



AMJ Construction Ltd



Planning, Design and Access Statement
Proposed Residential Development
Keston Nursery, Mill Green Road, Pinchbeck, Spalding,
Lincolnshire (Resubmission of H14-0942-16)

Document Reference: 1211 3 DAS LMS

Date: March 2017

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1. EXECUTIVE SUMMARY

- 1.1. Outline planning permission was submitted in September 2016 for the redevelopment of the existing Keston Nursery site on land off Mill Green Road, Pinchbeck for residential development of up to 200 dwellings.
- 1.2. That application was subsequently refused by the local planning authority. This application addresses the reasons for refusal and also proposes a reduction in the number of units by half, to up to 100 dwellings.
- 1.3. In addition, it is the intention of the applicant company to offer for sale individual and groups of plots for the development of self-build and custom build dwellings, having first provided the necessary infrastructure to enable serviced land to be available. The applicant company is considering applying to the Homes and Communities Agency for the necessary funding to provide the infrastructure under the Government's Home Building Fund to enable serviced land to be sold off.
- 1.4. The site consists of a range of horticultural buildings ranging from brick storage and loading bays to offices, greenhouses, hardstanding and parking and ancillary equipment such as water tanks and boilers.
- 1.5. The application is accompanied by a revised indicative site masterplan showing how the site could be developed and this masterplan has been informed by the following documents, some of which are the same as were submitted with the first application because these consider the principle of development, largely irrespective of dwelling numbers.
 - Updated Design and Access Statement
 - Flood Risk Assessment and Drainage Strategy (unchanged)
 - Arboricultural Assessment (unchanged)
 - Ecological Assessment (unchanged)
 - Ground Investigation Report (unchanged)
 - Updated Transport Statement and Travel Plan
 - Updated Noise Report and new Vibration Report
 - New Landscape Review

- 1.6. The reports demonstrate that there are no technical reasons why the site cannot be redeveloped for housing, and address the three reasons for refusal set out in the 2016 decision notice.
- 1.7. The National Planning Policy Framework (NPPF) asserts a presumption in favour of sustainable development and that, where housing proposals are made and there is not a 5-year housing supply, this presumption should be afforded full weight and planning permission granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.
- 1.8. The proposal will include significant landscaping to address the edge of settlement concern, Public Open Space at 14% of site area and one third affordable housing.
- 1.9. The application site lies on the edge of Pinchbeck which is a Main Service Centre, is well connected to the services and infrastructure on offer and represents a sustainable form of development.

2. SITE AND SURROUNDINGS

- 2.1. The application site area is reduced from the original due to the planned retention of the two dwellings in the northern tip of the site. The site is located to the south and east of Mill Green Road and west of the rail line.
- 2.2. The satellite image below identifies the location of the site and relationship with the existing settlement.



- 2.3. There are two existing dwellings at the northern end of the site, adjacent to the Mill Green Road rail crossing, which are now being retained as part of the scheme.
- 2.4. Immediately to the east of the rail line there is residential estate development.
- 2.5. The western and northern boundary of the site is characterised by a tall Leylandii Cypress hedge that helps to protect the nursery from the weather. This boundary marks the visual transition between the settlement of Pinchbeck and the open countryside beyond. A photograph from Mill Green Road shows the existing hedge in the street scene.



Planning application site on the left in the picture and open countryside to the right.

- 2.6. To the east of the site the boundary with the rail line is characterised by deciduous planting as is the boundaries to the south west and south. Rear gardens to dwellings fronting Mill Green Road back up to the site along the southern half of the western boundary.
- 2.7. The application site is well landscaped on all boundaries.
- 2.8. Within the site there are a number of permanent structures one would reasonably associate with a commercial nursery and these include offices, storage buildings, HGV loading docks, glasshouses, hardstanding, parking areas and ancillary plant and machinery. The two dwellings at the north of the site are owned by the existing nursery business.
- 2.9. The application site wraps around a pair of semi-detached two storey dwellings that front Mill Green Road on the western boundary.
- 2.10. The site is generally flat and there are no other features of note on the site.

3. PLANNING POLICY

The Development Plan

- 3.1. The development plan consists of the South Holland Local Plan 2006 (saved policies 2009) (LP).
- 3.2. LP policy SG1 states that all proposals for development will be permitted where that development follows the principles of sustainable development.
- 3.3. Policy SG3 identifies Pinchbeck as a Group Centre, which acts as a service centre for the surrounding rural hinterland. In the absence of a five-year housing supply, Policy SG3 should not be considered as an up-to-date policy as it deals with the spatial distribution of housing. Consequently, there is a presumption in favour of sustainable development in accordance with paragraph 49 of the National Planning Policy Framework.
- 3.4. LP policy SG14 considers the design and layout of new development.
- 3.5. LP policy SG15 considers the impact on the local highway network, pedestrians and cyclists.
- 3.6. LP policy SG17 requires new proposals to consider the impact on residential amenity.
- 3.7. In the absence of a 5 year housing land supply, those policies in the local plan that deal with housing numbers and their location are considered to be out-of-date.

South East Lincolnshire Local Plan

- 3.8. The Submission draft of the new Local Plan that will replace the 2006 Plan will commence its 6 week consultation exercise on the 10th April 2017.
- 3.9. The first draft identified the application site as a potential housing site and this was supported by the Parish Council. The second draft did not identify the site as a potential housing site.
- 3.10. Pinchbeck is identified as a Main Service Centre and is rated as the sixth most sustainable settlement across the plan area. The draft Plan accepts that potential housing sites within and adjacent to the settlement boundary may be required to meet housing need.

National Planning Policy

3.11. The National Planning Policy Framework (the "NPPF") sets out Central Government's planning policies for England and how these are expected to be applied.

3.12. Paragraphs 6 and 7 of the NPPF confirm the commitment to sustainable development based on three dimensions:

"an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

3.13. This is followed by a commitment to a presumption in favour of sustainable development and at paragraph 14, "For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted."

3.14. Paragraph 49 confirms this to be the case by referring to housing applications and the presumption in favour of development where there is not a 5 year housing land supply.

- 3.15. Paragraphs 196 and 197 confirm that applications should be determined in accordance with the Development Plan and that, in such cases, Local Authorities should apply the presumption in favour of development.
- 3.16. The NPPF asserts a presumption in favour of sustainable development and that, where housing proposals are made and there is not a 5 year housing supply, this presumption should be afforded full weight.

4. DESIGN

Use

- 4.1. The application site is occupied by a range of buildings used for commercial horticultural production and these are described earlier in paragraph 2.8. As would be expected with a commercial business, Heavy Goods Vehicles operate to and from the site bringing in raw materials and packaging and delivering products to customers. At peak times, up to 40 HGV's travel through residential roads to the application site. These HGVs access the site through relatively narrow residential roads through Pinchbeck village and the redevelopment of the site will see these removed. There is existing residential development to the south west and east.
- 4.2. Redevelopment of the site for residential use is entirely consistent with the immediate land uses on the boundary of the site and, as such, is compliant with LP policy SG17 - Protection of Residential Amenity.
- 4.3. The indicative masterplan submitted as part of the application proposal shows how the site could be developed without detrimental impact on the reasonable amenity of adjoining occupiers and designed in such a way so as to enhance the character of the area.
- 4.4. The use of the site is consistent with close proximity of the site to the built-up part of the settlement. The edge of the settlement does not start at the railway line, but at Mill Green Road which is characterised by a number of houses and businesses. When approaching the village from the west in the vicinity of the application site, the railway line is hidden behind the application site and other development along Mill Green Road. This character is most evident to the south of the railway crossing. The Landscape Review that accompanies this application sets out this character in detail and concludes that in landscape terms the proposal will sit quite happily on the edge of the settlement. The remainder of the western fringe of Pinchbeck north of the Cherryholt railway crossing is characterised by the railway, the same is not true to the south of the crossing. Accordingly, the proposal sits well with the existing pattern of development and would not lead to a precedent for further development to the west of Pinchbeck, north of the Cherryholt crossing.
- 4.5. There is no significant or demonstrable harm associated with the principle of residential use in this location.

Amount

- 4.6. The proposed development for up to 100 dwellings on 7.6 ha results in a density of 13 dwellings per hectare. This density is consistent with the grain and character of development to the east and more importantly, this allows a looser form of development on the settlement edge and one that responds to the criticism of the first scheme. The treatment of the site in landscape terms is set out in the Landscape Review that accompanies this latest application.
- 4.7. A masterplan shows how the site could be developed having regard to the character of the area and the constraints and opportunities in and around the site.
- 4.8. The indicative masterplan incorporates 14% Public Open Space, which is in accordance with adopted local plan policy and a Sustainable Drainage System that will incorporate a surface water attenuation pond.
- 4.9. The submitted revised Transport Statement and Travel Plan conclude that in highway terms the scale of the proposal will not have a detrimental impact on the local highway network.
- 4.10. There would be no detrimental impact on any ecological interests within the site or the immediate area.
- 4.11. The proposal in terms of the proposed amount of development is therefore compliant with LP Policy SG14 – Design and Layout of New Development.
- 4.12. Of concern to the local planning authority on the first application was that the greater level of traffic that will potentially use the railway will result in the crossing being down (closed) for a significantly greater proportion of the day and night, leading to the site being poorly integrated into the settlement. As a matter of fact, South Holland District is characterised by settlements through which railways pass. Spalding is the obvious example and the fear of increased crossing closure has not prevented the emerging local plan proposing significant housing growth on the western side of the town which results in the need to cross the railway to access both retail and employment opportunities. The main difference between the impact on Spalding when compared to Pinchbeck is that the trains (both freight and passenger) do not stop in Pinchbeck. Each train accelerates out of Spalding and through Pinchbeck with the

impact that the crossing barrier on Cherryholt Road is closed for a total time of 40 seconds for passenger trains and 1 minute 20 seconds for freight trains. For the current number of both freight (16) and passenger trains (17) the crossing will be down for a total of approximately 32-35 minutes in each 24 hour period. As anecdotal information, the author of this report has visited both the application site and others along Mill Green Road and hasn't once had to stop because the crossing was down. Even if the freight traffic doubled, this would only mean that the crossing would be down for an additional 20 minutes each 24 hour period. The impact arising from the crossing being closed for longer periods would have little if any impact on the ability to readily and conveniently walk or drive to the village centre. It is in fact debatable whether the railway (and Spalding) could accommodate a level of rail traffic that would have any real impact on Pinchbeck and the Cherryholt Crossing in particular.

Layout

- 4.13. The masterplan indicates how the site could be developed, having regard to constraints and opportunities in the area together with the requirement for on-site provision of Public Open Space and surface water attenuation. The reduction in the number of units on the site will provide the opportunity for dwellings on larger plots and an increased amount of structural planting and open space.
- 4.14. The masterplan identifies a single access into the site utilising the existing access from Mill Green Road, a principal adopted road system off which private drives lead, public open space and a Sustainable Drainage System has shown to be possible having carried out infiltration testing on the site. Mill Green Road will be widened from the site access to the railway crossing and a new footway installed which will connect to the existing provision. Early engagement with Network Rail prior to the first application resulted in the confirmation that there is no objection in principle to the proposal.

Scale

- 4.15. The character of development to the east of the site is single storey with some two storey. The intervening rail line and established planting to the west will not result in the new development having any impact on the existing development.
- 4.16. The proposed development will be two storeys, as the original Flood Risk Assessment concluded that single storey development would not be permitted.
- 4.17. The Flood Risk Assessment concluded that finished floor levels will need to be only 150mm above the existing ground level and to incorporate flood resistance barriers to doors to a height of 300mm above the finished floor level and flood resilient construction methods 300mm above the maximum flood water level. Finished floor levels 1m above existing ground levels are now relatively commonplace when taking into account flood risk and climate change.
- 4.18. Notwithstanding the need to raise finished floor levels, the development can be designed and laid out to accommodate this scale of development on the settlement edge.

Landscaping

- 4.19. Unusually for the Lincolnshire landscape, the site is well landscaped with predominantly indigenous species on all boundaries save from the Mill Green Road frontage which is dominated by a tall coniferous hedge. The indigenous planting will be retained and managed through a landscape management plan which will have the added benefit of retaining and enhancing local biodiversity. In the event that planning permission is granted, the details of the landscaping will form part of the subsequent Reserved Matters application.
- 4.20. The masterplan has been informed by the Arboricultural Report that accompanies the application.
- 4.21. In response to reason for refusal 1, we have carried out a Landscape Review that describes the character of the area and the fact that the site can satisfactorily accommodate the development and maintain the character of the settlement edge.

Appearance

- 4.22. The development to the east of the site is relatively modern estate type development, typical of settlements that were expanded in the 1970s. The proposal presents an opportunity to develop a site incorporating architectural innovation and energy efficiency.
- 4.23. The design and appearance of the development will be the subject of Reserved Matters Approval in the event that planning permission is established for the principle of development.
- 4.24. It is anticipated that the site will accommodate both self-build and custom build housing by taking advantage of serviced plots around the site. Accordingly, the designs of each dwellings will vary significantly and will be the subject of individual Reserved Matters applications.

Heritage Impact Assessment

- 4.25. Paragraph 128 of the NPPF requires applicants to describe the significance of any heritage assets including the contribution made by their setting. It states that the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on its significance.
- 4.26. The Pinchbeck Conservation Area lies some distance to the east with relatively modern estate type development in between. There are no heritage interests to the west.
- 4.27. The Heritage Gateway has been researched and there are no known heritage assets near the site and early consultation with Lincolnshire County Council Historic Environment Department has revealed that there is no archaeological interest in the site.
- 4.28. There will be no impact whatsoever on any designated or non-designated heritage asset.

Access

- 4.29. The submitted Transport Statement and Travel Plan set out the impact of the proposal on the local highway network and accessibility of the location and sets out methods whereby this can be improved.
- 4.30. There is an existing access into the site from Mill Green Road that presently serves the commercial nursery and this access will be

rationalised to meet adoptable standards in order to serve the proposed housing development. Mill Green Road will be widened from the site access to the level crossing and a new footway installed such that it connects with the existing provision.

- 4.31. In order to address the concerns of the local highway authority and the associated reason for refusal, a traffic count has now been carried out and this shows that the surrounding rural road network is operating well below its design capacity.
- 4.32. However, with the development of 100 dwellings, there will only be an additional seven trips on this stretch of road south out of the site in the peak hours. The potential for oncoming vehicles to meet on Mill Green Road increases by just two in the morning peak hour and four in the evening peak hour.
- 4.33. There are numerous places for vehicles to pull over and wait out of the way for an oncoming vehicle to pass, and good forward visibility is available to allow drivers to see oncoming vehicles and manoeuvre accordingly. Furthermore, the low existing traffic flows on Mill Green Road, together with the minimal increase in traffic flows associated with the proposed development, means there is potential that oncoming vehicles will not meet. It is therefore concluded that the additional seven trips as a result of the development would not cause severe damage to the highway and verges.
- 4.34. Overall, the proposed development would accord with the aims of the NPPF. The opportunities for sustainable travel would be improved as part of the proposals, and safe and suitable access can be achieved for all people. The development would not result in severe impacts on the operation or safety of the local highway network. Therefore, it would be unreasonable to prevent the development.
- 4.35. The proposal is acceptable in highway terms and accords with LP policy SG15.

Other Material Considerations

- 4.36. A Ground Investigation report considers the potential for contamination, having regard to the current and historic land uses on the site. The report is presented as part of this application.
- 4.37. The report identifies where contamination might be present and this will be dealt with by a remediation method statement and secured by an appropriate planning condition.
- 4.38. The third reason for refusal stated that insufficient information had been provided to enable a clear conclusion to be made on the potential impact of the railway on the proposed development. The nature of the impact was not set out in the reason for refusal although it is assumed to be both noise and vibration from the consultation response issued by the local Environmental Health Department. The original application was accompanied by a noise assessment which demonstrated that residential development could be accommodated quite easily in this location when accompanied by appropriate mitigation. This is more so now that the development density has halved, enabling greater distance to be had between the development and the railway. The original noise assessment has been updated and represented with this application. As a matter of fact, residential development, much of which doesn't include noise mitigation measures, has been developed in far closer proximity to railways and transport infrastructure up and down the country. There is no evidence to indicate that the site cannot be developed and provide a suitable living environment for future occupiers.
- 4.39. A vibration report has also been commissioned and the results from this report also indicates that the site is suitable for development and that the vibration from this continuous track railway will not impact on future occupiers.
- 4.40. There is no evidence to suggest that this site will be unduly impacted upon by the operation of the railway.

5. CONCLUSIONS

- 5.1. Following the refusal of planning permission for the development of up to 200 dwellings on the site, it is now proposed to halve that number and create the opportunity for those wishing to build their own home on a fully serviced plot of land. The applicant company may apply under the Government's Home Building Fund for funding to provide the necessary infrastructure to enable this to happen.
- 5.2. The proposal will result in the redevelopment of a largely developed site on the western fringe of Pinchbeck in a location that will have little or no impact on the character of the settlement.
- 5.3. Having regard to the location of the site, the majority of the services to be found in Pinchbeck can be easily accessed on foot through quiet housing areas making this site unquestionably more appropriate for development than those sites currently being promoted by the Joint Strategic Planning Committee through the emerging local plan process.
- 5.4. The site has been promoted as part of the emerging plan and is considered suitable by the applicant as a potential housing site.
- 5.5. The housing policies that relate to the numbers and location of housing in the district are considered out-of-date in the absence of a five-year housing land supply.
- 5.6. The National Planning Policy Framework (NPPF) asserts a presumption in favour of sustainable development and that, where housing proposals are made and there is not a 5 year housing supply, this presumption should be afforded full weight and planning permission granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.
- 5.7. The application is supported by a full suite of technical reports that demonstrate there are no technical reasons why the site cannot be developed for housing.
- 5.8. A revised Transport Assessment has measured the traffic numbers using the rural roads south of the site. Having regard to the fact that these roads are used less than their design capacity, coupled with the fact that only a small fraction of the development traffic will use them, there is no reason to refuse the application on highway grounds.

- 5.9. Notwithstanding the low incidence of traffic needed to pass each other in opposite directions on narrow rural roads, there are many informal pull-ins where traffic can pass each other on straight roads with good visibility.
- 5.10. The Noise Assessment and Vibration Report indicates that there is no reason to refuse the planning application on these grounds and that the introduction of basic mitigation measures will ensure that a suitable living environment will be afforded occupiers, even when assessed against an increase in rail freight.
- 5.11. At present, the railway barrier at the Cherryholt crossing is down for a total of 40 seconds for a passenger train and 1 minute 20 seconds for a freight train. With current levels of rail use this means that the crossing is down for a total of between 32-35 minutes in each 24 hour period. In the event that the amount of rail traffic doubles, and there is no indication/guarantee what the increase will be, there is still no significant impact on the connectivity of the site with Pinchbeck.
- 5.12. The reduction in the scale of the proposal and coupled with the ability to provide an attractive landscaped frontage to the site will result in a suitable character of development on the settlement edge. This character is presently dominated by tall coniferous hedging and the ripple of development along Mill Green Road. The Landscape Review assesses the character of the area and concludes that development here is quite acceptable.
- 5.13. The proposal assists in the local planning authority meeting the requirement for a five-year housing land supply and is acceptable in all other respects.