Erection of 6 eco self-build homes on land at Cranmore Lane Holbeach, Lincs. Planning Statement on behalf of Finsbury Design Limited.





Planning Design and Access Statement in support of an application for outline permission for the erection of 6 eco- Selfbuild properties.

This Planning Statement incorporates statements in accordance with local and national planning guidance and is to be read alongside the submitted plans and documents.

The role of this statement is to aid decision making. This is achieved by communicating the process employed to inform the development by considering the form, character, structure and impact of the proposed development in the context of its surroundings (as set out in Note 1 below which is extracted from the Planning Policy Guidance note on Design 2014).

This statement includes an assessment of the scheme against the policies of the adopted Development Plan and other material planning policy considerations.

The application should also be considered within the context of the National Planning Policy Framework (NPPF). The key principles of national government planning policy are set out in this document and surround the concept of creating developments that are sustainable and of high quality in terms of design, sustainability, socially inclusive and protect the environment.

A Design and Access Statement is a concise report accompanying certain applications for planning permission and applications for listed building consent. They provide a framework for applications to explain how the proposed development is a suitable response to the site and its setting and demonstrate that it can be adequately accessed by prospective users.

Paragraph: 034 Reference ID: 26-034-20140306

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1.0 Outline of proposal

1.1 The application is made for outline planning permission for the erection of 6 Eco Selfbuild homes on land to west of Cranmore Lane, Holbeach.

Self build- the Selfbuild and Custom Housebuilding Act 2015 provides an obligation for local planning authorities to make proposer provision of individuals or associations to build (or complete homes) that they will later occupy. The Government has identified this as a small but significant part of the housing mix and a method of helping to meet overall housing demand- not only in terms of absolute numbers, but also in terms of choice in relation to location and build method. This is now enshrined in para 66 of the NPPF 2019.

Eco homes- this is a much used and misunderstood term. In this context the developer intends it to mean homes built to the highest environmental standards in terms of embodied energy in constriction, use of sustainable materials, levels of thermal insulation, use of water recycling and on-site energy generation from solar or other sustainable power sources. Overall this reduces energy in construction and energy and resource use when occupied- and is sustainable development.

2.0 Description of site

2.1 The site measures approximately 70 by 66 meters and is approximately rectangular in shape.
It is a flat site of 0.48 Ha in size and forms part of an agricultural field to the south of Holbeach.



3.0 Location

3.1 The site lies to the west of Cranmore Lane, immediately adjacent to the built-up area of Holbeach (see aerial photos on next page). It is to the west of the major urban expansion of Holbeach enshrined in the local plan and which has recently secured planning permission. The site is surrounded on 2 sides by existing residential and commercial development.

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Google earth views of site.



Larger scale view of context



View of site -red edge and illustrative layout showing relationship to surrounding residential and commercial development.

4.0 Existing Use –

4.1 Currently part of an agricultural field - see photos



View of site looking north up Cranmore Lane.



5.0 Surrounding development –

5.1 The site lies immediately to the south of the built-up area of Holbeach and has residential development immediately to the north. There is also established residential development to the north east, o the eastern side of the road.

Beyond this to the east of Cranmore Lane is an established heavy engineering works.



Above-view of house opposite site on eastern side of Cranmore Lane.





The site lies within an arc of new development to the south of Holbeach consisting of the Ashwood development to the south of Hall Gate (indicative masterplan opposite) and new David Brown development at Wignal's Gate which is currently also under construction.





Established housing on Cranmore Lane- view from across site looking north to adjacent homes.



View south from site down Cranmore Lane.

6.0 **Planning History**

6.1 No Planning history is evident on the SHDC planning access website.

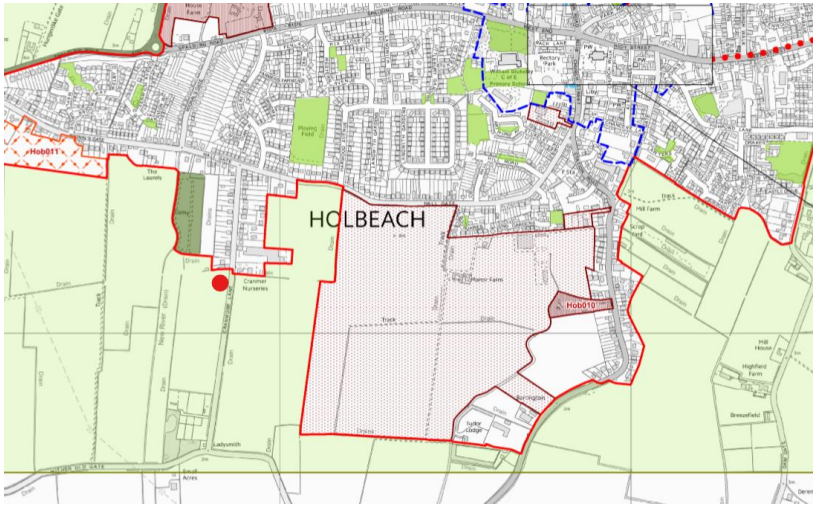
7 Planning policies and caselaw

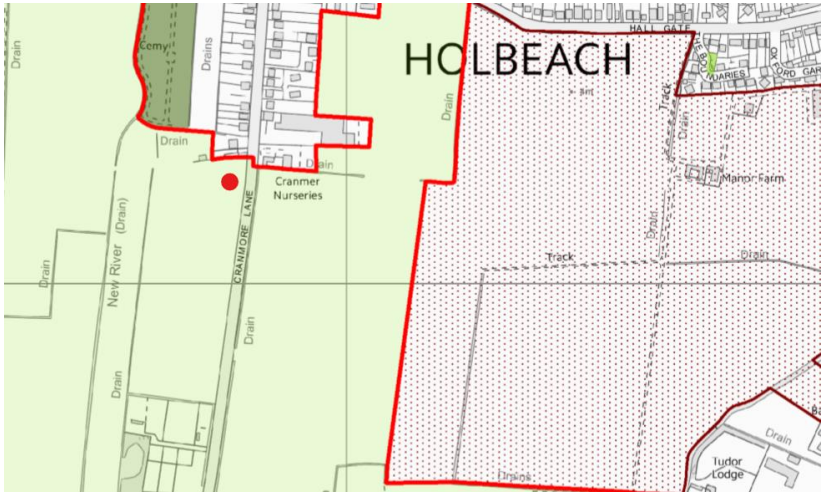
7.1 The NPPF sets out at para 2 that:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

7.2 This proposal is considered to be an exception to the policies in the development plan justified by the council's failure to deliver sufficient land for Selfbuild properties. In support of this view reference is made to several significant appeal decisions.

Extract from SE Lncs local plan inset Holbeach





7.3 Reference is made to the flowing polices in relation to this proposal.

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 10: Meeting Assessed Housing Requirements- South Holland: 11,681 at 467 per annum
- Policy 17: Providing a Mix of Housing
- Policy 19: Rural Exception Sites

7.4 The site lies in open countryside to the south of the town of Holbeach.

7.5 Holbeach is identified in the local plan as a main service centre (second tier in the settlement hierarchy) reflecting its higher range of services and facilities and relative sustainability as a settlement for new development

2. Main Service Centres

Crowland	Pinchbeck
Donington	Sutterton*
Holbeach	Sutton Bridge
Kirton (incl. parts of Frampton Parish)*	Swineshead*
Long Sutton	

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 helps meet the service needs of other local communities.

The supporting text in the local plan at 3.2.11 notes
Holbeach is of a very different scale to the other Main Service Centres and has a historic core and a range of services of a much greater concentration and magnitude, including further-education opportunities. Coastal flood risk is also a significant issue for the settlement especially given its need to meet the demand for housing. The proximity of the town to the A17 also means that future traffic impacts are a significant consideration (see Policy 33: Delivering a More Sustainable Transport Network) in bringing forward new residential development, as well as significant new employment land (Site HO002).

7.6 H17 sets out the housing mix required in the local plan- in the third section of the policy the following text is located.

The Local Plan will also seek to meet the housing needs of non-travelling Gypsy and Traveller households and also custom and self builders as they may come forward.

7.7 This is the only reference in the local plan to self-build homes and no specific, allocation, allowance or target is incorporated in the local plan. It is also understood that the council does not monitor self-build provision- contrary to the provision of the Self Build Act 2015.

7.8 **NPPF**

7.9 Reference is made to NPPF para 11d in relation to the tilted balance.

7.10 Para 61. Within this context, 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).

7.11 The footnote to Para 61 is reproduced below

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.

7.12 Material appeal decisions
The appeal Woodville appeal behalf of Lauren Land Ref APP/G2435/W/3214451 and APP/G2435/Q/18/3214498 (Appeal B) provides clarity on how local authorities should monitor self-build and custom housebuilding in complying with their duty to meet demand on their Right to Build Register, given the absence of clarity through primary legislation.

The Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) placed a legal duty on authorities to keep a register of individuals and associations of individuals who want to acquire serviced plots of land and required them to have regard to this when carrying out planning functions.

7.13 The Housing and Planning Act 2016 placed a duty on them to grant sufficient development permissions to meet the demand for self-build and custom housebuilding arising in each 'base period' within three years after the end of each base period. This came into force on 31 October 2016.

7.14 Interpretation
This appeal provides clarification on the way in which local authorities should monitor self-build and custom housebuilding under their duty to meet demand on their Right to Build Registers.
"In the absence of clarity through primary legislation, the appeal sets a precedent for how this should be undertaken, placing the burden of proof upon local authorities.
"This clearly demonstrates that local authorities must provide sufficient evidence to prove that there are provisions in place to ensure permissions that are being counted towards meeting demand on their register would be developed in a manner that accords with the legal definition of self-build and custom housebuilding in the Self-Build and Custom Housebuilding Act 2015 (as amended).

7.15 "In the absence of such evidence a site would not constitute the legal definition of self-build and custom housebuilding plots so should not be counted towards meeting demand on the register.
"In local authority areas where no such evidence is provided the authority is likely to fall short of meeting demand on its register, which has the potential to increase the weight attributable to self-build and custom housebuilding in the planning balance."

7.16 The Woodville appeal: what counts as a self-build plot?

7.15 A recent planning appeal on a site in the village of Woodville in North West Leicestershire has shown just how effective those changes might be. Ref APP/G2435/W/3214451-APP/G2435/Q/18/3214498 (Appeal B)
A developer submitted a planning application for thirty new homes which were to be made available on a self-build or custom build basis. The council refused the planning application because the site was outside the village's boundary, where development would normally be prevented. They also claimed that they had granted more than enough planning permissions for single plots to meet the need for self-build plots identified by their Self-Build Register.

7.16 However, that refusal was overturned, and planning permission granted on appeal with the inspector concluding that the council had not made adequate provision for Selfbuild as unless they are specifically noted as selfbuild, single plots and small development are not counted as Selfbuild.

7.17 The Gamlingay appeal: the beginning of a trend?

A second appeal decision, on a site in Gamlingay in South Cambridgeshire reached a similar conclusion. APP/W0530/W/19/3230103.The inspector found that a shortfall in delivery of self-build plots was sufficient to outweigh other policy conflicts. As a consequence, he allowed the appeal for nine self-build plots despite the application being on a greenfield site outside the village's settlement boundary.

7.18 Recent permission for 6 self-build plots at Crowland. SHDC H020868-17.

It is evident from the officer report to Ctte (9 Oct 2019) that SHDC is using a flawed argument in terms of meeting the identified need.

6.16 The Council's 5 year Housing Land Supply Assessment of March 2019, shows that there are 293 dwellings expected to be developed in Crowland by March 2024. Of these, 11, are on small sites of up to 3 units, and a separate site for up to 7 units is expected to deliver beyond the 2024 deadline. These small sites all have planning permission at present and could be brought forward quickly. They are eminently suitable for self-builders as they clearly would not suit the volume building market. In the wider district of South Holland, the report also shows that there are 571 current permissions for sites of less than 10 units. Predominantly these are single units or sites of less than 5. In essence all of these sites are suitable for a self-build market. Therefore, there is no basis to suggest that the need for self-build is not met, and there is no proven need for the development proposed.

This approach was overturned in the appeal cases above.

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8.0 Design and Access

8.1 The section below addresses the key list of attributes required to be considered within the design and access statement, i.e.- the amount; layout; scale; landscaping and appearance of the scheme.

8.2 **Amount;** the proposal seeks outline permission for the erection of 6 self-build eco homes.

8.3 **Layout;** the layout below is illustrative only and show how the site could be split up to provide 6 independent plots- the density has been deliberately kept low to provide adequate space for innovative designs.



8.4 Scale/ appearance;

The application is made in outline only and as such scale and appearance are reserved matters- it is anticipated that the sites will be sold as individual plots for self-builders to commission their own bespoke designs – the plots have adequate space to allow innovative design and energy capture.

8.4 Below are illustrations of sustainable 'eco' homes – it is noted that they encompass a variety of scales and appearances- as they are bespoke designs to meet the needs of the self-builders.

Examples of eco homes below-











8.5 **Access;** the site will access direct onto Cranmore Lane.



Photo of position for access- note that the ditch will be bridged or culverted to maintain operation of the drain.

9.0 Planning considerations.

9.1 Principle of development

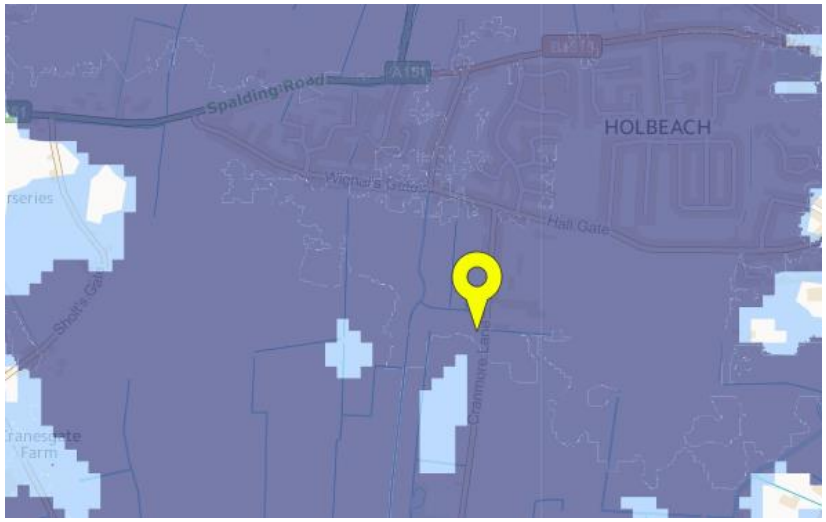
9.2 It is acknowleged that the site lies in open coutryside outside of the development limits for Holbeach- however, as set out above and below it is considered that the council has not made adequate provision for selfbuild homes in it's plan and as such- as set out in the appeal decision refererenced above there is a presumption in favour of development- as such the plan is deemed out of date (NFFP 11b) in relation to the provision of selfbuild homes and as confirmed in the Gamblingay case development boundaries can be overruled in the pursuit of meeting housing need and sustainable development.

Self-build and custom-build housing: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

9.3 It is understood that the council will wish to impose conditions and a S106 obligation as used in the Crowland case to secure that these properties are built as selfbuild units as set out in the definition above.

9.4 The site is located on a site that has been previously developed and is in a pocket of development and will not have an adverse impact on amenity or the wider landscape.

9.5 The site is shown within FZ3 and on the EA flood map for planning.



9.6 The conclusions from the flood risk assessment which accompanies the application is reproduced below;

7.1.2 In view of its proximity to the Holbeach Meadows development and the flat nature of the terrain, it is considered reasonable to adopt the same flood conditions and therefore the same mitigation measures as imposed by Condition 16 of permission Ref H09-0521-14, namely:

- Finished floor levels (FFLs) set at a minimum of +3.33m AOD (equivalent to about 0.23m above existing ground levels).
- Flood resilient construction to +3.78m AOD, i.e. 450mm above FFL.

7.1.10 With regard to flood risk and drainage, therefore, the site is suitable for the proposed use. The development may be occupied safely and adequately drained without increasing flood risk elsewhere.

9.7 It is noted that the council has allocated and approved significant new development to the south of Holbeach in recognition of its sustainable scale location and the range of local services and facilities therein. It is further noted that the majority of new development in Holbeach has been approved in FZ3. It is clear that with the imposition of conditions as placed on other recent development (as noted above) the site can be made safe.

10 Conclusions

10.1 Sustainable development comes in many forms and the provision of a site explicitly for sustainable self-build plots is one example of this.

10.2 It remains the applicant's case that the proposal can be approved as an exception to the development plan having regard to the council's failure to deliver sufficient homes for self-build within the structure of the development plan.

10.3 It is the applicant's belief that there is a significant and unmet demand for self-build homes in South Holland and the development of sites such as this are necessary to meet this need.

10.4 It is therefore requested that planning permission be granted for the development 6 self-build eco homes on this vacant site as the benefits derived from the proposal outweigh the conflict with rural restraint policies in the plan.