DESIGN & ACCESS STATEMENT

Full Planning Application for
Residential Development
1 Dwelling

At the
Haulage Yard adjacent to Miki-Lea Manor,
Oxcroft Bank,
Moulton Chapel,
PE12 0XT.



February 2023

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1. INTRODUCTION

This full application is submitted by Mr. J. Cook for one residential dwelling on land to the front of their dwelling known as Miki-Lea Manor, Oxcroft Bank, Moulton Chapel, PE12 0XT. This section of the site has been used as a haulage yard for a period in excess of 12 years.

2. THE PROPOSAL

The planning application seeks to obtain full planning permission for a residential housing scheme;

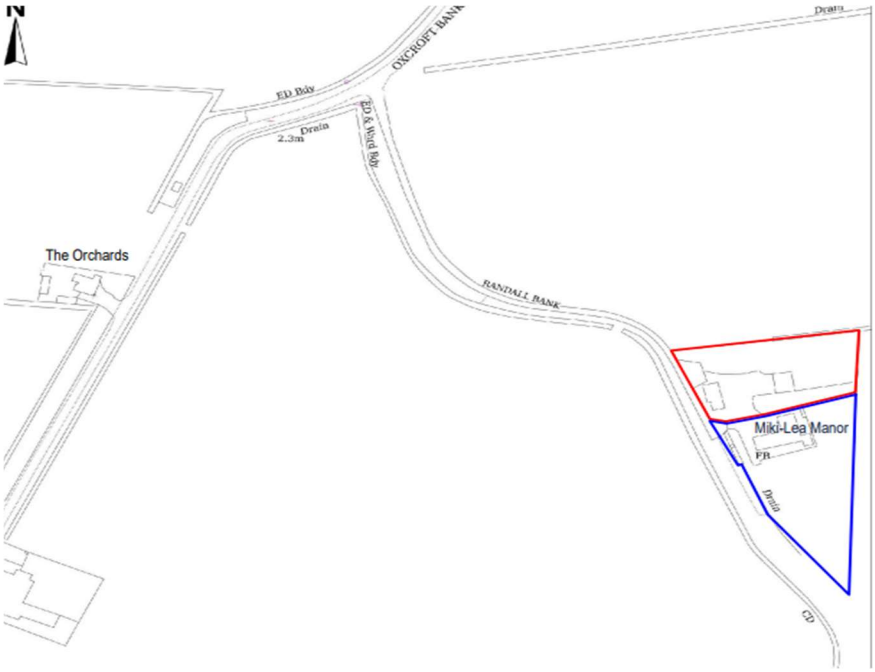
- 1 no. 4-bedroom 2 storey detached dwelling.

A site location plan has been submitted alongside this application along with indicative plans and elevations.

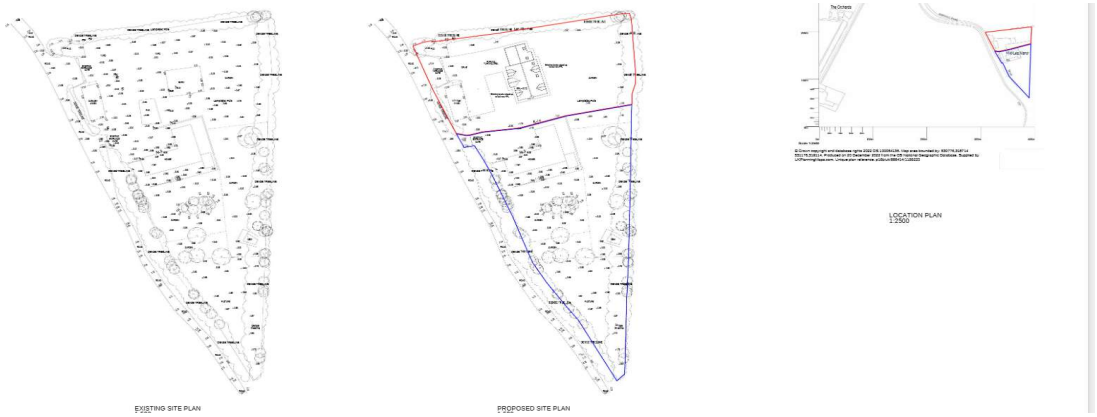
The Council is asked to consider the betterment proposed by this proposal with the relocation of the haulage yard which is detailed later on in this statement.

3. THE SITE AND LOCATION

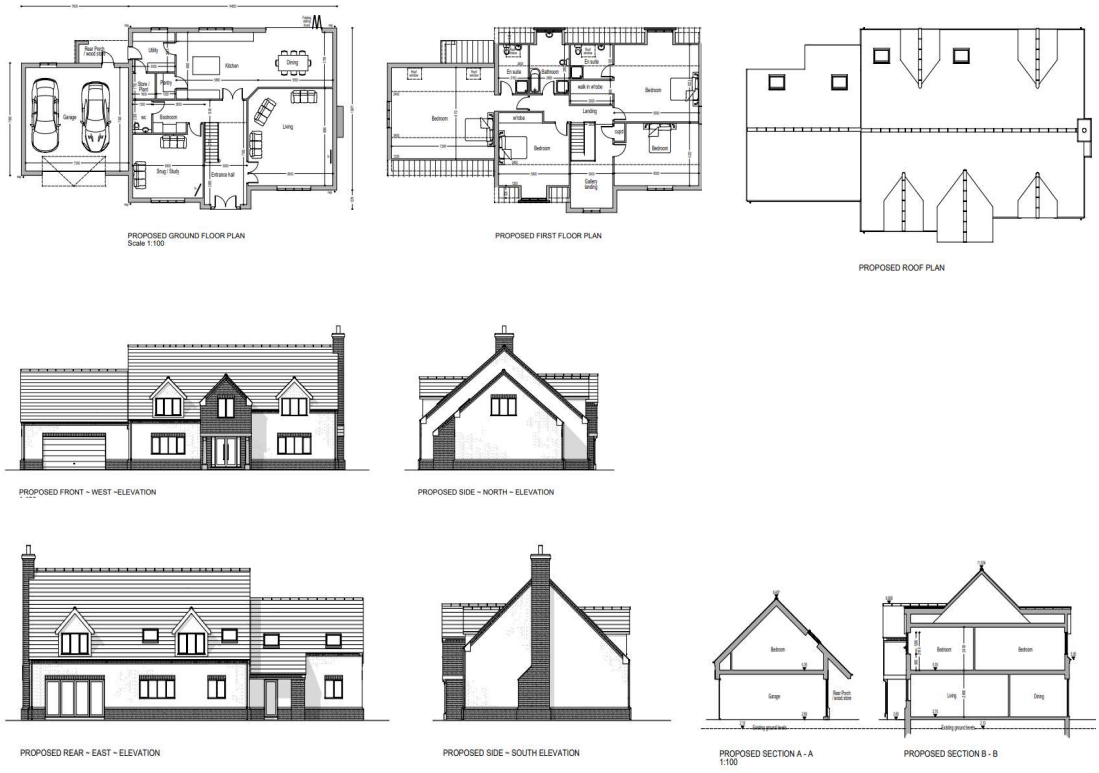
3.1 The site is well established and consists of a large dwelling, garden area, paddock land, workshop, garage and haulage yard. The site is set well back from the highway and is well screened, resulting in limited public views of the site. There are no nearby neighbours.



Site plan (Not to scale).



Existing and Proposed plans (not to scale – please see submitted plans for scaling)



Proposed floor plans and elevations (not to scale – please see submitted plans for scaling)



Proposed visuals.

3.3 The overall site results in a very generous plot of land, which, even with its development of a separate additional plot, leaves spacious amount of amenity land to accompany the original dwelling and the new dwelling.

3.4 In addition to its generous size the site is generally level in nature and poses no physical restrictions to development with all services in the form of mains water, electricity, gas and drainage available on and near the site.

3.4 The site is within the applicant's ownership and is immediately deliverable. There is an eclectic mix of dwellings in this part of the District, in terms of age, spacing, building line and design/appearance. However, the one detail which links them all is the general character is isolated dwellings or small clusters of development. On this basis, if permitted, this proposal would not be out of character or at odds with the general vista of the area.

3.5 The Site sits within a mix of Flood zone 2 and 3, however the built form falls firmly within Floodzone 2. As the Council is aware, much of the surrounding area and indeed much of South Holland in general, is of a higher flood risk, therefore finding a sequentially preferable site in flood risk terms is difficult and the Council is asked to consider the submitted Flood Risk Assessment and the material planning considerations detailed which weigh heavily in the planning balance.

4 PLANNING POLICY

National planning guidance and Local planning policy dictates the principle of development and the features of the dwelling houses proposed and associated works on the site.

National Planning Policy Framework 2021

4.1. The newly revised National Planning Policy Framework ("the NPPF") is the foremost guidance for Local Planning Authorities.

4.2. The revised NPPF establishes the development plan as the starting point for the making of decisions, further, planning applications should be determined in accordance with the development plans unless material considerations indicate otherwise.

4.3. Paragraph 2 of the NPPF states that the National Planning Policy Framework is a material consideration when LPA's make planning decisions. Therefore, all planning decisions should have due regard to the NPPF and the relevant sections.

4.4. **The South East Lincolnshire Local Plan - Adopted: March 2019**

The most relevant polices are considered to be:

01 Spatial Strategy
02 Development Management
03 Design of New Development
11 Distribution of New Housing
APPENDIX 6 Parking Standards
28 The Natural Environment
30 Pollution
36 Vehicle and Cycle Parking

5 MATERIAL CONSIDERATIONS

Principle of development

5.1 The proposed development site is outside a settlement boundary as defined in the South East Lincolnshire Local Plan, 2019. Therefore, the site is located within the countryside. Policy 1 of the Local Plan states that "in the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

5.2 In this case, the applicant respectfully asks the Council to consider the merits as set out in this section of the statement, the main benefit of which being the 'trade-off' of removing the high impact haulage yard in this location and replacing with a modest family home. These are considered to result in a development which meets the needs of the area in terms of economic, community and environmental benefits.

5.3 There are some personal circumstances as to why the applicants feel an emotional attachment to this site which, although are not material in planning terms, are a consideration which the applicant hopes the Council can take into account.

5.4 On this basis it is hoped that the Council can give substantial weight to the benefits of

this proposal and accept the principle of the proposal as being acceptable unless material considerations indicate otherwise, according to section 70(2) of the Town and Country Planning Act 1990.

5.5 Trade-off / Fallback

The large expanse of land to the front of the dwelling has been used as the applicant's haulage yard for at least 12 years. The operation has reduced in the most recent years however there are still and average of 4-5 large Van movements per day, frequent car movements of employees and an average of 4 large HGV movements per day.



Image of yard with main dwelling featuring at the rear.



Image of haulage yard with workshop shown on right.

5.6 The applicant has confirmed that at one point during his operations, up to 30 lorries were located on site. Although operations may have recently down-scaled from this peak operation, the lorries still running from the site have a heavy impact on the local road network. The roads around Oxcroft Bank and the locality are typically narrow, with soft verges and often dramatic bends. Lorries of this size, using the highway network frequently from this site, can cause damage to the soft verges and often leads to conflict with other road users due to the narrowness of the road.

5.7 Removing this well-established haulage yard from this side will lead to a profound betterment to the highway and the amenity of those living along Oxcroft Bank. It would also lead to a vast improvement to the site. Currently the primary view of the site as you enter along the driveway is that of a commercial use, with lorries, lorry bodies, workers vehicles and other associated paraphernalia dominating the site. The dwelling is almost lost amongst the activity of the haulage yard.

5.8 The applicant, if successful with this proposal for a new dwelling, would find themselves in the financial position to be able to relocate the haulage yard to a purpose built yard in a far more acceptable place. The applicant has a purpose built site lined up, however due to commercial sensitivity these details cannot be released for public viewing, however it is in the Wardentree Road area of Spalding. The case officer can be appraised of these details if required, however a condition can ensure that the haulage use must cease to allow for the development of the new dwelling.

5.9 The Council is asked to consider the current use of this site in the open countryside and the impact this has on the local highway system and the amenity of those living along

Ox Croft Bank. Although the site is screened from many public views, when entering the site it gives the appearance of a commercial operation with the family dwelling fading into the background. Any new development in the open countryside must be supported by social, environmental and economic benefits which cumulatively outweigh any harm. The proposal would enable the haulage yard to be moved to a far more suitable site therefore removing the impacts of heavy HGV's from this rural and highway sensitive location. On this basis the betterment is considered to support the principle of development in this location.

5.10 Design and layout

The proposal is being submitted to the Local Authority with a detailed design so that the dwelling can be viewed as a complementary addition to the site, replacing an unattractive and discordant feature in the countryside. The design is considered to be on balance harmonising to the character and setting of Ox Croft and the surrounding area.

5.11 Ecology and Landscaping

Local Planning policy supports the protection of the natural environment and The Framework at paragraph 8 (in part) as well as paragraph 174 outlines bio-diversity principles.. The applicant is keen to preserve and enhance any biodiversity on the site. No trees are to be removed and the relocation of the commercial element can only improve the overall bio-quality of the area. The Council is asked to consider that conditions can ensure a suitable biodiversity scheme can be achieved, including bat roosting features and hedgehog provision.

The site where the dwelling is proposed is largely used for the haulage operations, therefore the dwelling and alternative residential use with quality boundary screening will provide a natural backdrop and increased habitat.

5.12 Highway Safety

The dwelling will utilise the existing access arrangements onto the private access track. The retained host dwelling will use an existing, but currently not used access way which is established, commodious and with excellent visual and manoeuvring capability.

The 'betterment' as detailed above also results in improvements to the highway network with HGV/commercial movements being replaced by that of a modest family dwelling.

The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in terms of highway safety/parking requirements.

5.13 Amenity

The site itself is very generous and with the haulage use ceasing the site lends itself well to a further family dwelling. There are no nearby neighbours to speak off and the site is well screened by established natural screening.

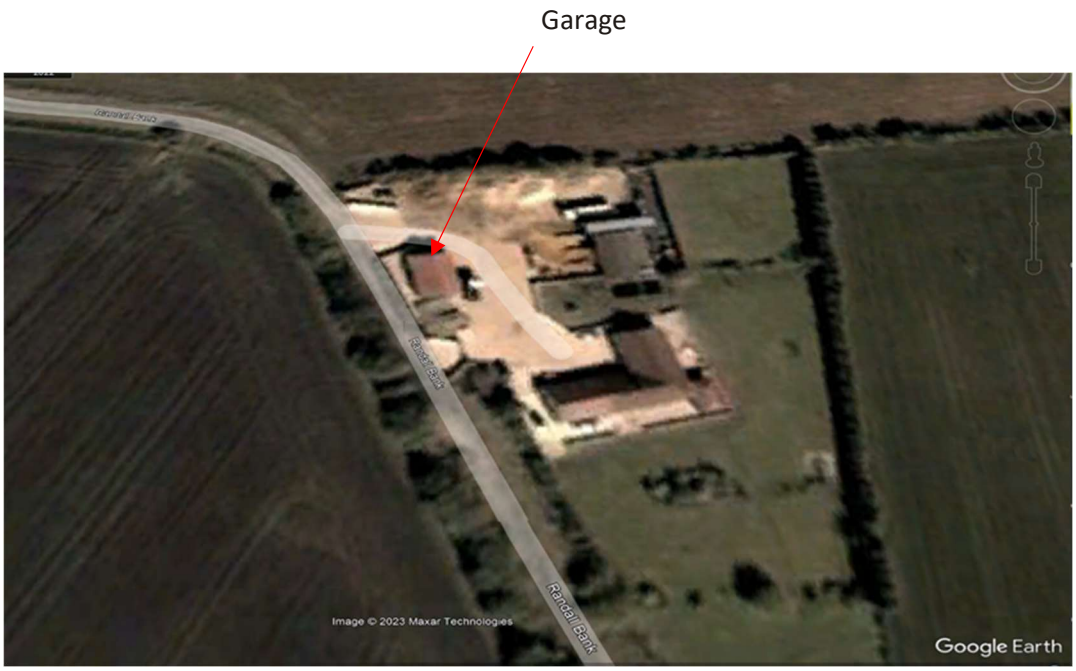
In terms of the relationship with the existing dwelling, the 2 plots retain a generous amount of amenity space and with the sensitive orientation of the new dwelling and the screening proposed, the 2 dwellings occupy their own plots with no issues regarding overlooking.

Conditions regarding landscaping will ensure that amenity standards are preserved and indeed enhanced following the removal of the haulage yard.

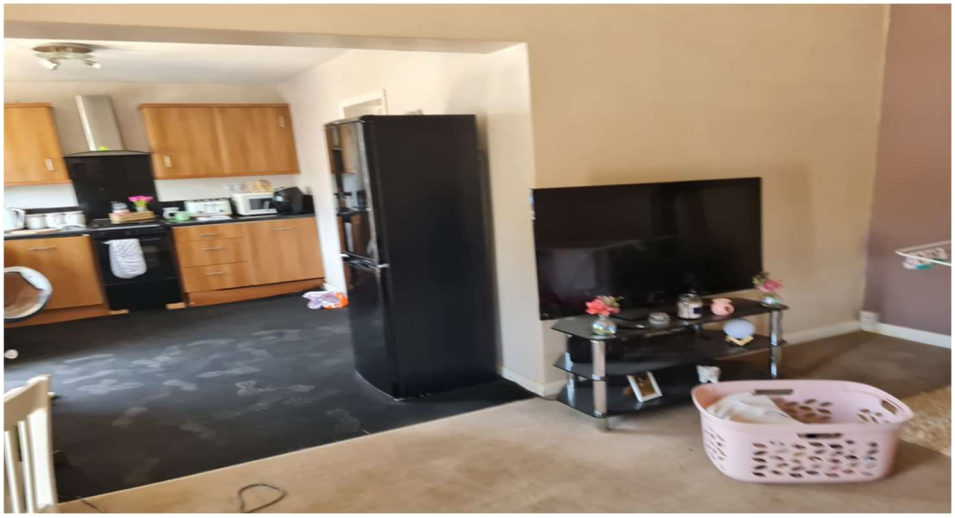
It is therefore considered that the proposal through its lack of any obvious harm and the benefit of an additional dwelling is supported by The Framework and in terms of Local Plan Policy which does not preclude countryside development which provides a betterment, with no harm on amenity, highways or the character of the area.

5.14 The Existing Garage on Site

In and around 2002 the applicant built a garage on the site which was used as a garage/workshop until 2010. The Google Earth image, which has the imagery date of 2004, shows the garage clearly in place:



In 2010 the applicant confirmed that due to accommodation pressures the garage was turned into living accommodation, with a kitchen, living room, bathroom and bedroom created. The case officer is welcome to view the garage conversion, however as a visual aid at this stage a few images feature below demonstrating the facilities:







Consideration has been given to whether this conversion would constitute the lawful change of use to a dwelling, however its use has been ancillary to the host dwelling. Its occupants have been visiting family and friends and the services such as gas and electric are connected to and solely reliant on the host dwelling.

The Council is respectfully asked to consider this element though as technically this is a second 'residential style' building on the site. The Council will note that the submit plans show this building as being retained, however the applicant, who wishes to reside in the new dwelling, wishes to undertake to return this to a garage/ workshop to be used as such by his family. A condition would ensure that this building is returned to an ancillary garage/workshop rather than the self-contained unit of accommodation if considered necessary by the Council. This would restrict the residential buildings firmly to only 2 dwellings on site.

5.15 Personal Circumstances

Although generally not considered to be material planning considerations, the applicant's personal circumstances are particularly poignant, and it will give the Council some background to what motivates this application.

The applicant's bungalow on site is extremely generous, providing 6 bedrooms and a very large living room. With the onset of time and some of their children leaving home, they now need to downsize to a more manageable dwelling with only 4 bedrooms for the family which includes bedrooms for visiting children and grandchildren.

The option of leaving the site and finding a more suitable dwelling in the locality is not an option for the family as personal circumstances tie them to this site. A few years ago the applicant and his wife tragically lost their daughter in a car accident. Part of the families grieving process was to create a memorial for their daughter which consists of a small wooden open fronted shelter which is filled with memorabilia, keepsakes and flowers which help the family remember their daughter. It is a place where the family can go on a daily basis and forms a very important part of their daily lives.

The memorial falls in a small section of the blue edged land, however if successful with this application that section of land will be separated from the host dwellings title and added to the title of the new dwelling. The applicants have taken legal advice on this point and this action is only conducive if the planning application is successful, therefore at this point in time the memorial remains in the blue edge.

The case officer is invited to view the memorial when they visit the site and fully appraise the applicants need to remain on this site. Although this is not material in terms of planning considerations, does explain the applicants tie to the site and the difficulties in downsizing their current home.

It is the applicants wish to remain on site in a smaller dwelling which would incorporate the memorial and to sell their large family home as a market dwelling. The relocation of the haulage yard would leave the applicant with a far more attractive site with a dwelling reflective of its countryside location, whilst retaining the very important link to their daughter.

6. CONCLUSIONS

The Council is respectfully asked to consider the rather complicated circumstances of this case and to weigh up the fundamental benefits of this proposal which would lead to a notable betterment in this countryside location. On balance the Council is asked to consider that this is acceptable in planning terms and adheres to local and national policy objectives due to the benefits and lack of any harm.