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TOWN AND COUNTRY PLANNING ACT 1990 AS AMENDED

OUTLINE PLANNING APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT INCLUDING MEANS OF ACCESS FOR UP TO 9 NEW DWELLINGS ON LAND ADJACENT SOUTHGORE LANE, NORTH LEVERTON

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1. Introduction

- 1.1 This supporting statement comprises a Planning, Design, and Access Statement to support the Outline Planning Application for the residential development of up to 9 new dwellings that will be sold as self-build plots. The application is in outline will all matters reserved with only access to be considered.
- 1.2 This document deals with the scope and nature of the proposal, the planning policies, pre application discussions with local business and residents, and the land use rationale.
- 1.3 The document is to be read alongside the architectural drawings submitted as part of the application to Bassetlaw District Council.

2. The Site and Surroundings

- 2.1 The site the subject of this application comprises of 0.52 hectares of land. The site lies within the village form of North Leverton and is currently classed as agricultural land however, the site does currently benefit from an outline planning permission as well as a reserved matters approval for 15 dwellings. The application site is situated to the East side of Southgore Lane, North Leverton. The application site is located outside of the development boundary however, the site is located within an established residential area and on a site that already benefits from a residential permission.
- 2.2 North Leverton is a picturesque, historic Village on the outskirts of Retford in Nottinghamshire in the East Midlands, located approximately 35 miles from the city of Nottingham, and 20 miles from Lincoln, in the district of Bassetlaw. The Village is situated within the Trent Corridor, the village of North Leverton which is identified as a rural service centre within the settlement hierarchy. North Leverton enjoys a range of facilities in its own right, including a Shop, Doctors Surgery, school, church and public house as well as the village hall and a modern equipped play area and sports field.
- 2.3 Bus stops are located within close proximity to the site. The bus services serving North Leverton are numbers 95, 201, 595 and 95A these routes link North Leverton to both Retford and Gainsborough. These buses provide both regular services to the village as well as school buses for local children. These services operate 9 times a day during term time.
- 2.4 In summary the site is situated in close proximity to employment, service and social facilities, with day to day facilities available within close proximity which can be reached by bus or cycle. The site is therefore a sustainable location within a short walking distance of bus routes to Gainsborough and Retford.

Positive strengths include:

- Affluent, loyal and active population
- High life expectancy
- Good quality housing relative to national average
- Good transport links
- Access to good schools
- Attractive village of historic character and architectural interest

3. The Proposal

3.1 The outline proposal is to develop the land for up to 9 dwellings in the form of self-build plots. The indicative layout submitted as part of this application illustrates how the new dwellings / self-build plots can be accommodated on the application site.

3.2 It is proposed to construct up to 9 new self-build dwellings, it is envisaged that there will be a mix of house types and sizes in the forthcoming reserved matters application however, we will provide perspective self-builders with design guidelines to ensure that a well thought-out development exists once all of the plots are built out. It is envisaged that there will be a mix of detached and semi-detached dwellings each with garages, private drives and large private gardens. The outline masterplan also illustrates an Indicative landscaping scheme that depicts how the site could be attractively landscaped introducing new planting, hedging and trees. The site would be directly accessed off Southgore Lane, which would lead on to the new dwellings.

3.3 The proposed dwellings would all have dedicated off road parking of at least two vehicles as well as a double garage that can accommodate a further two cars and bicycles. The site also allows vehicles to enter and exit the site in a forward gear.

4. The Design of the Proposal

4.1 Design Constraints and Opportunities:

4.1.1 The application site is visible in the street scene along Southgore Lane. The constraints on development are:

- i. Ensuring that the layout and design of the development is in keeping with and retains the village character of the locality and the group as a whole.
- ii. Ensuring that the layout and design of the development achieves a satisfactory relationship with nearby dwellings in terms of privacy and amenity.
- iii. Providing a safe access to and from the site for visitors without compromising the privacy and amenities of neighbouring properties.

4.1.2 The main constraint on development, with the primary considerations being:
Ensuring that the design of the development achieves a satisfactory relationship with the adjacent properties in terms of the privacy and amenities of the neighbouring properties.

4.1.3 Ensuring that the design of the development is in keeping with the character of the surrounding area and does not adversely affect the neighbouring and adjacent properties and buildings.

4.1.4 Providing a safe and convenient access to and from the site for visitors and occupiers without compromising the privacy and amenities of neighbouring properties.

4.1.5 To summaries the proposal, the proposal can achieve an overall improvement to the character and appearance of the street scene, to the benefit of the locality generally.

5.2 Design Principles

4.2.1 The outline design approach has been to respond positively to the constraints and opportunities of the site and our vision for the development. This has been via a specific response to the site and its context as an approach for creating a sustainable, quality, distinctive residential property. The proposal seeks to contribute positively to the character and appearance of the locality, with the achievement of a traditional, sustainable residential development.

4.2.2 It is envisaged the detailed design that will form the reserved matters application will utilise sustainable materials (including recycled materials and secondary aggregates) wherever possible and aims to be environmentally friendly, seeking to reduce the environmental impact of the scheme through its design, construction and use of technology, incorporating the following features:

- Rainwater recycling from roof water run- off
- Orientation of roof forms to minimise north facing planes and maximising opportunities for passive heat gains
- Maximising natural light to rooms wherever possible to reduce reliance on artificial light sources
- Maximising natural ventilation to assist in temperature regulation within the dwelling
- Use of low- maintenance, low embodied energy materials
- Installation of a ground source heat pump within the site

The development will also score well on the CABA Building for Life standard by:

- Ensuring that the development has a distinctive design character.
- Designing the scheme specifically for the site.
- Designing buildings, which are of high architectural quality.

4.2.3 In addition, as noted above, the scheme seeks to contribute positively to the character and appearance of the locality, through the creation of a well-designed and laid out high quality development which complements the existing character of the area, through the addition of an in keeping, traditional and sustainable residential development.

4.3 Amount of Development

4.3.1 As indicated, the development comprises of up to 9 new self-build dwellings.

4.4 Layout

4.4.1 In accordance with the Building for Life criteria, the layout proposed for the development has a specific and distinctive design character, responding to the constraints created by the shape of the site and the proximity of nearby properties. The layout is well structured and creates a clearly defined curtilage with ample parking and turning space and flexible private amenity areas. The overall approach has been to try to create a layout, which allows for the retention of any existing landscape planting around the site boundaries to further complement the development and integrate it within the locality, as

illustrated on the proposed site layout plan.

4.5 Appearance

4.5.1 It is envisaged that the reserved matters application will make use of traditional form and scale when designing the outline proposal, it has been a fundamental principle of the development. The materials that will be used will be carefully selected to ensure that they reflect the colours and textures of the materials used in the locality, and the development will achieve an appearance which complements the existing character of the surrounding area and respecting nearby properties, whilst taking advantage of the development opportunity enhancing the existing street scene with a complementary addition to the village as well as contributing to the housing shortfall within the district.

4.6 Landscaping

4.6.1 Soft and hard landscaping will be used to integrate the development into its surroundings. Planting will also be used within the development to help clearly define the curtilage boundaries and create a private garden space.

4.7 Scale

4.7.1 The development will be of a distinct traditional in keeping design with variations to its fenestration and form to create interest and reflect the broad scale and proportions and appearance of the surrounding architectural vernacular.

5. Access

5.1 The approach to vehicular access to the development is based on forming a new access from Southgore Lane. The entrance incorporates appropriate visibility splays to ensure safe access and egress but without leading to an overly-engineered appearance. The site incorporates adequate space for vehicle turning so that vehicles can enter and leave the site in forward gear.

5.2 The proposed dwellings will comply with Part M of the Building Regulations. Access for emergency services is possible from the adjacent public highway along the private drive.

6. Prevailing Planning Policies

The following Documents and policies are relevant to the consideration of the Application:

National Planning Policy

National Planning policy is expressed in the NPPF issued in February 2019. This document places emphasis on the delivery of new homes in sustainable locations and encourages planning authorities that cannot demonstrate a five-year supply of land to release land for building new homes in appropriate locations. The following are considered to be the most relevant sections and are material to the determination of this application.

National Planning Policy Framework, February 2019

Paragraph 11 of the National Planning Policy Framework (NPPF) presumes in favour of sustainable development. The principle of residential development within sustainable settlements is acceptable under Policy CS1 of Bassetlaw LDF which requires that the distribution of new development in Bassetlaw, over the period covered by this Core Strategy, will be in accordance with the aims of the settlement hierarchy (i.e. to ensure that the scale of new development is appropriate in relation to the size, function and regeneration opportunities of each tier).

Paragraph 33 of the NPPF makes it clear that spatial development strategies (be they Core Strategies, Local Plans or Neighbourhood Plans) must be reviewed every 5 years from their adoption to ensure that they remain up to date and relevant in decision making. The Bassetlaw District Core Strategy has not been reviewed in the last 5 years and the Council is progressing towards adopting its new local plan, as such, paragraph 33 makes it clear that the Core Strategy is now out of date for decision taking and limited weight can be accorded to the support it gives this scheme.

Due to the fact the Core Strategy is now out of date, the decision on this case falls to be made under the tilted balance test in paragraph 11 of the NPPF which states that permission must be granted 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; 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.

Part 5 (Supply of Homes)

Part 9 (Sustainable Transport)

Part 11 (Effective use of Land)

Part 12 (Achieving Well Designed Places)

Part 15 (Natural Environment)

Paragraph 12 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision making.

Policy CS1 of the Core Strategy states that until the adoption of the site allocations DPD, development in the settlements identified in the hierarchy will be restricted to the area inside defined settlement boundaries. However, additional permission may be granted where the development proposal would address a shortfall in the District's five-year housing supply or its employment land supply.

Policy CS8 identifies North Leverton as a rural settlement that offers a range of services and facilities that makes it a suitable location for limited growth. The application site lies outside the defined North Leverton development boundary and as such the scheme is not supported under policies CS1 and CS8 of the Core Strategy.

Paragraph 33 of the NPPF states that policies in development plans should be reviewed and where necessary updated every 5 years. The Bassetlaw Core Strategy dates from 2011 and its policies have not been reviewed in the last 5 years as the Council is working on a new local plan to replace it. In this

situation, paragraph 213 of the NPPF states that policies in an adopted development plan do not become automatically out of date because they were published before the framework; policies must be considered having regards to their consistency with the framework. The Core Strategy was prepared using a settlement hierarchy which included development limits to control development. As such, it is considered that this approach is now inconsistent with that identified in the NPPF and as such, the weight given to policy CS1 is reduced. This scenario has been recently tested at appeal and proves relevant and correct.

Due to the fact policy CS1 is considered to carry limited weight in the decision making process, paragraph 11 (d) of the NPPF is automatically engaged and this scheme must be considered under the tilted balance test where planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF when taken as a whole.

In relation to the supply of housing, the NPPF requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years' worth of housing provision against identified requirements (NPPF p73 & 74). For sites to be considered deliverable: they have to be available; suitable; achievable and viable. Under the requirements of the NPPF.

When considering the overall policy position and the current permission for 15 dwellings on the the application site as outlined above and the fact that the tilted balance test in paragraph 11 of the NPPF applies, it is considered that the proposal constitutes sustainable development when assessed in relation to the matters listed below and should be therefore recommended for approval.

Location

North Leverton is a rural service centre, which is therefore considered a sustainable settlement, where housing is acceptable in principle subject to other material considerations in line with Policy CS8 of the Local Development Framework.

Due to the sites location it be argued that the proposed self-build dwellings would be developed in the context of the above and would help to contribute towards the housing needs of the village of North Leverton and the district as a whole and will also contribute to building a strong, responsive and competitive economy through the creation of construction related jobs and the on-going contribution to the economy of the village through the occupation of the houses. This scheme also meets the requirements of paragraph 78 of the NPPF which encourages schemes to promote sustainable development in rural areas by locating houses where they will enhance or maintain the viability of rural communities and allow them to grow especially where this will support local services. So therefore this scheme has benefits for the local community if approved which will need to be considered in reaching a balanced conclusion on this scheme.

The proposal also satisfies paragraph 64 of the NPPF by providing 'specialist' accommodation in the form of self-build plots, although the application in in outline format it could be assumed that the total built footprint will exceed 1000m². The Government's Planning Practice Guidance indicates circumstances where contributions for affordable housing and other tariff style obligations should not be sought. Following the Court of Appeal decision in 2016, this includes:

- *Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1,000 metres square (gross internal area)*

Paragraph 64 goes onto say that “Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or development:

- ~~a) provides solely for Build to Rent homes;~~
- ~~b) provides specialist accommodation for a group of people with specific needs (such as purpose built accommodation for the elderly or students);~~
- c) is proposed to be developed by people who wish to build or commission their own homes; or**
- ~~d) is exclusively for affordable housing, an entry level exception site or a rural exception site.~~

This application proposes up to 9 self-build plots in a sustainable location therefore, should receive a positive recommendation and an affordable housing contribution should not be sought by the LPA.

The site is not located within a conservation area and there are no designated heritage assets within the setting of any development on the site, the site also benefits from a current approval for 15 units, although the red line differs the application site sits within the already approved development site therefore it should be considered that the location is suitable for 9 new self-build units when considered against paragraph 11 (d).

Land use

The site already benefits from a residential permission and therefore has been assessed against local and national policy. As such there is sufficient detail to establish whether the proposal is the most effective use of land.

Amount of development

The proposal is for residential development for up to nine dwellings in the form of self-build plots. The proposal would therefore not be classed as a major development that would require planning obligations, the reserved matters application may detail that all of the dwellings will create over 1000m² of built floor area however, as detailed above no affordable housing contributions should be sought in accordance with p64 (c).

The scale of the development would be acceptable in the context of North Leverton with a new development recently approved for 15 on the application site.

Community Infrastructure Regulations 2010 Regulation 122(2)

Regulation 122 provides a limitation on the use of planning obligations. This is explained in The Community Infrastructure Levy - An Overview published by the Department for Communities and Local Government, which in paragraph 59 states:

"The regulations place into law for the first time the Government's policy tests on the use of planning obligations. The statutory tests are intended to clarify the purpose of planning obligations in light of the levy and provide a stronger basis to dispute planning obligations policies, or practice, that breach these criteria. This seeks to reinforce the purpose of planning obligations in seeking only essential contributions to allow the granting of planning permission, rather than more general contribution which are better suited to use of the levy."

Planning permission should only be granted subject to completion of a planning obligation where the obligation meets all of the following tests. A planning obligation should be:

- (i) Necessary to make the development acceptable in planning terms
- (ii) Directly related to the development;
- (iii) Fairly and reasonably related in scale and kind to the development

BASSETLAW DC - CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT – DECEMBER 2011

The Core Strategy and Development Management Policies Development Plan Document and the Local Development Framework Proposals Map were adopted by Bassetlaw District Council on 22 December 2011. In this application case therefore, the provisions of Policy SO1, Policy CS8 (North Leverton), Policy DM4 (Design & Character) & DM5 (Housing Mix & Density) have all been given appropriate consideration in formulating this proposal.

In this particular case, the proposed residential development of up to 9 no. dwellings, will assist in providing a range of high-quality market houses in North Leverton to meet the diverse needs of Bassetlaw's growing population, as outlined by Policy SO1.

Clearly, this Site can contribute towards the housing provision for Bassetlaw and North Leverton, particularly by accommodating a suitable mix and choice of housing, to cater for local needs and to assist in creating a balanced community. In accordance with Policy CS8 (North Leverton). Residential development proposals will be supported within the Development Boundary, in line with other material considerations and planning policy requirements. All housing developments resulting in a net gain of one or more units would usually be required to contribute towards the achievement of an affordable housing target. However, this is now not required see section 106BA of the Town and Country Planning Act 1990 by the Growth & Infrastructure Act 2013, this enables landowners and developers to apply to Local Planning Authorities (LPAs) to modify or discharge affordable housing requirements in Section 106 agreements where a scheme becomes financially unviable due to the affordable housing requirements. It is assumed that a viability appraisal will be submitted with the forthcoming reserved matters application should it be required e.g. if the development proposed has a floor area more than 1000m². At this stage the proposed floor area is not known therefore no affordable housing contributions should be requested. It should also be noted that the new NPPF paragraph 63 states "Provision of affordable housing should not be sought for residential developments that are not major developments". In the Glossary at Annex 2 it defines Major Development for housing as where 10 or more homes will be provided.

The design and character of new developments are considered through Policy DM4. In this case, the detailed commentary and consideration of design matters is included in the Design and Access Statement which will assist in demonstrating how 9 no. dwellings can be accommodated, without detriment to the residential amenities of neighbouring dwellings, whilst making a positive and attractive contribution to the surrounding built environment.

Policy DM5 indicates that in order to ensure that the District can, as far as possible, sustain a mixed community of different households (such as families with children, single person households and older people) a variety of housing, in terms of tenure, price and type, is required. The Policy sets out a flexible policy approach that will take account of site specifics and local circumstance, while at the same time supporting specialist housing provision.

Comment: As already mentioned in this Statement, the proposed development offers the potential to deliver a quality in keeping housing scheme, which would provide a mix of dwelling types and sizes which reflects the recognised local housing need and contribute to the 5-year housing supply.

8.0 Summary of Considerations.

8.1 The application site is deliverable, achievable and viable for a new self-build residential development. This will support the housing strategy of the Planning Authority in a sustainable location.

8.2 The NPPF has made the government's aim of delivering new homes clear as a priority, and these must be in sustainable and appropriate locations. The site meets the requirements of the NPPF and is well placed to deliver homes in a location, which will benefit from the proximity to other nearby settlements and will help the existing settlement maintain a critical mass to support existing local services.

8.3 The site will not bring any adverse impacts to the area; there are no adverse effects from contamination or upon natural resources such as water and ecology. All of these matters have been carefully studied to ensure that no adverse impacts will arise.

8.4 The proposed development is wholly consistent with the objectives and policies of the National Planning Policy Framework and relevant development plan policies. It represents a sustainable development in terms of all the relevant criteria of the NPPF and should therefore benefit from the presumption in favour of such development.

8.5 The Core Strategy is deemed to be out of date having regard to the contents of paragraph 33 of the NPPF, paragraph 11 of the NPPF makes it clear that the scheme should be considered under the tilted balance test where planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole.

8.6 The benefits of the proposal include the fact that up to 9 new self-build dwellings will contribute towards housing supply in North Leverton and the district as a whole. The construction of the dwellings and their infrastructure will have a positive impact on the local economy in terms of construction related jobs and increased patronage for existing local facilities.

8.7 In the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are '**significantly and demonstrably**' outweighed by the adverse impacts or where specific policies in the NPPF indicate otherwise. It is considered that the proposal for nine self-build dwellings meet the policies in the NPPF and meet the overarching economic, social and environmental objectives in NPPF paragraph 8.

8.8 The proposal accords with all relevant local and national planning policies, as demonstrated herein and as such, should be approved without delay.