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NG31 6TT

23 April 2024

Our Ref: 88112857/3/BE/MB

**Submitted via email:** [planningpolicy@southkesteven.gov.uk](mailto:planningpolicy@southkesteven.gov.uk)

Dear Sirs,

## **SOUTH KESTEVEN DISTRICT COUNCIL: REGULATION 18 DRAFT LOCAL PLAN CONSULTATION**

These representations have been prepared by Freeths LLP on behalf of our client, G W Padley Holdings Limited ("our client"), in response to South Kesteven District Council's Regulation 18 draft Local Plan consultation. Our client owns Land to the West of Thistleton Lane and South of Harrold Road, as shown on the enclosed Title Plan. Part of this land forms part of allocation SKPR-275 / LV-H10.

In summary, while our client supports the continued allocation of Thistleton Lane and Mill Lane (ref. SKPR-275 / LV-H10) in principle, restricting the extent of the allocation as per the adopted Local Plan misses an opportunity to optimise development, and is likely to stifle delivery.

Our client therefore objects to the extent of the site allocation, and requests that the allocation is extended to also include the poultry farm which lies immediately to the south and east. This section of the site which is not already allocated is a logical extension to the allocation and village, being well contained by existing landscape buffers to the west and south, and Thistleton Lane to the east. Indeed, it was identified as 'suitable and viable' as part of the Council's Strategic Housing Land Availability Assessment undertaken in June 2017 (the proposed extended site allocation boundary should follow the extent of the site put forward in 2017).

As demonstrated through this submission, the site continues to be deliverable as defined in the National Planning Policy Framework (NPPF, 2023) i.e. suitable, available, and achievable for residential development. In addition, it is imperative that a variety of sites are allocated for housing across the District and South Witham, in order to provide choice to the market and headroom for delivery, especially given the national housing crisis. By extending the allocation to cover this area of the site also, this would allow for the comprehensive development of a logical site area, including

previously developed land – the redevelopment of which is supported by the NPPF. It would also significantly assist in the delivery of development.

### **Key Background Information**

The site currently comprises an area of agricultural land, a poultry farm and an existing residential dwelling (10 Thistleton Lane). Access to the existing dwelling, poultry farm and agricultural land is taken via a priority T junction with Thistleton Lane along the site's eastern boundary.

The northern part of this land is allocated for residential development under Policy LV-H10 of the Council's adopted Local Plan. Additional land to the north, abutting Mill Lane/High Street, is also included within this allocation, but is outside of our client's control. The poultry farm to the south (which is owned by our client) is not included within the site allocation, but immediately abuts it.

The entirety of the land in our client's ownership was submitted to the Council as part of its 2017 Strategic Housing Land Availability Assessment, under site ref. SOU14-71. This promoted the site for residential development of up to 45 dwellings. The Council deemed the site to be 'suitable and viable' as a redevelopment and infill site. Nevertheless, the Council only included part of the site within site allocation ref. LV-H10, i.e. excluding the poultry farm. It is unclear why this was the case.

In terms of planning history, our client's land ownership has not been subject to any relevant planning applications. The portion of the allocation to the north of Harold Road (outside of our client's control) is however currently subject to an outline planning application, with all matters reserved except access, for the construction of 18no. residential dwellings (ref. S22/1241). This application was validated in June 2022 and remains pending determination. It is noted that the application does not contain an indicative layout, only an access drawing which shows vehicular access directly from Mill Lane to the north.

### **Draft Policy H1: Housing Allocations / Site Allocation Ref. SKPR-275 (LV-H10): Thistleton Lane and Mill Lane**

The National Planning Policy Framework (NPPF, 2023) is clear that the achievement of 'Sustainable Development' is key aim of the planning system. To do so, planning authorities must deliver a sufficient number and range of homes, whilst ensuring that communities are served by accessible services and facilities that reflect current and future needs. Paragraph 123 of the NPPF encourages planning policies to make as much use as possible of previously-developed or 'brownfield' land.

In addition, it is imperative that a variety of size and types of sites are allocated for housing across the District in order to provide choice to the market and headroom for delivery, especially given the national housing crisis. South Witham, being a Larger Village, is an appropriate location for such growth.

Our client, while supporting the continued allocation of Thistleton Lane and Mill Lane (ref. SKPR-275 / LV-H10), does object to the extent of the site allocation because it does not include the poultry farm to the immediate south and east, which could unlock delivery of this site. As such, our client requests that the site allocation is extended to also include the poultry farm. This section of the site which is not already allocated is a logical extension to the allocation and village, being well contained by existing landscape buffers to the west and south, and Thistleton Lane to the east. It provides an

opportunity to deliver a comprehensive development site, utilising an area of previously developed land, which is supported by the NPPF. By extending the allocation, it could accelerate delivery, with access achieved via Thistleton Road.

As is noted above, an application for the northern portion of the wider allocation (outside of our client's control) remains pending determination (having been submitted almost 2 years ago). It is understood from the planning application submission documents that an indicative layout was not included with the submission because the Applicant was unsure as to how the remainder of the site (i.e. our client's land) was proposed to be delivered. Our client would be seeking to submit a planning application in the very near future covering all land in their control, and this could therefore unlock the delivery of this whole site allocation in the short term, contributing towards the Council's housing land supply at the start of the new Plan period.

Paragraph 69 of the NPPF confirms that planning policies should identify a supply of specific, deliverable sites for years one to five of the Plan period, and also specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the Plan.

The glossary (Annex 2) to the NPPF confirms that in order for a site to be considered deliverable, they should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. The NPPF glossary also confirms that to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

The National Planning Policy Guidance (NPPG) provides further guidance in relation to these matters as follows:

- **Suitability:** The NPPG confirms that a site can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated (Paragraph: 018 Reference ID: 3-018-20190722).
- **Availability:** The NPPG states that a site can be considered available for development, when, on the best information available, there is confidence that there are no legal or ownership impediments to development. Land controlled by a landowner who has expressed an intention to develop may be considered available (Paragraph: 019 Reference ID: 3-019-20190722).
- **Achievability:** The NPPG confirms a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period (Paragraph: 020 Reference ID: 3-020-20190722). In this respect, the below therefore provides an assessment of this site in terms of its suitability, availability and achievability.

In this respect, the below therefore provides an assessment of this site in terms of its suitability, availability and achievability.

### Suitability

The site is located to the edge of a highly sustainable settlement for housing, as identified by local planning policy, and in addition, land to the north of this site is already proposed for allocation for residential development.

South Witham scored highly in the Settlement Hierarchy Review undertaken by the Council (February 2024), with a score of 45 (the highest other scores for the Larger Villages being 59, 49 and 46). This score was primarily based on each settlement's relative accessibility to a range of services, facilities and employment opportunities.

In terms of technical constraints (including access, topography, contamination, minerals and waste, flood risk, ecology, landscape and heritage), these do not pose a constraint to development and where necessary, are capable of being mitigated through a sensitive layout/design and use of planning conditions. The site is therefore considered suitable for development.

Early transport advice has been sought from Bryan G Hall and this confirms that access to the site could be taken in the vicinity of the existing access i.e. off Thistleton Lane, designed in accordance with Manual for Streets and its guidance on design and visibility.

### Availability

The site is owned by G W Padley Holdings Limited. The poultry farm is currently leased to a third party, with the lease expiring towards the end of 2025. Therefore, the site is considered available for residential development in the short term.

### Achievability

While no specific viability work has been undertaken to date, on the basis that there are no known/overriding technical constraints at this stage, the development of this site for housing development is likely to be economically viable, consistent with the wider allocated site.

There are not expected to be any significant abnormal costs. The deliverability of the site is supported by the existing allocation. The site is therefore considered achievable for residential development.

As can be seen from the above, the site is clearly deliverable for residential development, and could play an important role in delivering sustainable residential development in South Witham in the short term. Development of this site would enable the Council to maximise the delivery of housing for the Plan period, forming a logical extension to existing site allocation and village, on a contained parcel of land.

To assist, a sketch drawing is enclosed which shows how the area of land in our client's ownership could be developed. For clarity, this would include both the area of land in our client's ownership which is already included within the site allocation, and also the poultry farm land which is currently not included within the site allocation.

In terms of the site layout, access is proposed from Thistleton Lane, and a potential vehicular connection to the north is also indicated on the plan. The layout will retain the existing landscape

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buffers to the west and south of the site, with the western buffer supplemented to ensure appropriate separation from the adjacent quarry site. In addition, the layout provides for sustainable urban drainage features and open green space.

Given the above, it is requested that the Council extends the allocation to include this portion of the site for residential development in the emerging Local Plan, to create a comprehensive and logical development site.

We trust that these representations will be taken into consideration in the formulation of the draft Local Plan. In the meantime, should you require any further information, or wish to discuss any element of this submission, please do not hesitate to contact me, or my colleague, Mark Bassett.

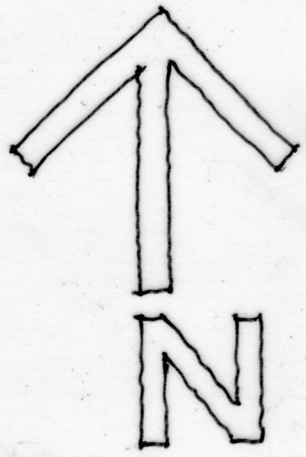
Yours sincerely

*This letter is approved but unsigned as it is sent electronically.*

Beth Evans

Senior Associate

Please respond by e-mail where possible



Rectory Sherwood House

The Old Chapel

HAROLD ROAD

SITE ENTRANCE

THISTLETON LANE

RAILWAY

Enlarge existing boundary planting

potential link

prominent elevation closing vista

Roof design used to change direction

\* Dual aspect building on prominent corners

Use strong built-form to frame & overlook open space

New buildings to face public spaces to provide natural surveillance

open space & location for surface water attenuation basin

gardens

rear gardens

rear gardens

rear gardens

rear gardens

strong elevation to close vista

Site area 4.5 acres



Scale Bar metres

**Richard Ward Design**  
Chartered Architectural Technologist  
Architectural Design & Development Consultant  
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Weston Favell  
Northampton  
NN3 3PH  
Telephone: 01604410943

**Land off Thistleton Lane  
SOUTH WITHAM, GRANTHAM**

Proposed Residential Development  
Indicative Site Layout

**G. W. Padley Holdings Limited**

Scale 1:500 @A2 Date 05.04.24 Dwg. No. 1228-02a

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