

PLANNING STATEMENT

Proposed 2 no. dwellings

West End, Hogsthorpe



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DOCUMENT HISTORY

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1 INTRODUCTION

- 1.1 This statement accompanies a planning application for the redevelopment of a commercial/brownfield site on West End (Hogsthorpe) to provide 2 no. detached dwellings.

2 THE SITE & SURROUNDINGS

- 2.1 The site is located on the northern side of West End (A52 Skegness to Mablethorpe road), on the western side of Hogsthorpe (Figures 1 & 2). It is within the 30mph speed limit and there is an illuminated roadside path the entire frontage leading into and throughout the village. The ELDC Local Plan categorises Hogsthorpe as a 'Large Village' due to its wide range of facilities including a primary school, village hall, public houses, shop, playing fields etc.
- 2.2 The site currently comprises of a prefabricated building which is used as a performing arts studio (Figure 3). The remaining land is largely finished in road planings and used as a car park. A shipping container and earth mound are located to the rear/north.
- 2.2 The field immediately to east of the site is allocated in the Local Plan for residential development and currently benefits from outline planning permission for the erection of up to 89 no. dwellings under application reference N/084/00809/19. The permission was granted in September 2019 and a subsequent reserved matters application was submitted in September 2022. The submitted layout for this undetermined application is included at Figure 4. The land immediately to the west is an unused grass paddock which was granted outline planning in 2016 for the erection of 2 no. blocks of 4 no. storage/industrial units. Although it is understood this permission has expired, it is still a material consideration and copy of the approved plan is included at Figure 5. Dwellings are located on the adjacent/southern side of West End. There are further dwellings and caravan sites to the northwest on Bracken Lane. The main body of the village is to the east.
- 2.4 The site is within the 'Coastal Zone' defined by the East Lindsey District Council (ELDC) 2018 Local Plan. It is also just within the Lincolnshire Coastal Country Park. The Flood Map for Planning shows that the site is in Flood Zone 3 (Figure 5). The detailed hazard maps provided by the Environment Agency show that the site could be affected by a breach in the tidal defences during a present day or future event (see Section 4).
- 2.5 Average ground levels within the site are approximately 2.50mODN. This is comparable to the southwestern corner of the adjoining field (the approved residential site) where it is shown to be within Flood Zone 2 and outside of the area affected by the detailed hazard maps.

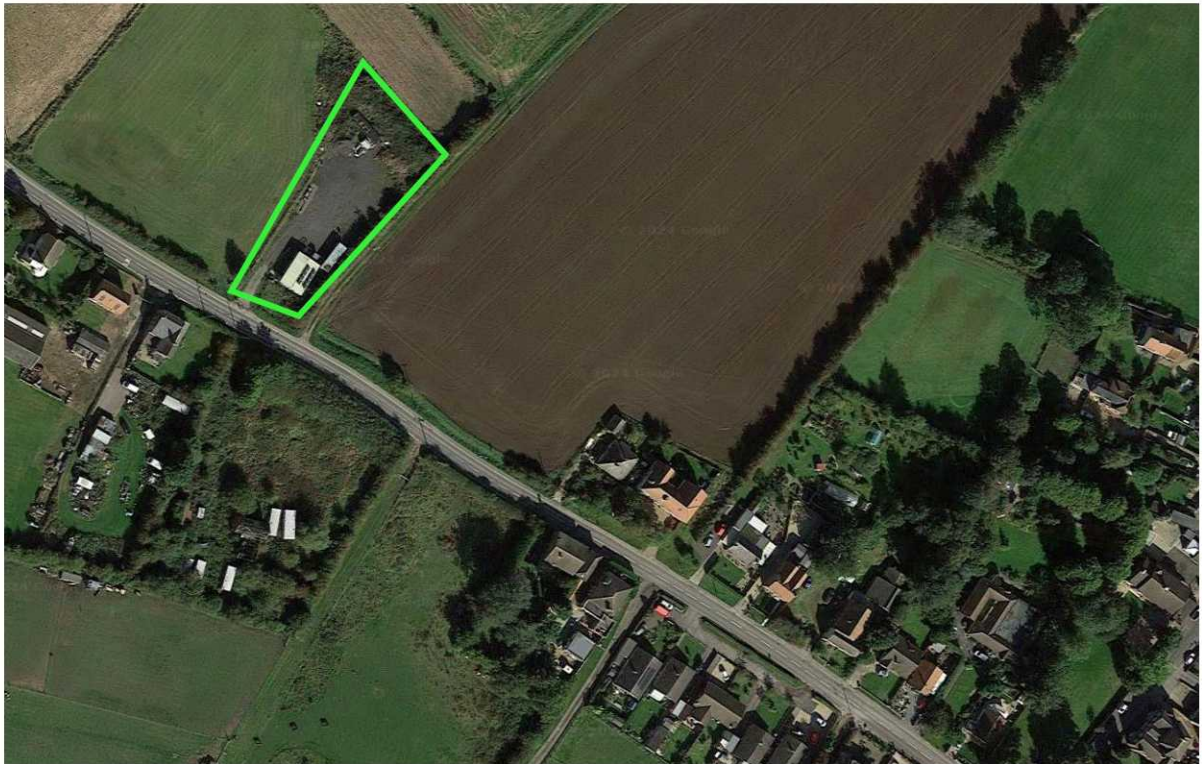


Figure 1: The location and extent of the site in relation to Hogsthorpe.



Figure 2: The site viewed from West End looking to the northeast.



Figure 3: The proposed site layout for the neighbouring residential development granted outline permission, with reserved matters currently under consideration (proposed site outlined red).

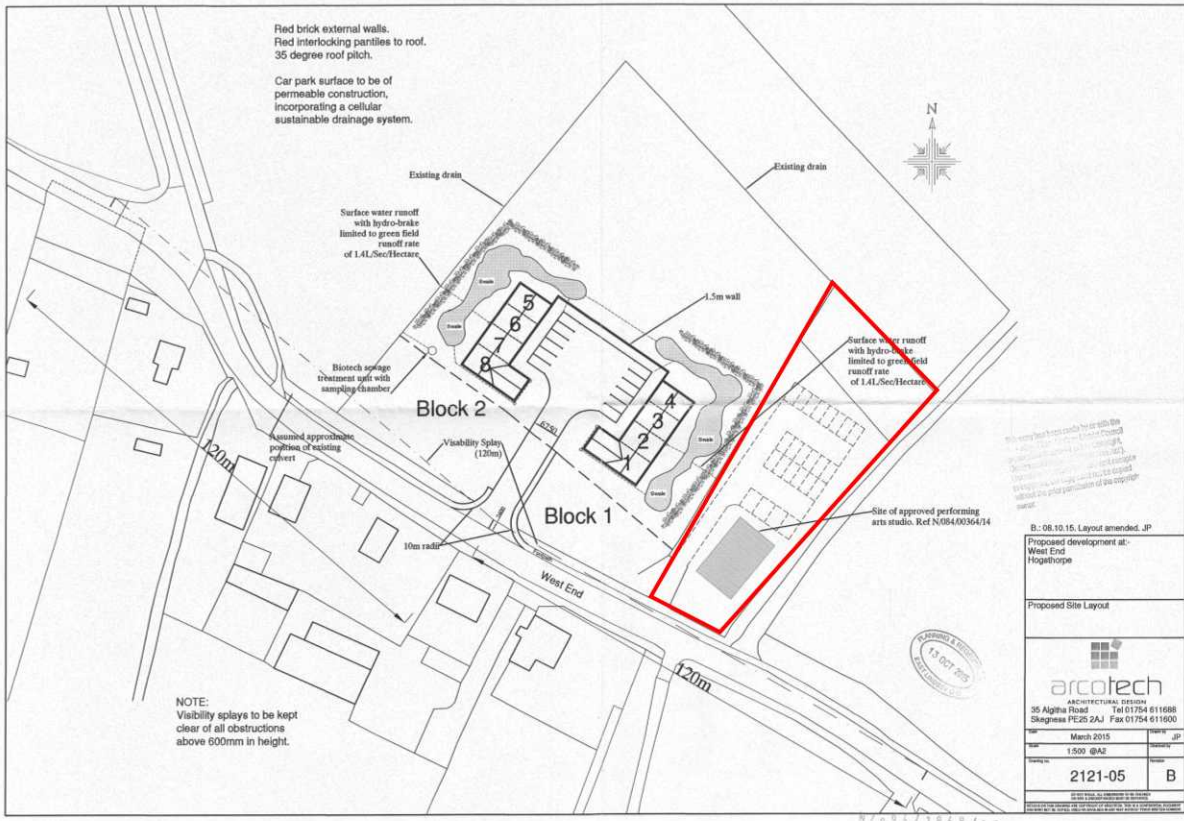
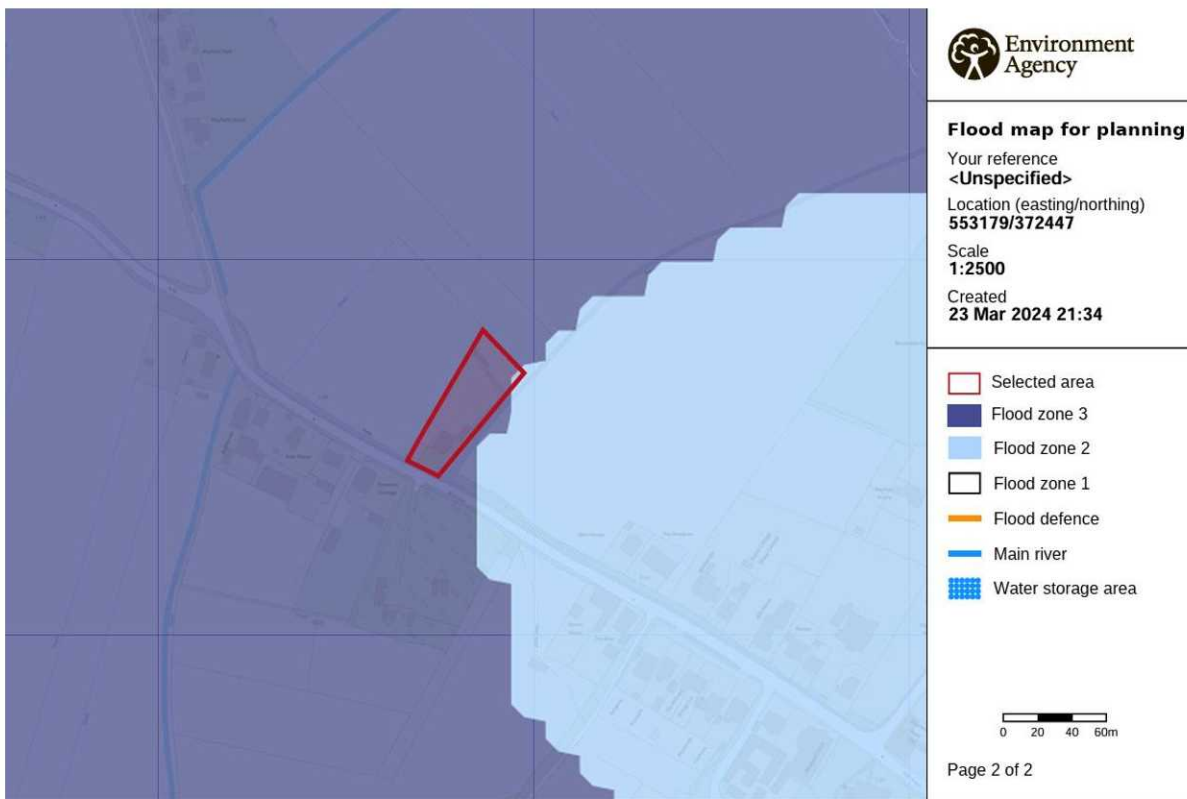


Figure 4: Permission for industrial units previously granted on the land to the west (proposed site outlined red).



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Figure 5: Environment Agency flood map with the site outlined red.

3 THE PROPOSAL

- 3.1 The proposal is to redevelop the site to provide 2 no. detached dwellings. The first dwelling will be located towards the front of the site in a similar location to the existing prefabricated building and will face West End. This dwelling will be two storeys in height and will have four first floor bedrooms. The existing access off West End will be utilised and a drive will run alongside the western boundary, leading to the second dwelling towards the rear of the site. This will also be two storeys in height and have four first floor bedrooms. This property will have a detached garage with storage space above. The dwellings will be traditional in appearance and will be raised by 0.5m to mitigate against any potential risk from flooding.
- 3.2 The submitted scheme shows that a significant range of environmental benefits will be included both in terms of the site and the buildings. These enhancements include:
- Building the dwellings to an air tightness of < 3 m³/hr/m².
 - Orientating the dwellings to maximise solar gain and including photovoltaic solar panels on the main south facing roof.
 - Heating to be provided by an air source heat pump.
 - Electric vehicle charging point and cycle storage provided.
 - Rainwater harvesting to be installed.
 - Fully permeable driveway and parking area.
 - Comprehensive landscaping scheme including native trees, native mixed hedging, wildflower margins, flower beds planted with scented flowers to attract moths and night flying insects and to provide foraging for bats.
 - Incorporation of bat roosts and nest boxes.

4 PLANNING POLICY

- 4.1 Policies within the East Lindsey District Council Local Plan (2018) that are relevant to this proposal include:
- SP1 A Sustainable Pattern of Places
 - SP2 Sustainable Development
 - SP3 Housing Growth and the Location of inland Growth
 - SP10 Design
 - SP16 Inland Flood Risk
 - SP22 Transport and Accessibility
 - SP23 Landscape
 - SP24 Biodiversity and Geodiversity
- 4.2 Relevant sections from the National Planning Policy Framework (NPPF) include:

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| Section 2 | Achieving sustainable development |
| Section 4 | Decision-making |
| Section 5 | Delivering a sufficient supply of homes |
| Section 9 | Promoting sustainable transport |
| Section 11 | Making effective use of land |
| Section 12 | Achieving well-designed places |
| Section 14 | Meeting the challenge of climate change, flooding and coastal change |

4.3 There is no neighbourhood plan for Hogsthorpe.

4.4 The main planning issues in this case are:

- Principle of development
- Character of the Area
- Residential amenity
- Highway safety
- Flood Risk

PRINCIPLE

4.5 The site is located within Hogsthorpe, which is defined as a 'large village' in SP1 of the Local Plan. Policy SP3 sets out the Council's minimum housing requirement over the plan period (2017-2031) of 7819 houses: a figure which includes existing commitments as well as allocations. Table B in the Plan sets out how the allocation figure would be divided up between the inland towns and large villages. For Hogsthorpe it advises that an allocation of 91 dwellings is required, and the Settlements Proposals Document shows that this allocation is divided up over two sites. One of these sites is located immediately to the east and as previously discussed has already been granted outline planning permission for the erection of up to 89 no. dwellings.

4.6 Whilst the application site is not allocated in the Settlement Proposals Document for housing, the Local Plan recognises that the allocations and existing commitments represent a minimum housing figure and that other suitable sites may come forward during the plan period. As such Clause 4 of SP3 deals with 'windfall' sites within the towns and large villages. This states that housing growth on windfall sites in 'appropriate locations' within the settlement or immediately adjacent the 'developed footprint' will be supported.

4.7 To qualify as an 'appropriate location', Clause 4 states that the site should, once developed:

- *retain the core shape and form of the settlement;*
- *not significantly harm the settlement's character and appearance; and*

- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.*
- *Be connected to the settlement by way of a footpath.*

4.8 As previously set out in Section 2, the site has a large allocated/outline approved residential site immediately to the east as well as dwellings on the adjacent side of the road and further out of the village to the west. As such redeveloping the site to provide two dwellings would not affect the core shape and form of the settlement. Being one of the first sites seen on the northern side of West End when approaching the village and taking into consideration the neighbouring permission for a substantial residential development, it is considered that redeveloping the site will enhance the character of the village and its rural setting. In terms of connectivity the site is connected to the wide facilities in the village by the illuminated footpath along West End.

4.9 As will be set out in the following paragraphs, when taken as a whole the proposed development does not conflict with other relevant local and national policies and as such can be considered an ‘appropriate location’.

4.10 The ‘developed footprint’ of a settlement is defined as the continuous built form of the settlement and excludes:

- *individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- *gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- *outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.*

Due to the adjoining approved development the site is clearly part of the village and is not part of an outlying or dispersed area.

4.11 When considering the principle of development, it is relevant to consider other planning legislation which is more current than the 2018 Local Plan. One such material consideration is that the existing building would be suitable for conversion under Class MA of the Town and Country Planning General Permitted Development Order. This allows the conversion of buildings falling within Use Class E to dwellings subject to certain conditions and limitations, which from the 5th March 2024 no longer includes a limit to the floor space that can be converted and there is no requirement for the building to be vacant for 3 months. Activities such as a dance studio under indoor sports and recreation and therefore Use Class E as opposed to a dance hall which is a more formal setting in sui generis. Whilst a full assessment of the conditions has not

been carried out, it is considered that the existing building could realistically be converted into two dwellings using this permitted development right. As such the site could be put into residential use without the need for planning permission, although prior approval is still required. The fact that the existing building could be converted to 2 no. dwellings under Class MA is a material consideration which weighs in favour of utilising the site for residential development.

4.12 As well as enabling commercial sites to be reused for housing, the Government has also recently placed renewed emphasis on reusing brownfield land to deliver the housing that is needed.

4.13 Although the 2018 Local Plan predates the more up to date Class MA, it is still important to note that it does provide support for housing on brownfield sites within the flood zone. In this case, Hogsthorpe is not listed as a settlement within 'Coastal East Lindsey' and is therefore covered by Policy SP16 (Inland Flood Risk). Paragraph 9.12 of the supporting text to this policy states:

Whilst housing development will normally be guided away from areas of flood risk, the Council has to take into account that there will be occasions when sites within the areas of inland flood risk (zones 2 and 3) will require regeneration. It is important that these areas do not become blighted and cause amenity issues in settlements. These are brownfield sites that have become empty, buildings that have become disused and run down or a combination of both. On those occasions, the Council will expect developers to evidence that they have tried to develop/market sites for a business, leisure or commercial use. This is because alternative uses to housing in areas of high flood risk will always be preferred. Brownfield sites in towns, large villages, medium and small villages that are only partly in areas of flood risk will be supported for housing, providing that the development only takes place on the area of low flood risk and does not conflict with any other policies for town centre development in this plan.

Clause 2 of SP16 states that the Council will support housing in areas of inland flood risk, providing all the following criteria are complied with:

- A site needs regeneration and is not suitable for a business, leisure and commercial use.
- The site is brownfield and has become empty, buildings have become disused and run down or a combination of both.
- Applications should evidence that they have tried to develop/market sites for a business, leisure, or commercial use, this includes active marketing for a minimum of 12 months.

- 4.14 In this context the site is brownfield as its current planning use as dance studio and car park and its previous use being for commercial storage yard. As already set out, it is considered that the site needs to be regenerated to provide a more acceptable setting to the village. Using the site for an alternative business, leisure or commercial use is not considered appropriate given the strong residential context that the site is now within. In addition, the Local Plans requirement for marketing to ensure that there are no alternative uses other than residential is outdated and has been superseded by more recent legislation such as Class MA.
- 4.15 In addition to the Local Plan, the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. For decision taking this means *'Approving development proposals that accord with an up-to-date development plan without delay'*. In decision making this means Local Planning Authorities should work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. These three overarching objectives of sustainable development are interdependent and need to be pursued in mutually supportive ways.
- 4.16 Utilising this brownfield site to provide two traditionally designed and high-quality dwellings would clearly meet the sustainable development needs of the area in terms of economic, community or environmental benefits. Looking at these issues in turn:

ECONOMIC BENEFITS

The construction of two new dwellings on the site would bring some benefit to the local economy both during the construction phase and afterwards through the increased use of local facilities and from the additional Council Tax receipts.

COMMUNITY BENEFITS

The proposal will provide community benefits in that it would provide two family homes which have good access to services and facilities. The enhancement of the site is also a benefit to the wider community. As the dwellings are within walking distance of the wide range of village facilities, the occupants are highly likely to use, ensuring that they remain viable. This is a benefit to the community of Hogsthorpe and the surrounding communities who rely on its facilities.

ENVIRONMENTAL BENEFITS

The existing site is considered to be relatively low in biodiversity value. As shown on the submitted plans and listed in Section 3.2, redeveloping the site provides the opportunity for a significant range of environmental benefits. Although not a mandatory requirement at the time of submission, a significant net gain in biodiversity will be achieved by the number of benefits proposed.

- 4.17 Overall, development of this site will provide the economic, social, and environmental benefits required to meet the NPPF's aims for sustainable development.
- 4.18 In summary, the site is within the 'large village' of Hogsthorpe, which is recognised as a sustainable location for new housing. This windfall site is within the developed footprint of the village due to existing dwellings and the large residential development which has been approved immediately to the east. The fact that the building could be converted for residential use under Class MA is a material consideration which weighs in favour of the proposal. The regeneration of this brownfield site will significantly enhance the village and will provide a range of economic, social and environmental benefits in accordance the requirements of the NPPF. Overall, the site is an appropriate windfall site, and the principle of the development is acceptable.

IMPACT ON THE CHARACTER OF THE AREA

- 4.19 Policy SP10 (Design) requires the use of high-quality materials and a layout, scale, massing, height, and density that reflect the character of the surrounding area. This reflects the requirements of section 12 of the NPPF which provides the approach to achieving well-designed places at the national level.
- 4.20 The proposed dwellings have been designed to be appropriate for the location and to have the character and appearance of traditional Lincolnshire houses. They will be built in red brick and will have slate roofs to blend with the photovoltaic panels on the front/south facing elevations. The redevelopment of the site to provide two sensitively dwellings will enhance rather than harm the character of the site and the countryside setting of the village. As such the proposals accords with the design criteria in SP10.

RESIDENTIAL AMENITY

- 4.21 Criteria 5 of SP10, states that development will be supported if it is designed so it does not unacceptably harm the residential amenity.
- 4.22 The internal layouts of the dwellings have been designed to avoid any harmful effect on the neighbouring development to the east, with only obscure glazed first-floor side windows on the eastern elevations. All first-floor bedrooms either face south towards West End, overlooking the gardens to the rear or beyond the village to the west. The separation distance to the dwellings on the adjacent site of West End far exceeds the usual recommended and more than adequate space has been provided between the dwellings. Consequently, there will be no harmful effect on residential amenity.

HIGHWAYS SAFETY

- 4.23 Policy SP22 sets out the criteria for transport and accessibility for development. The site is within the 30mph speed limit and visibility is good in both directions. There will be ample space for parking and for vehicles to turn and manoeuvre within the site. Together with the fact that the development has the potential to reduce the amount of traffic using the site, the proposal will have no harmful effect on highways safety.

FLOOD RISK

- 4.24 A separate Flood Risk Assessment accompanies the application. This demonstrates how the proposal passes the Sequential and Exception tests sets out the mitigation measures which are to be incorporated within the proposed development to address and reduce the risk of flooding to within acceptable levels. These measures include raising the finished floor levels 500mm so that they are above the worst-case flood depths. A Flood Warning and Evacuation Plan has also been produced and accompanies the planning application.

IMPACT ON BIODIVERSITY AND GEODIVERSITY

- 4.25 Policy SP24 of the Local Plan and Section 15 of the NPPF requires development proposals to protect and enhance the biodiversity and geodiversity value of land and buildings. The existing site is considered to be relatively low in biodiversity value. As shown on the submitted plans, redeveloping the site provides the opportunity for a significant range of environmental benefits and the scheme includes extensive native planting throughout. Although not a mandatory requirement at the time of submission, a significant net gain in biodiversity will be achieved by the number of benefits proposed, therefore complying with SP24.

5 CONCLUSIONS

- 5.1 The redevelopment of the site for a residential use complies with the relevant policies within the ELDC Local Plan and the sustainability objectives of the National Planning Policy Framework. The reasons why a marketing exercise have not been carried out are clearly explained and justified. Additionally, the fact that the building could be converted to residential via Class MA of the General Permitted Development Order make the need for this exercise unnecessary. The principle of development is acceptable and accords with the requirements of SP3 and SP16 of the Local Plan.
- 5.2 The proposed dwelling will have no adverse amenity impacts, there will be no effect on highways safety, and it will be in keeping with the character of the locality. The

enhancement of the site in terms of character and appearance weigh heavily in favour of the development.

- 5.3 Subject to the use of appropriate conditions the proposal is in accordance with policies SP2, SP3, SP4, SP10, SP16 and SP23 and with relevant paragraphs of the NPPF.