to the proposals. This latter point is particularly important given the age of the local plan, and that it is both out-of-date and not consistent with the requirements of the NPPF.

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The National Planning Policy Framework, 2018 (NPPF) is quite clear in its aims to significantly boost the supply of housing. Furthermore, the Council cannot currently demonstrate a 5-year supply of deliverable housing sites (4 years as at 31st March 2018), as per the provisions in the NPPF. Paragraph 11 of the NPPF states that where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, the most important policies for determining the application (i.e. those relating to the supply of housing) are considered out-of-date. Paragraph 11 of the NPPF is quite clear that 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 paragraphs 7 and 8 of the NPPF as having three dimensions; economic, social and environmental:

> E*conomic - The development would support the local economy through employment opportunities associated with construction and future occupants may work locally and support local services.*
>
> *Social - The proposal would make an important contribution towards housing supply, and affordable housing, in the district (Section 5) and a safe form of development is capable of being created. A range of services and facilities are located within Cowbit.*
>
> *Environmental - The site in question relates reasonably well to the existing built-up area. It is considered that the proposed development could be accommodated without materially harming the character/appearance of the locality. Although currently agricultural land, the size of the land is not large within the scale of modern agriculture. To deliver the Council's required housing need it is inevitable that some high-grade agricultural land will be lost, and this is considered acceptable.*

Therefore taking both the 5-year supply position, substantial weight must be afforded to the benefits of provision of housing on this site and thus the principle of development must be supported, and this proposal must be viewed in a positive light.

There are policies within the NPPF which seek to prioritise development in urban areas and avoid inappropriate development in the countryside. That said, it can be seen that this site currently contributes to the currently sporadic nature of the area, and moreover it must be accepted that the site is not “isolated” as defined within the NPPF following the recent examination of this term within

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the Courts. To reach any alternative conclusion on this point would be an error in law and judgement on the Councils part. We hope this is a point the Council will concede?

Within Braintree and SOS v Granville, it is noted that the Courts concluded that:

> *"NPPF 55 cannot be read as a policy against development in settlements without facilities and services since it expressly recognises that development in a small village may enhance and maintain services in a neighbouring village, as people travel to use them. The PPG advises that "all settlements can play a role in delivering sustainable development in rural areas", cross-referencing to NPPF 55, "and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided….". Moreover, in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services. NPPF 17 penultimate bullet point identifies as a core planning principle to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable". But as the PPG states, NPPF 29 and 34 recognise that the general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas. The scale of the proposed development may also be a relevant factor when considering transport and accessibility. As Mr Dagg rightly pointed out, the policy in NPPF 17 in favour of focusing development in locations which are or can be made sustainable applies in particular to "significant development"."*

This clarification on the definition of isolated is important in this case. In addition to identifying that the site is not isolated in this case, due to its close proximity to existing forms of development, its references to general sustainability are also noted. The site is located at the western extent of Cowbit, which is an existing village of predominantly linear form, but with examples of estate developments. This is not a small number of dwellings, but in total collectively Cowbit could be considered a reasonably large village. In addition, as set out elsewhere within this report, it does benefit from existing services and facilities. To this end, the site easily serve the needs of individuals wishing to live in Cowbit, but also the wider rural area who cannot find appropriate housing. The site is within a relatively sustainable location due to its proximity to existing settlements which are readily accessible. In view of the clarification provided by the Courts above, it should be accepted by

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the Council that the principle of development on this site is supported and that the sustainability of the site in general terms should not be in question.

The 5-year land supply and Affordable Housing

As stated above, the NPPF requires that Local Planning Authorities maintain a 5-year supply of housing land in order to meet its objectively assessed need.

Crucially, the conclusions of the 5-year land supply report effectively confirms that the existing local planning policies cannot be considered up to date. In this context, the Council must do all it can to support the continued delivery of housing within its area.

Having concluded that the local housing policies must be considered out-of-date and not compliant with the NPPF, this proposal must still be appraised on their own particular merits with due regard to all of the other requirements of sustainable development.

In relation to Affordable Housing, it is noted that the Council relies on the Local Plan policy H6 and the adopted SPG to secure Affordable Housing.

It is our opinion that the document should not be afforded any material weight in the determination of this application. This policy is out-dated, and is “non-statutory”. Given that the Councils housing policies cannot be considered compliant with the NPPF (due to a lack of a 5year land supply), it is our view it should be disregarded for the purposes of the determination of this application.

That said, the client does recognise the importance of providing a scheme which would contribute to meeting a local need for housing and would provide an appropriate rural location for affordable housing, being sited between two established settlements. **As such, should the Local Planning Authority consider that there is a need to provide Affordable Housing to mitigate the impact of the development, or to ensure that the scheme is policy compliant, the client would be content to discuss and negotiate on this matter, based on a pro-active and collaborative approach.**

Such discussions would be conducted based upon the widest definition of “Affordable Housing” with regard to the latest Government objectives such as “Starter Homes” and should also consider the

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viability of the overall scheme. In the event of such discussions, the client would expect that any products delivered would be subject to local eligibility criteria, and that that all of these matters could be concluded within an appropriate Planning Obligation, following a recommendation to grant planning permission.

However to clarify, the starting position of the client is that Affordable Housing is not currently required in order to deliver a policy compliant scheme.

Is the proposal sustainable?

As has been highlighted throughout this document, the proposals would result in the efficient use of land. There are no obvious significant physical or environmental constraints to this site which would prevent it being deliverable. The main objection to its development potential is therefore concerns that the site would fail to fit into the objectives of the Locational Strategy of the draft Local Plan.

It is accepted that the site is located in a less sustainable area within the District, but Cowbit is a reasonably sized village, comprised of a significant number of dwellings with associated facilities. It also forms one of a series of settlements, including Weston for example which function collectively to provide a rural community. Given the position of the site and the surrounding links to Spalding, Weston and other villages, the application site cannot be considered as being in an isolated position.

The site is located within a reasonable walking distance based on established design principles, and would be connected to Cowbit by virtue of the existing footway which runs adjacent to Barrier Bank. Barrier Bank also functions as part of the adopted bus network and is a key route into Peterborough.

It is our clients contention that in light of the lack of a locational strategy the site would be a suitable, available and achievable site with a clear indication from the applicants that there is a desire to see this development delivered. This is a modest site, which could accommodate a limited size development which in our opinion would better reflect the characteristics of the area and would not appear out of character with the context of the area.

It is the contention therefore that this application proposes an opportunity for the delivery of a limited amount of development, representing a natural evolution and expansion of development

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within this area and which can be accommodated in a form that would not harm the established character of the area. As such, the application would represent a sustainable form of housing development.

The site would be of small-scale, and is considered to be exactly the sort of housing site which the Government and local politicians wish to support. A development which could meet local needs and demands, whilst providing opportunities for self or custom build, or for engagement with a small local builder.

It is considered that this site can provide an opportunity for a level of development commensurate to the established size of the village within an area of natural progression, without having a significant impact upon the character of the area, or without the significant loss of important natural greenspaces. On this basis it is our clients contention that this is an appropriate site for additional residential development, which would accord with the aims of the NPPF.

The emerging South-East Local Plan

The emerging South-East Local Plan is currently out to consultation, as such it cannot be afforded any substantial weight in the determination of this proposal. That said, having reviewed the key policies relating to principle, namely Policy 1 “Presumption in favour of sustainable development” (which seeks to reflect the requirements of the NPPF) and Policy 2 “Spatial Strategy” the proposals would seem to accord with the objectives of these policies.

With particular relevance to Policy 2, the site would be located outside of but opposite to the proposed settlement boundary for Cowbit. The policy states that proposals for development within the settlement boundary would be supported as it would enable the support of existing facilities and services within the settlement which would be classed as a service centre. This boundary is shown in the image below.

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Whilst the aforementioned policy and proposals map cannot currently be afforded any significant weight, we agree that the Cowbit is a sustainable location for development and that such development can continue to maintain and support existing facilities and services. But we do contend, that the proposals should not be viewed as being unacceptable simply for being outside of a notional line/boundary. The development, as shown in the submitted drawings would be of an appropriate scale and character and can be accommodated with minimal impact. Therefore it would be no less sustainable or no less acceptable, than any small-scale development within the settlement boundary that is proposed. Clearly, as a result of this policy position, the general principle of development in this location should be acceptable as the site is not within a general countryside location.

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It is our contention that the development of the site would be compliant with the overall objective of achieving sustainable development and would comply with the requirement to be a form of development which meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Again as part of the evidence base for the South East Lincolnshire Local Plan, the document "An assessment of settlements and their sustainability credentials – June 2015" was prepared which analyses the sustainability of villages and other settlements within the plan area.

This looks at a variety of factors including facilities, connectivity, employment etc, and applies a scoring system to each settlement. From this it can be seen that Cowbit benefits from the following:

- Primary school
- Childcare provision
- Access to secondary school on established transport routes
- Place of Worship
- Community Hall
- Access to a mobile library
- Childrens Play Areas
- Playing fields
- And, is within reasonable proximity of other service centres.

In addition to the above, and in response to the particular comments of the LPA in respect of accessibility and access by public transport, the following results of the aforementioned survey should be noted:

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Settlement	Number of buses and trains stopping in the settlement each week (excluding school and college transport)	Ability of people to get to the urban centres of Boston, Kings Lynn, Peterborough, Skegness, Sleaford, Spalding and Wisbech for employment purposes by 08.30am	Ability of people to get home from the urban centres of Boston, Kings Lynn, Peterborough, Skegness, Sleaford, Spalding and Wisbech after employment from 17.30pm	Number of days that bus and train services run per week	Presence of call-connect services in the settlement	Number of Households (Addpoints) within 400m of a bus stop or train station	Number of Households (Addpoints) within the development boundary of the settlement	Percentage of households that are within 400m of a bus stop or train station
Cowbit	**134**	**YES**	**YES**	**7**	**YES**	**426**	**461**	**92%**

This clearly identifies that the site is served by a regular bus service, with 25 buses over a 6day period, with 426 households or 92% living within 400m of a bus-stop. The area also being served by call-connect services.

Therefore, whilst it is more likely than not that future occupants would seek to own and use a private car, in light of the above, coupled with changing modal shifts of shopping and working (using online services) there would be appropriate opportunities for choice, and reliance on a private car would not be a fundamental issue.

The aforementioned report has been used to form the settlement hierarchy established within Policy 2 “Spatial Strategy”. Therefore its conclusions must be considered as being relatively sound and supported by the Council.

Development on this particular site would not be isolated, it would sit alongside established residential uses and replicate the established clusters of residential development which are found in the locality. Occupants of the proposed development would support the existing services, but would also have suitable levels of accessibility to the services contained within the surrounding settlements.

In light of the above it is our contention that the site is in a sustainable location, and not only can new development be accommodated here, such new development would bring additional numbers to the local populous which would aid in the continuing support of these established local facilities

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and services which is especially important in the current challenging economic circumstances. In this regard it is considered that the proposals would comply with the NPPF.

The client would wish to reiterate the desire to provide housing within this development which can cater for a wide range of needs and demands, from starter or mid-market products, to downsizers units, as well as self and custom builders. The proposed scheme has been designed to meet this spectrum of need along with the consideration of character. This is a sustainable approach to development and the continued development and evolution of the community.

In respect of the sustainability of the settlement, for the reasons set out above, it is considered that this is an area which would be suitable for this limited, new residential development.

Summary of principle

This section has provided clarification of the current, complex planning policy situation, and has considered both the current and proposed local planning policies and also assessed the scheme within the context of the NPPF.

Clearly the current local plan is out-of-date, and in light of the lack of an identified 5 year land supply (plus buffer), its policies should be considered as contrary to the objectives of the NPPF. As such, significant weight should be applied to the principles of the NPPF in respect of the delivery of much needed residential development.

The site is relatively free of constraints and sits alongside established residential properties, and as such could be brought forward quickly and simply for a sustainable form of housing development, making efficient use of the available land and would represent a deliverable and appropriate scheme which would help to address part of the deficiency in the local housing supply. The proposals would garner considerable support from the NPPF and it is our contention that significant material weight should be afforded to the assessment of the proposal against the NPPF objectives.

In light of the above, it is our view that the development of this site would be a sustainable approach to the delivery of new housing within this area, and as such, the scheme would clearly be compliant

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with the requirements of the NPPF. Therefore in accordance with the presumption in favour of the delivery of housing development, the broad principle of residential development on this site should be found to be acceptable.

2. Impact on the character and appearance of the area

The proposal is submitted full detail, allowing for a clear assessment and judgement to be made. This also allows for the detailed consideration of all impacts and the visualisation of the quality of the built form.

The proposal would provide for the creation of a modest development of 2 units which would each benefit from off-street parking and an appropriate curtilage. This would be a high quality re-development proposal, in accordance with the ethos of the established planning policy framework.

Both local and national planning policies seek to promote high quality design, which would respond carefully and positively (where possible) to the established character of the area within which the development would sit. This approach is considered to be a key theme to securing sustainable and appropriate forms of new development.

This proposal would meet the objectives of the established planning policy context through the provision of a linear form of development which would seek to replicate the prevailing forms of development within the area. The site is too small for modern agriculture, and sits alongside existing housing which forms a cluster around a road junction, the provision of housing on this site could therefore site comfortably within this context. The proposed scheme could integrate into the established context through the introduction of buildings and plots that would be of a similar nature to the adjacent buildings. The proposal would integrate into the established street scene and would reflect the residential characteristics of Cowbit and the general rural aesthetic.

Within the area, there are examples of clusters of properties, along with an estate, and a clear linear pattern. The site would respect the linear pattern and would be sympathetic to the more dense forms. The site is neither visually or spatially isolated, and there are connections to the established built forms.

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The development of the site could create a clear frontage form of development to provide a visual connection to existing buildings. This approach would provide a road frontage development to reinforce the local character, and would allow the most efficient use of the site to provide further dwellings which would also be high quality. Each unit would benefit from a generous plot, with suitable amenity space, improving the quality of the housing stock proposed and improving the possibility for the introduction of energy efficient techniques.

Furthermore, the layout, scale and approach to development of the site is able to respond to the sites constraints. Each of the units have been specifically designed in order to provide an appropriate scale and layout for the plot in which it would sit. This would ensure that over-development of the plot would not occur. The units would incorporate on-plot garaging, along with turning and additional parking spaces. Amenity areas would be generous throughout. Each unit would have its own architectural detailing, to create a unique appearance. Design and appearance respect the traditional ethos of the area, allowing the proposal to integrate into the area by virtue of the variety in housing stock which presently exists. No dwelling would appear excessive in terms of scale or massing.

The layout would achieve a satisfactory standard of amenity for the prospective occupants of the proposed new dwellings in terms of outlook achieved, space standards and garden areas. The development would be of a low density and as such would be quite spacious, therefore providing a more than acceptable living environment for future occupiers. Each unit would benefit from generous outlooks and access to natural light and ventilation.

The proposed development would in the clients opinion improve the established visual character of the area. The development would be high quality and attractive. Whilst the development would result in the loss of some limited views, these are not considered to be of any specific landscape value and the site is not formally designated. Further the approach to development at Reserved Matters stage can carefully consider the surroundings and ensure the proposals would provide an appropriate response to the character of the area and the constraints/opportunities of the site.

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The scheme would seek to reflect many of the common spatial characteristics of the area, particularly in terms of the spacious layout, the traditional scale, form and appearance of the development that is proposed and in terms of the ability to retain and reinforce the landscaping of the site to provide relief to the built form. Where appropriate conditions regarding agreement of materials and finishes and detailing could be imposed.

Clearly the scheme would result in change to the visual appearance of the area, but it must be remembered that "change, of itself, is not necessarily harmful" and in this respect, any minor harm that would result must be considered within the positive context of the delivery of housing within a sustainable location, to contribute towards the Council meeting its 5year land-supply. It is our contention that these benefits would far outweigh any harm that would result from the development of this site.

It is the contention therefore that this submission is sufficient to establish that the development can be accommodated and would result in a high-quality form of development that would preserve and enhance the character and appearance of this location. Therefore the proposals are considered to be compliant with the requirements of the NPPF.

Impact on the amenities of neighbouring uses

Due consideration has been given to the relationship between the proposed buildings and surrounding properties and as a consequence the layout and the positioning of windows would ensure that there would not be any detrimental effects to neighbouring land uses either in terms of overlooking or loss of sunlight/daylight.

It is considered that the separation distances to neighbouring uses would also aid in minimizing any detrimental effect on neighbouring properties, however, should any minor harm result, it is considered that this must be balanced against the overall benefits that would occur from the re-development of the site.

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Highways

The proposals would see the new dwellings would utilise a new access from Barrier Bank which would be compliant with requisite standards in terms of visibility.

Given the alignment of the new access, and the availability of appropriate visibility splays owing to the extent of frontage under the control of the applicant, it is not considered that there would be any detrimental issues of visibility or vehicle speeds.

There is an existing footway as referred to earlier in this statement which provides a connection to the core of Cowbit, and Barrier Bank is also part of the bus route. The road is relatively heavily trafficked, and has verges which are considered sufficient to provide relief for pedestrians. As outlined earlier in this statement, the site can be readily accessed by car, bike, and foot, and is only a short walk to various facilities and onward bus-connections, with the settlement being serviced by a regular bus route. Appropriate facilities can be accommodated within each plot to support the provision of sustainable transport methods including cycle storage.

In terms of traffic generation, it is considered that the level of development proposed would be unlikely to generate significant levels of traffic which would be likely to be to the detriment of highway safety. As such, there would be no sustainable objection to the proposals based on highway safety or traffic generation.

Ample parking and turning space to serve the development can be provided to serve the new dwellings.

It is therefore considered that the proposals would be in accordance with the NPPF and would be a sustainable form of development that would not impact upon highway safety.

Planning Balance

Notwithstanding the above, in the event that the Council maintain that there are some unacceptable elements of the scheme, such negatives may be outweighed by positives within the overall planning balance.

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The planning balance is well-established in planning law, it is the practice of the decision-taker weighing up all relevant policies of the development plan (including any conflicts) and the balance of all relevant material considerations. This principle is based on the desire to establish sustainable development, and the acceptance that it is highly unlikely that schemes will be utopian in nature, in essence they are not perfect schemes, but they are not unacceptable when viewed in the round. Development Plan policies and objectives often pull in different directions, seeking to respond to differing scenarios, and to that end, it is the role of the decision-maker to assert appropriate weight to all relevant policies and objectives and weigh up the compliance with some policies, against non-compliance with others.

In this instance, if for some reason, the proposals are not compliant with all relevant policies, the decision-maker must apply weight to that lack of compliance, and balance it against the positive benefits of the scheme. A key driver of both local and national planning policy is to ensure the efficient and effective use of previously-developed land, to secure additional housing, and to provide for sustainable forms of development that would be in-keeping with the character and nature of surrounding land-uses. In this instance, we consider that the compliance with these policy objectives at both a local and national level should be attributed significant positive weight and that such positives would be sufficient to outweigh the concerns regarding the loss of employment.

The proposals would see the efficient and optimised use of land, and would result in a high quality form of development. As a stand-alone scheme, when applying the planning balance, we consider that there are significant beneficial outcomes from the scheme, based on the three strands of sustainable development (social, economic, and environmental) which would outweigh any concerns with the acceptability of the proposal. Most notably the supply of additional housing, and the continued support of existing services and facilities, through the provision of a high quality scheme appropriate for its environment, and the economic benefits of supporting the delivery of the site through the construction process.

When considered in the round, we believe that the scheme is acceptable when the planning balance is applied.

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Conclusion

In conclusion, on the basis of the aforementioned information, read in conjunction with the submitted application forms and drawings, it is considered that there will be no detrimental harm created by this proposal, and therefore it is considered that the proposed development can be sufficiently justified in this location.

As has been identified, the Council cannot currently evidence an acceptable 5-year land-supply, and therefore its Local Plan policies are out-of-date and primacy must be given to the NPPF.

This proposal would see the delivery of 2, high-quality units of residential development, on a windfall site in a sustainable way. The proposals would be compatible with existing residential uses within the locality and would be acceptable with regard to all relevant material considerations.

This is a deliverable and achievable proposal, which would provide for a sustainable form of residential development, and which should therefore be viewed favourably as advocated by the NPPF.

It is therefore respectfully considered that the proposed development should be approved.

Should the appointed Case Officer or other representative of the Local Planning Authority be concerned by any aspect of this proposal, it is respectfully requested that they engage with the agent at the earliest possible opportunity to ensure that all issues can be resolved in a timely and efficient manner.

Clive Wicks Associates

2/11/18