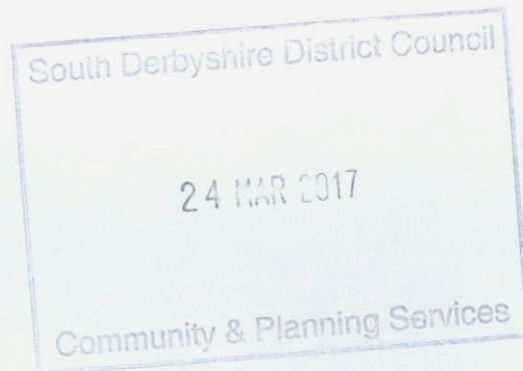


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Design, Access & Planning Statement

Erection of 4 No Mobile Homes, Greenacre Park,
Church Street, Coton In The Elms, Swadlingcote, DE12
8EZ.



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Introduction

This statement is submitted in support of the erection of 4 No Mobile Homes, Greenacre Park, Church Street, Coton In The Elms, Swadlingcote, DE12 8EZ.

This Statement has been prepared in accordance with the requirements of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the provisions of the Town and Country Planning (General Development Procedure) (Amendment) Order 2010 and Town and Country Planning (Development Management Procedure) (Amendment) Order 2015.

In accordance with the National Planning Policy Guidance (NPPG), the level of detail presented in this statement is proportionate to the scale and complexity of the application. References were made to the relevant planning policies. These are predominantly the adopted and saved Local Plan policies as they take primacy in the determination of such an application where they are NPPF & NPPG compliant.

Relevant Planning Policy

National:

NPPF & NPPG

Adopted Local Plan:

Policy S1, Policy S2, Policy S4, Policy H1 & Policy H20.

Principle of development

The NPPF identifies three dimensions to sustainable development giving rise for the planning system to perform the roles below:

“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Furthermore, LP policy should follow the approach of the presumption in favour of sustainable development where such development should be approved without delay. On this basis, the Government is committed to ensuring the planning system supports all sustainable economic growth and that the system, should not act as an impediment to such proposals.

The Written Ministerial Statement Planning for Growth and Laying the Foundations emphasized the Government's approach to house building and the need to provide action to build more houses and to boost economic growth. Although now superseded by the NPPG,

it remains fully reinforced by the NPPF where Paragraph 17 sets out 12 principles that planning should achieve. Paragraph 47 indicates that the Government's aim is to boost significantly the supply of housing.

The Annual Monitoring Report 1st April 2013 – 31st March 2014 states:

"For many years, the district has been the fastest growing in Derbyshire and is currently the 13th fastest growing District in England and Wales by population growth in percentage terms and 3rd fastest in respect of household growth¹. Official forecasts anticipate the population increasing to over 115,000 by 2031. This reflects the fact that the area offers a high quality of life and is a place people want to live.

The population is not just growing – it is also becoming older and more diverse. The number of people aged 65 or over is expected to account for 26.6% of the population by 2031 compared to just 19.9% in 2011."

The newly adopted Local Plan recognises South Derbyshire is one of the fastest growing areas of the country and the population is also becoming older and more diverse with implications for the types of housing, facilities and support services that will be needed in the future. Market needs suggest that around 12,618 additional homes are needed between 2011 and 2028.

In these circumstances the Framework directs that housing applications should be considered in the context of the presumption in favour of sustainable development. The site is within close proximity of the existing settlement boundary and directly adjacent existing residential properties where the development of this type is supported in terms of both National and LP policy. This is particularly so where the proposal is relatively modest and has a close relationship with the existing built form.

Two recent appeal decisions have confirmed this position related to 70 dwellings at Davenham (DCS Number 200-004-081) and 113 dwellings near Northwich (DCS Number 200-004-082). In common with South Derbyshire, the associated councils had recently adopted a new local plan that was free from legal challenge and both Inspectors concluded that the Council could prove a five-year supply.

It was considered both proposals had a degree of conflict in relation to the local plan's locational requirements, since both were greenfield sites lying outside defined settlement boundaries. However, permission was granted because of the social and economic benefits of the proposals arising from the delivery of new market and affordable housing.

The Davenham Inspector opined: "While the site is not currently needed in order to ensure an adequate supply of deliverable sites, there is nothing in the National Planning Policy Framework to suggest that the existence of a five-year supply should be regarded as a cap on further development."

As already noted the Annual Monitoring Report 1st April 2013 – 31st March 2014 states:

"The population is not just growing – it is also becoming older and more diverse. The number of people aged 65 or over is expected to account for 26.6% of the population by 2031 compared to just 19.9% in 2011."

In responding to the findings of the Annual Monitoring Report and newly adopted policy the whole park is to be available to only those 50 or over and this agreement was made by the park management and relevant Council department and is therefore enforceable.

In this respect the proposal is compliant with Policy H1 as the site is directly adjacent to the existing park and local service village and can be treated as an exception providing for the ageing population. Additionally the proposal is wholly compliant with Policy H20 that states:

"Policy H20 Housing Balance

A The Council will seek to provide a balance of housing that includes a mix of dwelling type, tenure, size and density. The overall mix of housing will take account of the Strategic Housing Market Assessment (SHMA) and Local Housing Needs Study.

B The density of any site will be considered individually as there is no evidence to support a set density across all sites.

C Any housing development would be expected to make the most efficient use of the land whilst taking into account what is appropriate for the surrounding local built and natural environment.

D The viability of a development will be considered through determining a schemes housing mix.

E The Council will also promote a mix of housing that is suitable and adaptable for different groups of people such as single occupiers, people with disabilities, people wanting to build their own homes and the ageing population of the District.

The Council want to ensure that as well as getting the right amount of housing in the right location that the mix of dwelling type, size and density provided on each site is appropriate. Provision of the wrong housing balance may lead to people moving outside of the District, more land than is necessary being used or a site being harmful to the character of the area."

Given the established nature and tenure of Greenacre Park and the material considerations cited above, the application is considered acceptable in principle as the proposal would be in accordance with the provisions of the NPPF and assist the LPA to:

"deliver a choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities taking into account future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand."

Local List Requirements

Due to the scale and nature of the proposal, the level of detail submitted with the application is considered proportionate. Schedule 4 of the DMPO details the statutory consultations required before the grant of permission. If during the determination period the statutory consultees request additional information and this is not provided by the applicant, the LPA could refuse the application for this reason. On this basis this section forms a notice under Article 12(1) (DMPO Amended July 2015) as the applicant considers the submitted information meets the requirements set out in article 34(6)(c) and any other information contained in the adopted Local List should be waived allowing the immediate validation of the application.

Amount

Planning policies and decisions should no longer attempt to impose architectural styles however it is proper to seek to promote or reinforce local distinctiveness.

The layout identifies how the mobile homes can be comfortably accommodated on the site reflecting the existing density and layout of the existing built form thereby preserving the established character of the locality. This will be further reinforced by incorporating complementary design and materials to achieve balance and proportion combined with an appropriate landscaping scheme in accordance with paragraph 57 of the Framework.

Access & Parking

Parking can be accommodated within the scheme to meet the necessary highway authority requirements. The modest amount of development will have a negligible impact on existing vehicle movements therefore the impact of the development will have 'nil detriment' and will not adversely affect the current road network capacity.

The site is located within walking distance of nearby bus stops (Route 22) meaning all local services and facilities are easily reachable by methods of transport other than the private car thereby meeting the policy objectives of the NPPF which state:

"Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."

Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities."

Ecology & landscaping

Paragraph 113 of the NPPF states:

"Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks."

With reference to paragraph 113, the site is not included within a local designation and is utilised as grazing land. As such it is unsuitable habitat for any type of protected species and is of 'limited wildlife value' consisting of improved grassland (England Field Unit 2007). The existing mature vegetation worthy of retention will be managed and retained where appropriate to assimilate the development into the edge of settlement location. This can be further supplemented with additional planting of native species to preserve the character and appearance of the area. Therefore in terms of any surveys on related matters, appropriately worded pre-commencement conditions can be imposed should this be considered necessary.

Affordable Housing & S106 Contributions

On Friday 28th November 2014 Brandon Lewis announced a Ministerial Statement which confirmed:

"Due to the disproportionate burden of developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions".

And

"We expect implementation of these measures to have a significant positive impact on housing numbers by unlocking small-scale development and boosting the attractiveness of brownfield sites. This will provide real incentive for small builders and to people looking to build their own home. They will increase house building and help reduce the cost of such housing."

In the High Court in July of 2015 two Councils secured the quashing of the new policy. However, the Court of Appeal on the 12th May 2016 handed down its decision on the appeal by the Secretary of State against the quashing order (**[2016] EWCA Civ 441**) and the Court of Appeal has allowed the Secretary of State's appeal on all four grounds.

The Community Infrastructure Levy (CIL) Regulations 2010, Part 11, Regulation 122 provides a statutory duty in respect of planning obligations and requires them to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed.

Any contributions sought by the LPA will have to provide a site specific analysis of the impact of the proposed development upon on existing services. A description of how the contributions would be spent to specifically address those impacts and the timeframe will also form part of the justification.

If the LPA can demonstrate that any contributions are necessary to make the development acceptable in planning terms, that they are directly related, are fairly and reasonably related in scale and kind to the development, then in accordance with Regulation 122, the applicant would agree to the request of the associated contributions. The contribution will be secured via a signed Unilateral Undertaking or S106 upon receipt of the detailed justification supplied to the applicant by the LPA.

Flood Risk & Drainage

The Environment Agency flood zone map identifies the site as lying within Flood Zone 1 (Low Probability) with no significant risk from fluvial or tidal sources. Alternative sources of flood risk, such as sewer flooding and pluvial run-off have been considered and there is no significant flood risk posed from any other source. Foul water drainage is to be discharged into the existing foul water drainage system which discharges into Church Lane and surface water discharged to a rainwater harvesting system with overflow to soakaway. Details are annotated accordingly on the planning drawings supporting the application.

Conclusion & Justification

Paragraph 49 of the Framework directs that housing applications should be considered in the context of the presumption in favour of sustainable development. With the proposal reflecting the existing grain of development, the scheme would not detrimentally affect the setting of the village, amenities of neighbouring properties or compromise highway safety. By contributing to the Council's 5 year rolling supply of housing, the scheme represents the type of organic, integrated and sustainable growth that is appropriate within the local context given the direction of travel of newly adopted policy.

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