

Planning Statement

Outline planning application (all matters reserved) seeking the erection of a self build residential dwelling at 47 Plank Drove, Crowland, Lincolnshire, PE6 0BY, with an equivalent footprint to a garden store building approved under application H02/0006/15



Client: Mr Matt Clough

Prepared by: Jamie Cann (Planning Direct)

Date: 28 July 2020

NOTICE

This document has been prepared for the stated purpose in accordance with the Agreement under which our services were commissioned and should not be used for any other purpose without the prior written consent of Planning Direct. We accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

© Planning Direct. All rights reserved. No part of this document may be otherwise reproduced or published in any form or by any means, including photocopying, storage on computer or otherwise without the prior permission of the copyright holder.

Planning Direct is a trading name of Cicero Communications Ltd. Registered in England & Wales, no. 7986959.

August 2018



Room 3.11, Felaw Millings, Felaw Street, Ipswich, IP2 8SJ
Tel: 01473 407911
E: enquiries@planningdirect.co.uk
W: www.planningdirect.co.uk
Registered in England & Wales. Registered No. 7986959

Table of Contents

Introduction	5
Location & Site Description	5
The proposal	6
Planning history of the site	7
Planning policies.....	8
National planning policies	8
Local planning policies	8
Other relevant documents	9
Principle of development	9
Presumption in favour of sustainable development	9
Economic	10
Social	10
Environmental	11
Settlement.....	12
Previously Developed Land	14
Self Build	15
Application H02-0669-19	17
Access.....	19
Residential amenities.....	21
Environmental impact	21
Landscape.....	22
Flood risk.....	22
Biodiversity	23
Contamination	23
Summary	23
Appendices.....	24

Introduction

The applicant, Mr Clough, has instructed Planning Direct to prepare and submit an outline planning application for the erection of a new dwelling within garden amenity land serving 47 Plank Drove, Crowland, Lincolnshire, PE6 0BY. The siting, size and mass of the new dwelling will be equivalent to be garden store approved under a previous planning application.

This statement has been produced in order to demonstrate that the proposed development is considered to be fully compliant with national and local planning policies, and should be viewed favourably by the Local Planning Authority (LPA).

Location & Site Description

The application site comprises garden amenity land which currently serves the host dwelling, although it is physically separated from it via a combination of walls and fences. The site earmarked for the proposed development is identified within the red line boundary of the Site Location Plan, with the area of the site to be retained for 47 Plank Drove within the blue line boundary. As the applicant owns the whole site, he is able to adjust the subdivision of land between the existing and proposed dwelling should this be required.

The site is located amongst a sporadic cluster of housing along Plank Drove, and positioned in close proximity to the settlement boundary of Crowland which is classified as a Main Service Centre within the Local Plan. In terms of distance the site is between 200m to 250m from the edge of the settlement. A map identifying the cluster of residential dwellings is included at **Appendix 1**.

The area of the site where the proposed dwelling will sit, benefits from planning consent for a garden store. The site was previously occupied by multiple outbuildings in the past, as identified within the plans included at **Appendix 2**.

According to the Environment Agency's online flood mapping database the majority of the site is located within Flood Zone 1, which represents the lowest probability of a flood risk event occurring. A very small part of the site is located within Flood Zone 2,

however this is not considered to pose a flood risk to the occupants of the dwelling as it would not impact upon access to and from the site.

The site is not located within a Conservation Area or in close proximity to a designated heritage asset. Furthermore the site is not located within any of the protected areas identified within the NPPF, such as an AONB, SSSI, Green Belt and National Park or a locally designated area of landscape value including a Special Landscape Area.

The site is accessed from Plank Drove, which constitutes a single track road with passing places that terminates at a farm to the south. Although there are no footpaths that link the site from the settlement, the existing road, with minimal traffic movements, can be used safely by pedestrians.

The proposal

The applicant is seeking to erect a new residential dwelling within garden amenity land that serves the 47 Plank Drove, Crowland, Lincolnshire, PE6 0BY, hereafter referred to as the 'host dwelling'.

It is proposed that the dwelling would be erected to the same footprint, height and size as the garden store building approved under application H02/0006/15, and as a consequence would not result in an adverse impact upon the landscape.

The new dwelling would constitute a self build opportunity as the applicant, who runs a local construction business, is intending to construct it for his own occupation.

The application is outline however indicative floor plans have been included for information purposes at this stage, although it is recognised that design details would be considered as part of a reserved matters approval application.

The intended subdivision of garden amenity land between the two plots is identified on the Proposed Block Plan, with the proposed domestic curtilage and vehicular access to the new dwelling up to the highway included within the red line boundary. The area of the site retained for the host dwelling is identified within the blue line boundary. The applicant is able to adjust the sub-division of domestic curtilage between the two plots, as he owns the entire site.

Planning history of the site

The following planning history of the application site as extracted from the LPA's public access system is considered to be relevant to the application.

Ref: H02-0006-15

Description: Extensions and internal alterations to house together with new external buildings

Outcome: Approved 15 January 2015

Ref: H02-0606-14

Description: Occupation of dwelling without complying with agricultural habitation clause (condition 1 of SR85/67)

Outcome: Approved 17 July 2014

Ref: H02-0072-13

Description: Retention of dwelling without complying with agricultural habitation clause (Condition 2 of SR281-66 and Condition 1 of SR85-67)

Outcome: Refused 30 January 2013

The following planning application is also considered to be relevant to the proposed development herewith:

Ref: H02-0669-19

Site: Land north of Crowland Garden Centre, James Road, Crowland

Description: Outline application for the erection of up to 6 self build eco-homes with access from James Road

Outcome: Approved 03 April 2020

In relation to the aforementioned application the LPA approved the development of six self build dwellings outside the settlement boundary of Crowland, on a site with agricultural fields to the north, east and west. The application is referred to later within the statement as the decision has set a precedent for the development of self build homes outside the settlement boundary of Crowland.

Planning policies

The most relevant national and local planning policies have been identified in relation to the proposed development within this section.

National planning policies

The National Planning Policy Framework (NPPF) published in February 2019 sets out the Government's planning policies for England and how these should be applied. The following sections within the Framework are considered to be the most relevant in relation to this application.

Section 2 Achieving sustainable development

Section 5 Delivering a sufficient supply of homes

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Local planning policies

The following local planning policies as set out within the South Lincolnshire Local Plan (2011-2039) adopted in March 2019 are considered to be the most relevant to the submitted proposals.

Policy 1 Spatial Strategy

Policy 2: Development Management Proposals

Policy 3: Design of New Development

Policy 4: Approach to Flood Risk Development

Policy 11 Distribution of New Housing

Policy 28: The Natural Environment

Policy 31: Climate Change and Renewable and Low Carbon Energy

Policy 33: Delivering a More Sustainable Transport Network

Policy 36: Vehicle and Cycle Parking

Other relevant documents

- The Self-Build and Custom Housebuilding Regulations 2016

Principle of development

It can be demonstrated that the principle of development at this location is considered to be acceptable in accordance with national and local planning policies.

Presumption in favour of sustainable development

The NPPF provides that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. For decision making this means that development proposals should be approved that accord with an up-to-date development plan without delay.

According to the Local Plan the site is located outside a settlement boundary and is designated as a countryside location. Policy 1 (Spatial Strategy) provides that in the countryside development will be permitted where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits (i.e. constitutes sustainable development in accordance with the NPPF).

Section 8 provides that achieving sustainable development means that the planning system has three overarching objectives (**economic**, **social** and **environmental**), which are 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). A summary of the impact of the proposed development in relation to the three objectives is provided below, and the key factors identified are addressed in more detail later within the statement.

Economic

The economic objective is 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, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

The development would assist in supporting the continuation of rural facilities and services within a designated Main Service Centre. Paragraph 78 of the NPPF provides that to promote sustainable development in rural areas, housing should be located where it would enhance or maintain the vitality of rural communities and where there are groups of smaller settlements development in one village may support services in a village nearby. It is clear that the nearby settlement of Crowland provides a significant amount of services and facilities which benefit the surrounding rural area and should be supported.

Social

The social objective is 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.

Paragraph 68 supports the development of windfall sites giving great weight to the benefits of using suitable sites within existing settlements for homes. It is also recognised within the NPPF that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out more quickly than larger sites.

Although the LPA is satisfied that it can demonstrate a five year supply of housing, this proposal would result in an additional dwelling being delivered on a small windfall site, comprising a minor development that is commensurate in size to its rural surroundings. Furthermore the South Holland District Council 5-year Housing Land Supply Assessment (as at 31st March 2019) states that the LPA is reliant on a windfall

contribution of 224 dwellings for the period 01 April 2020 to 31 March 2024, in order to meet housing supply.

The Government supports the provision of self build homes as set out within the Self-Build and Custom Housebuilding Regulations 2016. It is considered by the Government that self build homes are generally constructed more quickly than developer lead schemes as the builder will tend to use more productive, modern methods of construction (as is the case herewith). It is also asserted by the government that custom build dwellings are financially less risky to construct as the builder does not have to rely on securing an end user.

In relation to rural housing, paragraph 77 provides planning policies and decisions should be respond to local circumstances and support housing developments that reflect local needs. The self build dwelling would clearly meet a specific locally defined need in relation to the applicant and his family, with strong local social and economic connections to the area.

Environmental

The environmental objective is to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 117 of the NPPF provides that planning policies and decisions should promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment. The proposal would comply as it would cause no harm to the prevailing character of the area as required under Section 12, and constitutes Previously Developed Land in accordance with the definition within the NPPF. The applicant is committed to ensuring that the footprint, bulk and size of the dwelling would not exceed that of the garden store which already benefits from planning permission under application H02-0006-15.

Furthermore the site is not located within a protected area as defined within the NPPF.

Settlement

The settlement of Crowland is defined as a Main Service Centre in accordance with Policy 1 (Spatial Strategy). Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or help meet the service needs of other local communities.

It is asserted that the provision of an additional dwelling at this location would help to reinforce the role of Crowland as a Main Service Centre. Notwithstanding the aforementioned points it is important to consider recent case law in relation to what constitutes a settlement in accordance with national planning policy.

Paragraph 79 of the NPPF specifically states that the development of isolated homes within the countryside should be avoided unless certain exceptions apply. It is clear that this proposal does not qualify for any of the exceptions listed within the NPPF.

It should however be recognised that the proposed dwelling should not be considered to be an isolated home. The dwelling would be positioned within a sporadic group of existing residential dwellings in close proximity to the development boundary (between 200m to 250m) and as such it cannot be deemed to be socially or physically isolated. Furthermore the prospective occupants would benefit from an equivalent level of accessibility to local services and facilities as the neighbouring residents within the group.

It is also important to consider the context of the site, combined with recent appeal decisions as to what constitutes a settlement. The NPPF does not set out a precise definition for a settlement, however recent appeal decisions and Court of Appeal cases provide an interpretation.

The recent Court of Appeal judgement dated 28 March 2018 at **Appendix 3** (Case No: C1/2017/3292) specifically considers the definition of a settlement and the word 'isolated' in connection with paragraph 55 of the previous version of the NPPF (now paragraph 79 within the revised NPPF) as follows:

'In my view, in its particular context in paragraph 55 of the NPPF, the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is

physically separate or remote from a settlement.'

The definition of a settlement, is also covered in the judgement as follows:

'What constitutes a settlement for these purposes is also left undefined in the NPPF. The NPPF contains no definitions of a "community", a "settlement", or a "village". There is no specified minimum number of dwellings, or population. It is not said that a settlement or development boundary must have been fixed in an adopted or emerging local plan, or that only the land and buildings within that settlement or development boundary will constitute the settlement. In my view a settlement would not necessarily exclude a hamlet or a cluster of dwellings, without, for example, a shop or post office of its own, or a school or community hall or a public house nearby, or public transport within easy reach. Whether, in a particular case, a group of dwellings constitutes a settlement, or a "village", for the purposes of the policy will again be a matter of fact and planning judgment for the decision-maker. In the second sentence of paragraph 55 the policy acknowledges that development in one village may "support services" in another. It does not stipulate that, to be a "village", a settlement must have any "services" of its own, let alone "services" of any specified kind.'

It is therefore asserted that the application site is within an existing settlement, being located amongst a group of existing residential dwellings without facilities. The group of dwellings does not necessarily need to include a shop, post office or other forms of local service.

Furthermore the site is located in very close proximity to the settlement boundary of a Main Service Centre (Crowland), which is stated within the Local Plan as a settlement which performs a significant service role for the surrounding area.

In summary the principle of development at this location should be supported as the site;

- is located within 250 metres of the settlement boundary of Crowland;
- is located amongst a group of existing residential dwellings;
- is considered to be within a 'settlement' in accordance with recent case law that provides that a settlement would not necessarily exclude a hamlet or a cluster of dwellings, without, for example, a shop or post office of its own, or a school or community hall or a public house nearby, or public transport within easy reach.

The LPA approved the construction of up to six new self build dwellings under application H02-0669-19 on 03 April 2020, which has set a precedent for new build development just outside the settlement boundary of Crowland. A comparison between the planning merits of this application and the proposal herewith is examined later within the statement.

Previously Developed Land

Section 11 of the NPPF provides that planning decisions should promote an effective use of land in meeting the need for homes on Previously Developed Land or brownfield sites. Paragraph 118 promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.

The NPPF includes a specific definition as to what type of land is defined as being 'Previously Developed Land', which is set out within the Glossary as follows:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

It is clear that the site is considered to be previously developed in accordance with the aforementioned definition. The site comprises a residential garden area, however it is not positioned within a built up area due to its location within a sporadic cluster of housing. Furthermore the site is not currently being used for agricultural purposes, and is designated as residential land.

Self Build

It is important to assess the proposal given the backdrop that the proposed dwelling would constitute a self build unit in accordance with the national definition.

The applicant, who has very strong local connections in the area, is committed to erecting the new home as his permanent residence.

The applicant has lived, and subsequently worked, within the Crowland area since he was born and runs a local construction company with strong connections with other local businesses.

Considerable weight should be given to this factor as the UK Government is committed towards ensuring that assistance is provided for people seeking to build their own homes and LPA's are encouraged to support the provision of self build homes within their administrative areas.

The LPA has a duty to grant planning permission for enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. (NPPG paragraph 023). It is required by the provisions in Section 2A of the Self-Build and Custom Housebuilding Act 2015 (as amended) to grant planning permission for enough serviced plots of land to meet the demand for self-build and custom housebuilding in the district which arises in each base period.

Paragraph 61 of the NPPF provides that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers people who rent their homes and people wishing to commission or build their own homes *26).

*26 Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.

The Government published a White Paper in February 2017 titled 'Fixing Our Broken Market' which underpins its commitment to support the provision of custom build homes. It is considered that custom build or self build homes are generally constructed more quickly than developer lead schemes as the builder will tend to use more productive, modern methods of construction. This assertion is also stated within paragraph 68 of the NPPF which provides *'small and medium sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.'*

The aforementioned factors are particularly prevalent herewith as the applicant's specific intention is to build the dwelling via his own construction company.

It is also asserted that custom build dwellings are financially less risky to construct as the builder does not have to rely on securing an end user (buyer). It is acknowledged that few homes within the UK are custom built compared with many other countries, although there is an evidence of an increasing demand within the country for this type of housing procurement in recent years.

The proposal would provide an additional self build plot within a sustainable location which would provide a contribution towards the LPA's housing supply targets. The site is already in the freehold ownership of the applicant and as such is readily available for development.

A planning inspector allowed outline planning consent (APP/G2435/W/18/3214451) for the erection of 30 self build plots in Woodville, Swadlincote, which reversed the decision to refuse the initial application by North West Leicestershire District Council. The application site was outside the defined limits of development and the proposal was deemed to be in conflict with the local plan. It is clear that the LPA refused the initial application due to the effect of the development on the character and appearance of the area and the openness of the Green Belt. The inspector concluded that *'The requirement on planning authorities to permission sufficient plots for custom and self build is clearly set out in primary legislation, and should be a material consideration in all relevant planning applications. This legislation is important as England is out of step with every other developed country with regards to the number of homes that we build in this way.'*

Furthermore it was concluded that the socio-economic benefits of custom and self build, would not only serve people using and supporting local services and facilities, it would

also create opportunities for the local construction industry to boost employment and training opportunities.

On balance it was considered that the economic, social and environmental benefits of the proposal significantly and demonstrably outweighed the conflict with the local plan.

Indeed the NPPF states that any proposed development that conflicts with a local plan should be refused unless other material considerations indicate otherwise. The fact that the proposed dwelling would constitute a self build plot is a material consideration.

The applicant is willing to enter into a Section 106 agreement with the LPA in order to ensure that the construction of the new dwelling adheres to the legal definition of custom and self build housebuilding.

The applicant has applied to the LPA to register his interest in a self build dwelling.

Application H02-0669-19

On 03 April 2020 the LPA approved an outline planning application for the erection of up to six self build homes on a site outside the settlement boundary of Crowland (Land north of Crowland Garden Centre, James Road, Crowland). The planning application reference is H02-0669-19.

It is important to consider the proposed development in relation to the proposals approved under application H02-0669-19. It is clear that the proposal herewith should be viewed favourably by the LPA, as it is considered to be far more compliant with national and local planning policies than that approved under H02-0669-19. A comparison of the two applications has been identified below, in relation to several policy areas.

Self Build

Both applications will deliver self build homes, however the applicant herewith is committed to building the proposed dwelling specifically for his own occupation. Furthermore the applicant runs his own local construction business and is therefore suitably qualified to build the new home himself which is his intention.

Settlement boundary

It is recognised that both sites are outside the settlement boundary of Crowland, however the proposed development herewith is considered to be more in keeping with the built environment along Plank Drove which comprises a sporadic cluster of single dwellings facing the road.

Access

The application site already benefits from an appropriate vehicular access to the highway, unlike H02-0669-19 where a long access driveway would need to be constructed to serve the development.

Land use

The current use of the application site is residential land serving an existing dwelling, however the site under H02-0669-19 was described as agricultural land within the Officer's Report. It is observed that agricultural land should be protected from development. The proposed development herewith would not result in the erosion of agricultural land within the district.

Flood risk

National and local planning policies dictate that new development should be directed away from sites within Flood Zone 3. The vast majority of the application site herewith is within Flood Zone 1 with a small area in Flood Zone 2, however the site identified for development under application H02-0669-19 is within Flood Zone 3.

Although the LPA must have satisfied itself that effective mitigation could overcome the flood risks identified, it is clear that no such mitigation is required for the application site herewith and the location is considered far more suitable in comparison.

Car journeys

It is clear that the development of six self build dwellings under H02-0669-19 would result in far more daily vehicular movements than the proposed development of one home herewith. It is considered that the development of one unit at this location, is more

commensurate to its built environment in terms of size and scale than under H02/0669/19.

Impact of landscape

The proposed development herewith would not result in an adverse impact upon the landscape, in consideration that the size and footprint of the development would not exceed the garden store building approved under application H02/0006/15. It is clear that the erection of six dwellings under H02/0006/15 would result in a significantly greater impact upon the character and openness of the countryside, given that agricultural fields are located on three sides of the site.

Proximity to residential development

A new dwelling at this location would be far better connected to existing residential development outside and inside the settlement boundary, than is the case with application H02/0006/15.

The application site is positioned within garden amenity land which serves an existing dwelling within a small cluster of residential dwellings just outside the settlement boundary.

Access

Section 9 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy 2 (Development Management Proposals) requires that new development should be provided with appropriate vehicular access and the volume of traffic movements should not result in an adverse impact upon the amenity of neighbouring sites.

It is clear that the introduction of a new residential dwelling at this location would only result in a negligible increase in daily vehicular movements to and from the site. The existing access into the site would be retained for the use of the existing and new dwelling, and there is sufficient width for vehicles to pass each other entering and exiting the site.

Policy 36 (Vehicle and Cycle Parking) provides that all new development should provide vehicle and cycle parking in accordance with the minimum Parking Standards adopted by the LPA. It is also required that parking for residents and visitors should be integral to the design and form of all new development, ensuring that ensure that parking spaces are fit for their intended use in terms of size and design. It is clear that there is sufficient space within the site for the minimum required number of vehicles to park per dwelling, due to a combination of garage provision and on site provision.

The policy also requires that a secure, covered, convenient space to store at least two bicycles should be provided for each new residential dwelling each residential plot, and there is sufficient space within the domestic curtilage of the application site to incorporate this provision.

Local policy 33 is concerned with delivering a more sustainable transport network. In order to encourage sustainable transport measures the applicant is intending to install an electric charging point to the new dwelling in order to ensure that the use of an electric and/or hybrid car is a viable option.

In terms of visibility it is clear from the photographs included at **Appendix 4** that the existing access benefits from good visibility in both directions and, in combination with the limited volume of passing traffic, is considered to be a safe means of access.

The existing vehicular access arrangements were approved under application H02-0006-15, and it is considered that the introduction of a single dwelling would not result in an unacceptable intensification of use.

According to UK Crashmap no road traffic accidents are recorded to have taken place along Plank Drove within the last ten years. The relevant extract from the UK Crashmap database is included at **Appendix 5**.

Residential amenities

Policy 2 (Development Management Proposals) requires that the proposed size, scale, layout, density of proposed developments should not result in an unacceptable impact upon neighbouring amenity and land uses by reason of noise, odour, disturbance or visual intrusion.

It is clear that the only existing dwelling which would potentially be impacted by the proposed development is the host dwelling. Due to the intended distance between the new dwelling and the proposed dwelling, it is not considered that potential issues in relation to overlooking, overshadowing, noise and disturbance would be created by the proposed development subject to full design details being assessed under a reserved matters approval application.

The proposed building which would be designed to the same size, mass and footprint as the garden store, has previously been accepted by the LPA and potential issues pertaining to visual intrusion have already been considered during the relevant planning process.

It is clear the area of external private amenity space to be allocated to the new dwelling and retained by the host dwelling, would be sufficient to cater for the size of the respective family households. The internal living space of the new dwelling would also exceed the minimum technically described space standards as published by the DCLG for a three bedroom house.

Environmental impact

Section 15 of the NPPF provides that planning decisions should contribute to and enhance the natural and local environment and several factors should be considered which relate to impact upon the intrinsic character and beauty of the countryside, minimising impacts and providing net gains for biodiversity where possible and ensuring development does not contribute to unacceptable health risks to the public (in relation to contamination, air quality, noise pollution, flood risk or land instability).

Landscape

Paragraph 170 of the NPPF provides that development proposals should recognise the intrinsic character and beauty of the countryside, which is supported by Policy 29 (Natural Environment).

It is observed that the application site comprises garden amenity land and as such is defined as Previously Developed Land in accordance with the NPPF.

The site is not located within an AONB, SLA, Conservation Area or other designed national and local protected areas as defined within the NPPF. In relation to the potential impact of the development on the openness of the countryside, it should be considered that visually the proposed development would have an equivalent impact upon the landscape as the garden store building approved under application H02-0006-15. As a consequence the proposed development would not result in an adverse impact upon the landscape.

There are no trees or hedges within the site which would require removal to facilitate the development, and the applicant is intending to submit a landscape plan for the consideration of the LPA at reserved matters approval stage which could potentially introduce additional planting to the site.

Flood risk

The NPPF provides that development should not be approved where it would result in an increase in flood risk for prospective occupants or surrounding land users, and this position is supported by Policy 4 (Approach to Flood Risk in Development) (Climate Change) and Policy 2 (Development Management Proposals). Local policies require that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

The vast majority of the application site is located in Flood Zone 1 according to the Environment Agency's online flood mapping database, representing the lowest probability of a flood risk event occurring. A very small percentage the site is located within Flood Zone 2, as identified within the map extracted from the Environment Agency's database at **Appendix 6**. The area contained within Flood Zone 2 is not

where the proposed building would be sited or where access to and from the site would be facilitated.

As the majority of the site is not located within Flood Zones 2 or 3, it is considered that the submission of a Flood Risk Assessment (FRA) is not required in support of the proposal in accordance with the NPPF

Biodiversity

As the proposed building has already received planning consent as a garden store in recent years and the site comprises garden amenity land, it is not considered necessary to submit a Preliminary Ecological Appraisal in support of the application.

Contamination

It is recognised that residential development is classified as a 'vulnerable use' and the appropriate LPA must satisfy itself that the proposed development site is not subject to potential contaminants.

The applicant is able to submit a desktop land contamination report if required, however this is not considered necessary as the site benefits from residential planning consent under previous applications.

Summary

It is the professional opinion of Planning Direct that this outline planning application should be viewed favourably by the LPA as the proposal is considered to be compliant with national and local planning policies.

It is considered that the proposal constitutes sustainable development as defined within the NPPF as it provides economic, social and environmental benefits to the district. The adverse impacts of the development would not significantly outweigh the benefits provided.

The proposal would assist in enhancing and maintaining the vitality of rural communities in accordance with the NPPF, through the provision of a new self build dwelling to be located within a cluster of existing dwellings in close proximity to the settlement boundary of a Main Service Centre.

It is considered that the proposed development would not result in an adverse impact upon the openness of the countryside, character and appearance of the area, existing residential amenities or set a precedence for additional residential development to be approved beyond the curtilage of the site. The proposed building would be constructed to an equivalent footprint, mass and size in comparison with the previously approved garden store, thus ensuring there would be no visual impact upon the landscape. The choice of externally facing materials would be addressed under a reserved matters approval application.

The proposed development herewith is considered to be more compliant with current national and local planning policies than the proposal approved under H02-0669-19 in April 2020.

The applicant expects the LPA to engage in an open and transparent manner whilst the proposal is being considered, in order to provide sufficient opportunity for his planning agent to address any potential issues that may arise with the application and agree potential solutions.

Appendices

Appendix 1: Cluster Map

Appendix 2: Plan identifying previous outbuildings on the site

Appendix 3: Case No: C1/2017/3292

Appendix 4: Access Visibility Photographs

Appendix 5: UK Crashmap Extract