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Ref: 2847-15

**RESIDENTIAL DEVELOPMENT
STOCKWELL GATE
WHAPLODE
SPALDING
LINCS
PE12 6UE**

FOR

MR G KNIGHT



**RESIDENTIAL DEVELOPMENT
STOCKWELL GATE
WHAPLODE
SPALDING
LINCS
PE12 6UE**

The application is to acquire Town & Country Planning Permission (OUTLINE) for two building plots adjacent to Foremans Cottage, Stockwell Gate, Whaplode for the benefit of Mr G Knight.

The site has a planning history of refusal and dismissal at appeal (see appendix) but with the latest legislation within the National Planning Policy Framework (NPPF) and the out of date South Holland District Council Local Plan pre-application advice was sought with relatively positive response (see appendix).

Consultation has been ongoing since circa 2008 under the Strategic Housing Land Availability Assessment (SHLAA) and more recently under the South East Lincolnshire Local Plan (SELLP), the findings of the consultation process is out for public consultation in November 2015 for approximately 6 weeks. A suggested site for future development is immediately to the South of the application site, registered as SHLAA (Wha002).

The pre-application advice refers to this area:

'the site adjoins a potential housing site within the merging South East Lincolnshire Local Plan (SELLP) and also links to existing frontage development immediately to the North. It may therefore be considered an appropriate site for frontage development, as indicated on the indicative plan'

The following section of this statement is as suggested by 'The Commission for Architecture and the Built Environment' (CABE).

USE

The application site is a large garden adjacent to a small fenland cottage and is surplus to the needs of the occupants and becoming a burden to maintain.

AMOUNT

The proposal for two large building plots would compliment the street scene and make use of a potentially derelict and overgrown area.

LAYOUT

The indicative layout for a pair of vernacular designed properties will compliment the street scene.

SCALE

The scale of the proposal suggested for two traditional cottages will compliment the street scene. The final decision for the layout to be determined at Reserved Matters stage.

LANDSCAPING

The current site is heavily landscaped with native trees and hedging. The proposal will be to retain as much as possible and compliment the site with further planting to be agreed at Reserved Matters stage.

APPEARANCE

Architectural traditional/vernacular appearance of the dwellings to be determined at Reserved Matters stage.

ACCESS

Access to the site will be directly off Stockwell Gate which has a frontage footpath and utilise existing access where possible. Any new access will be installed to the requirements of Lincolnshire County Council Highways requirements and specification. Access to and within the dwelling will be determined by compliance with Part M of the Building Regulations.

FLOOD RISK

Research into the Environment Agency and the South Holland District Council Strategic Flood Risk Assessment suggests that the application site is just outside of Flood Zone 3. Irrespective of the above, with houses all bedrooms will be at first floor level and flood resilient construction will be incorporated into the dwelling designs (see appendix).

APPLICATION PLANS

2847-15-01A	Location & site layout plans
2847-15-02	Plot 1 – 4 bedroom house, floor plans and elevations
2847-15-03	Plot 2 – 3 bedroom house, floor plans and elevations
2847-15-04	Plot 1 & 2 garages, floor plans and elevations - proposed

G R Merchant
October 2015.

APPENDIX

LOCATION PLAN 1/2500

'GOOGLE' LOCATION PLANS, SITE PLANS & PHOTOGRAPHS

SHLAA & SELLP POTENTIAL DEVELOPMENT SITE

EMERGING LOCAL PLAN RESIDENTIAL DEVELOPMENT BOUNDARY – WHAPLODE

PRE-APPLICATION ADVICE

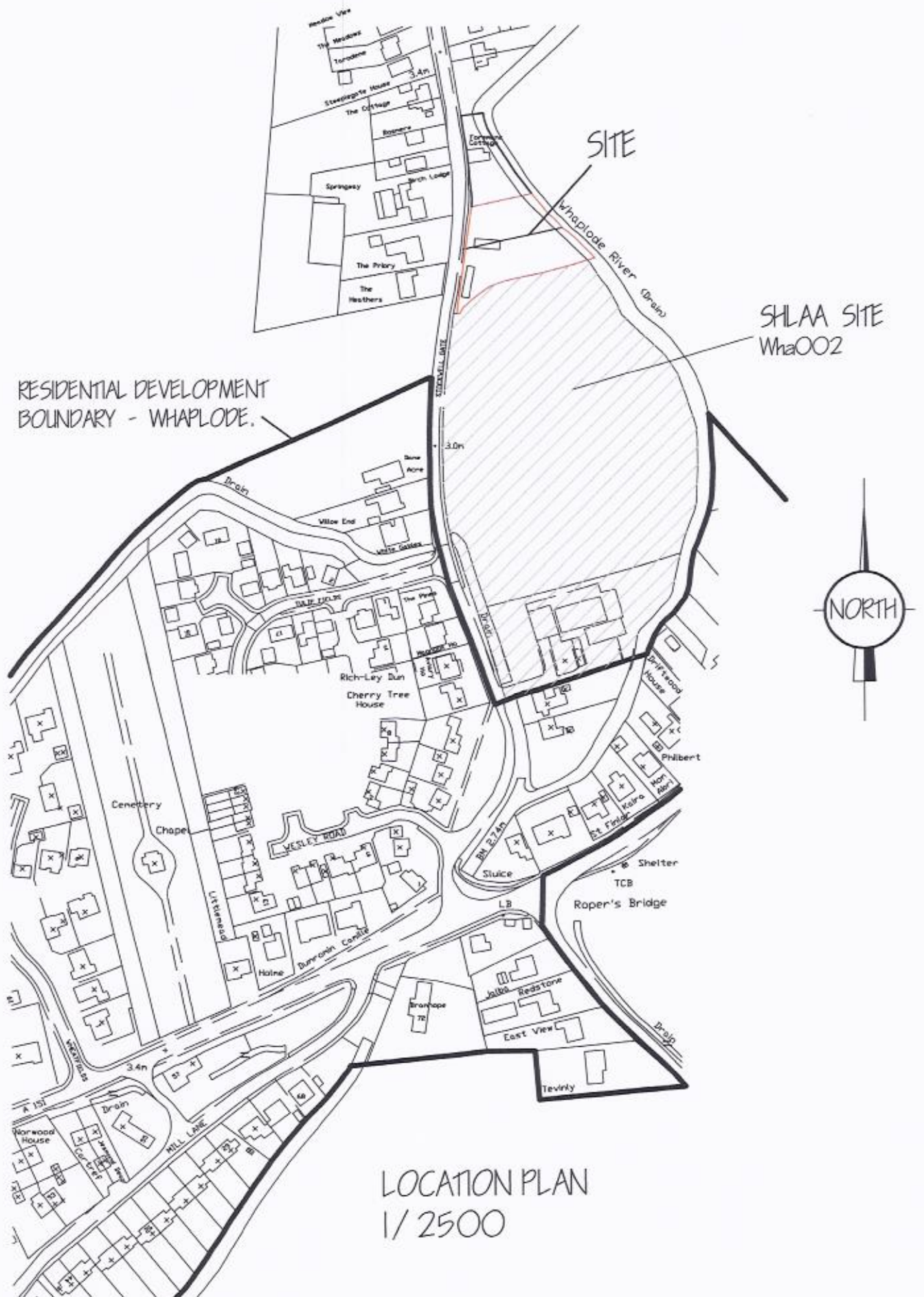
PLANNING HISTORY

REFUSAL OF PLANNING PERMISSION H23/1322/04

APPEAL DISMISSAL APP/A2525/A/05/1171759

FLOOD RISK ISSUES

LOCATION PLAN 1/2500



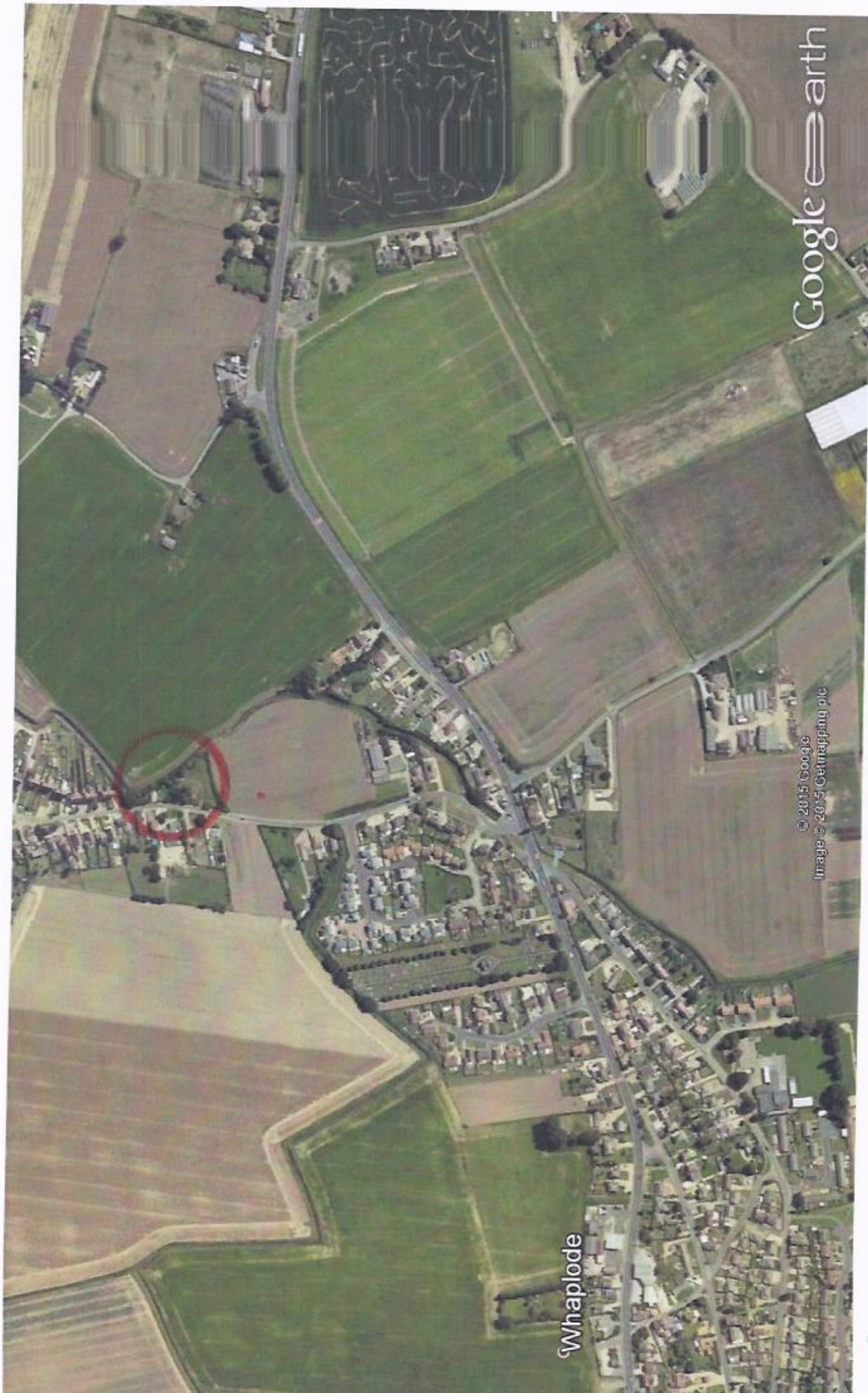
'GOOGLE' LOCATION PLANS, SITE PLANS & PHOTOGRAPHS



Whaplode

Google earth

© 2015 Google
image © 2015 Getmapping plc



Google earth

feet
meters

2000

800





Google earth

feet
meters

100

500



Google earth

Image © 2015 Getmapping plc



Google earth

feet
meters

10

5

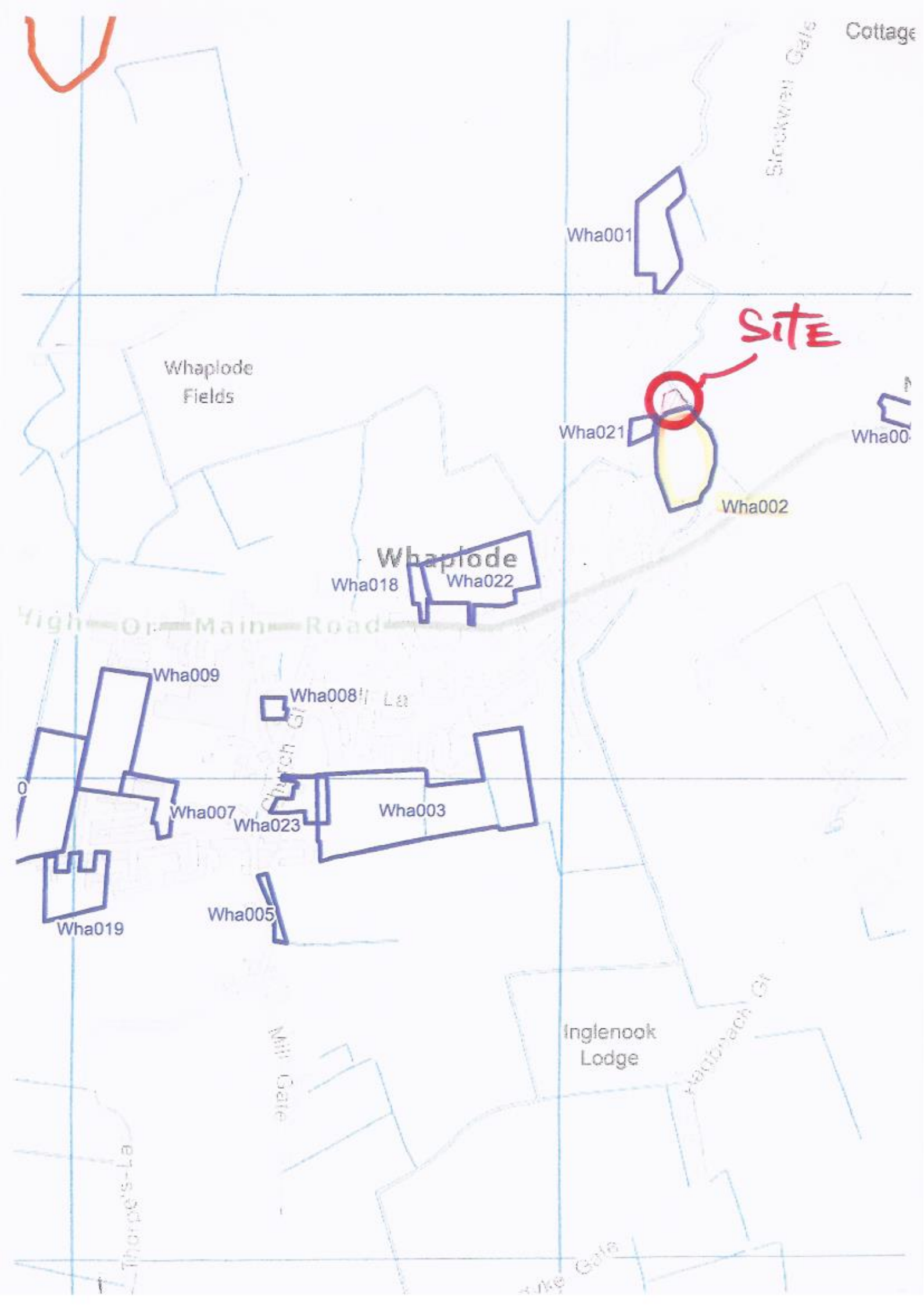
Google earth

© 2015 Google

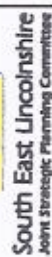
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SHLAA & SELLP POTENTIAL DEVELOPMENT SITE



**EMERGING LOCAL PLAN
RESIDENTIAL DEVELOPMENT BOUNDARY - WHAPLODE**

[illegible]

PRE-APPLICATION ADVICE

G R Merchant Ltd
Unit 4 - Wrights Mews
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PE11 2XE

Admin 01775 764723
DC Officers 01775 761161
facsimile 01775 762937

planningadvice@sholland.gov.uk
www.sholland.gov.uk

19th October 2015

Dear Sir/Madam

PLANNING: PRE-APPLICATION ADVICE

Reference: PE-00879-15 Case Officer: David Gedney
Location: Foremans Cottage Stockwell Gate Whaplode Spalding
Proposal: Residential development

I write in reply to your recent enquiry and apologise for the delay in responding.

The site is located outside Whaplode Development Boundary as defined in the South Holland Local Plan, 2006. Policy HS7 indicates that new residential development is normally only allowed in such locations if it is proven essential to meet the needs of rural workers, or the proposal is for small scale rural exception affordable housing that complies with Local Plan Policy HS9.

However, Paragraph 49 of the National Planning Policy Framework, 2012 makes provision for residential development on suitable sites in a sustainable location. Concerning suitability, Local Plan Policy SG14 indicates that new development should respect the historic pattern of development in the locality and be in character with the existing settlement.

In terms of the above, the site adjoins a potential housing site within the emerging South East Lincolnshire Local Plan and also links to existing frontage development immediately to the north. It may therefore be considered an appropriate site for frontage development as indicated on the indicative plan. Representations could be made to have the site included within the new development boundary when the draft South East Lincolnshire Local Plan is produced shortly.

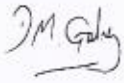
This planning advice is given in good faith but is an officer opinion only and therefore is not binding on any formal decision the Council may make following the receipt of a planning application.

BUILDING REGULATIONS

The works that you are proposing may also require Building Regulations and this informal advice or any

subsequent planning permission does not give authority under Building Regulations to commence work.
Please contact the Building Control section for further information on 01775 764557

Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Gedney', with a horizontal line underneath.

David Gedney, Senior Planning Officer
dgedney@sholland.gov.uk



G R MERCHANT <grmerchant.arch.cons@gmail.com>

Pre-Application Advice - PE-00879-15 G R Merchant

planningadvice@sholland.gov.uk <planningadvice@sholland.gov.uk>
To: gr.merchant@btconnect.com

Tue, Sep 29, 2015 at 2:34 PM

ACKNOWLEDGEMENT OF PRELIMINARY ENQUIRY**REFERENCE:** PE-00879-15**PROPOSAL:** Residential development**LOCATION:** Foremans Cottage Stockwell Gate Whaplode Spalding**APPLICANT:** G R Merchant

We acknowledge the receipt of the above preliminary enquiry which has been recorded on our system and passed to a case officer to deal with.

If contacting us about this enquiry please quote the reference number given above.

Our preliminary enquiry system is currently free to use and we aim to deal with your request within 20 working days. However, priority is given to the processing and determination of formal planning applications. In busy times this may mean a longer than usual response time for this free preliminary advice service.

Yours faithfully

Richard Fidler



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Our ref GRM/JJM/2847/15

24 September 15

SHDC
Planning Advice
Priory Road
Spalding
Lincs

SHDC
Planning & Development

28 SEP 2015

Ref: PE-00879-15

Dear Sirs

**RESIDENTIAL DEVELOPMENT, ADJACENT FOREMANS COTTAGE
STOCKWELL GATE, WHAPLODE - G. KNIGHT.**

I have been approached by my client, Mr G Knight regarding utilising his side garden for residential development.

The site has a planning history of refusals and dismissal at appeal but with latest legislation (NPPF) and the out of date Local Plan has prompted my client to go forward with a further planning application, particularly as future suggestions to the Local Plan by SHLAA (Wha 002) will abut the proposed site.

Prior to making a formal Town & Country Planning application your informal opinion would be appreciated.

If you require any further information or clarification of the proposal, please do not hesitate to contact me.

Yours faithfully

J. Merchant

ff. G R Merchant

Enc: Indicative layout 2847-15-01

PLANNING HISTORY

**REFUSAL OF PLANNING PERMISSION H23/1322/04
APPEAL DISMISSAL APP/A2525/A/05/1171759**



2003-2004
Supporting the Rural Economy



Council Offices
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web: www.sholland.gov.uk

FILE COPY

Town and Country Planning Act 1990 Refusal of Planning Permission

Reference: H23/1322/04

Received: 04-OCT-04 Type: OUTLINE

Name: Mr G Knight
Whitley House
Whitley Batts
Pensfold
Bristol BS39 4NE

Agent: G R Merchant
Unit 4 Wrights Mews
12A Park Road
Holbeach
Spalding Lincs

Description: Residential development

Location : Stockwell Gate Whaplode

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

- 1 The proposal would have the advantage of using previously developed land and would accord with the provisions of the development plan. The proposed development is contrary to Policy H3 of the First Deposit Draft of the South Holland District Local Plan to 2011, which only permits new housing on sites which currently have planning permission. This policy is part of an overall housing strategy within the evolving Local Plan which aims to reduce the over-supply of housing land in the district and be in accordance with advice within the Government's Planning Policy Guidance Note No. 3 "Housing" which indicates that new housing should be in sustainable locations. The proposed development would, if permitted, add to the supply of housing land, contrary to those aims, and would encourage further applications of a similar nature, which would be hard to resist. This would have the cumulative effect of adding to the over-allocation that already exists in the rural areas, further prejudicing the preparation of the Emerging Local Plan and Lincolnshire Structure Plan and the achievement of the aims to concentrate housing development in urban areas and secure a more sustainable pattern of development. Planning permission on sites of this kind would provide more housing than is required to meet identified local needs in villages.

RPG8 "Regional Planning Guidance for the East Midlands to 2021" sets the overall housing provision for the Counties within the East Midlands. This remains unchanged by the current review of RPG8 "Towards a Regional Spatial Strategy", April 2003. These figures are reflected in the Lincolnshire Structure Plan for the individual districts within the County, of which South Holland is one. The Lincolnshire Structure Plan Deposit Draft, April 2004 updates the housing allocation to reflect RPG8, with a plan period 2001 to 2021. The overall provision for the district



2003-2004
Supporting the Rural Economy



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has been reduced to 7,600, with 1,900 in the rural areas representing 95 dwellings per annum. Between 1 April 2001 and 31 March 2004 there have been 883 completions in the rural areas of the District. This is an average of some 220 new dwellings per annum over this period and, therefore, the current building rate far exceeds the overall provision set out in the Emerging Structure Plan, which is based upon RPG8. The Emerging Structure Plan thus consolidates the housing allocations and highlights the current over-supply in the district which the Council's housing strategy is attempting to tackle.

Note(s):

The determined plans are:

1:2500 site location plan and dwg. no. 1043-04/01 received 4 October 2004.

Decisions

Head of Planning & Development
29 NOV 2004

H23/1322/04

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.



Appeal Decision **COPY**

Site visit made on 26 April 2005

by **M Middleton** BA(Econ) DipTP DipMgmt MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

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Date 4 May 2005

Appeal Ref: APP/A2525/A/05/1171759

Stockwell Gate, Whaplode, Spalding, Lincolnshire, PE12 6UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by G Knight against the decision of South Holland District Council.
- The application Ref H23/1322/04, dated 27 September 2004, was refused by notice dated 29 November 2004.
- The development proposed is residential development.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. This is an outline application with all detailed matters except the means of access reserved for subsequent approval.

Main Issues

2. I consider the main issue in this case to be the effect of the proposal on housing land supply in South Holland District.

Planning Policy

3. The Development Plan for the area includes *Regional Planning Guidance 8: East Midlands 2002* (RPG8), the *Lincolnshire Structure Plan (Alteration No 1) 1991* and the *South Holland District Local Plan 1998* (LP). Both parties refer to the *Lincolnshire Structure Plan, Deposit Draft 2004* (SPDD), which is now at an advanced stage in the process towards adoption. It replaces an earlier Deposit Draft Structure Plan that was the subject of an Examination in Public in 2000. I should give significant weight to this plan.
4. LP Policy E1 sets out twelve assessment criteria that proposals for development must satisfy, whilst LP Policy H2 indicates that within the boundaries of development, shown on the proposals map, new housing development will be permitted provided that it meets three considerations.
5. Policy H1 of the SPDD now sets out housing provision for the different areas of the County, including rural South Holland, whilst Policy S2 says that a sequential approach to the development of land should be adopted. The appellant refers to Policies 10 and 11 of the earlier Deposit Draft but these policies have now been superseded by Policies H1 and S2 of the later version of the plan.
6. I have also been referred to Planning Policy Guidance Note 3 (PPG3): *Housing*, which was published in March 2000 and substantially altered government advice on the approach to be

taken when planning housing development. The document promotes a sustainable approach to the release of land for housing.

7. My attention has also been drawn to the *South Holland Interim Rural Housing Planning Statement* (RHPS), which was adopted in 2001 in response to the new government advice contained in PPG3. Policy H2A updates LP Policy H2 and restricts new housing development to within villages and outlying areas of towns listed in an appendix.
8. This strategy has been rolled forward into the South Holland District Local Plan: - First Deposit Draft 2001 (LPDD). In the light of changes in district housing targets brought about through the original SPDD and informed by local housing surveys it is more constrained, restricting development within the villages to land that currently has the benefit of planning permission through Policy H3.
9. In the Council's statement dated February 2005 it says that it is now preparing a Local Plan extending to 2021, which will be published shortly. I have been sent a copy of a document entitled *Re-Deposit Local Plan to 2021*, dated November 2004 but the precise status of this is not referred to in the Council's statement. In these circumstances I can not give any weight to it.

Reasons

10. The appeal site, which is largely a grassed area with some fruit trees, forms a part of the southern garden to a cottage fronting Stockwell Gate, on the edge of a development enclave to the north-east of the village of Whaplode. The Council has not identified any conflict with the criteria in LP Policies E1 and H2 and I accept that the proposal meets them. The site lies within the boundaries of development shown on the proposals map so that the proposal is in accordance with LP Policy H2. This suggests that planning permission should be granted, unless other development plan policies or material considerations indicate otherwise.
11. PPG3, in introducing the Plan, Monitor and Manage approach to the control of development, advocates the avoidance of an over-supply of development land as well as the creation of more sustainable patterns of development. In response to this the Council restricted development in the rural area to the defined settlements in the RHPS. I note that the proposal accords with policy H2A of this guidance. However it seems to me that policy development has now moved on a stage further.
12. To inform the local plan process the Council has carried out land availability and urban capacity studies. These suggest that there is significant over commitment of housing proposals in the rural area but at the same time potential available land in the urban areas capable of making a major contribution to the District's future housing needs. In reviewing its out of date local plan, the Council found that without development restraint in the rural area, house building would significantly exceed the targets in the emerging Structure Plan. To overcome this and to obtain more sustainable patterns of development, it has therefore found it necessary to further revise its housing policy. The LPDD limits new housing development in the villages to land which currently has the benefit of planning permission.
13. The objectives set out in PPG3 have been incorporated into the emerging strategic plans. RPG8 at Policy 1 seeks to ensure the concentration of development within or adjacent to urban areas, whilst this objective is also reflected in Policies H1 and S2 of the SPDD. In

consequence SPDD Policy H1 makes a significant reduction to the proposed housing provision within the rural part of South Holland where the appeal proposal is located. In revising its policies to conform to established national and emerging regional policies that post date the adopted development plans, the Council is following the advice given in PPG3 at paragraph 37. The revised strategy conforms to the advice in Policy 1 of RPG8 and follows the sequential approach recommended in SPDD Policy S2.

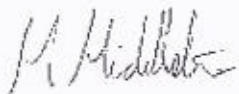
14. In these circumstances I consider that emerging policy H3 constitutes an important material consideration that should be given considerable weight, notwithstanding the early stage in its progress towards adoption. The information on housing land availability, which is not disputed by the appellant and the consequent provisions of the emerging policy are so fundamental to the housing strategy that in my view policy H3 should be applied to the proposal. The appeal site does not have the benefit of planning permission so that the proposal is not in accord with LPDD Policy H3.
15. I note that the proposal would use previously developed land as defined in Annex C to PPG3 and that it is in a location close to a village with a range of facilities and a bus route. However I do not consider that this level of sustainability is sufficient to outweigh the harm to the emerging local plan strategy that approval of this proposal could cause. Whilst each application and appeal must be treated on its individual merits and I appreciate that this is only a small proposal, I am concerned that its approval could be used in support of other similar schemes elsewhere in the area, the cumulative effect of which could be significant. I consider that this is not a generalised fear of precedent, but a realistic and specific concern. If development on other sites were to occur in a similar way then the Council's ability to properly assess and plan for the future residential land needs of this area in the context of current national and regional policy could be seriously diminished.
16. The appellant refers to another recent appeal where the adopted plan has been the deciding factor. Whilst I do not know the full circumstances of this appeal, at both a strategic and a local level, policy formulation has moved on and it is my view that more weight should now be given to the emerging policy than may have been appropriate in the past.
17. In the context of the above considerations I consider that although the proposal accords with the adopted Structure and Local Plan, RPG8 and other material considerations point to a different decision. I therefore conclude that the proposal would have an adverse effect on housing land supply in South Holland District and be contrary to RPG8, national guidance and emerging Structure Plan and Local Plan Policies.

Conclusions

18. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

19. I dismiss the appeal.



INSPECTOR



1/500.

FLOOD RISK ISSUES



Enter a postcode or place name:

Other topics for this area...

Flood Map for Planning (Rivers and Sea)

PE12 6UE



Flood Map for Planning (Rivers and Sea)

Map legend

Click on the map to see what Flood Zone (National Planning Policy Guidance definitions) the proposed development is in.

☒ Flood Map for Planning (Rivers and Sea)

Flood Zone 3

Flood Zone 2

Flood defences (Not all may be shown*)

Areas benefiting from flood defences (Not all may be shown*)

☒ Main River Line

Main River Line

☒ Other national environmental organisations

Natural Resources Wales Area of responsibility

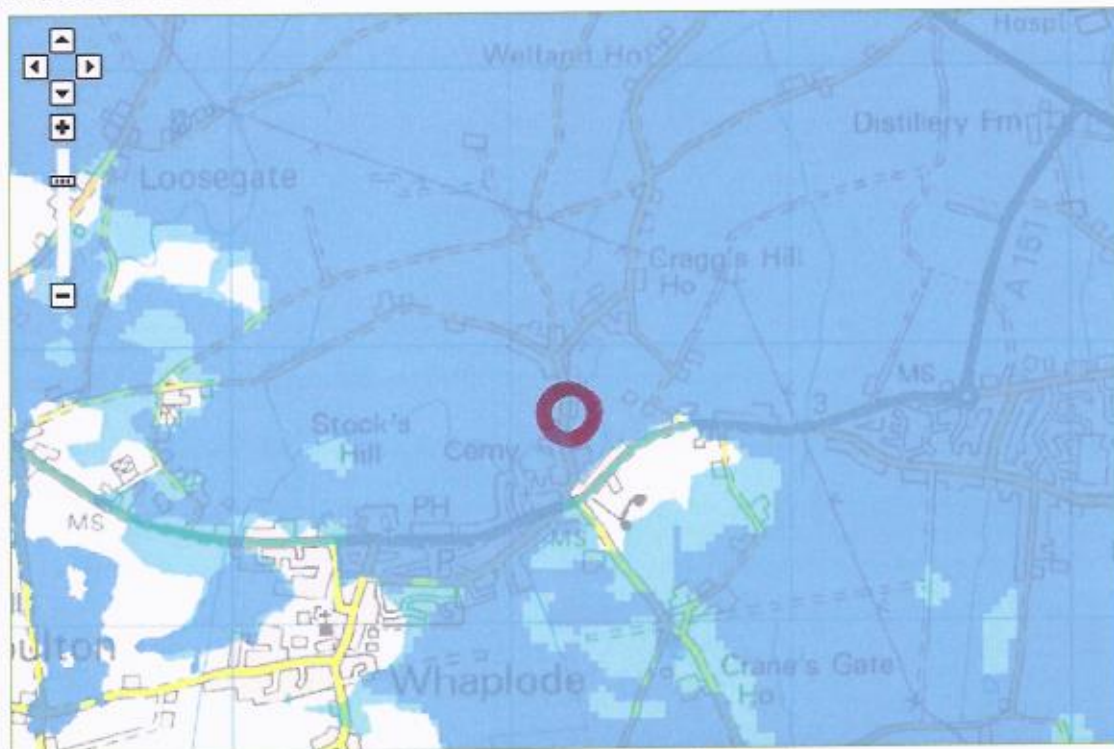
Scottish Environment Protection Agency Area of responsibility

Map of PE12 6UE at scale 1:20,000

Other maps

Data search

Text only version



Customers in Wales - From 1 April 2013 Natural Resources Wales (NRW) has taken over the responsibilities of the Environment Agency in Wales.
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 Contains Royal Mail data © Royal Mail copyright and database right 2015.
 This service is designed to inform members of the public, in line with our [terms and conditions](#). For business or commercial use, please [contact us](#).

More about flooding:

Understanding the Flood Map for Planning (Rivers and Sea)

A more detailed explanation to help you understand the flood map shown above.

Current flood warnings

We provide flood warnings online 24 hours a day. Find out the current flood warning status in your local area.

* **Legend Information:** Flood defences and the areas benefiting from them are gradually being added through updates. Please contact your [local environment agency office](#) for further details.

creating a better place

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Author: Environment Agency | wytbysupport@environment-agency.gov.uk
 Last updated: 14th October 2015

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FLOOD RESILIENT CONSTRUCTION

The following measures are to be taken in an attempt to satisfy this condition as suggested in the Communities and Local Government document "Improving the Flood Performance of New Buildings" – May 2007.

- Any flood waters to be diverted around the building, where possible, to where the gardens are lower.
- Ground floors to be constructed with ground bearing type concrete slab (at least 100mm thick) on well consolidated hard-core, the DPM is to be sealed with the DPC, the insulation is to be Celotex, or similar approved, closed cell type and be positioned over the ground floor bearing slab with sand and cement render topping.
- All sub-structure walling to be constructed from red engineering bricks, up to DPC level, the remainder of the external facing bricks up to 300mm above DPC to be either red engineering or pressed, not handmade bricks. The cavity insulation up to 300mm above DPC is to be partial fill Celotex, or similar closed cell type insulation secured to the internal wall.
- Avoid the use of plasterboard and gypsum plaster to lower part of internal walls and use water resistant lime and cement render or painted blockwork.
- All external doors to be of a good quality not susceptible to moisture and have good seals for water tightness.
- Treated and sealed timber or UPVC skirting's and architraves.
- Ensure all kitchen areas, particularly behind units, to be sealed to prevent passage of water.
- Arrange for all service circuits to be routed at a first floor level if practical and sockets, boilers and cookers to be a minimum 300mm above floor level.
- Occupants of the property to register with the Environment Agency automated early warning system of potential flood events.