

APPLICATION NO	PA/2017/1323
APPLICANT	Mr Mark Hutton, Trent View Medical Practice
DEVELOPMENT	Outline planning permission for a residential development with appearance, landscaping and scale reserved for subsequent approval
LOCATION	Land adjacent to Trent View Medical Practice, 45 Trent View, Keadby, DN17 3DR
PARISH	Keadby with Althorpe
WARD	Axholme North
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Subject to a Section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr John Briggs – significant public interest) Objection by Keadby Parish Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that 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 35 states that 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.

At paragraph 37 it states that 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 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 100 states that inappropriate development in areas at high risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Sequential and Exception Tests should be carried out to justify development, reduce the risk from flooding and steer development to those areas at lowest risk.

Paragraphs 15, 47, 50, 55, 56, 60, 61 and 99 to 103 also apply.

North Lincolnshire Local Plan: Policies DS1, H5, H8, T2, DS14 and DS16 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS19, CS9, CS7 and CS8 apply.

CONSULTATIONS

Highways: No objections subject to conditions. As the number of dwellings wholly served off a private drive exceeds five it will be necessary to exempt the development from APCs (S220 Highways Act 1980).

Archaeology: No objections.

Drainage: Advise a condition regarding surface water drainage/SuDS.

Spatial Planning: If 10 dwellings or less no Section 106 contributions required.

Fire & Rescue: Comments regarding access and water supply.

Severn Trent: Advise a condition regarding foul and surface water drainage.

Environment Agency: No objection subject to a condition regarding construction in accordance with the Flood Risk Assessment.

Environmental Health: Sensitive end use. Advise conditions regarding contamination and hours of construction.

PARISH COUNCIL

Object to the proposal on the following grounds:

- properties could be two-and-a-half/three storeys which could block sunlight to properties behind
- should be a maximum of eight dwellings, not nine
- parking difficulties with doctor's surgery for staff and visitors
- flooding and drainage issues.

PUBLICITY

Site and press notices have been posted. Three letters of objection have been received raising the following material issues:

- drainage/flooding/sewerage problems
- loss of light

- loss of privacy/overlooking
- increase in traffic/highway safety
- parking problems.

ASSESSMENT

The application site is currently an area of open space adjacent to an established doctor's surgery within the village of Keadby. The area is grassed with timber and palisade fencing surrounding. There are some scattered trees along the boundary to the site. There is a hard-paved area to the front of the site which is used as a car park for the adjacent doctor's surgery. There are residential properties surrounding the site, with a mix of terraced and semi-detached properties. The site lies within a flood zone 2/3a and is therefore considered at risk of flooding.

Planning permission was previously refused by members (PA/2016/966) in April this year for the following reason:

“Insufficient information has been provided to establish that the access and egress arrangements to the site are safe and would not conflict with residents' vehicles, the public footpath adjacent to the site or have an adverse impact on the surrounding highway network. The proposal is therefore contrary to policies T2 and DS1 of the North Lincolnshire Local Plan.”

This application seeks outline planning permission for residential development with appearance, landscaping and scale reserved for subsequent approval. The submitted layout plan shows nine dwellings in three blocks of semi-detached houses and one block of three link houses. Two parking spaces are proposed per dwelling with four visitor spaces. Ten parking spaces serving the doctor's surgery are proposed to the south of the proposed dwellings. The existing access road to the site will be retained to an adoptable standard to level with the front of the doctor's surgery, where it will become a private drive. The main changes to the proposal are to the access and parking arrangements to overcome the previous refusal.

The main issues in determining this application are whether the principle of residential development is acceptable on this site, and whether the proposal would outweigh the risk of flooding and be acceptable in terms of access, parking and highway safety.

Flood risk

The National Planning Policy Framework states that the sequential and exceptions test must be passed in order for development to be considered acceptable in terms of flood risk. With regard to the sequential test, as all of Keadby is within the same flood zone, there are no suitable sites available which are at less risk of flooding. With regard to the exceptions test, the site is considered sustainable as it is within walking distance of community facilities including shops, a school and doctor's surgery. It is also well served by public transport. It is proposed to include a minimum of three affordable units on the development which would provide a wider sustainable community benefit to meet the criteria of the exceptions test. The Environment Agency raises no objections to the proposal subject to conditions based on the Flood Risk Assessment.

Comments have been made regarding drainage problems. A condition is proposed to ensure that adequate drainage can be achieved on the site to alleviate any future problems.

Amenity

With regard to objections on amenity (overlooking, overshadowing, loss of light etc), these issues will be determined at reserved matters stage. However, from the submitted layout, there will be approximately 20 metres between the rear of the proposed dwellings and the dwellings on Day Close. This is considered an acceptable separation distance between residential properties and there should therefore be no overlooking or loss of privacy.

Access and parking

The previous application was refused due to concerns regarding access and egress to the site, together with parking issues and general impact on the highway network. This application provides details of the proposed access via the existing access, which will be widened and made up to an adoptable standard. This would lead onto a new private drive serving nine dwellings. Each of the dwellings would have two off-street parking spaces in front of each dwelling. To the south of the private drive are two bays, one for four visitor spaces and one for ten spaces for the doctors' surgery. This parking provision is a significant improvement on that proposed under the previous scheme and would provide adequate parking provision for residents, visitors and patients of the surgery. It should be noted that Highways have been notified and raise no objections to the proposal subject to conditions.

Sustainability

The site lies within the defined settlement boundary for Keadby and therefore is considered to be a sustainable location which is appropriate for residential development. The village is served by shops, a school, village hall, doctor's surgery and other community facilities which promote the sustainable nature of the settlement. It is not considered that the proposal would put pressure on such facilities, but support them by encouraging their use by local people. The provision of affordable housing on the site would also bring benefits to the local community, particularly as there is a proven local need for such housing.

Other issues

Environmental Health has requested conditions relating to contamination and hours of construction. There is no evidence of contamination on this site and therefore the standard monitoring condition is proposed. A condition relating to hours of construction is not considered necessary or appropriate to this site.

The proposal is considered to meet the criteria of the above policies and bring forward needed housing within both Keadby and North Lincolnshire. The flood risk issues have been overcome and other concerns raised can be overcome by the inclusion of conditions and with the submission of reserved matters.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for affordable housing, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Group Manager – Development Management and Building Control upon completion of the obligation;**
- (iii) if the obligation is not completed by 15 May 2018 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of the development being contrary to policy CS9 of the North Lincolnshire Core Strategy because of inadequate provision of affordable housing; and**
- (iv) the permission so granted be subject to the following conditions:**

1.

Approval of the details of the scale and appearance of the building(s), and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The development hereby permitted shall be carried out in accordance with the following approved layout plans: Drawing 1 of 1 Ref No: 952-17.

Reason

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

6.

No development shall take place until details showing the method of improving the vehicular/pedestrian access to the site as indicated in the application have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

None of the dwellings shall be occupied until the access to the site has been improved in accordance with the approved details.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

8.

Adequate vehicle parking and servicing facilities serving the doctor's surgery shall be provided in accordance with the submitted details and once provided these facilities shall be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

No development shall begin until details of the private driveway, including construction, drainage, lighting and, where appropriate, signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

11.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and

staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

12.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

13.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by UNDA (Ref:86355-Hutton-TrentVw, version Final v2.0 231116) dated November 2016, subsequently amended and submitted to North Lincolnshire Council on 22 August 2017 and the following mitigation measures detailed within the FRA:

- finished habitable floor levels to be set no lower than 4.4 metres above Ordnance Datum (AOD) as stipulated on page 14 of the FRA
- habitable floor levels to be set on the first floor with the ground floor constructed to include undercroft garage/parking and a store as stipulated on page 14 of the FRA.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

14.

No development shall take place until a strategy for the management of surface water drainage that includes the implementation of SuDS, and their adoption and maintenance arrangements, has been submitted to and agreed in writing by the local planning authority. This must be based around the submitted Flood Risk Assessment, prepared by UNDA. Ref: 86355-Hutton-TrentVw, Version: Final v2.0 231116, Dated : November 2016 and Drawing No: 95217, Dated 10/8/2017. Detailed ground investigation shall be carried out to support any infiltration proposals.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of

the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

15.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 14 above and shall be completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site. It shall thereafter be retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

16.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

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

Informative 1

This application must be read in conjunction with the relevant Section 106 Agreement.

Informative 2

The applicant's attention is drawn to the letter from the Environment Agency dated 12 September 2017.

Informative 3

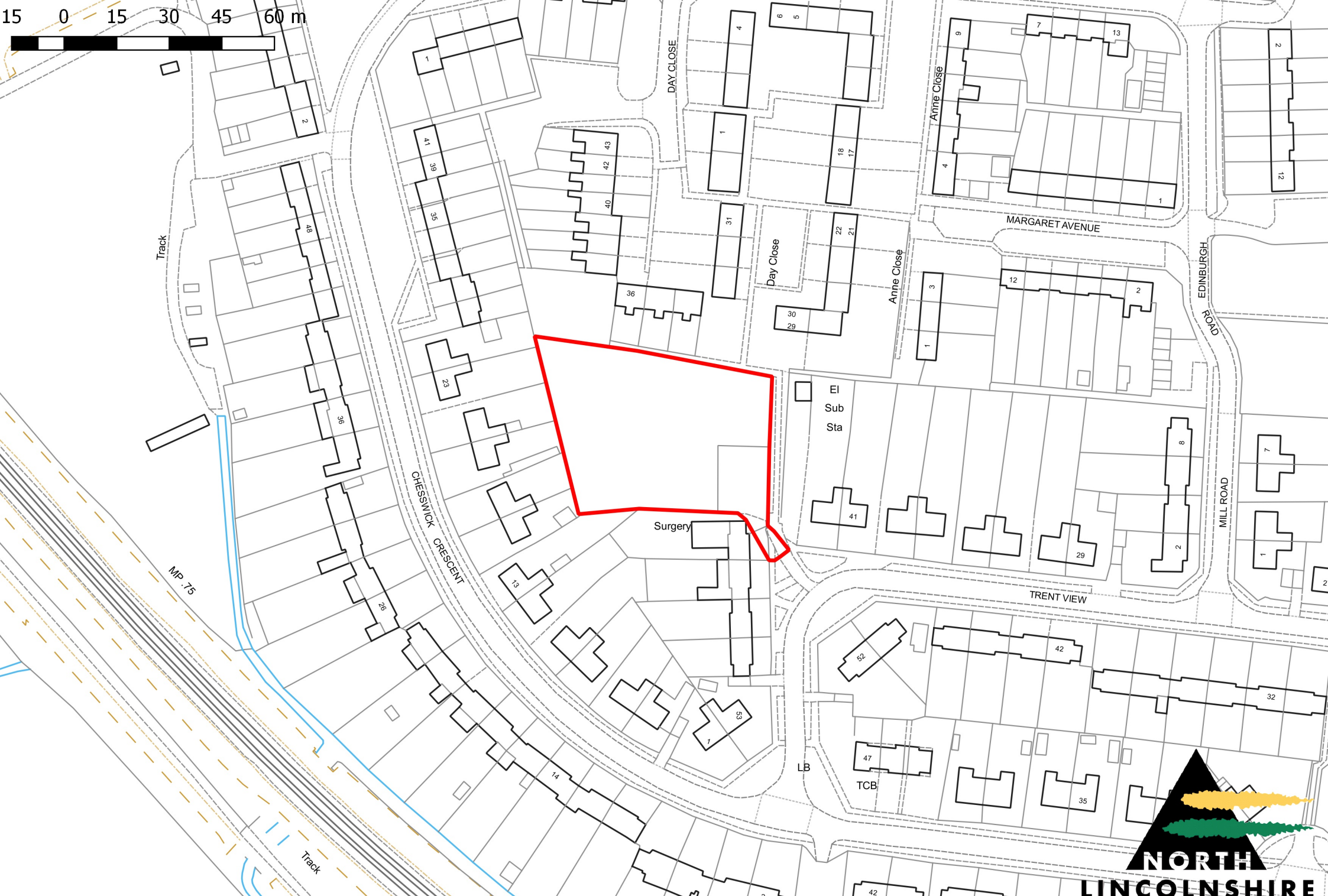
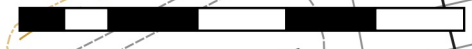
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 4

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.

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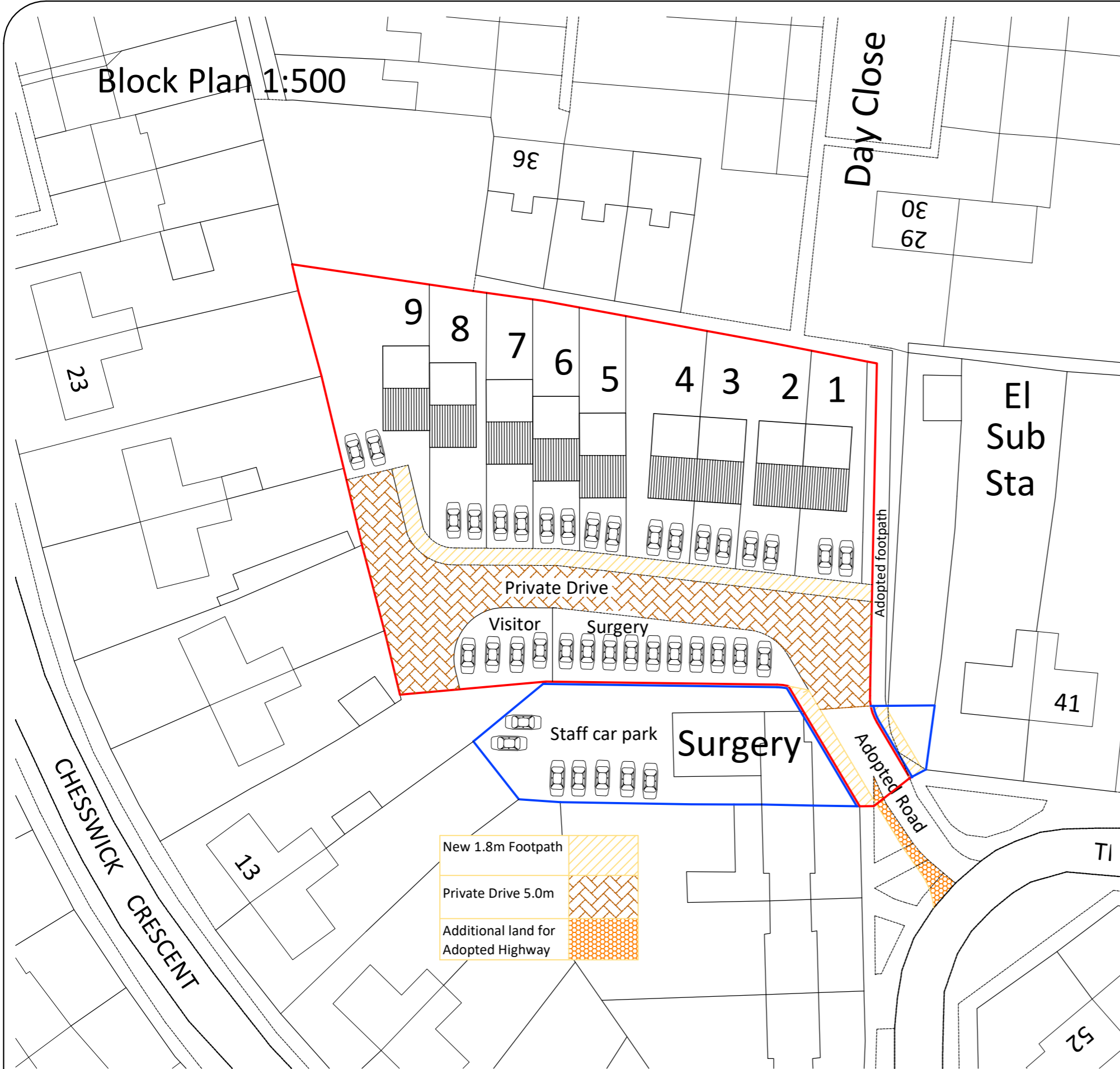


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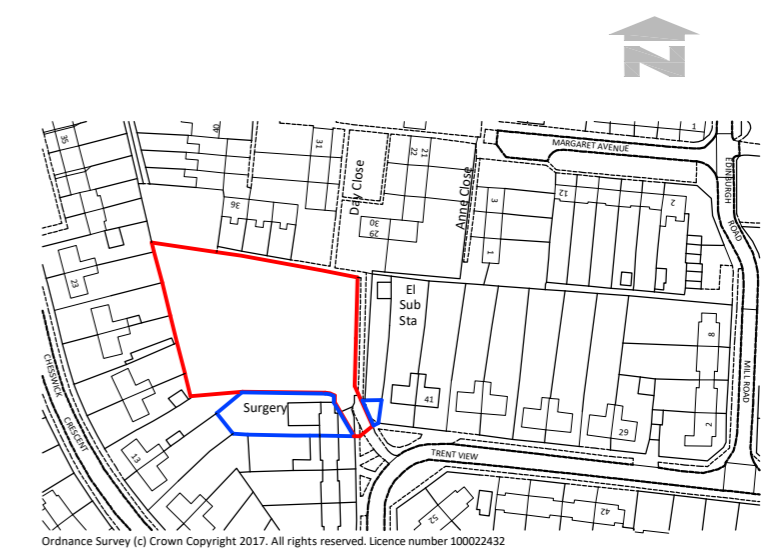
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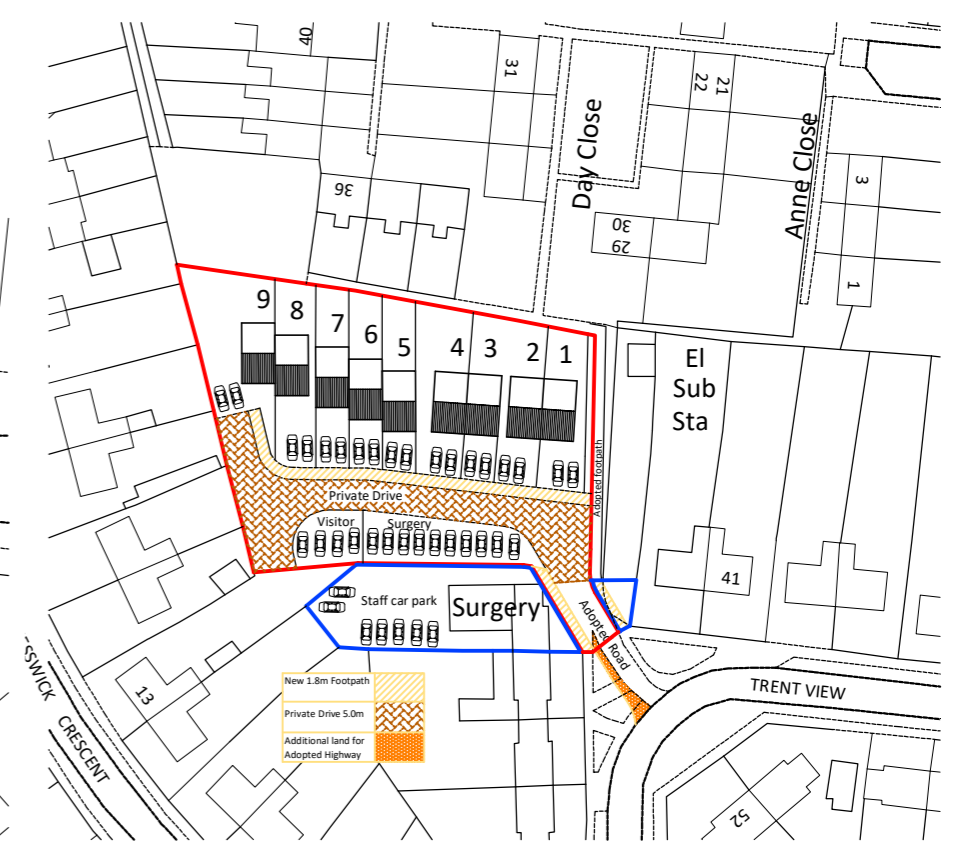
PA/2017/1323 - Proposed site layout - Not to scale



Location Plan 1:2500



Site Plan 1:1250



Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN	Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client Trent View Medical Practice				Proposal Residential Develoement at 45 Trent View Keadby, Scunthorpe, DN17 3DR		
		Date 10/8/17	Dwg No 1 of 1	Scale As noted				Drawing Location, Block and Site Plans
		Ref No 952-17						