Planning, Design & Access Statement

To support a full application for residential development comprising 48 dwellings and associated infrastructure

Land to the rear of 36 Lime Walk, Long Sutton, Spalding

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1.0 Introduction

This Planning, Design and Access Statement has been prepared to support a full planning application for residential development comprising 48 dwellings with associated infrastructure on land to the rear of 36 Lime Walk, Long Sutton. It is a resubmission following the refusal of application H11-0994-22 for residential development comprising 56 dwellings.

It describes the site, its planning history and the proposal before setting out the key planning issues, assessing these against both local and national planning policy.

This statement is supported by and should be read in conjunction with following technical reports:

- Drainage Statement
- Site Specific Flood Risk Assessment
- Tree report
- Preliminary ecology appraisal
- Biodiversity net gain metric and report

2.0 Site description

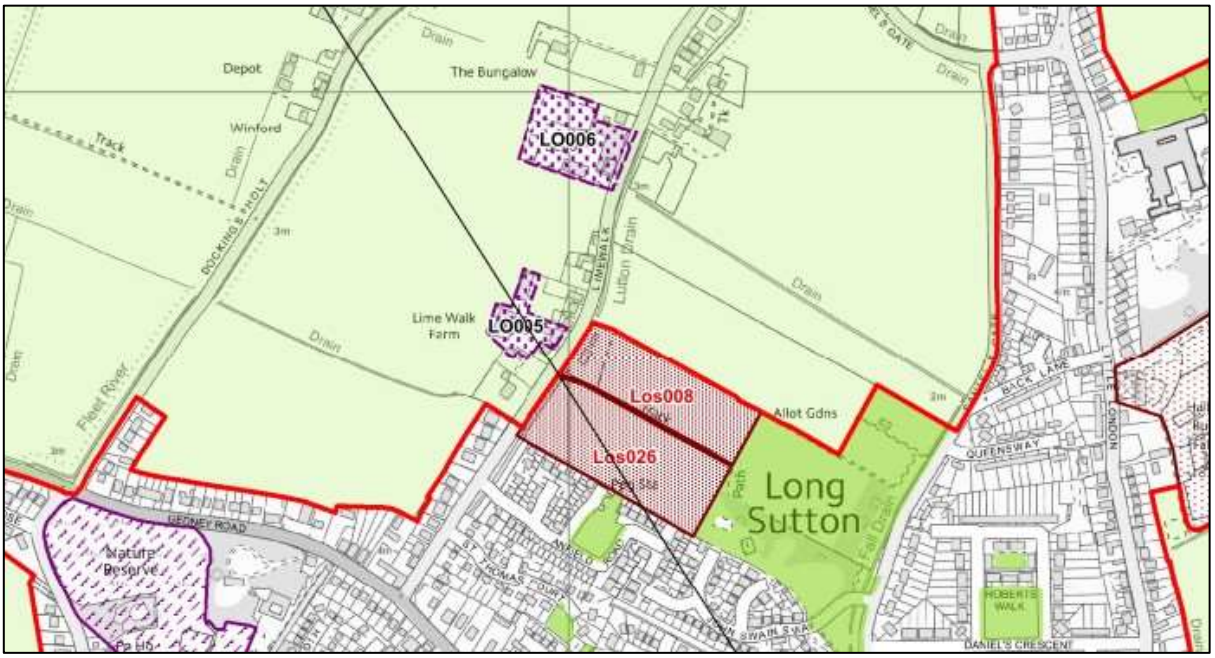
The application site comprises a parcel of agricultural land, circa 1.53 ha in size, located on the eastern side of Lime Walk. There is an existing residential property to the west which fronts Lime Walk. There is also residential development on the west side of the road as shown in Figure 1 below.

Figure 1- Site Location Plan



The site is allocated (reference Los008), along with the land to the south (reference Los026), in the South East Lincolnshire Local Plan (adopted 2019) for residential development. Figure 2 refers.

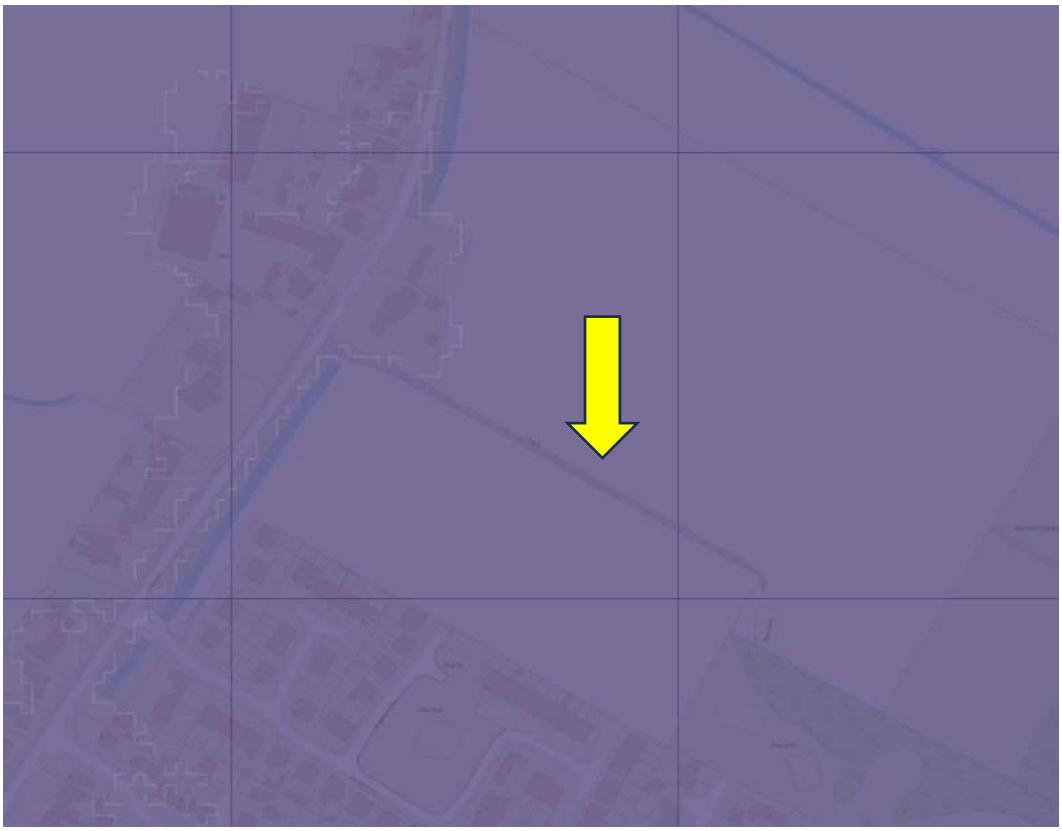
Figure 2- Local Plan extract



The allocated site to the south has reserved matters approval for the construction of 70 dwellings with associated infrastructure (application **H11-0552-22-RM** refers). This adjoins existing housing on Anfield Road and Magpie Close. There is agricultural land to the north and east of the site.

The site, along with all of the surrounding area, is located in Flood Zone 3 as shown in Figure 3.

Figure 3- Flood map extract



3.0 Relevant planning history

Full planning permission was sought under application **H11-0994-22** for a residential development comprising 56 dwellings.

The application was recommended for approval by the Council's professional officers but refused by Members of the Planning Committee, against officer recommendation, on 7 June 2023. A single reason for reasons was given as follows:

'*The proposed density of the development, at 56 dwellings on a site allocated for 34 dwellings, combined with the poor design and layout, results in a development that is unacceptable in terms of the visual impacts on the character and appearance of the area. The site is on the soft, green rural edge of the town and the proposals do not function well within the layout, they do not create a high-quality development in either design or layout, and area out of character with the rural setting of the site on the edge of the settlement.*

The proposals are considered to be over-development of the site resulting in unacceptable harm to the character and appearance of the area by introducing a high density, urban style development of poor-quality design.

The proposals are therefore contrary to Policies 1 and 3 of the South East Lincolnshire Local Plan 2019, and to the guidance within the National Planning Policy Framework, 2021, particularly Section 12- Achieving Well- Designed Places.'

As indicated under Section 1, the land to the south has reserved matters approval for 70 dwellings under application **H11-0552-22 RM**.

4.0 The proposal

This application is a resubmission following refusal of the previous scheme for 56 dwellings. The refused layout along with the consented layout on the housing allocation to the south is shown in Figure 4.

Figure 4- Refused planning layout and approved housing layout to the south



This application seeks planning permission for a good quality development of 48 dwellings, comprising a range of detached, semi-detached and terrace properties.

As with the previous scheme, it will in effect form the second phase of development following the approval of housing on the allocated land parcel to the south. However, this revised scheme includes a dedicated vehicular access from Lime Walk rather than relying on access through the adjacent approved scheme, ensuring that it can be delivered and also addressing concerns raised about the quantum of development served from a single access.

A mix of dwelling sizes is proposed as follows:

- 3 x one bedroomed dwellings
- 19 x two bedroomed dwellings
- 23 x three bedroomed dwellings and
- 3 x four bedroomed dwellings.

The alignment of the existing footpath which crosses the site is accommodated within the layout, ensuring an adopted right of way, with no gardens transecting it. A footpath link between the two housing areas will also be created, with two footpath links onto the existing footpath route.

In addition, this amended proposal includes an area of open space (0.22hectares) and a surface water attenuation feature.

The proposed layout is shown in figure 5 below.

Figure 5- Proposed site plan



The revised layout ensures that there are detached dwellings overlooking the green space at the western entrance of the site, with dual aspect properties also facing fields to the north. Openings into the site from the southern footpath and the orientation of plots avoids the creation of a narrow, enclosed footpath thereby providing natural surveillance and creating vistas through the scheme with soft landscaped edges.

5.0 Planning policy and key planning issues

The proposal raises a number of planning issues. These are considered below:

- Principle of development
- Housing mix and affordable housing provision

- Design and layout
- Amenity
- Flood risk and drainage
- Transport, access and parking
- Ecological and arboricultural impacts
- Contamination
- Developer contributions

Given the planning history of the site the key matter for consideration is whether the amended proposal with a reduced number of dwelling and revised layout addresses the previous concerns about the over development of the site and impact upon the character of the area.

Planning Policy Context

National planning policy is established primarily through the **National Planning Policy Framework** (NPPF). This sets out Government's clear presumption in favour of sustainable development.

Local Plan policy is set out in the **South East Lincolnshire Local Plan (2011-2036)** adopted in March 2019.

Minerals and Waste policy within the county is determined by Lincolnshire County Council and set out in the **Minerals and Waste Core Strategy and Development Management Policies Plan** adopted in June 2016. Alongside policies for assessing the suitability of new minerals and waste development the plan also designates mineral safeguarding areas to protect future mineral use. The site is not within a safeguarding area.

The principle of development

South East Lincolnshire Local Plan Policy 1 The Spatial Strategy sets out that new development should be focused on the Sub Regional Centres of Boston and Spalding and then in the Main Service Centres and Minor Services Centres. More limited development will be permitted in other services centres. Development within the open countryside will only be allowed where specific criteria are met.

Long Sutton is identified within the Local Plan as a Main Service Centre and the application site is located within the defined settlement limits. Policy 1 sets out *'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.'*

Further, the application site is specifically allocated for housing development in **Policy 11 Distribution of New Housing**. This Policy identifies the site as allocation Los008, for 34 dwellings. The land immediately to the south of the appeal site is identified as allocation Los26, for 46 dwellings.

The supporting text of Policy 11 at **paragraph 5.3.9** is clear that whilst the housing site allocations for each settlement identified by Policy 11 indicate the capacity of the sites this is only a broad indication based upon a density of 30 dwellings per hectare for sites within the Boston urban area and Spalding, and 20 dwellings per hectare for all the Main and Minor Service Centres. This is an arbitrary and basic assumption without reference to site context and character. This is recognised by the Council as the text in paragraph 5.3.9 goes on to set out that the stated capacity is not necessarily a maximum or, in some cases, a minimum capacity that would be expected on each site. Viability, design, constraints and the most efficient use of land in delivering new homes should be the primary considerations in meeting housing needs.

As such, it is clear that the Local Plan intends there to be flexibility with the housing numbers when these sites are brought forward for development. The fact that a development is proposed for a higher number of houses does not make it unacceptable in principle.

Policy support for this approach is also provided by the **NPPF** itself which at **Paragraph 119** sets out that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses whilst safeguarding and improving the environment. **Paragraph 124** sets out that planning decisions should support development that makes efficient use of land taking into account factors such as the identified need for different types of housing, availability and capacity of infrastructure and services, the area's character and setting, and the importance of securing well-designed, attractive places.

As such it is considered that the principle of developing the site for 48 dwellings is supported.

Housing mix and affordable housing provision

Local Plan Policy 17: Providing a Mix of Housing set out that the provision of new houses will seek to meet the long term needs of the Plan area in order to maintain and provide mixed, inclusive and sustainable communities. Family homes of two or three bedrooms are in highest demand for both the market and affordable housing sectors, and one bedroom homes are also required to meet affordable needs.

Policy 18 Affordable Housing In South East Lincolnshire identifies the requirements for affordable housing. On market housing sites of 11 or more dwellings - or residential developments with an internal floor area of 1,000sqm or more - a provision of 25% will be sought with a mix of about 70% affordable for rent and about 30% intermediate housing for sale. Provision should be on site unless sound evidence is presented as to why this cannot be achieved.

A set out under Section 4, the application proposes a range of dwelling sizes with a focus upon 2 and 3 bedroomed properties in line with Policy 17 which states that these are in the highest demand.

The affordable housing requirement will be met. Plots 24-25 and 31-32 will be provided as shared ownership properties with plots 19-23 and 37-39 as rented properties.

Design and layout

Paragraph 126 of the **NPPF** states that *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*.' **Paragraph 180** seeks to ensure that development is appropriate for its location and that health and living conditions are protected where necessary by mitigation.

Local Plan Policy 2 Development Management reiterates national planning policy and sets out that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include density, quality of design, access and traffic generation, impact on neighbours, and sustainable drainage and flood risk.

Policy 3 Design of New Development sets out a number of criteria which require that new development to creates distinctive places through the use of high quality and inclusive design and layout and, where appropriate, makes innovative use of local traditional styles and materials.

In refusing the previous application the Council considered that the proposed development of 56 dwellings would result in harm to the character and appearance of the area. Whilst the Council's conclusion in this respect is disputed and the application is subject to appeal, this application proposes a reduced number of dwellings at 48. The layout has also been redesigned so that the site has its own vehicular access from Lime Walk, along with a footpath link between it and the development to the south and protection of the existing footpath route through the site. New areas of open space have also been included at the site entrance and on the southern boundary, linking to the open space in

the adjacent scheme both visually by opening vistas and physically through footpath links. The southern boundary provides a green corridor with soft landscaping and tree planting to soften this edge of the scheme and provide an attractive walking route. Treatment of the northern boundary has been amended to provide more extensive landscaping with this landscaping permeating into the site.

It is considered that the proposed layout clearly demonstrates that 48 dwellings can be comfortably accommodated on the site with a range and mix of house types, including affordable dwellings. Furthermore, the layout continues to complement that for the site to the south which is in effect the first phase, in a comprehensive and well-planned new development.

The character and context of this site including its relationship to the surrounding area is similar to the approved first phase. That phase is also itself in effect a continuation of the existing pattern and form of development at Anfield Road and Magpie Court which it lies directly to the north of. This was noted by officers who when considering the previous scheme concluded that "*there is a general mix of residential properties along Lime Walk and the general locality…. the layout and house types reflect both Phase 1 and the existing development off Anfield Road and Magpie Close to the south. Taking these factors into consideration the proposal would not materially harm the character or appearance of the street scene or locality*'.

The Phase 1 site was allocated under Policy 11 for 46 dwellings and 70 have been approved. As such it has already been determined by the Council that a higher density of development than that referred to in the Local Plan can be accommodated within the locality and landscape without unacceptable impact.

In light of this context, it is also not considered that the proposal would result in a layout which is overtly urban or which is out of keeping with the character and appearance of the area as was alleged by the Council in its refusal of the previous application.

The Council in refusing the previous application referred to the application site as being on the soft, green edge of town. However, existing development within Long Sutton including the existing development at Anfield Road and Magpie Court, typically border adjacent fields and therefore the open countryside, without any material landscaping buffer. Notwithstanding this, as shown on the proposed layout plan, new landscaping can be accommodated along the northern and eastern boundaries of the site to soften these edges. Given the context of other developments, this

landscaping is considered to be sufficient to address the previous reason for refusal. These details can be secured by planning condition and the application is accompanied by landscaping plans. This is in line with comments made by officers in respect of the previous scheme who noted that "*the site is partially screened by a row of existing trees along Lime Walk highway verge fronting Phase 1 plus No 36 Lime Walk although it would be visible from the north. Consequentially hedge and tree planting are recommended along the north-eastern boundary*".

It is considered that this amended layout with a reduced number of dwellings fully addresses the previous concern about over development of the site and resulting urbanising impact upon the character and appearance of the area.

With regard to the specific criteria set out in Policy 3 the proposal is assessed as follows:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;

As set out above, the site character is influenced by the existing consented development adjacent.

2. distinguishing between private and public space;

Each new dwelling has a private curtilage and public and private spaces are very clearly defined.

3. the landscape character of the location;

The layout seeks to retain existing trees and hedging wherever possible. New landscaping is shown to site boundaries and permeating into the site and can be secured by condition.

4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;

The site has been allocated for development and is therefore sustainably located. The existing right of way will be realigned and a footpath linked created with the first phase of development.

5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;

Dedicated waste storage space will be provided within each plot. Car parking is in accordance with design and quantum standards. Cycle parking can be accommodated on plot.

6. the lighting of public places;

Lighting of access roads will be designed in accordance with Local Highway Authority standards.

7. ensuring public spaces are accessible to all;

Access roads and footways will be designed in accordance with Local Highway Authority standards. Open space will be accessible with footpath links to the playing fields and public open space at John Swain's Way, and open space in the adjacent scheme. The applicant also proposes to contribute £10,000 to the parish council for play equipment.

8. crime prevention and community safety;

Care has been taken to design a layout which ensures natural surveillance throughout the scheme.

9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;

The shape and orientation of the site has directly influenced the layout of the development and does also include south-east or south-west facing roof slopes.

10.the appropriate treatment of facades to public places;

Care has been taken to create attractive street scenes both within the scheme and facing towards adjacent streets, respecting and enhancing the local area.

11.residential amenity;

Care has been taken to ensure that there will be no adverse impact on existing adjacent residents through overlooking, overshadowing or other amenity impacts.

12.the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);

The application is supported by a detailed flood risk and drainage strategy.

13.the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;

The proposal seeks to make efficient use of this allocated site.

14.the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;

Existing trees and hedges have been kept wherever possible. A small number of trees will be removed at the site entrance but this will be compensated for by extensive tree, hedge and shrub planting throughout the site.

15.the appropriate use or reuse of historic buildings

This is not relevant to the proposal.

The proposal is therefore considered to be acceptable in accordance with the NPPF and Local Plan Policies 2 and 3.

Amenity

NPPF paragraph 180 seeks to ensure that development is appropriate for its location and that health and living conditions are protected where necessary by mitigation.

Local Plan Policy 2 Development Management reiterates national planning policy and sets out that proposals requiring planning permission should be permitted provided that sustainable development considerations are meet. These include density, quality of design, access and traffic generation, impact on neighbours, and sustainable drainage and flood risk.

The nearest existing residential property to the application site is 36 Lime Walk to the west. Whilst the finished flood levels of the new dwellings will be higher than this property to address the flood risk concerns, it is considered that the layout has been design and sufficient separation distance proposed to ensure that no unacceptable impact results.

Neither is it considered that any unacceptable relationship would be created with the approved dwellings on the phase 1 layout.

It is also considered that the layout it will afford future occupiers a satisfactory level of amenity in terms of privacy, daylight and sunlight.

The proposal is therefore considered to comply with Policy 2 of the adopted Local Plan.

Flood risk and drainage

NPPF paragraph 159 sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such an area it should be made safe for its lifetime without increasing flood risk elsewhere. **Paragraph 167** sets out the requirements for the sequential and exceptions test whilst **paragraph 168**

advises that applications for some minor development (including changes of use) should not be subject to the sequential or exceptions test but should still meet the requirements for site-specific flood risk assessments.

Local Plan Policy 4 Approach to Flood Risk sets out that new development will be acceptable within Flood Zones 2 and 3 or where there is a risk during a breach or overtopping scenario as shown on the flood hazard and depth maps in the Strategic Flood Risk Assessment, subject to a sequential test, and subject to a Site Specific Flood Risk Assessment. This should demonstrates that the vulnerability of the proposed use is compatible with the flood zone, includes mitigation measures to demonstrate how the occupants will be kept safe, flood resistance and resilience measures, flood warnings and evacuation procedures, the use of sustainable drainage systems, does not increase flood risk elsewhere, includes appropriate foul drainage water treatment, and safeguards water resources.

The **South East Lincolnshire Level 1 and Level 2 Strategic Flood Risk Assessment (SFRA)** was prepared in June 2017. The Joint Lincolnshire Flood Risk and Drainage Management Strategy has been prepared by Lincolnshire County Council as the Lead Local Flood Authority. The purpose of the Strategy is to increase the safety of people across Lincolnshire by reducing the number of people at risk of flooding, increasing the resilience of local communities, and reducing the impact of flooding.

As indicated above, the application site is located within Flood Zone 3. It is also located within an area designed as 'danger for most' within the South East Lincolnshire Strategic Flood Risk Assessment. However, the site is allocated within the Local Plan. As such the Sequential Test is passed.

The application is supported by a site-specific Flood Risk Assessment. This assesses the potential for flood risk flood risk as a result of the development and mitigation measures to keep the development safe from flooding, including finished floor levels above existing ground levels. Site levels are no greater than the adjacent approved scheme.

No objections to the previous application were received from the Environment Agency subject to a condition relating to finished flood levels.

The application is also supported by a Drainage Statement. This sets out that infiltration is unlikely to be feasible given the ground conditions. It therefore proposes a new surface water attenuation basin to prevent increased flood risk and a controlled discharge to an existing IDB drain to the west of the

site. This is designed as an integral part of the landscaping of the site entrance with properties overlooking it.

With regard to foul drainage, it is proposed to connect to an existing Anglian Water sewer located along Lime Walk.

The submission and approval of a detailed surface water and foul water scheme can be secured by a planning condition.

The development is therefore considered to comply with the provisions of Local Plan Policy 4 and the NPPF.

Transport, access and parking

The **NPPF** at **Paragraph 111** sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Local Plan Policy Development Management and Policy 3 Design of new development both seek to ensure that sustainable development considerations at met in terms of access and traffic generation.

Local Plan Policy 32 Community, Health and Well-being sets out amongst other matters that developments should protect and enhances existing public rights of way, and create new links to the rights of way network.

Policy 36 Vehicle and Cycle Parking sets out that all new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6), unless a high quality-design can demonstrate that a lower standard of provision delivers the requirements outlined in the policy.

No concerns were raised by the Council in relation to the previous application. The access road into the site will be designed to adoptab;e standards and can accommodate a refuse vehicle. Sufficient car parking in line with the standards set out in Appendix 6, will be provided, namely 2 spaces for up to 3 bedroomed dwellings and 3 spaces for dwellings with 4 or more bedrooms). Cycle parking can be provided on plot.

An existing public right of way crosses the site. It is proposed to re-route this so that it runs between the application site and the area to the south thereby ensuring the connection is maintained. Furthermore, a new path is proposed through the open space to connect this development with phase 1 to the south thereby ensuring connectivity.

The proposal is therefore considered to comply with the provisions of the NPPF and Policy 36 of the adopted Local Plan.

Ecological and arboricultural impacts

The **NPPF at paragraph 174** states that planning decisions should contribute to and enhance the local environment. **Paragraph 180** sets out that harm from development should be avoided but if it cannot be then adequate mitigation and compensation should be put in place.

Local Plan Policy 2 Development Management states that sustainable development considerations should be met in relation to matters such as impact or enhancement for areas of natural habitat. **Policy 3 Design of new development** indicates that proposals should, where relevant, include the incorporation of existing hedgerows and trees and the provision of new appropriate landscaping to enhance biodiversity.

Policy 28 The Natural Environment sets out amongst other matters that a high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets. All development proposals will be expected to provide an overall net gain in biodiversity, by protecting the biodiversity value of land, buildings and trees (including veteran trees), minimising the fragmentation of habitats and through opportunities for enhancement.

The site is currently agricultural land and therefore of low ecological value. The application is supported by Preliminary Ecological Appraisal. This does not identify any protected species within the site. Measures to enhance biodiversity can be secured by condition.

The application is supported by a Tree Survey. Construction of the new access road to Lime Walk will require the removal of a limited number of poor-quality poplar trees. Extensive tree planting is proposed to compensate for this limited loss.

The development is therefore considered to be acceptable in the context of the NPPF and Local Plan Policies 2, 3 and 28.

Contamination

As with the previous application this application is supported by a Phase 1 Contamination Report for Planning. This did not identify any historic sources of contamination. A condition requiring the reporting of any previously unsuspected contamination can reasonably be imposed.

Infrastructure provision

Local Plan Policy 5 Meeting Physical Infrastructure and Service Needs sets out that planning permission will be granted for new development provided that developers can demonstrate that there is, or will be, sufficient physical infrastructure and service capacity to support and meet the needs of the proposed development. A planning condition and/or legal agreement may be required to help secure the arising needs.

Policy 6 Developer Contributions sets out that developments of 11 or more dwellings, or which have a combined gross floorspace of more than 1,000 sqm, or non-residential development of 1,000sqm gross floorspace or more will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms.

Policy 32: Community, Health and Well-being sets out that development should contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. This includes the provision of new facilities, and/or the enhancement of existing facilities in accordance with Policy 5.

No specific infrastructure requirements for this site are identified in Appendix 5 of the Local Plan. As with the previous scheme, contributions towards education provision and health care can be secured via a legal agreement.

A separate contribution of £10,000 is being made by the applicant to the parish council to fund play equipment in the local area.

6.0 Conclusion

The application site is located within the settlement limits of Long Sutton which is identified by Policy 1 of the South East Lincolnshire Local Plan as a Main Service Centre and therefore a suitable location in principle for new development. Further the site is allocated under Policy 11 for development.

The Local Plan is clear that the housing numbers stated for each allocation are a guide and that this should be interpreted flexibly. The need to make effective use of land is also supported by the NPPF. As such there is no policy basis upon which to resist a scheme which proposes a higher number of units than indicated in Policy 11 as a matter of principle. Furthermore, the Council recently granted approval for the site to the south with 70 dwellings, over and above its allocation in the Local Plan.

The previous application for 56 dwellings was refused on the basis of overdevelopment of the site which the Council considered would result in an urbanising effect and harm to the character and appearance of the area. This is application was recommended for approval by officers and is subject to appeal

This application proposes 48 dwellings and an amended layout. The number of units proposed can clearly be accommodated on the site and the layout is wholly in keeping with the already approved scheme to the south, in effect phase 1 of the development, which in itself replicates the form of existing development at Anfield Road and Magpie Court. No unacceptable impact upon the character and appearance of the area will result. Neither does the proposal result in any other unacceptable impacts in terms of amenity, highways, flood risk and drainage, or ecology.

Further, the proposal will deliver much needed homes, including affordable units, along with S106 contributions which will support the overall settlement hierarchy and the objectives of Policy 1 by increasing the sustainability of Long Sutton.

In accordance with the NPPF planning permission should be granted for this proposal as there are no adverse impacts which would outweigh the benefits of the scheme.

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PLANNING & PROPERTY

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