

<b>APPLICATION NO</b>	<b>PA/2017/422</b>
<b>APPLICANT</b>	North Lincolnshire Council
<b>DEVELOPMENT</b>	Planning permission to erect a proposed education and visitor centre
<b>LOCATION</b>	Messingham Road, south of Hallbrook Court, Bottesford, DN16 3TS
<b>PARISH</b>	Bottesford
<b>WARD</b>	Bottesford
<b>CASE OFFICER</b>	James Roberts
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Bottesford Town Council  Member 'call in' (Councillors Margaret Armiger and John Davison – significant public interest)
<b>POLICIES</b>	

**National Planning Policy Framework:** Paragraph 11 states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 – at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 34 – developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 – plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

Paragraph 37 – 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.

Paragraph 56 – good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 60 – planning decisions should not attempt to impose architectural styles or particular tastes, and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 70 – local planning authorities should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Paragraphs 128 and 129 require an applicant to submit sufficient information about the significance of any heritage assets that their proposals may affect that allows the local planning authority to assess the degree of impact on heritage assets and their settings, and how this impact may be mitigated, if at all; paragraph 128 states that consultation of the HER is a requirement of this assessment process.

Paragraph 135 – the effects of an application on non-designated heritage assets are a material consideration and local planning authorities are directed to have regard to the scale of any harm or loss and the significance of the heritage asset when judging the planning balance.

#### **North Lincolnshire Local Plan:**

Policy T1 – Location of Development

Policy T2 – Access to Development

Policy DS1 – General Requirements

Policy DS14 - Foul Sewage and Surface Water Drainage

Policy DS11 – Polluting Activities

#### **North Lincolnshire Core Strategy:**

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS22 – Community Facilities and Services

Policy CS23 – Sport, Recreation and Open Space

## **CONSULTATIONS**

**Severn Trent Water Ltd:** No objections subject to a condition.

**Drainage:** No objections subject to a condition.

**Environmental Health:** No objections subject to a condition.

**Public Rights of Way:** No objections.

**Environment Agency:** No objections.

## **TOWN COUNCIL**

Objects on the grounds of insufficient parking provision and flood risk concerns.

## **PUBLICITY**

The application has been advertised by site notice. Eight letters of objection have been received raising the following concerns:

- The proposal will increase flood risk in the area.
- The proposal will unacceptably increase parking demand in the area and there is currently insufficient provision for this.
- The proposal will cause disturbance at neighbouring properties.
- The proposal will detract from the character of the area.
- The proposal will harm neighbouring living conditions.
- The proposal may attract antisocial behaviour.
- The proposal should be relocated.
- The proposal is unnecessary and a waste of public funds.

## **ASSESSMENT**

The application site comprises a grassed area adjacent to Bottesford Beck, Bottesford. The site is outside the development limits for the urban area and sits to the south of residential properties. The site is adjacent to a cluster of trees and it is understood that there is a mains drain running adjacent to the site.

Full planning permission is sought for the construction of a visitor centre. The proposed centre would be developed in the form of a single, detached building featuring a hipped roof design. The building would be limited to single-storey only and would contain toilets and a small kitchen area. The remaining area within the building would be an open plan visitor facility.

## **Principle**

Policy RD2 of the North Lincolnshire Local Plan applies and states that planning permission will only be granted for development which is essential for the provision of outdoor sport, countryside recreation or local community facilities. It is considered that a visitor centre comprises a development essential for the provision of countryside recreation and outdoor sport; the use is therefore acceptable in principle. The proposal will increase the range of facilities at the site and will be directly linked to a network of public rights of way which traverse the site.

## **Design**

The proposed building is a simple, hipped roof structure which would be single-storey only. The structure would be constructed using timber cladding as the predominant external material which is considered acceptable given the transitional nature of the site on the edge of the settlement. The proposal is relatively small-scale and it is considered that it would not have an unacceptable impact on the character of the site or surrounding area.

## **Impact on neighbours**

It is acknowledged that the site is located directly to the south of residential properties. However, it is also acknowledged that the building is single-storey only and features a hipped roof design which slopes away from the nearest dwelling. It is therefore considered, on balance, that the proposal would not unacceptably impact on privacy/light levels at any neighbouring dwelling.

Whilst the use of the site as a visitor centre (with small kitchen) would result in some increases in noise/disturbance, it is considered that these are likely to be low-level and would not unacceptably impact on neighbouring living conditions.

## **Flood risk/drainage**

The Environment Agency has confirmed that the site is in flood zone 1. Furthermore, the council's Drainage team and Severn Trent have offered no objections to the scheme subject to conditions. It is therefore considered that the proposal would not unacceptably increase risk of flooding and would not place excessive strain on drainage infrastructure.

## **Highways**

The proposal would not benefit from any dedicated off-street parking and it is understood that the proposal may attract further visitors to the area. However, the site is located in a sustainable location with good access to public transport links. Furthermore, it is considered likely that a significant portion of visitors would visit the site on foot.

In light of these factors, and given that the site sits adjacent to an existing lay-by that would provide some parking provision, it is considered that the scheme would not unacceptably compromise vehicular or pedestrian safety.

## **Other issues**

The following issues, raised by the objector, have not been addressed in the above report:

- The proposal may attract antisocial behaviour – *no evidence has been supplied to support this suggestion and it is considered that any refusal on these grounds would not be justified.*
- The proposal should be relocated – *the proposal has been assessed on its individual merits as applied for.*
- The proposal is unnecessary and a waste of public funds – *this is not a material planning consideration.*

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: BS(0)01A and BS(0)02.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

**Part 1: Site Characteristics**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes

- adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

#### Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

No development shall take place until a scheme for the disposal of surface water and foul sewage has been agreed in writing by the local planning authority and the building shall not be brought into use until it is connected to the approved drainage system. The approved drainage system shall thereafter be retained and maintained for the lifetime of the development unless otherwise agreed in writing with the local planning authority.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

**PA/2017/422 – Site Location**



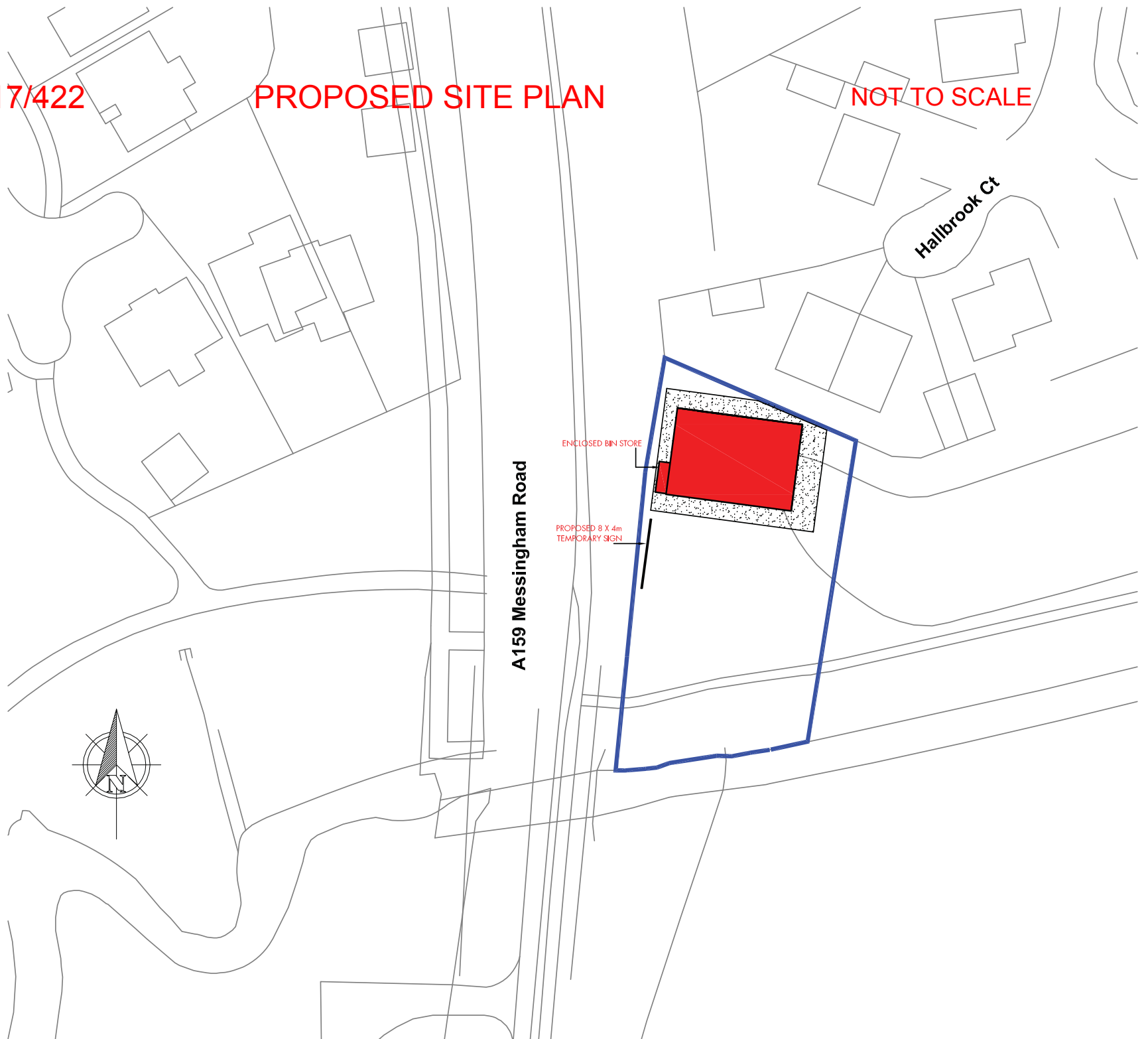
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PA/2017/422

PROPOSED SITE PLAN

NOT TO SCALE



A159 Messingham Road

Hallbrook Ct

ENCLOSED BIN STORE

PROPOSED 8 X 4m  
TEMPORARY SIGN

