

**Subject:** FW: H03-0161017 - Home Farm, Deeping St Nicholas  
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**Subject:** H03-0161017 - Home Farm, Deeping St Nicholas

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Dear Phil,

Further to our meeting last year, work has been underway on the above application. See attached a letter setting out that the Applicant wishes the application to revert to an earlier iteration of the proposed design, which included the village hall. Also attached is a new Flood Risk Assessment and Drainage Strategy. Please let me know if it would be helpful to speak once you have reviewed these documents.

Kind regards,

Tim

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TW/349

25<sup>th</sup> March 2019



Phil Norman  
Planning and Building Control Manager  
South Holland District Council  
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Lincolnshire  
PE11 2XE

town and country  
planning consultants

Dear Phil,

### **H03-0161-17 Home Farm, Deeping St Nicholas**

Further to our meeting, I am writing to set out changes which the Applicant wishes to make to the above planning application. As you know, the application originally proposed a new village hall for Deeping St Nicholas, but it was amended to remove the hall, which was to be located elsewhere in the village. However, I am aware of the Council's concerns that the application for housing cannot fund a village hall which is located elsewhere (St Nicholas Way), and subject to a separate planning application (H03-1262-18). I am also aware that local residents have expressed concerns in relation to that application, as they consider the proposed location of the village hall, on St Nicholas Way, could cause disruption due to concerns over the potential for it generate noise and disturbance, and the Council's Environmental Health Officer had expressed similar concerns. I understand that there was an earlier proposal to deliver a village hall on St Nicholas Way, which is the reason that site remains vacant, but it was not delivered due to the concerns of local residents.

### **Revisions to the Current Application**

For these reasons, the Applicant now proposes to relocate the new village hall back on the application site. This will effectively revert the application to the proposals which were set out when it was first submitted. In order to do this, the Applicant wishes to revert to the layout shown in drawing 739-19\_OP\_SP03 (dated 25/08/2017), which has previously been submitted to accompany this application. This drawing shows the village hall and 120 dwellings. This was the drawing considered by the Council's planning committee meeting in January 2018, when they resolved to grant planning permission.

### **The Village Hall**

The Parish Council are on record as stating that the new village hall is much needed. The need for it is also identified in the Deeping St Nicholas Parish Action Plan (PAP), which also recorded a high level of interest in using the hall (50% of the respondents to the PAP indicated they would be likely to hire the hall for social functions). The Parish Council have previously expressed hope that the village hall will be delivered by the Home Farm application, and this is recorded in the minutes of their meeting on 20<sup>th</sup> May 2019, as follows:

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*"Planning has seen issues with Caultons Field, Plough Inn Site and the Home Farm Development. We are hopeful that this development will deliver a New Village Hall on the triangle of land off St Nicholas Way. This was identified by the Parish Plan and work done by Councillors McGuinness and Croyle and Mrs Croyle's COMMUNITY TRUST COMMITTEE to develop and hopefully deliver a Village Hall."*

The Applicant's proposals to return the village hall to the application site have been discussed with the Parish Council, who are supportive of the proposals. I believe that the Parish Council have also written to you separately to confirm this.

The Applicant, as a longstanding local resident with many connections in the community, remains keen to provide a hall for the village. This would be a substantial benefit, with an estimated cost of c. £500,000. It is a benefit which can only realistically be provided through residential enabling development. There is no other means by which this level of funding could realistically be raised, as is apparent from the long wait the village has already endured for a new hall, despite the Parish Council's clear support for these proposals.

### **Flood Risk and Drainage**

I note that the Council's committee report from January 2018 clarified that there was no objection to the application with regard to flood risk or drainage matters. This was despite an objection at that time from the Environment Agency, due to the location of some of the proposed housing within Flood Zone 3. I note that the Environment Agency subsequently withdrew their objection, following a revision to the proposed layout which located all housing within Flood Zone 2. As I have explained above, the Applicant proposes to revert to the layout shown in drawing 739-19\_OP\_SP03. This application is in outline form with all matters reserved. There is no doubt that it is possible to accommodate the proposed residential development on land within Flood Zone 2. This is a matter which can be controlled at the reserved matters stage, when the layout would be fixed. In the interests of acting expediently, and saving the Applicant further unnecessary expense, I hope you will agree that there is no need for any revision to what is simply an illustrative layout.

The Environment Agency have also maintained an objection in relation to a lack of capacity for treating waste water from the development. In response to this issue, and on behalf of the Applicant, Woods Hardwick have been in discussions with Anglian Water, who control the local treatment works. It has been agreed that capacity will be provided for the proposed development, following the grant of planning permission. This matter is addressed in a new Flood Risk Assessment and Drainage Strategy prepared by Woods Hardwick, which accompanies this letter.

The majority of the site is within Flood Zone 2, as is the remainder of Deeping St Nicholas. If new homes and community facilities are to be provided within the village they will need to be located within Flood Zone 2. I believe it is clear that the proposed development is acceptable with regard to the flood risk sequential test, as a new village hall and housing to meet the village's needs could not be located within Flood Zone 1.

## **Delivery**

When we met, you asked for details of the mechanism by which the village hall would be delivered. I appreciate that the Council would need certainty that it would be delivered in a timely manner, and that it would not be possible to build the housing without the hall. As you are aware, Ashwood Homes are now supporting the Applicant, and if planning permission is granted, they will deliver both the hall and the housing. Ashwood Homes are prepared to enter into a s106 legal agreement requiring the delivery of the hall prior to 50% of the proposed houses being completed. You will also be aware that Ashwood Homes have a very good track record of delivering both new housing and community facilities; indeed this track record is one of the best in the local area. Like the Applicant, they have deep-rooted local connections, and they are committed to delivering the village hall in a timely manner.

The same s106 legal agreement could also include provision for the ownership of the village hall to be transferred to the Parish Council. This would ensure that the building would be fully controlled by local people, who could ensure it would meet their needs in the future.

## **The Provision of Housing**

A further matter which weighs in favour of the proposals is the delivery of new homes. Whilst the Council consider they are able to demonstrate a 5-year supply of deliverable housing sites, this is a matter which must be kept under continuous review. This is particularly the case in light of the Housing Delivery Test. I am also aware that there have been many years of under-delivery in housing, which have resulted in adverse social and economic consequences, such as the worsening affordability of housing. It is therefore important to continue to boost the supply of housing, in accordance with the Government's national objective, as set out at paragraph 59 of the NPPF. Given Ashwood Homes' good track record in the delivery of housing, the Council can be reassured that granting planning permission for housing here will help them meet the Housing Delivery Test in the coming years.

With regard to the overall development strategy, I note that the Council's committee report previously stated the following:

*"There is a clear precedent that the area is in need of growth to accommodate the needs of its residents and there is not considered to be a policy objection to the development in principle and on the matter of sustainability".*

*"It is considered that a development of the size proposed is not out of keeping with the likely strategic future role and function of Deepings St Nicholas as a desirable Minor Service Centre".*

*"The number of new dwellings proposed (120) is not considered to be excessive or of a nature that would cause significant detrimental harm to the amenity of the area."*

*"The proposed development is well located despite falling just outside defined settlement limits, and is not considered to result in an unacceptable impact upon the residential amenity and landscape character of the area."*

Whilst the new Local Plan has since been adopted, this has not fundamentally altered the development strategy, and Deeping St Nicholas remains a suitable location for new housing. It is still identified as a Minor Service Centre, and in addition it is now required to accommodate a minimum of 80 new dwellings. The allocated site within the village, Dsn018, only has an estimated capacity to provide 38 dwellings, indicating a need for additional housing, such as that proposed by this application. The proposals therefore accord with Policy 11.

The addition of a village hall, coupled with the recent provision of a village shop within the local pub, also makes this a more sustainable location for development than was the case when the Local Plan was prepared. I consider that the provision of housing in this location remains a sustainable form of development, as was the case when the Council considered this application in January 2018.

Local Plan Policy 1, concerning the Spatial Strategy, allows for development within the settlement boundaries of Minor Service Centres, such as Deeping St Nicholas *“that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities”*. The proposed development would meet this requirement, providing housing and a valuable community facility. Policy 1 also allows for the provision of development outside settlement boundaries *“that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits”*. The proposed housing would enable the provision of a valuable community facility, as well as meeting the identified need for new homes. I consider that it is clear the proposed development would meet this requirement. As such, I believe the proposals would comply with Policy 1, and there would be no conflict in principle with the development plan.

When we met, you mentioned that the proposals would also need to be considered in relation to Policy 19 of the new Local Plan. With the exception of criterion 1, the current proposals accord with this policy. The application site includes land both within and immediately adjoining the settlement boundary. As noted above, the Council have already determined that the scale of development would be in keeping with the character and scale of the settlement. There has also been engagement with the local community, and the proposed development would deliver an important community facility, for which the Parish Council have both identified a need and clearly indicated their support. This demonstrates that the proposals largely accord with Policy 19.

Policy 19 allows for a lower proportion of affordable housing (as little as 50%), where the provision of market housing is required to fund the affordable homes. The policy concerns rural exceptions affordable housing, taking a positive approach to its provision, and allowing flexibility in the application of policies concerning settlement boundaries, in order to meet the need for affordable homes. If it were considered necessary, a similar approach could be taken in relation to the current application, whereby an equally important and pressing community need (for a village hall) could be met by taking a similarly positive and flexible approach.

### **Determining this Application**

As I have set out above, I do not consider that there would be any conflict with the development plan, given that Policy 1 allows flexibility to meet local needs, and Policy 11 identifies the need for additional housing in Deeping St Nicholas, beyond that allocated by the Local Plan, and only a

minimum growth target. The proposals also comply with the locational requirements set out by Policy 19, which further demonstrates that they are of a suitable form, and in a suitable location. Given its compliance with the policies of the development plan, the application would benefit from the tilted balance in its favour implied by the presumption in favour of sustainable development, and I consider that it should be approved.

Even if the Council were to take a contrary view on these points, there remains discretion as to whether to approve the application. The provision of the village hall is strong positive material consideration which weighs heavily in favour of approving the application. I consider that this is a consideration of sufficient weight to overcome any perceived conflict with the development plan. This would ultimately be a matter of planning judgment, and as such it could not be subject to a legal challenge. Approving this application would also not set any unwelcome precedents, as it is highly unlikely that other similar proposals would be put forward to deliver a village hall along with new housing (and if they did, the Council would presumably be better able to meet the needs of its local communities).

I have noted in any case that the Council have not considered the settlement limits to be an absolute limit to new development, where that development would meet an identified need. For instance, the Council's Planning Committee resolved to approve application H02-0669-19, on the basis that *"the social and economic benefits of delivering a small number of eco self build/custom-build properties in this location outweighed the policy requirements of the South East Lincolnshire Local Plan, and consequently, the presumption in favour of sustainable development was considered to apply in this instance"*. This clearly indicates that the Council is aware that the benefits an application brings can in some circumstances form material considerations of sufficient weight to outweigh conflicts with the development plan.

Whilst I maintain that the current application accords with the development plan, I consider that it should be approved whichever view is taken in this regard. The provision of a village hall, and new housing, would each make a valuable contribution towards meeting the needs of the local community, and this application should be determined in a positive manner, in accordance with paragraph 38 of the NPPF.

Please let me know if it would be helpful to discuss any of the above further.

Yours sincerely



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