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15.01.2020

To Whom it may concern,

Letter in response to comments made by South Holland Planning Policy department for application: H11-1113-19.

Thank you for your in-depth comments and collaborative approach as noted on page 6 of your objection.

I would like to address this in three sections that follow the layout of your objection:

1. Policy
2. Flood Risk
3. Policy 2

1. Policy

The objection is correct in that this site lays within classified open countryside. There is also an agricultural shed to the south side, being used for agricultural use.

Local plan policies regarding design and layout of new development considers the design aspects of a proposal as well as the environmental factors and in the context of this application, the more up to date guidance at paragraph 79 of the NPPF is of greater relevance.

For example, previous applications of a similar nature, ie: H11-0245-18 (Pear Tree Farm), makes little reference to the local plan. Taking the view Paragraph 79 (then paragraph 55) provided more relevance. This approach seems unacceptable in Oak Tree Farms application however.

It is the prerogative of the decision maker as to how much weight can be placed on it in reaching decisions on individual planning applications based on the local plan. Great weight has been placed on this proposal in comparison to other applications.

The proposal has been carefully designed having regard to the provisions of Paragraph 79 of the NPPF with the input of a team of specialists to ensure the resulting design is innovative and responds to the character of the area, is extremely environmentally conscious, but, importantly, provides a modern home for the applicant.

Economic

The objection states “due to its location, it will have limited visibility and it remains highly questionable as to whether people would prefer the view of this particular development to an undeveloped area of land”.

I find the council have made wild assumptions as to the visual preferences of local people. There have been no objections by neighbours or the surrounding area, therefore, it would be wiser to presume that the local residents are in favour of this development.

Contrary to the comments raised, the development is clearly visible from not only the A17 but also Sea gate Road.

Environmental

The objection from South Holland District council states that due to the unsustainable location, the proposal would have a negative impact on the environment. Claiming the additional traffic would greater pollution issues. The proposals for Oak Tree Farm state they not only aim to be carbon neutral but to produce more energy than it uses.

In fact, contrary to the Local Authorities comments on its unsustainable location, despite the site being located in open countryside and it **being surrounded by open countryside or agricultural use on 74% of its boundaries**, there is in fact a bus stop that can be reached by footpath only a 6-minute WALK away. The family use only one car, work locally and use local schools.

Given the minimal impact the proposals will have long term and the environmental gain (in the substantial amount of additional energy that could be created), combined with the proximity to local amenities (despite its rural location), I do not believe that the proposals have any significant harm on the environment.

2. Flood Risk

There are no technical reasons why the site cannot be developed and the submitted Flood Risk Assessment identifies that the site will be safe from flooding given the raised floor level and that there will be no detrimental impact on the adjacent dwelling.

I would also like to point out that the environment Agency raise no objection to the flood risk.

The Local Authority make reference to a sequential test. I would like to point out that a sequential test does not seem to have been provided for a similar application no.H11-0245-18 (Pear Tree Farm), of which this application not only falls within the same flood risk, but also aims to meet similar policy and merit.

The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The NPPF states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is important to note that the Sequential Test does not specifically mean that sites such as this cannot be developed, rather that sites at less risk should be developed first.

The National Planning Policy Framework (NPPF) 2018 indicates that housing applications should be considered in the context of the presumption in favour of sustainable development.

With the proposal to build a NPPF Paragraph 79 House, which is a new dwelling of exceptionally high quality, whist achieving the highest sustainability standards with low energy uses, this is considered to meet both the Sequential and Exception test requirements.

The Flood risk assessment submitted also addresses the Sequential Test and states, with text underlined for emphasis,

> "**The whole of this area on the south side of Long Sutton, as can be seen from the map on page 2 of this report, is in Flood Zone 3.** Therefore, it would be difficult to find a similar site for development in the vicinity of Long Sutton that is in a lower flood zone. The site has similar predicted flood depths for all of the area south of Long Sutton, and therefore the flood hazard on all sites to the south of Long Sutton is also similar. The safety of the development will be delivered by ensuring the floor level of the proposed new dwellings is above predicted residual flood levels for this area.
>
> **The South Holland District Council Core Strategy states that there is a limited number of sites outside the town of Spalding available for residential development.** Therefore, there is a requirement for further land to be brought forward and used for residential development"
>
> Therefore, I consider that the sequential test has been passed."

Also, with the risk of flooding being from the sea there would be a significant amount of time for the Authorities to predict the risk of flooding and to issue appropriate warnings so that the owner of the property can take the necessary precautions to protect and /or vacate the property, and with the properties being two storey there is a safe haven for residents to wait for the flood level to recede or to be rescued.

This design fully meets the flood risk element. If fact, the floor level proposed is higher than the recommended.

The Environmental Agency raise no objection and the FRA addresses the sequential test in the text.

The council have not objected on this basis to other or similar applications so I find the objection to be unsubstantiated.

3. Policy 2

The Local Authority objection comments that this sit is not 'isolated'. It also makes reference to the fact that the design and access statement refers to dwellings to the north, east and south. They make reference to the fact this would 'suggest' it is a hamlet. I would suggest that the local authority independently look at the site to conclude judgement based on proximity themselves. The Design and access statement does refer to this, however, it also refers to Long Sutton being to the north and Sutton Crosses to the West. This does not mean those villages are on the site boundary.

Traditionally, and according to the English dictionary, a 'hamlet' can be defined as "a small village, usually without a church" As shown in the diagram below, to call this a hamlet is an extreme reach. Please see below diagram for clarification (diagram 1).



Diagram 1.

The proposed site has one converted barn directly on the boundary.

Following other approvals led by South Holland District Council, for example application number : H11-0245-18 (Pear Tree Farm) – In comparison, the proposed site has less housing and is more isolated than previous applications of a similar interest.

In fact, the South Holland District Council's policy department's quotes "Briantree District Council v Sectretrary of state for Communities and the Local Government and others", however, their approval on example application H11-0245-18 (Pear Tree Farm) was **after** the Briantree District Council v Sectretrary of state for Communities and the Local Government and others (15 November 2017) and court appeal (28 March 2018) decision. Therefore, I do not believe the stance taken by South Holland District Council towards this proposal (following the court appeal) is taken from these judgements as suggested.

Regarding the design merit, firstly, I would like to point out that a 'prominent design' as you call it, has little baring on it enhancing or not enhancing an site. A design should be looked at independently and not broadly swept as being prominent and therefore it is not enhancing the site.

The design is intentionally bold and simplistic, unlike any in the area. It encompasses underutilised, traditional materials that have been used historically, those from famous local churches and monuments, it then uses these in an uninterrupted elegant way. The proposals also adopts structural elements not seen in rural Lincolnshire. It is the simplistic detailing that makes this building special; uninterrupted facades, bold cantilevers throughout, frameless glazing and historic references.

Secondly, regarding the energy efficiency of the proposals, it is the combination between such technologies that make the dwelling unique, producing more energy than it uses.

Kind Regards

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