

**PLANNING JUSTIFICATION STATEMENT AND DESIGN  
AND ACCESS STATEMENT FOR THE ERECTION OF A  
BUNGALOW FOR RESIDENTIAL USE**

**IN RESPECT OF LAND NORTH OF WEST LANE,  
HALTHAM, HORNCastle, LINCOLNSHIRE, LN9 6JG**

**APPLICATION MADE ON BEHALF OF MR ANDREW  
ROBINSON**

**Prepared by**

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## PLANNING JUSTIFICATION STATEMENT

### **Introduction**

**1.1.** We are instructed on behalf of Mr Andrew Robinson (the “**Applicant**”) in respect of a full Planning Application (the “**Application**”) submitted to East Lindsey District Council (the “**Council**”) for the erection of a bungalow for residential use (the “**Proposed Development**”) at land north of West Lane, Haltham, Horncastle, Lincolnshire, LN9 7JG (the “**Site**”). The Application is made on behalf of the Applicant, who is the 3<sup>rd</sup> generation of 4 generations that were all born within the village of Haltham.

**1.2.** This statement assesses the relevant local and national planning policy considerations in the context of the Proposed Development and demonstrates, as justified herein, that the Proposed Development is in a sustainable location and therefore the Application should be granted on the grounds as set out herein.

**1.3.** The Applicant submitted a Planning Application for the “*Erection of a bungalow*” on 9<sup>th</sup> October 2019 (Reference: S/074/01813/19) (the “**Previous Application**”) to the Council. By way of a Decision Notice dated 7<sup>th</sup> January 2020, the Council refused the Previous Application for the following reason:

*“1. The proposed development would be inappropriate with regard to its location within a hamlet in open countryside and is therefore considered to be an unsustainable location for the erection of a residential bungalow. The proposal is therefore contrary to SP9 of the East Lindsey Local Plan”.*

**1.4.** This statement should be read alongside the other documentation submitted in support of the Application for the Proposed Development, including the Flood Risk Assessment.

### **2. Planning history in respect of the Site and its immediate surroundings**

2.1 Planning Permission was granted by the Council on 11<sup>th</sup> June 2019 for the “*Erection of 1 no. detached house*” (Reference: S/074/00426/17) (the “**Adjacent Planning Permission**”) in respect of the land immediately adjacent to the Site the subject of this Application. The house the subject of the Adjacent Planning Permission has now been constructed (see image below recently taken):

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2.2 Existing residential dwellings are located to the east and south of the Site, all of which are of relatively modern construction and of the same type of development as the Proposed Development i.e. a bungalow.

### **3. The relevant local and national planning policy considerations in the context of the Application for the Proposed Development**

3.1. Within East Lindsey, the Local Plan comprises the following documentation relevant in the determination of this Application:

3.1.1. East Lindsey Local Plan Core Strategy (adopted July 2018) (the “**Core Strategy**”);

3.1.2. East Lindsey Settlement Proposals Development Plan Document (adopted July 2018) (the “**DPD**”) and;

3.1.3. East Lindsey Single Plot Exceptions (Supplementary Planning Document) (February 2017) (the “**SPD**”).

3.2. ‘Strategy Policy 9 (SPD) – Single Plot Exceptions’ of the Core Strategy provides that in the towns, large, medium and small villages of the Coastal Zone and the medium and small villages inland, the Council will support single plot development for affordable housing provided it meets all of the following:



- 3.2.1. the applicant can demonstrate they are unable to afford a suitable home currently available in the parish;
- 3.2.2. the applicant has an evidenced local connection to the parish;
- 3.2.3. the site is in or adjoining the settlement and does not constitute isolated or sporadic development;
- 3.2.4. the dwelling is affordable to the applicant and will remain affordable to subsequent occupiers in perpetuity;
- 3.2.5. The area of the site does not exceed 0.1ha and typically, the internal floor space of the proposed dwelling does not exceed 100 sqm or 110sqm where flood risk mitigation is required;
- 3.2.6. The resale market value of the development will be fixed at 80%; and
- 3.2.7. Flood mitigation should be provided in areas of flood risk as per the advice of the Environment Agency.

3.3. The Council's SPD provides further detail on the assessment and interpretation of Policy 9 of the Core Strategy. The SPD states, at paragraph 5, in respect of the suitability of location that:

*"...the Council will not permit the development of single plots for affordable housing on sites which:*

- Detract from Areas of Outstanding Natural Beauty or areas of Special Landscape Character;*
- Are in completely open countryside, isolated from any recognisable named settlement by open land;*
- Are situated within or adjoining a recognisable named settlement, but in an elevated, exposed or other prominent position which adversely affects the appearance of the countryside and/or the visual amenity and rural character of the settlement;*
- Harm the character or appearance of a Conservation Area;*
- Harm the setting of a Listed Building;*
- Harm species or sites of nature conservation interest".*

3.4. In particular, paragraph 5.2 provides as follows:

*"To satisfy these criteria, a site for a single plot exception affordable dwelling needs to be in a location that demonstrably forms part of a "recognisable named settlement". Such settlements will be a town, large, medium or small village in the Coastal Zone or a medium or small village*

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*elsewhere, as defined in the Core Strategy, where at least one of the following criteria should be met:*

- has some local service(s) or facility(ies). These could include a pub, shop, post office or petrol station. This list is not exhaustive and other services could be considered; or*
- is within safe walking distance, a short walk of a bus stop that has at least a daily bus service, or within a short car journey (within 5km) of a larger settlement benefiting from some local services or facilities; or*
- it lies within 5km of the place of permanent employment of at least one member of the household” .*

3.5. The Officer’s Report for the Previous Application considered that the main planning issue was the principle of development. The Council’s conclusion was that, as the Site does not fall within a medium or small village settlement and is within open countryside, it considered that the Site is not sustainable for such a development and, as the Site falls within a hamlet and open countryside, the Previous Application was recommended for refusal.

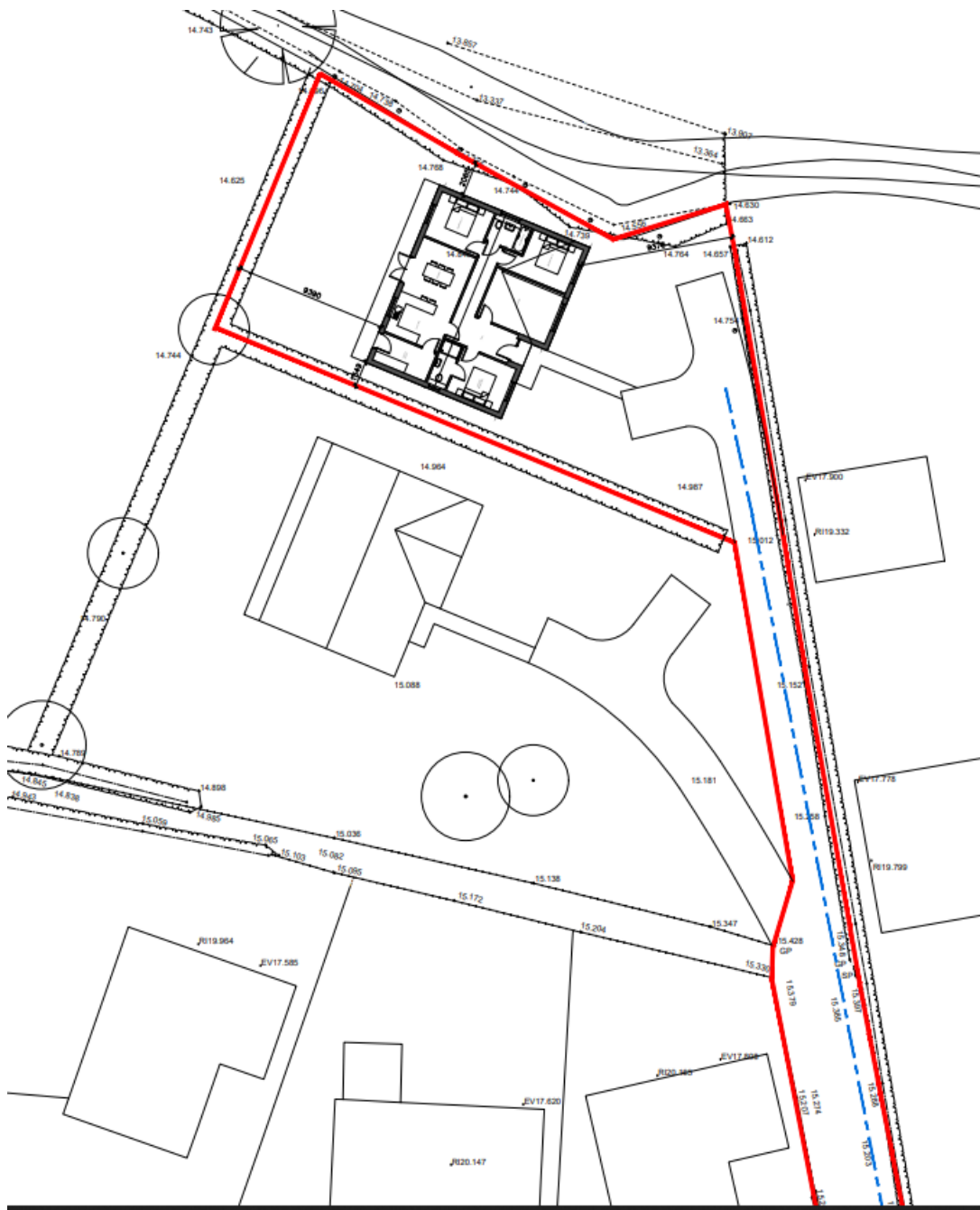
3.6. The National Planning Policy Framework (updated 20<sup>th</sup> July 2021) (the “**Framework**”) provides that, at the heart of the Framework, there is a presumption in favour of sustainable development. Whilst paragraph 12 notes that this presumption does not change the statutory status of the development plan as the starting point for decision-making, it does confirm that where a planning application conflicts with an up-to-date development plan, local planning authorities may take decisions that depart from an up-to-date development plan if material considerations in a particular case indicate that the plan should not be followed.

3.7. The Applicant considers that there are material planning considerations relevant to the Application on the Site which justifies the Proposed Development. The circumstances relevant to these planning considerations concern the nature of the Application for the Proposed Development i.e. a bungalow and its surroundings within Haltham, including the associated nearby and adjoining residential bungalow development and the facilities available in the context of the Site within Haltham. This statement considers each matter in turn further below.

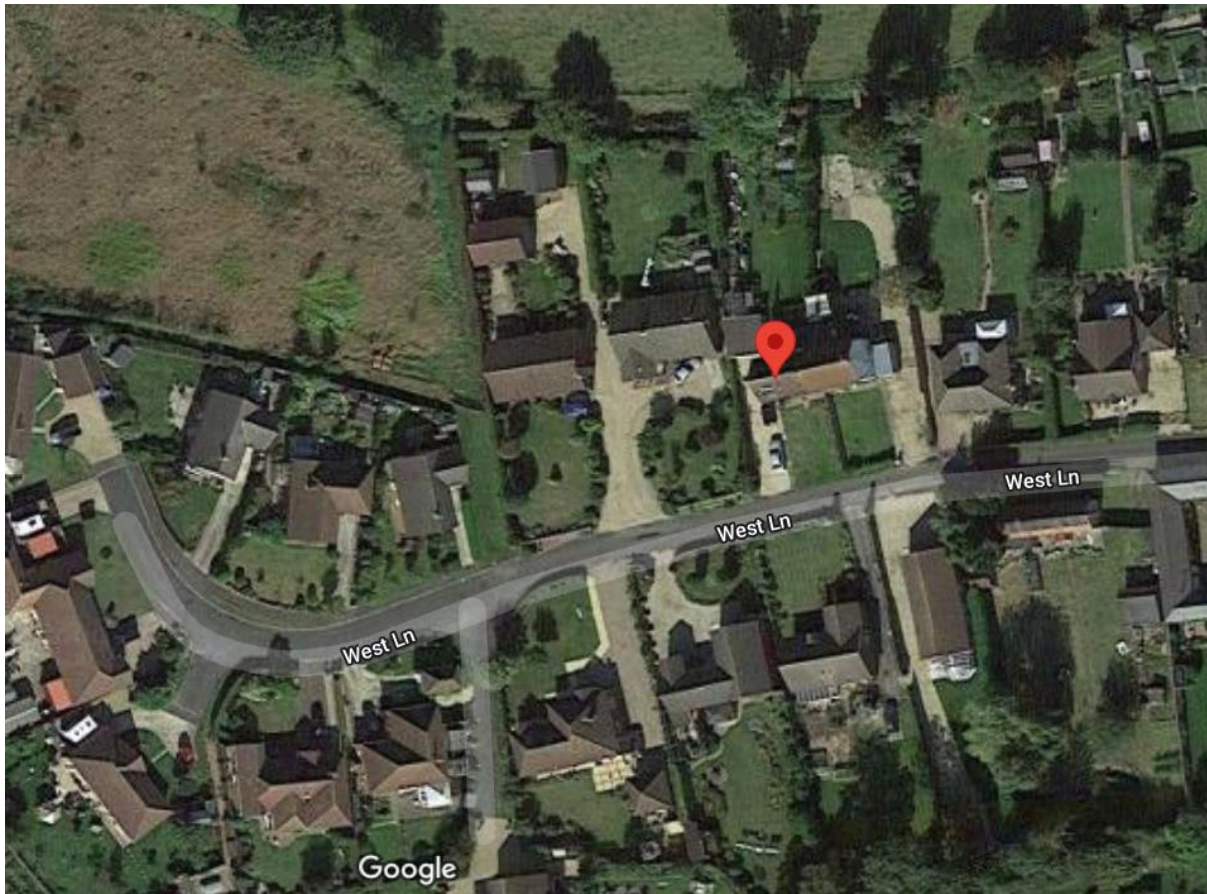
3.8. The Site is located within an already established residential area. As shown on the proposed plan submitted in support of the Application (screenshot below), together with the above picture at shown at paragraph 2.1 above, there is already a built bungalow immediately adjacent to the

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west of the Site, with further bungalows and residential properties existing to the east and west of the Site:



3.9. A Google Map Screenshot satellite screenshot image (see below) shows that the Proposed Development would fall within the same development line to the existing residential properties (which are also bungalows) to the east:



3.10. As a matter of completeness, the above screenshot is, to some extent, outdated as it does not show the recently built bungalow, the subject of the Adjacent Planning Permission, which has already been built (as evidenced by the picture set out at paragraph 2.1 above) to the north of West Lane. Our assessment is that the location of the Proposed Development on the Site would not significantly harm the settlement's character and appearance or encroach into the open countryside on the basis that it would be constructed on the same boundary line as the existing residential properties immediately to the east of the Site and its nature would be akin to infilling development by virtue of its location. Furthermore, the Site forms part of an existing grass paddock which has established hedgerows and trees marking its overall border boundary. As the Site is located close to other residential development, the Proposed Development would not be isolated in the context of paragraph 80 of the Framework or otherwise be sporadic as referred to within Policy 9 of the Core Strategy. Our assessment is that no significant harm would arise from the Proposed Development by virtue of its location and, thus, that the Site is considered to be in an appropriate location.

3.11. Whilst it is acknowledged that the Site is designated in the Council's development framework as a hamlet (Haltham) within the open countryside between the towns of Tattershall and

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Horncastle, our assessment is that Haltham nonetheless has all of the attributes of a small village and is as sustainable as other categorised small villages within the Council's development framework.

3.12. The Oxford Dictionary defines a village as a group of houses and associated buildings, larger than a hamlet and smaller than a town, suited in a rural area. Furthermore, it defines a hamlet as a small settlement, generally one smaller than a village, and strictly (in Britain) one without a Church. There is a church within Haltham which is maintained by the Churches Conservation Trust and used for Christmas services and village community functions and operates, essentially, as the community centre for Haltham. Furthermore, there are other associated buildings and services in Haltham that would, in our assessment, mean that Haltham should be considered as a village rather than a hamlet. Haltham has a group of houses, which is evidenced on Google satellite images (see below) and so satisfies the first limb of the definition:



3.13. Furthermore, it has other associated buildings and services which make this akin to a village, including (but not limited to):

- A taxi/coach firm;
- Haltham Garage for vehicle servicing, MOTs and the sale of vehicles and others items such as pet food;





- A village sign;
- Glamping site;
- Working farms which employ local people;
- Call-Collect bus stop request service;
- Horse livery;
- Olive and Daisy shop (Fabric and Homeware); and
- L&S Interiors shop.

3.14. In addition to the above, there are a number of other services in Haltham which would mean that future occupants of the Proposed Development would not need to travel for their day-to-day needs as the existing services are sufficient to serve future occupants' day to day needs. For example, delivery services including various national supermarkets delivering into Haltham, regular milk deliveries, a post office and banking bus that visits regularly, energy resources (e.g. gas, coal and wood) that are delivered to Haltham. Furthermore, there is a footpath which provides shortcuts to other nearby places which have a public house etc. Furthermore, there are further services and facilities within a relatively short distance of the Site that could be accessed by transport modes other than private car. This evidence all suggests that, notwithstanding its status within the Council's development framework, the way in which Haltham has developed since the Local Plan was researched, and thereafter adopted, has grown and changed over time such that it is a sustainable location and its characteristics akin to a village as opposed to a hamlet. That is, it contains a larger group of residential dwellings by virtue of recently granted planning permissions by the Council and also has more non-residential uses and supports many of the functions attributed to a village as it provides commercial and other uses to support the community of Haltham, in addition to residential housing.

3.15. The above evidence satisfies the definition of suitability of location within paragraph 5 of the SPD which provides, amongst other things, that it must have some local services or facilities. When considering Haltham in the context of other small villages designated as such within the Council's development framework, there is in our assessment no comparable difference between them in respect of their characteristics and the services and facilities that they offer. For example, the small village of Welton Le Wold is shown on the below Google satellite screenshot:



3.16. Welton Le Wold in comparison to Haltham has fewer residential houses and has the same facilities as Haltham e.g. car service/sale shop, accommodation for visitors, a local business and a church. There is nothing in our view which concretes a distinction between Haltham and Welton Le Wold in respect of the services and facilities available to them and suggests that they should be treated differently in respect of development proposals.

3.17. For the reasons above, our assessment is that the Site would be a suitable and sustainable location for the Proposed Development. It would comply with the fundamental aims underpinning Policy 9 of the Core Strategy and the SPD which collectively seek to ensure that development is, amongst other things, in a suitable and sustainable location in line with the presumption of sustainable development underpinned by the Framework.

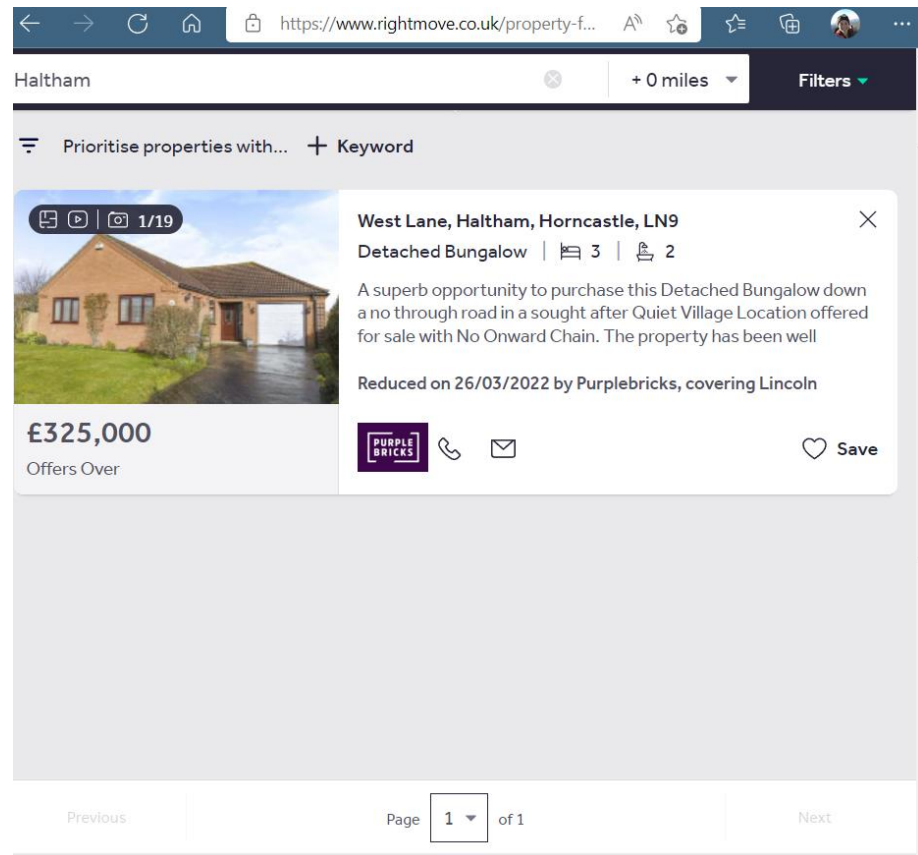
#### 4. Other matters

4.1 In respect of the other requirements listed at Policy 9 of the Core Strategy, the Applicant satisfies all of these as follows:

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3.17.1. the applicant can demonstrate they are unable to afford a suitable home currently available in the parish;

At the time of submission of the Previous Application, the supporting Design & Access Statement confirmed (on page 13) that an online search was undertaken on 01.10.2019 which showed that there were currently 2 houses for sale in the village which both exceed £250,000, which is far beyond the budget of the Applicant. Having reviewed RightMove on 02.05.2022, there is only one property available to purchase in Haltham, which has an asking price of £325,000 (see below):



It is therefore demonstrated that the Applicant cannot afford a property in Haltham and none are available within the Applicant's price range.

3.17.2. the applicant has an evidenced local connection to the parish;

The Applicant lives in Haltham in a rented 2 bedroom bungalow with his partner and children. The current property is too small and this unsuitable for the family. The Applicant's mother has lived in the village for 54 years and his father is from Scrub Hill which is only 4 miles from the village. Both of his parents were educated locally and lived locally when the Applicant was born. The Applicant's parents still live in the local area. The Applicant was a

permanent resident of the area throughout his childhood and attended local primary and secondary schools and has continued to live in the local area. The applicant is self-employed, working as relief for local farms as required and is also works at the family's butchery business in Horncastle. Accordingly, the Applicant has a local connection to the parish.

3.17.3. the site is in or adjoining the settlement and does not constitute isolated or sporadic development;

As detailed above, the Site does not constitute isolated or sporadic development and would reflect the current pattern and form of the immediate locality to the Site.

3.17.4. the dwelling is affordable to the applicant and will remain affordable to subsequent occupiers in perpetuity;

The Site is owned by the Applicant's family and so purchase of the land is not required before it is built. With the average build costs amounting to £1,200 per square meter, the overall build cost for the Proposed Development would accordingly be £132,000, based upon its size of 110sqm. The Applicant, however, has access to plant and machinery from his family and so it is anticipated that costs will be lower than this. Accordingly, the Proposed Development is affordable to the Applicant and he is aware that it must remain affordable to subsequent occupiers in perpetuity.

3.17.5. The area of the site does not exceed 0.1ha and typically, the internal floor space of the proposed dwelling does not exceed 100 sqm or 110sqm where flood risk mitigation is required;

The floor area is 110sqm and therefore this requirement is satisfied as demonstrated herein.

3.17.6. The resale market value of the development will be fixed at 80%; and

The Applicant acknowledges this and is aware that a condition will be imposed upon any eventual Planning Permission to restrict this accordingly.

3.17.7. Flood mitigation should be provided in areas of flood risk as per the advice of the Environment Agency.

This is dealt with further below as part of the Design & Access Statement and submitted in support of the Application is a Flood Risk Assessment.

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## DESIGN AND ACCESS STATEMENT

In respect of the Design & Access Statement, we set out below the relevant factors. These include, for the avoidance of doubt, all relevant factors as considered by the Council in the context of the Adjacent Planning Permission:

### **Use and amount**

The Site forms part of a wider grassed paddock and the Proposed Development is for the erection of a bungalow and its use for residential occupation. The bungalow is proposed to provide for a kitchen/dining room, lounge, utility, 3 bedrooms and family bathroom.

### **Access**

An existing entrance from West Lane is proposed to be utilised to provide access to the Site. The access also incorporates a public right of way which runs north from West Lane and then runs west along the southern boundary of the Site, as confirmed within the Officer's Report for the Adjacent Planning Permission. There is enough space within the Site to allow a car to be able to turn around and enter West Road forward facing. The existing public right of way will not be affected by virtue of the Proposed Development.

### **Visual Amenity**

The Proposed Development will be located adjacent to the bungalow built pursuant to the Adjacent Planning Permission and on the same development line as other residential dwellings to the east of the Site, the majority of which are of the same nature as this Proposed Development i.e. a bungalow. Therefore, the Proposed Development would not appear significantly out of character to the immediate area. Furthermore, the Site has natural screening from the west and north by existing vegetation, and from the south and east by existing buildings. Furthermore, the Site will provide a private garden surrounding the proposed bungalow and new landscaping will be added within the Site and existing vegetation enhanced if necessary, which can be secured by an appropriate planning condition.

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Therefore, it is considered that there would not be any significant impact upon visual amenity and that the Proposed Development therefore accords with the relevant national and local policy considerations in this context.

### **Residential Amenity**

The Proposed Development will be sufficiently distanced from any other residential properties to avoid any issues of overlooking, loss of privacy and overbearing impact.

The Proposed Development, the subject of this Application, has been designed and sited such that it offers a practical and functional location for access to/from the main road and takes into account the existing dwellings nearby.

### **Parking & Highway Safety**

The Site has existing access and a parking area is proposed. This will provide sufficient space to allow permanent parking.

### **Flood Risk**

The Site is located within Flood Zone 2. Accordingly, a Flood Risk Assessment (“**FRA**”) has been submitted in conjunction with this Application. As confirmed by the Environment Agency for the Previous Application, the Site comes under cell H8 of the local flood risk standing advice and so there was no comment from them and they confirmed it was not necessary to consult the Environment Agency.

## **5. Conclusion and planning balance**

5.1 The Council’s development framework and the Framework are underpinned by the presumption in favour of sustainable development, which provides that where material planning considerations provide otherwise, a departure from the Council’s development framework can be advanced in order to approve planning permission without delay. This statement demonstrates that the Proposed Development fully accords with all of the aims underpinning the local and national planning policy considerations in this case and demonstrates that the Site is within a suitable and sustainable location

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notwithstanding its designation as a hamlet. Accordingly, the Applicant considers that Planning Permission should therefore be granted for the Proposed Development.

5.3 Notwithstanding the Applicant's assessment, should it be required by the Council, the Applicant is more than willing to provide any additional information, clarification and/or justification that the Council may require during the progression of this Application in order to hopefully assist with a positive determination in this case.



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