



# Land adjacent to Hexham, South Drove, Spalding PE11 3BE

Planning Statement  
Incorporating policy, design, access and transport

1

## Outline application for 2 houses



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## 1. Summary

By presenting development in the countryside, an exception to the normal application of policy is sought. Pre-application advice (see appendix 1) only anticipated adverse Flood Risk issues as related to the application of the 'sequential approach'. This reasoning is not supported by the reasoning in Section 7g below and the context of the precedents quoted in Appendix 3. In comparable examples, the matter of flood risk, and the sequential approach, was addressed in the applicant's favour by both the Council's Planning Committee and an Appeal Inspector.

At another level of assessment, the Council cannot currently demonstrate a robust deliverable five-year supply of housing land. *Paragraph 11d of the July 2018 National Planning Policy Framework* (2018 NPPF) is engaged as the Development Plan policies relevant to the supply of housing are not up to date. Little weight can be attached to either the adopted Plan (2006) nor to the land supply policies in the emerging plan (submission draft 2018). In effect there are no defensible settlement boundaries and each case need to be assessed against normal standards of sustainability.

Accordingly, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the national policies taken as a whole. Granting permission would not conflict with any specific policies in 2018 NPPF that indicate development should be restricted, for example the countryside and design policies.

Sustainability matters have been addressed. The scheme lies on the fringes of Spalding and, in the applicants view, would not conflict with the Council's settlement hierarchy and spatial strategy. The Council has identified Spalding as a potentially sustainable location for development in the emerging plan, and it has sought to make additional allocations there. This site lies on the edge of Spalding. There would be limited or no harm to the landscape setting of the area. Any harm that may arise from loss of open countryside would be very much localised to the immediate edge of the settlement. The wider landscape character would not be materially harmed. In this respect it is noted that the Holland Park development will extend opposite the site (albeit across a Drain).

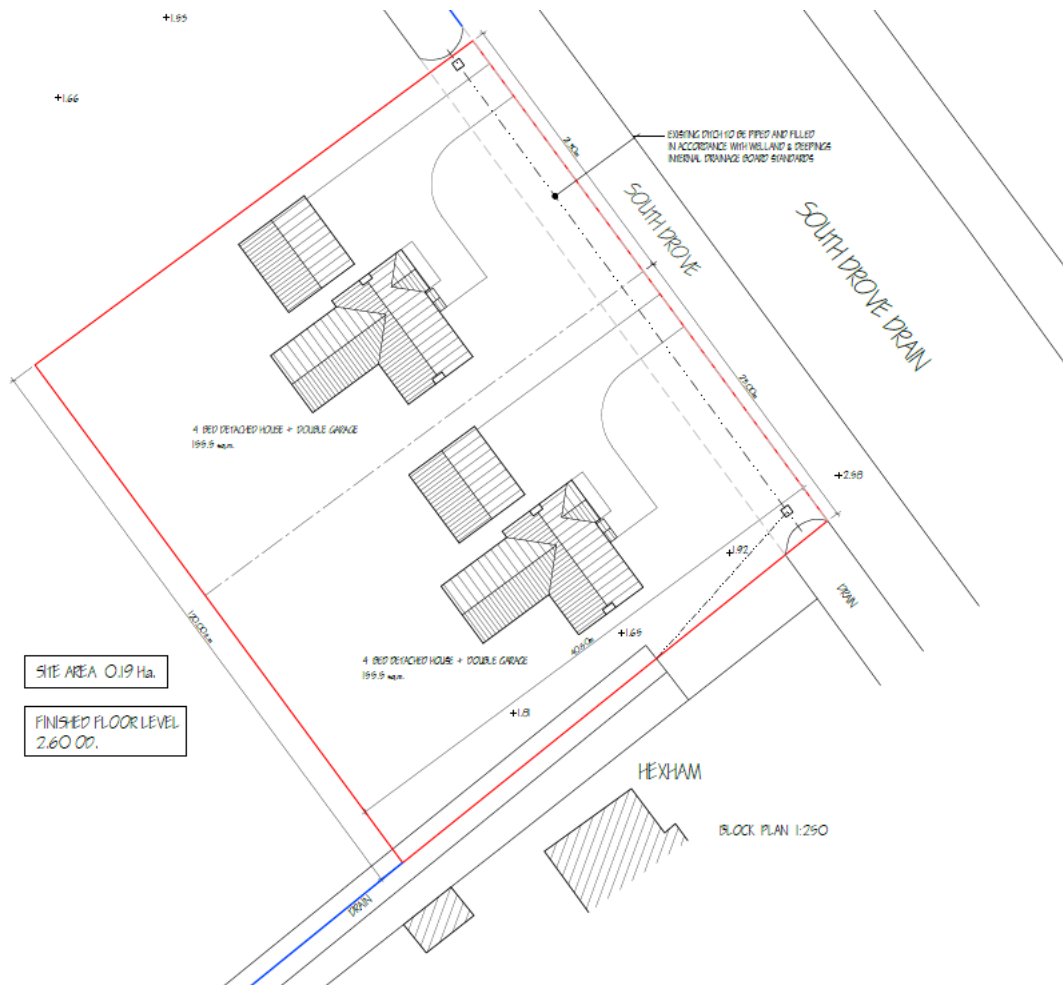
The Council is in a position to consider other detailed aspects of compliance with policy in the context of subsequent reserved matters, with applications for access, layout, landscaping, scale and appearance to follow. There is no reason why an acceptable design cannot be achieved. Some of the principles necessary to secure a successful development are presented in an illustrative scheme.

The site will benefit from a good level of service provision, local employment and public transport connections by bus to the centre of Spalding. It is also within reasonable cycling distance of Spalding, where a wide range of services and facilities are available. While acknowledging that footpath access is presently poor, car use is likely to remain the dominant form of transport, in common with many rural areas, these alternatives provide potential residents with realistic options to minimise car use.



The development would also bring economic benefit, and some support for local services from increased usage and expenditure in the community. The environmental harm identified would be limited as described above, and would not be of such consequence that it would outweigh the benefits of the scheme.

In conclusion, while the scheme would conflict with the development plan, national policies to boost housing land supply are engaged, including the new provision in NPPF 68 to promote small sites, and the proposal can be regarded as sustainable development.



## 2. The site and its Location

The site is presently in agricultural use, and is 0.19ha in size.

The site is located outside of, but adjacent to, the defined settlement limit of Spalding. The site's eastern boundary is marked by a road and the South Drove Drain.

The site is a 4.7km walk from the notional 'centre' of Spalding (the Post Office) but services exist closer near the junction of Spalding Common and Hawthorn Bank (2.8km to the north-east ). The local village hall is 1.35m to the north. Although South Drove has no footpath there are pedestrian refuges on grass verges, and a footpath into Spalding in 230m away at Littleworth Drove.

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## 3. History

There is no relevant planning history.

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## 4. Proposed development.

The proposal is for a new residential development of 2 houses, with all matters reserved.

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## 5. Pre-application advice.

This is attached at Appendix 1. Whilst accepting that such advice is only a guide and does not hamper the Council's decision making, it does exist as a material consideration of considerable weight.

The advice expressed opposition to the development, **but only based on flood risk grounds**. As is shown by the submitted flood risk assessment (summarised on page 11 below) , there are no flood risk fears provided the site is built up to 2.6m AOD . This is approximately the same height as the adjacent road.

The Council's opposition to certain sites based on the sequential test as applied to flood risk, has been tested and found not to be defensible. Evidence is presented in Section 7g below (page 13), and the recent appeal quoted in Appendix 3 for a site at Campains Lane Deeping St Nicholas. Two other examples are given – nearby at South Drove and at Pinchbeck.

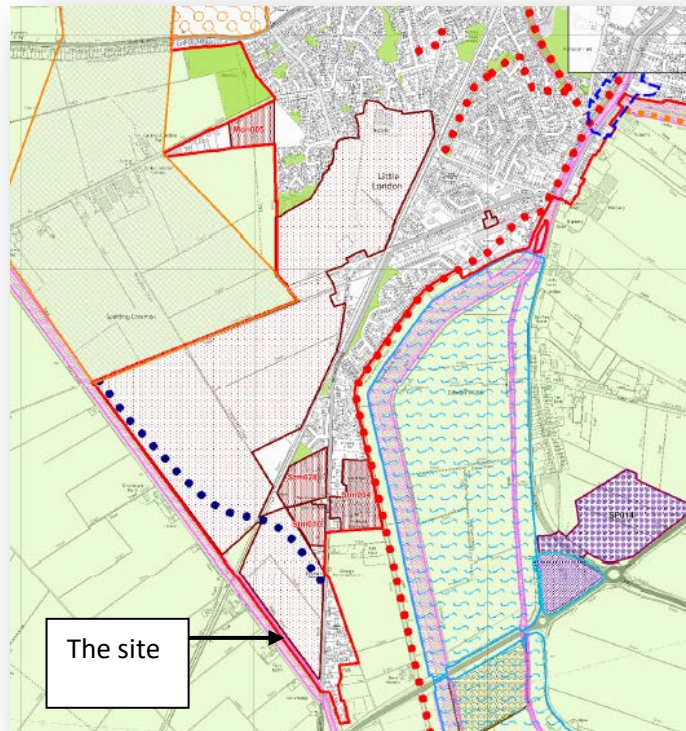


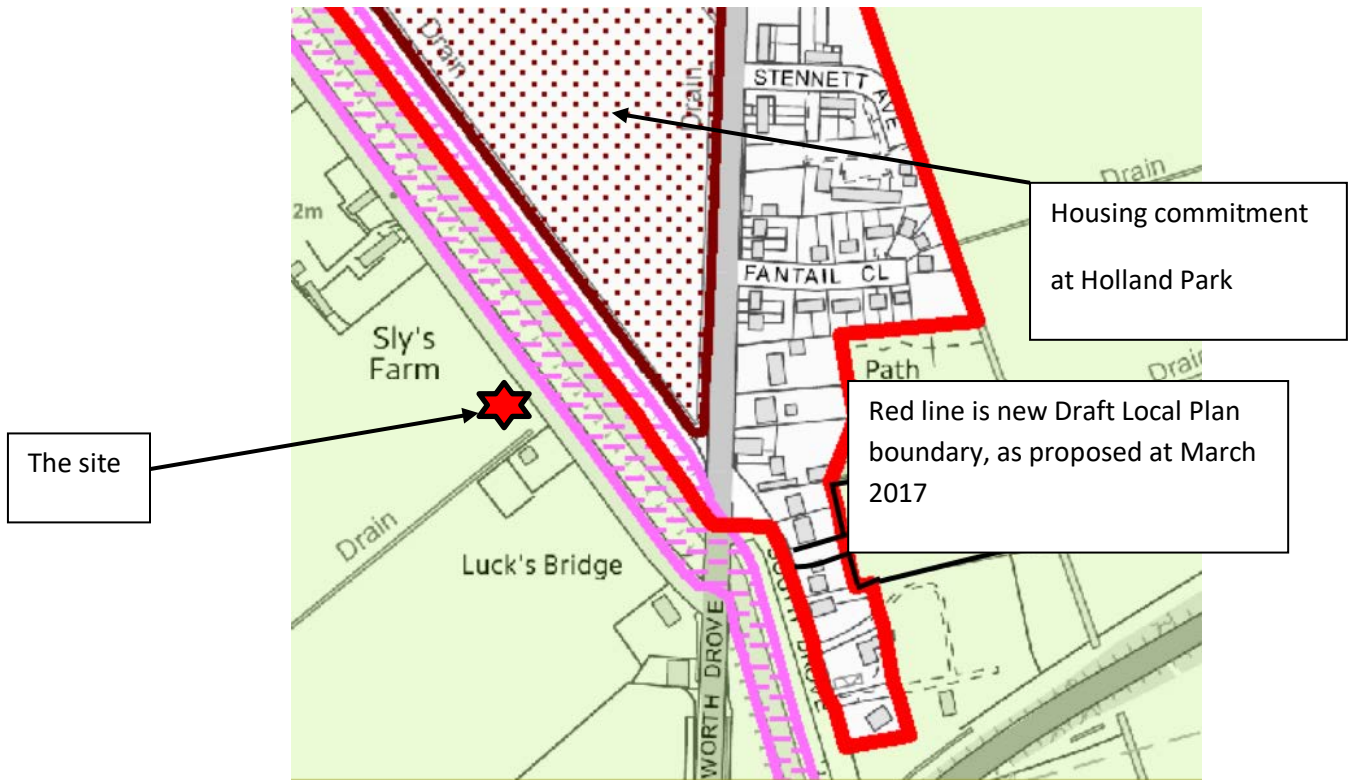
## 6. Policy

The Council cannot currently demonstrate a robust deliverable five-year supply of housing land. Paragraph 11d of the Framework is engaged and the Development Plan policies relevant to the supply of housing are not up to date. Little weight can be attached to either the adopted Plan (2006) nor the land supply policies in the emerging plan (March 2017 draft) as it has yet to go to examination.

Existing 2006 Local Plan Policy village development boundaries may be given very little weight in the circumstances explained in section 6 below.

The scheme would not conflict with the Council's settlement hierarchy and spatial strategy, as set out in the present adopted and emerging Local Plan. The Council has identified Spalding as a potentially sustainable location for development in the emerging plan, and it has sought to make additional allocations there.





## 7. Evaluation

The structure of the following appraisal is informed by the following Planning Policy principles from the South Holland Local Plan 2006, as modified by the more up to date policies expressed in the National Planning Policy Framework.

|                                                                           |  |
|---------------------------------------------------------------------------|--|
| SG1 General Sustainable Development                                       |  |
| SG2 Distribution of Development                                           |  |
| SG3 Settlement Hierarchy                                                  |  |
| SG4 Development in the Countryside                                        |  |
| SG6 Community Infrastructure and Impact Assessment                        |  |
| SG11 Sustainable Urban Drainage Systems (SUDS) Policy                     |  |
| SG12 Sewerage and Development                                             |  |
| SG13 Pollution and Contamination                                          |  |
| SG14 Design and Layout of New Development                                 |  |
| SG15 New Development: Facilities For Road Users, Pedestrians And Cyclists |  |
| SG16 Parking Standards in New Development                                 |  |
| SG17 Protection of Residential Amenity                                    |  |
| SG18 Landscaping of New Development                                       |  |
| HS7 - new housing in the countryside.                                     |  |
| HS8 Affordable Housing                                                    |  |
| HS11 Open Space in New Residential Developments                           |  |



## a. The acceptability of the principle of development

The site is located outside of, but adjacent to, the defined settlement limit of Spalding as outlined in Local Plan, 2006. In this instance, the relevant policy context would usually be Policy HS7 (New Housing in the Open Countryside). As the proposal is neither for rural exceptions affordable housing, nor essential to meet the needs of agricultural workers, the application would not normally be supported.

However, the National Planning Policy Framework, 2018 (NPPF), is quite clear in its aim to significantly boost the supply of housing and, as outlined in Paragraph 11(d) Footnote 7 of that document, local planning authorities are required to ensure that their Local Plan meets the need for market and affordable housing in the housing market area<sup>1</sup>.

The balance of reasoning is tilted in favour of the development unless it can be demonstrated that adverse impacts outweigh the advantages.

The Council cannot currently demonstrate a 5-year supply of deliverable sites, as per the provisions of NPPF. The Council's Local Plan policies relevant to the supply of housing are considered out-of-date, and the presumption in favour of sustainable development applies.

It therefore remains to be determined if any adverse impacts of granting permission for housing dwellings in this location would significantly and demonstrably outweigh the dis-benefits of housing development in this particular location.

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<sup>1</sup> The new **NPPF July 2018** states there is a presumption in favour of sustainable development:

“11d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date 7, granting permission unless:

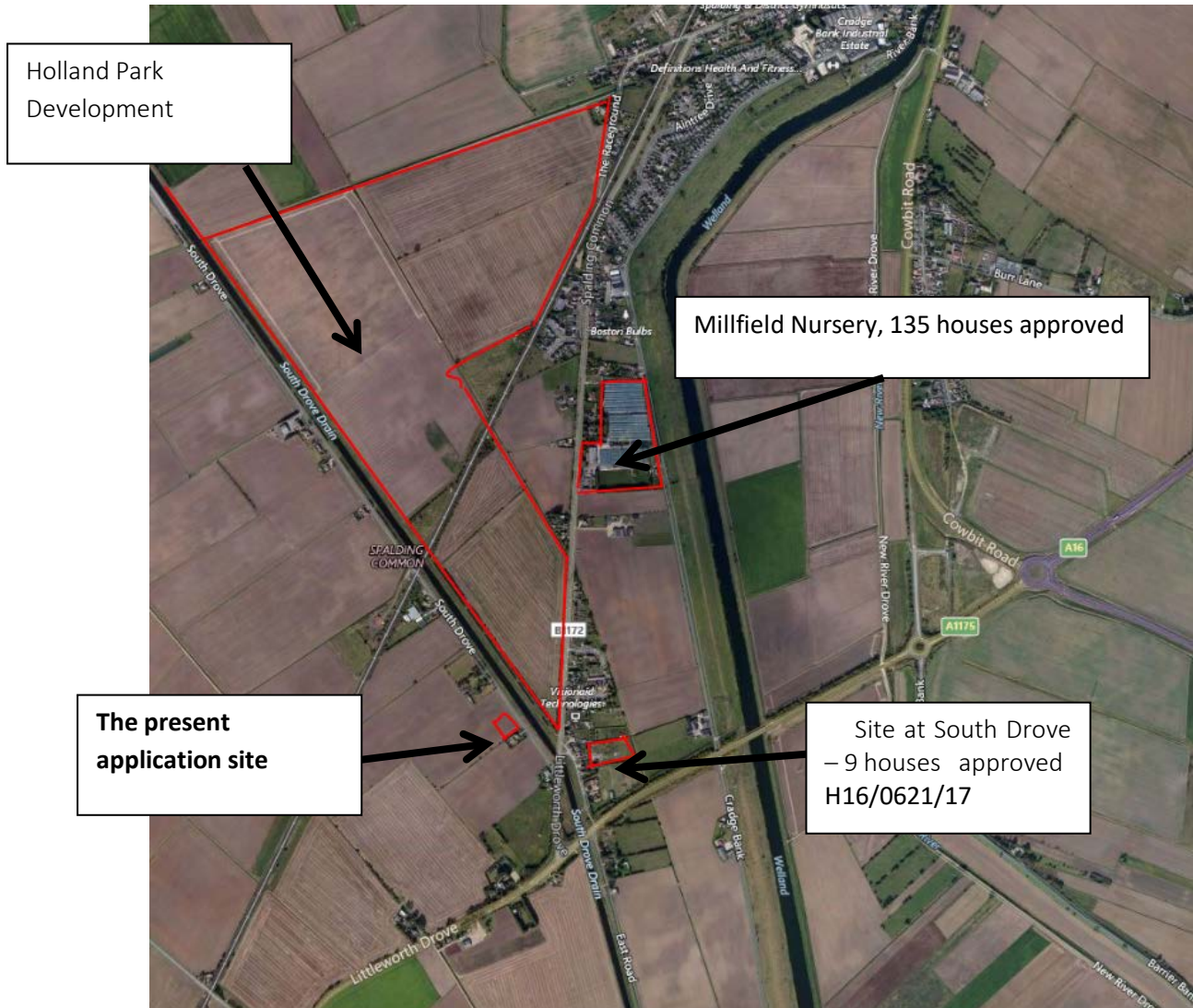
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 6; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

“Footnote 7 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1. “



## b. Location relative to other recently approved developments

The site in context with other southern extensions to Spalding – showing major approved developments close by where normal measures of sustainability has been accepted positively



### c. Loss of agricultural land

Concern may be raised about the loss of high-quality agricultural land to housing. This site is Grade 2. Most land within the district is either Grade 1 or Grade 2. To deliver the Council's required housing need it is inevitable that some high-grade agricultural land will be lost. Given this context, it is not considered that the loss of this amount of agricultural land (0.19ha) in this location is an issue that would significantly outweigh the benefits of housing development.

There are no negative sustainability considerations on this measure.

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### d. Accessibility

The site is located on the southern edge of a sustainable settlement. It is accessible by a range of travel modes and is therefore well located for residential development. The Holland Park urban extension reaches very close to the site. The size of Holland Park will inevitably increase transport services to this part of town, as well as provide facilities within closer reach to this site.

The following shows services are within acceptable walking distance of the site. There is existing pedestrian infrastructure including footways. Large areas are contained within cycling distance and the existing cycle infrastructure, including off-road cycle routes are within easy cycle distance. In addition, there are good opportunities for public transport. Key aspects of good local accessibility are also shown in Appendix 3.

Overall it is shown that the area offers positive sustainable transport options; but accepting that footpath provision close to the site is presently absent.

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#### i. Walking

The local village hall is 1.35km to the north, and the Lincolnshire Gallery is even closer.

Other services are found around 2.8km to the north near the junction of Spalding Common and Hawthorn Bank (Drayman's Arms Pub, Andrews DIY store, shop and filling station also Jacksons Builders merchants).

The site is a 4.7km walk from the notional 'centre' of Spalding Town (the Post Office). Footpaths offer easy connection to all these locations.

There is clearly considerable variation in what may be regarded as an acceptable walking distance. The IHT Guidelines for Providing Journeys on Foot provides more comprehensive advice. The suggested acceptable walking distance presents a preferred maximum of 2000m. Some services are well with that distance (Village Hall and Lincolnshire gallery), others lie just beyond. In overall terms the site is generally accessible.



## **ii. Cycling.**

With regard to cycling PPG13 also notes that for journeys of less than *five kilometres*, cycling offers a potential substitute to car borne trips. This distance includes the centre of Spalding, 4.7km away by road.

LCC's cycle infrastructure map is attached as Appendix 3. This shows the opportunity in the immediate area for off-road cycle routes. There are no cycle routes on the B1172 Spalding Common, but Cradge bank to the north forms part of National cycle routes No 12. This provides a direct route into Spalding Town Centre.

## **iii. Public transport.**

A regular bus service exists, as shown in Appendix 3. There is 1 key service to Spalding, and Peterborough that offers an hourly service Mondays to Saturdays, between about 7am and 8pm with a 2 hourly service on Sundays. The bus stops are 480m from the site. The bookable Call Connect service is also available.

Given the frequency of the bus services, the destinations served, and the proximity of the bus stops, there are reasonable opportunities for bus travel to and from the site.

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### **e. Views, and impact on local character and appearance**

Limited views of the site are possible from South Drove. Such views as do exist are not of any area of recognised landscape value. *Additionally, in the circumstances of the district's low housing supply, it is not possible to protect countryside for its own sake.*

Whilst greenfield development in this location will undoubtedly alter the character of the surrounding area, this change will be minor in the circumstances. It is not considered that this impact would be to a degree that would significantly and demonstrably outweigh the benefits of delivering housing in this location.

Illustrative plans have been submitted to help understand how a typical house may be accommodated. The proposed development would not cause significant harm to the character and appearance of the area. Once the design is detailed, it would accord with the relevant parts of the NPPF or with policy SG14 of the South Holland Local Plan 2006 (Local Plan). This states that new development should be designed to ensure that it makes a positive contribution to the architectural and visual quality of its surroundings and respect local vernacular, and to take into consideration the relationship of the development to the character form and scale of existing buildings.

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### **f. Amenity**

The level of amenity will be appropriate for future occupants. All dwellings will have sufficient levels of amenity space, including rear gardens.

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It is accepted that development in this location will alter the appearance of the surrounding area for those residents adjacent to the site. However, there is no right to a view and the development is acceptable in terms of its relationship with the existing built edge of Spalding.



## g. Flood risk and the sequential approach

This is an area of known complexity in the South Holland District, and the Council is having to balance growth in housing against having a preference for first directing investment to lower risk sites. It is not surprising that pre-application advice (Appendix 1) isolated it as an adverse issue, but it is suggested the author did not have the benefit of the assessment in this submission.

It is best explained by reference to case reference H16-0621-17, a site very close by (a 230m walk) at South Drove where 9 houses were approved in very similar circumstances. The Committee report explained:

*“7.15 The emerging South East Lincolnshire Local Plan has identified sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. It is on this basis that the Council has had recent success defending planning appeals at Long Sutton and Gedney Hill (H06-0669-16 and H07-0729-16). Notwithstanding the Council's lack of 5-year housing land supply, it was concluded by the Planning Inspectorate in these instances that there were reasonably available sequentially preferable housing sites identified in the emerging Local Plan and, therefore, those proposals did not comply with advice within paragraphs 100 and 101 of the NPPF.*

*7.16 However, the emerging Local Plan is currently in the process of being examined by the Planning Inspectorate. At the time of writing this report the Inspector has identified a need to consider the allocation of some additional sites in order to meet the District objectively assessed housing need.*

***7.17 On the basis of this, and the Council's lack of a 5-year housing land supply, it could be argued that, contrary to the finding of the previously-mentioned appeal decisions, that it cannot currently be demonstrated that there are sufficient reasonably available sites for housing that are sequentially preferable in flood risk terms across the district.*** As such, one could argue that pending further work thorough the Local Plan process, should the site be acceptable in all other regards, and if the Exceptions Test is successfully passed, that the site is acceptable in flood risk terms, notwithstanding the fact that there are sequentially preferable sites in the emerging Local Plan.

*7.18 In order for the Exceptions Test to be passed, it must be demonstrated that the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.*

*7.19 It is accepted that the development would provide some wider sustainability benefits to the community through its ability to help meet the housing need, and other benefits including generating employment during the construction period and thereby providing some protection to the local economy”*



This provides confidence that approval here does not conflict with flood risk advice.

The development can be made safe. A Flood Risk Assessment is submitted with the application. Its main conclusions are:

- The proposed development is not in a functional flood plain.
- The risk of the site flooding from any Environment Agency watercourse is very low.
- The risk of flooding from IDB watercourses is also extremely low.
- Velocities, and therefore the hazard of any flood water in the area would be low.

It is recommended:

- a. all new dwellings should be of two story construction designed with all sleeping accommodation located on the first floor.
- b. The ground floor level of the proposed two storey buildings should be at a minimum level of 2.60m OD.
- c. Flood resilient construction should be included to a height of 300mm above the predicted flood depth.
- d. Occupiers of the all of the new properties need to register with the Environment Agency's Floodline Warnings Direct Service to receive automated early warnings of potential flooding.
- e. Although the risk of flooding is extremely low, if through a set of circumstances acting together any flooding were to begin to occur, residents would have adequate time to evacuate the area and remain safe.



## **h. Infrastructure**

The site is across the road from the Holland Park extension to Spalding. This will in time integrate with the neighbourhood the present site sits in. An additional 2 units here is of little numerical significance in infrastructure terms relative to Holland Park.

Concerns may generally arise about incremental development and issues relating to the provision, and strain on existing, infrastructure, (utilities, services and facilities). However, in the emerging new South East Lincolnshire Local Plan there have been no fundamental objections from infrastructure providers to town expansion options presented there. The emerging South East Lincolnshire Local Plan will be required to plan fully for the provision of all types of infrastructure, to support the future growth of the District.

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## i. Conclusion: a planning balance

The Council cannot currently demonstrate a robust deliverable five-year supply of housing land. Paragraph 11d of the 2018 National Planning Policy Framework (NPPF) is engaged and the Development Plan policies relevant to the supply of housing are not up to date. Little weight can be attached to either the adopted Plan (2006) nor the land supply policies in the emerging plan (March 2017 Submission draft).

Paragraph 8 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. It sets out three dimensions to sustainable development as follows:

**An economic objective** – contributing to building a strong, responsive and competitive economy.

The development would bring economic benefit, from construction and ongoing maintenance, and some support for local services from increased usage and expenditure in the community. It is accepted that this is a more generic benefit of housing development, but some of the benefit would occur locally and is a positive factor in the balance.

The majority of employment for the future residents may be located in the district. Other benefits claimed for the scheme are further support for the local shops, pubs, churches and the primary school. Any risk of decline or closure will be reduced as additional business will be generated.

**A social objective** – supporting strong, vibrant and healthy communities.

This is secured 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.

The site does not have a bus stop on its door step, but close by it has a reasonable connection by bus to Spalding. It is also within reasonable cycling distance of Spalding, where a wide range of services and facilities are available. Services in Spalding are good and within walking distance. While acknowledging that car use is likely to remain the dominant form of transport, in common with many rural areas, these alternatives provide potential residents with realistic options to minimise car use.

In social terms the development would provide much needed housing, and this would help meet the local needs, particularly by offering the small sites sought by NPPF paragraph 68 (local plans now have to identify sites no larger than 1ha to meet 10% of their housing requirement). There is little reason to doubt that it could be delivered speedily, and it would contribute toward the required 5-year supply of housing land. In the present context this is of considerable value.

**An environmental objective** – the development will contribute to enhancing the natural, built and historic environment.

There would be limited harm to the landscape setting. Any harm that may arise from loss of open countryside would be very localised to the immediate edge of the settlement, and the wider landscape character area of the village fringe would not be materially harmed.



## **Appendices**

- 1. Pre-application advice**
- 2. Location & local services**
- 3. Precedents**



# Appendix 1.

## Pre application advice



**From:** [Grant, David](#)  
**To:** [Matrix Planning Ltd](#)  
**Subject:** [SPAM]RE: Pre-app enquiry - Land between Slys Farm and Hexham Cottage, South Drove, PE11 3BD  
**Date:** 20 March 2018 07:49:35

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Dear Gordon,

Thank you for your enquiry. The proposed is outside of the defined settlement limits of Spalding but close to the proposed Holland Park Development.

On the 2115 South Holland Strategic Flood Risk Mapping, the site is shown to be a Danger for Most hazard area, with a predicted maximum flood depth of 0.5 metres to 1 metre. Finished floor levels will have to be set at a minimum of 1 metre above ground level to meet flood risk requirements. This would lead to a development out of keeping with the character of the surrounding area.

There are more sequentially preferable sites within the defined settlement limits of Spalding, so the Local Planning Authority wouldn't be in a position to support the proposal should an application be forthcoming.

Kind regards,

David Grant  
Planning Officer

**David Grant** | Planning Officer | **South Holland District Council**  
Direct Dial: 01775 764472  
[www.sholland.gov.uk](http://www.sholland.gov.uk)

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**From:** Matrix Planning Ltd [<mailto:gordon@matrixplanning.co.uk>]  
**Sent:** 14 March 2018 14:06  
**To:** \_planningadvice; Grant, David  
**Subject:** Pre-app enquiry - Land between Slys Farm and Hexham Cottage, South Drove, PE11 3BD

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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**This message originated from outside your organization**

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Dear Sir/Madam,

I attach a enquiry for your review. Copied to Mr Grant as he has had prior involvement.

Gordon

Gordon Smith, MRTPI  
Matrix Planning Ltd | 36 Stamford Road | Market Deeping | Peterborough | PE6 8AB  
**07789 483 134**  
01778 343 659

[gordon@matrixplanning.co.uk](mailto:gordon@matrixplanning.co.uk)  
[www.matrixplanning.co.uk](http://www.matrixplanning.co.uk)

# Appendix 2

## Location and local services



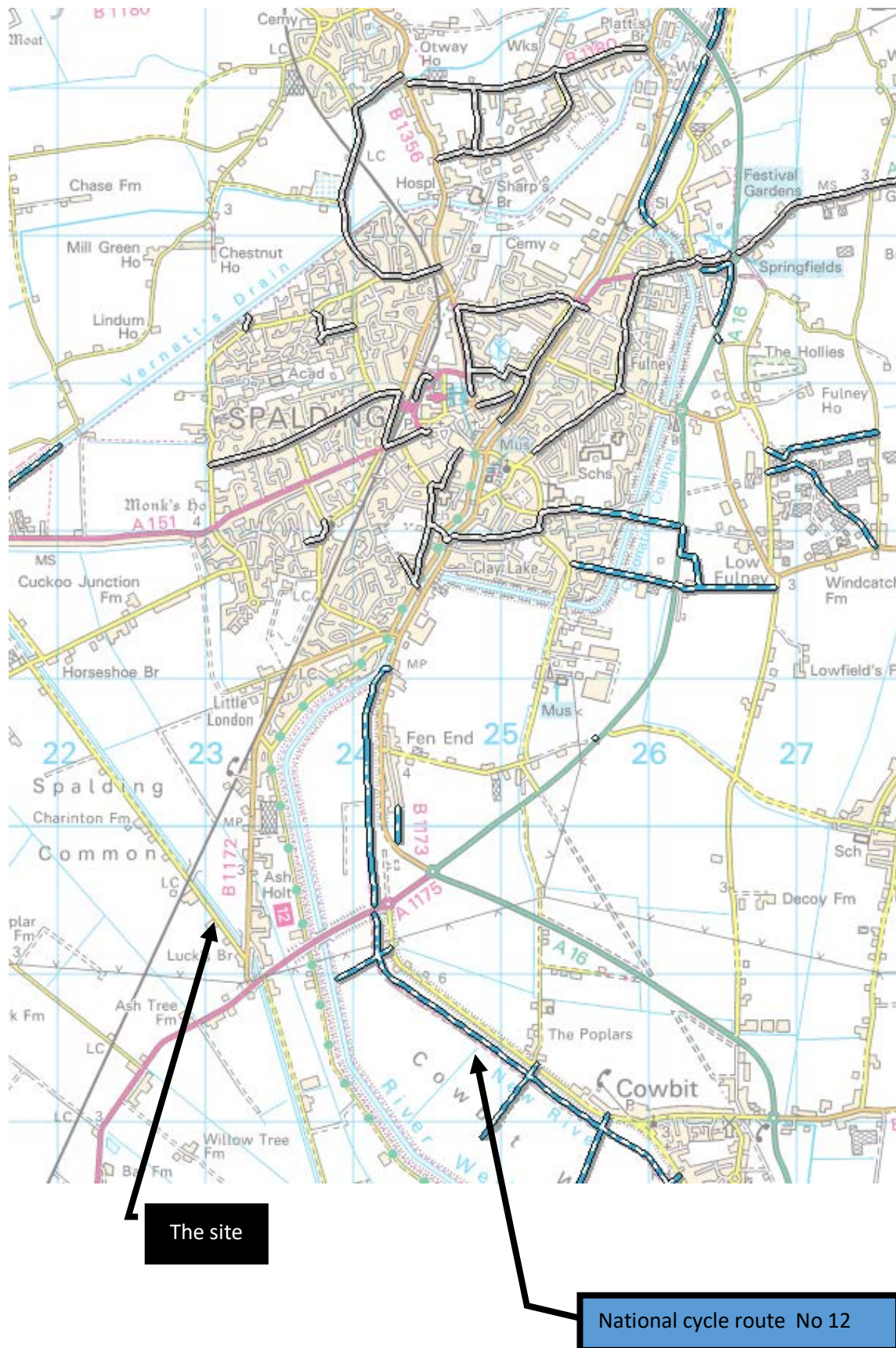
### Site location relative to Spalding centre



## Walking routes

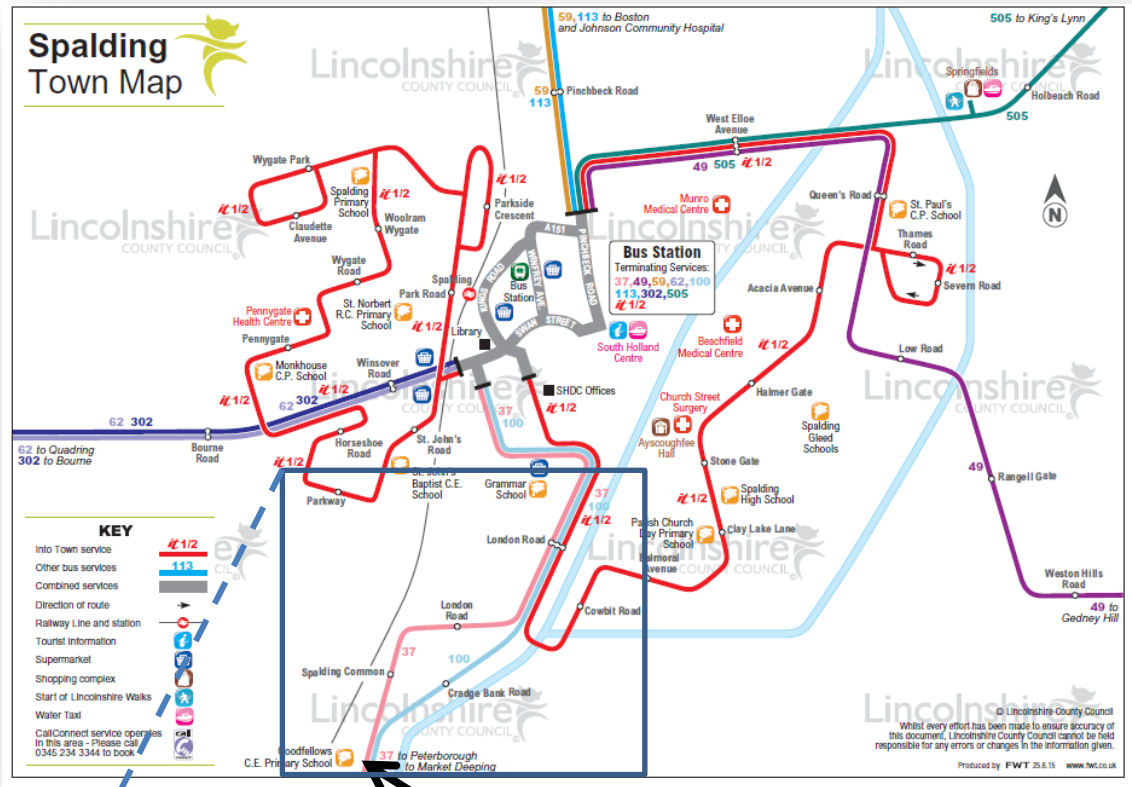


## Cycle routes



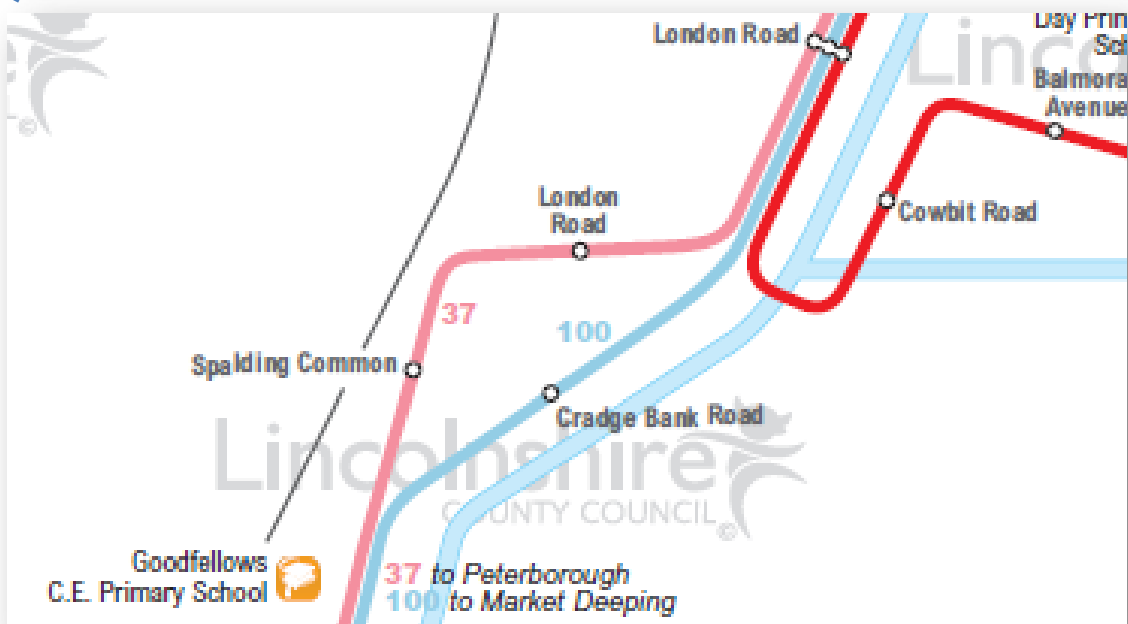
# Local Bus routes <http://www.lincsbus.info> June 2017

The site is served by the 37 Interconnect – Spalding – Cowbit Peterborough



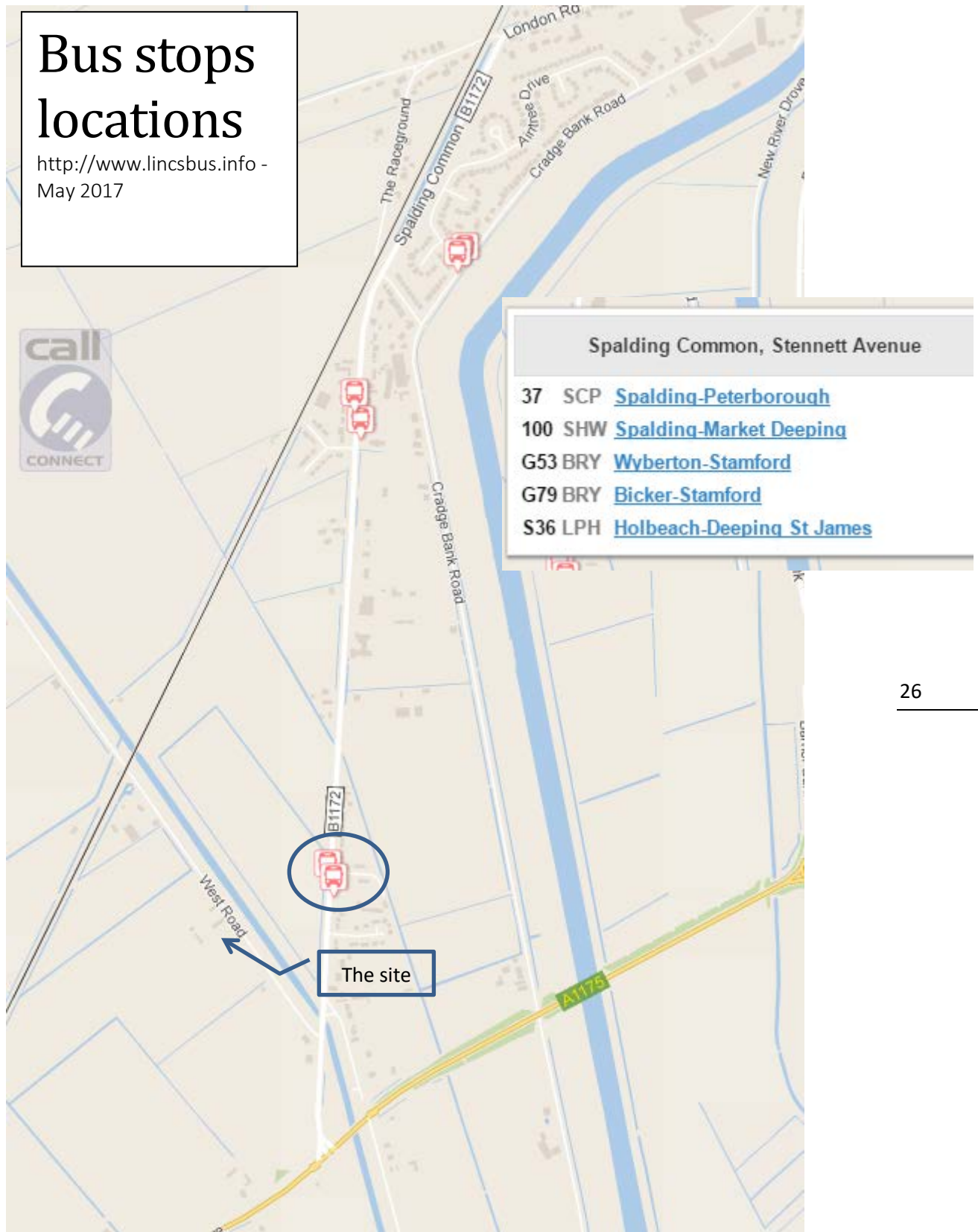
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The site is just off this map



Matrix Planning Ltd

The present application site is just off this map

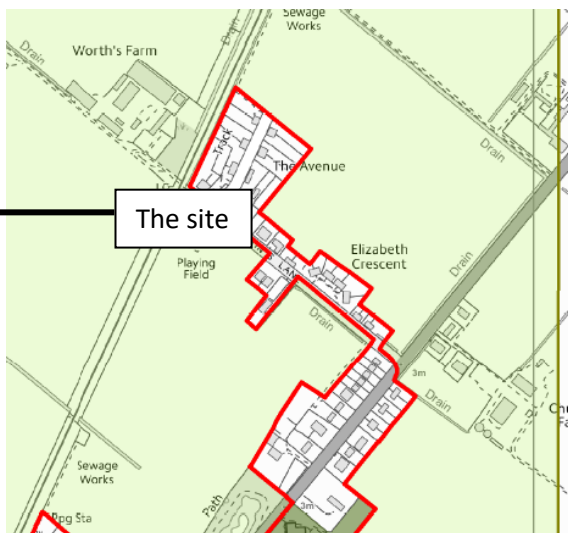
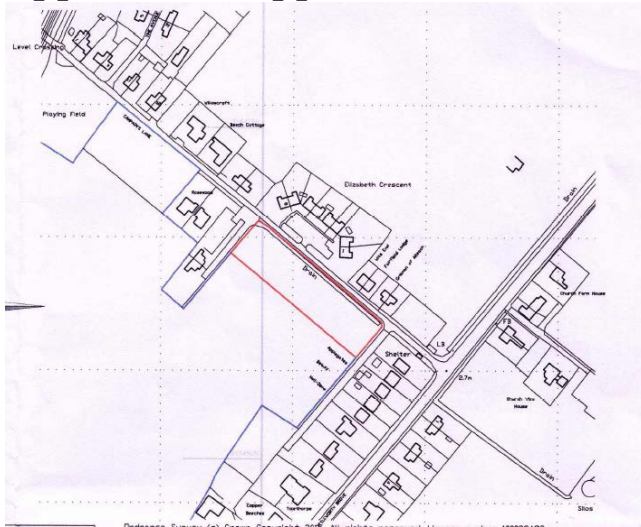


# Appendix 3

## A selection of relevant precedents



# **H03/1005/16, Housing** **Location: Campains Lane, Deeping St Nicholas.** **Approved on appeal 13.03.18**



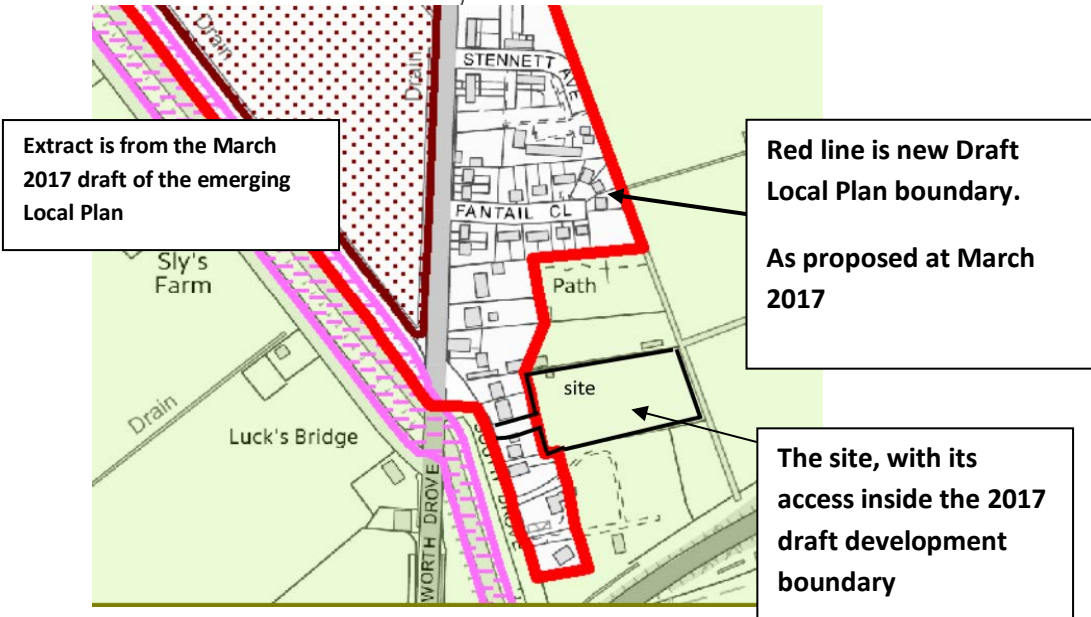
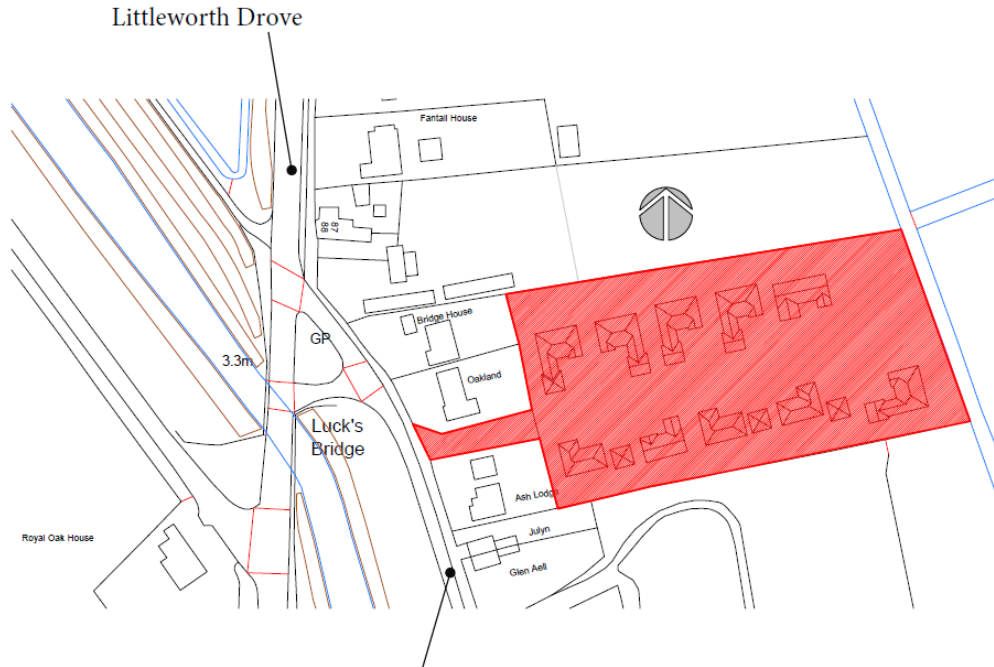
The Council opposition was on flood risk grounds, an issue that SHDC conceded as being incorrect. Site was outside the settlement boundary to a similar degree as the present site, yet was accepted as being as sustainable. The Inspector reported:

Deeping St Nicholas is a minor service centre and although the site is outside the settlement boundary, the Council considers that the development would be sufficiently close to a bus stop to enable access to services without the use of a private car. Furthermore, the Council contends that the development would be in keeping with the underlying development pattern and be appropriate infill. On the basis of my observations I see no reason to disagree with the Council on these points.

## H16-0621-17, 9 houses

**Location: Land East: South Drive Off Littleworth Drove Lucks Bridge Spalding**

**Approved by Committee on 10.01.18**



The scheme was approved given its proximity to the settlement boundary for Spalding. The present application site at Sly's Farm is middle left on the above context plan.

**H14/0549/17, 40 houses**

**Location: Land South of Green Lane, Pinchbeck, PE11 3XY**

**Approved by Committee on 10.01.18**

