

PLANNING STATEMENT

Proposed Configuration of Layout to the Replacement of The Village Hall with Two Detached Dwellings at The Millfields, Lamplugh, Cumbria

1. Introduction

1.1 This Planning Statement supports an application for the reconfiguration and redesign of the area of the site known as Back Lane. This includes the replacement of the proposed village hall with two detached dwellings and amendment of the Section 106 Agreement.

1.2 Matters in relation to layout, design and access are dealt with separately in the accompanying Design and Access Statement.

2.0 Planning History

2.1 Planning Permission was granted in 2018 (4/17/2182/0F1 refers) for 26 dwellings and a Village Hall. Planning Permission was subject to obligations contained in an Agreement under S106 of the Town and Country Planning Act 1990 relating to:

- (a) the provision of a Village Hall.
- (b) the management and maintenance of common areas and facilities.

2.2 Following the grant of planning permission development has commenced, a number of changes have been made to individual house designs, the S106 Agreement has been amended requiring the Village Hall to be made available for community use before the occupation of the thirteenth unit.

3.0 The Village Hall

3.1 The Village Hall element of the scheme was unilaterally proposed by the Applicant as part of application 4/17/2182/0F1. The Applicant had conducted

pre consultation enquiries with members of the Village Hall Committee. These consultations revealed the following:

- The Village Hall was well used by a range of community groups. The Village Hall Committee had concluded that due to the age and disrepair the existing hall was no longer fit for purpose and was in need of complete redevelopment.
- The Village Hall Committee had taken steps towards securing grant funding for a new Village Hall.
- The Applicant considered that there were constraints relating to the development of the new Village Hall on the existing site which would prevent or delay its delivery.
- The proposed development of 26 houses (initially submitted as 27) would to some degree increase demand for the Village Hall and that some form of mitigation was appropriate. At the point of submission, the provision of a new Village Hall site was considered to be the most certain, sustainable and deliverable means of providing a new Village Hall.

3.2 Following submission of the planning application there were a substantial number of objections. A number of the objections related to the inclusion of the Village Hall. Significantly, this included objections from Lamplugh Village Hall Committee, Lamplugh Parish Council and local residents. The members of the Lamplugh Village Hall Committee who supported the proposed Village Hall on

the development site resigned from the Committee at a very early stage of the Application process.

3.3 Lamplugh Village Hall Committee and Lamplugh Parish Council advocated that the new Village Hall should be developed on the existing site. The Applicant retained the Village Hall in the proposal, effectively to provide a contingency that the uncertainties relating to the re-development of the existing Village Hall could not be resolved.

3.4 Notwithstanding the inclusion of the Village Hall in the approved scheme, the Lamplugh Village Hall Committee have continued with their proposal to redevelop a Village Hall on its existing site. It is understood the status of the proposal on the existing site is as follows:

- Planning permission has been granted for the redevelopment of the Village Hall site to include the erection of a new Village Hall on the land to the rear of the existing building.
- The transfer of land acquired from the adjoining landowner is agreed and is at a relatively advanced stage.
- A significant proportion of the build costs have been secured. It is understood that a shortfall exists, and the Village Hall Committee is currently engaged in fundraising to secure the shortfall.

3.5 The Applicant recognises that the overwhelming wishes of the majority of the community is that the new Village Hall should be provided on the existing site. It is understood that this is supported by the main stakeholders including Lamplugh Village Hall Committee and Lamplugh Parish Council. The

Applicant does not in any way wish to frustrate the community's wishes. It appears that the majority of the constraints of developing on the existing site have been overcome and that it is highly likely the new Village Hall will be delivered on the existing site.

3.6 There appears to be concern from all parties that continuing with both proposals may result in a number of adverse effects. This includes;

- The failure to deliver a Village Hall on the site of the community's choice.
- If both Village Halls are delivered there would be serious issues of viability. There is potential that the universal wish to provide a new Village Hall could result in two competing facilities and unintended consequence of two charities in the parish with the same objectives.

3.7 It is important that the new Village Hall is viable and delivers the desired outcomes for the community. Some consideration has been given to the Charity Commission's advice relating to Village Halls and Community Centres. It is logical that support is given to the existing charity and its objectives.

3.8 The Applicants proposal is to delete the Village Hall element from the scheme and to replace it with a financial contribution towards offsite provision. It is necessary to consider the legal and planning policy framework of this proposal. Paragraph 56 of the National Planning Policy Framework (NPPF) provides a summary of the tests to be followed by a Planning Authority when seeking a planning obligation. Planning obligations must only be sought where they meet the following tests:

- (a) necessary to make the development acceptable in planning terms.
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

3.10 Policy SS4 of the Copeland Local Plan 2013-2028 (CLP) relates to community and cultural services. The policy anticipates that some development proposals will increase demand of certain community facilities and services. In these cases, the Council will expect developers to contribute to their provision, enlargement, improvement or enhanced maintenance in accordance with CLP Policy ST4 and Local Development Documents.

3.11 Policy ST4 anticipates that the Council would bring forward a Supplemental Planning Document (SPD) relating to developer contributions for infrastructure. This would set the range and level of contributions which may be sought, and this document may be the basis of a future Community Infrastructure Levy (CIL). It should be noted that neither an SPD relating to developer contributions or CIL has been introduced. It is therefore necessary to make a balanced judgement based on paragraph 56 to determine:

- (a) whether a contribution should be made towards community services.
- (b) the amount of the contribution in order that it is fairly and reasonably related in scale and kind to the development.

3.12 It is accepted by all parties that the existing Village Hall is very well used and provides a range of community services. Due to the age and repair of the existing building its replacement with a modern building is considered to be the most economical means of providing a Village Hall with a sustainable long-term

future. It is considered that the standard for a modern rural Village Hall would be as follows:

- A facility which offers extended access to all community groups at competitive rates.
- As a high-quality main hall suitable for a variety of uses with the possibility of a smaller separate meeting space.
- All facilities including toilets should be fully accessible and compliant with the Disability Discrimination Act.
- Includes a sizeable kitchen/catering area.
- It is designed with significant energy efficiency measures in place.
- Where possible future management/revenue costs are kept to a minimum.

4.0 Developer Contributions

4.1 The development of 26 houses as approved by Planning Application 4/17/2182/0F1 would have some impact on the need for community services and in this sense the obligation can be considered directly related to the development. It is then necessary to relate any mitigation of this impact fairly and reasonably in relation to the scale of development. This revised proposal will provide for a total development of 28 houses. This should be set proportionately in the context of the existing need for Community Services and the potential increased need for Community Services in Lamplugh.

4.2 In the absence of a developer contribution SPD it is necessary to formulate a methodology which is reasonable to calculate the contribution. This Planning Statement provides two possible methods for consideration.

4.3 The models are based on common formulas employed to determine developer contributions. These are arrangements adopted by other Local Planning Authorities including Cumbria County Council in its Planning Obligations Policy. This approach should be caveated by the fact that there is no detailed evidence base for community facility provision in Copeland. It is based on the assumption that a new Village Hall is needed in Lamplugh in accordance with the criteria set out in 3.12 of this statement.

4.4 If Copeland Borough Council had adopted a policy for community facility provision it is likely to have followed the following methodology to establish a fair and reasonable contribution.

1. An evidence base to establish the need for Community Centre and Village Hall provision within the borough
2. The level of existing provision
3. The amount of the existing provision would be deducted from the assessed need and would establish the shortfall in provision. To be effective this need would be established on a Parish, Ward or Settlement basis.
4. The estimated cost of providing new Community Centre and Village Hall provision based on a justifiable m² build rate.

5. The quantified need would then be related to either population or households in order that a fair and reasonable contribution could be applied to new development.

In this case points 4 and 5 have been used to give alternative calculations based on either population or households.

Population/Floor Area Model

4.5 The calculation is based on the following assumptions:

1. The need exists for a new Village Hall in Lamplugh Parish.
2. The size of the Village Hall is the approved Lamplugh Village Hall Committee Scheme of 271.5m² Gross Internal Area (GIA).
3. Current population of Lamplugh Parish **805** ¹
4. Average rural household occupancy is 2.27 persons.
5. The number of additional dwellings to be created is 28. The estimated population of new development 28 dwellings x 2.27 = **63.56**.
6. A reasonable build rate for the Village Hall building is £1,800.00 per/m². ³

¹ Paragraph 5.2.42 Cumbria County Council Planning Obligations
² *Policy Census 2011 (table KS102EW)*
³ *Appendix 1*

Population Model Calculation

$$271.5\text{m}^2 \times \text{£}1,800.00 = \text{£}488,700.00$$

Total estimated population 868.56

Floor area per person $271.5\text{m}^2 \div 868.56 = 0.312\text{m}^2$ per person.

$$0.312 \times 63.56 \text{ (new population)} = 19.83\text{m}^2$$

$$\text{Amount of contribution } 19.83\text{m}^2 \times \text{£}1,800.00 = \text{£}35,694.00$$

4.6 An alternative method of calculating the contribution is to use a household model. This is a common alternative method of calculating contributions and is also used in Cumbria County Council's Planning Obligations Policy. The household model adopts similar assumptions to the above in terms of estimated build cost and the calculation is as follows:

Household Model Calculation

Number of current households in Lamplugh Parish = **345**

Number of proposed dwellings = **28**

Total dwellings = **373**

Estimated cost of Village Hall $\text{£}488,700.00 \div 373 \text{ dwellings} = \text{£}1,310.19$ per dwelling

Contribution calculation – 28 dwellings $\times \text{£}1,310.19 = \text{£}36,685.32$

4.7 The Applicant considers that it is reasonable for the Council to adopt either the population or household model in calculating the contribution. It is the Applicants proposal that the sum of £36,685.32 is a fair and reasonable contribution to the provision of the Village Hall and community facilities in the Parish of Lamplugh (“the Contribution”).

4.8 The Applicant proposes to pay the Contribution on completion of the new Planning Obligation (effectively the grant of planning permission). This removes any uncertainty regarding timing of payments or delivery of the Village Hall relative to the occupation of a set number of dwelling (thirteen in the case of current planning permission).

4.9 In order to ensure that the Contribution is applied for its planning purpose it will be paid in escrow. The Contribution will be held in escrow for the relevant period and paid to the Lamplugh Village Hall Committee on receipt of confirmation in writing by the Local Planning Authority that the new hall has reached damp proof course level. This approach will ensure the planning purpose is achieved and will allow Lamplugh Village Hall Committee to plan the financing of the project.

5.0 Housing

5.1 The provision of two additional dwellings on the site requires consideration in the context of planning policy and the extant planning permission. It is proposed to replace the Village Hall and associated car parking with two detached dwellings. This includes a two story, three bedroomed dwelling designed in the local agrarian vernacular and a three bedroomed bungalow. The village green and pavilion will be retained as public open space.

5.2 The relevant Planning Policies are contained in the NPPF. The Copeland Local Plan 2013-2028 (CLP) and the Council's Interim Housing Policy (IHP). The IHP does not form part of the development plan. The Council uses the IHP as a material planning consideration to assess development.

5.3 The Council cannot demonstrate a 5 year housing land supply and as such a number of the relevant development plan policies for determining this application are out of date. This does not mean that they carry no weight, weight should be afforded to the policies according to their degree of consistency with the NPPF.

5.4 Policy ST2 of the CLP sets the Council's Spatial Development Strategy. The policy restricts development outside defined settlement boundaries except in certain circumstances. Given the status of the CLP Policy ST2 can only be given limited weight in so far as it is consistent with paragraph 79 of the NPPF. Paragraph 79 of the NPPF advises that planning policies and decisions should avoid development of isolated homes in the countryside except in certain circumstances.

5.5 Whilst the site is outside the settlement boundaries defined in the CLP the proposed dwellings cannot be considered as isolated homes in the countryside in the context of paragraph 79. The proposed dwellings will be within a site boundary of The Millfields development approved under application 4/17/2182/0F1. If the extant planning permission is developed out the application site would be occupied by a Village Hall building and associated car parking.

5.6 In the Court of Appeal case Braintree DC v SSCLG, Greyread Limited & Granville Developments Limited interpreted the word "isolated" when applicable to "isolated" homes in the countryside should be used in the plain sense of a dwelling that is physically separate or remote from the settlement. The

proposed dwellings will not in any way appear remote from the settlement. The dwellings are immediately adjoined to the south by the detached dwelling on Plot 15 and to the existing dwelling “Mill Howe” directly north and the Inglenook Caravan Park to the east. The dwellings will very much appear as an integral part of the Millfields development.

5.7 Paragraph 78 of the NPPF promotes sustainable development in rural areas. Housing should be located where it will enhance or maintain the vitality of rural communities. This was an important consideration in the determination of application 4/17/2182/0F1. The concentration of new housing development on a single site in Lamplugh was considered to be the most sustainable option and one which would contribute positively to rural services and avoid sporadic or isolated development in the various areas which form the non-nucleated settlement of Lamplugh. The IHP can be used as a guide to material planning considerations. The consideration of this application in the context of the IHP are consistent with the assessment made of application 4/17/2182/0F1 in that the development is in accordance with the aims and objectives of the IHP. In particular it will deliver high quality housing to meet proven local need.

5.8 This revised scheme will contribute positively towards the provision of the new Village Hall in the location of the community’s choice. The Lamplugh Village Hall Committee’s scheme is now sufficiently advanced that it will progress to fruition. This revised scheme removes the risk of a competing facility.

5.9 The courtyard arrangement will provide a logical and attractive conclusion to the Back Lane area of the development. Furthermore, the additional housing will contribute towards the management company which will maintain in perpetuity the Public Open Space and high quality environment created by the development.

6.0 Conclusion

6.1 This reconfiguration of the site will assist the delivery of the Village Hall in the location of the community's choice. The developer contribution relates fairly and reasonably to the scale and type of development. With the approval of planning application 4/17/2182/0F1 the Lamplugh Village Hall Committee has continued to bring forward the proposed redevelopment on the existing site. It is highly likely that the Lamplugh Village Hall Committee Scheme will progress.

6.2 The proposed dwellings will form part of the approved development at the Millfields. The site is the focus for housing development to serve the settlement of Lamplugh. Concentrating housing development on a single site is considered to be the most sustainable option to meet the housing needs of the local area. Furthermore, the type and quality of housing proposed has wider economic and social benefits for the borough in terms of attracting and retaining higher wage earners within the borough.

6.3 The proposal is consistent with Development Plan Policy and the National Planning Policy Framework and will contribute positively to the supply of housing stock and the high quality development at The Millfields.

APPENDIX 1