

APPLICATION NO	PA/2017/1301
APPLICANT	Mrs M Osbourne
DEVELOPMENT	Outline planning permission for a residential development with all matters reserved for subsequent approval
LOCATION	Land north of 5 Commonside, Crowle, DN17 4EX
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle Town Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at “...the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”

The NPPF makes it clear that sustainable development comprises three strands: economic, social and environmental. It also states that sustainable developments should be approved without delay.

Paragraph 14 also states that in cases where the development plan is absent, silent or relevant policies are out of date, planning permission for sustainable development should normally be granted.

Paragraph 19 states that planning “...should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

Paragraph 34 states that plans and decisions should ensure developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

The NPPF places heavy emphasis on the delivery of new homes and paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 56 states that 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 states that planning policies and 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 style. It is, however, proper to seek to promote or reinforce local distinctiveness.

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 of 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.

Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided or adequately mitigated. Opportunities to incorporate biodiversity in and around developments should be encouraged.

The overarching message of the NPPF is that local planning authorities should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development.

North Lincolnshire Local Plan:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS7 (Overall Housing Provision)

CS19 (Flood Risk)

T2 (Access to Development)

DS1 (General Requirements)

CONSULTATIONS

Environment Agency: No objections subject to conditions.

Highways: No objections subject to conditions.

Environmental Health: Request further information in relation to land contamination.

TOWN COUNCIL

Object to the scheme on grounds of flood risk/drainage.

PUBLICITY

The application has been publicised by site notice. No comments have been received.

ASSESSMENT

Site

The application site comprises an area of side garden serving 5 Commonside, Crowle. The site is located within the development boundary for the settlement and is bounded by residential development to all sides. There is an existing residential garage which stands towards the front of the site.

There is a wide mix of properties along Commonside ranging from large detached dwellings to terraced properties. The site immediately to the north of the site has consent for the erection of a pair of semi-detached dwellings (PA/2016/334).

Proposal

This application seeks outline planning permission, with all matters reserved, for residential development on the site. As all matters are reserved for subsequent approval, details are not known at this stage of the number or type of dwellings and only the principle of residential development is being considered at this stage.

The main issue in the determination of this application is whether the principle of residential development is acceptable on the site.

Principle of development

The proposal seeks outline planning permission for residential development with all matters reserved. The site currently comprises the side garden of a property within an existing settlement (Crowle). Crowle is designated as a Market Town in the adopted Core Strategy. Policy CS2 states that development should be focused on previously developed land and buildings within the defined development limits of North Lincolnshire's Market Towns. Crowle is intended to accommodate some growth and this proposal would not be at odds with the broad spatial objectives for the area.

Policy H8 (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area and protects existing natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable land within the settlement boundary of Crowle; therefore there is a presumption in favour of residential development.

The proposal is considered to be a broadly sustainable form of development and the principle of development is considered acceptable.

Highways

The council's Highways team has offered no objections to the scheme subject to conditions. The precise access arrangement would need to be controlled at reserved matters stage. However, given the limited size of the site, it is considered that the

development of this site would be unlikely to result in a significant intensification in vehicular movements.

It is therefore considered that the proposal would not result in an unacceptable increase in vehicular movements and would not have an unacceptable impact on vehicular or pedestrian safety subject to further consideration at reserved matters stage.

Visual amenity

The site is within the settlement boundaries for Crowle and is surrounded by existing built form. Full design details would be provided and considered at reserved matters stage. Subject to careful consideration of the scheme at reserved matters stage, it is considered that the proposal would not have an unacceptable visual impact.

Drainage/flood risk

The site is located within Flood Zone 2/3a of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for vulnerable development, and there is a requirement for the sequential and exceptions tests to be applied and passed for the proposed development. A Flood Risk Assessment (FRA) has been submitted with the planning application, this contains an assessment of the sequential test and exceptions test. It is worth noting that the Environment Agency has already considered the contents of the Flood Risk Assessment and raised no objection.

The proposed development needs to be assessed against the sequential and the exceptions test. The agent has investigated sites within the settlement boundary for Crowle and concluded that there are no sites available which could reasonably accommodate the development and are at a lower risk of flooding (i.e. Flood Zone 1). It is considered that the sequential test is passed in this case.

The exceptions test then needs to be applied. The applicant has provided information in support of the planning application; this is contained within the FRA. This supporting information sets out how the development is considered to be sustainable in terms of proximity to local services and transport routes. In terms of community benefits, the supporting statement highlights the fact that the construction of the dwelling will create jobs for local tradesmen, it will support local services and all materials will be sourced locally.

Essentially, the two parts to the test require proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

It is considered that the revised FRA satisfactorily demonstrates that the development will be safe without increasing flood risk elsewhere. In addition, it is considered that sufficient justification has been submitted with the application to demonstrate that the proposal will deliver sustainable development in this part of Crowle and will be of wider community benefit, in that it will support existing services within the defined Market Town of Crowle. Therefore the proposal is considered to provide wider sustainability benefits which outweigh flood risk. Subsequently the exception test is passed in this case and the proposal is considered to comply with policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

Full details of drainage will need to be provided at reserved matters stage.

It is therefore considered that the proposal would not result in an unacceptable increase in risk from flooding in the area in accordance with policy CS19 and guidance contained within chapter 10 of the NPPF. Furthermore, the drainage implications of the scheme are considered acceptable.

Land contamination

The site is not known to contain contaminants. As such it is considered that a precautionary condition relating to this matter would be sufficient in this instance.

Residential amenity

No design details have been provided at this stage. However, the site is clearly large enough to accommodate at least one dwelling without adversely affecting privacy or daylight at neighbouring dwellings. Subject to a suitable design at reserved matters stage it is considered that the site can be developed for residential purposes without unacceptably impacting on neighbouring living conditions.

Conclusion

For the reasons set out above it is considered that the proposed development sufficiently accords with adopted planning policy and guidance. In light of all material considerations it is considered that the balance is in favour of the grant of planning permission.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the layout, scale, and appearance of the building(s), the means of access thereto 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 layout, scale, and appearance of any buildings to be erected, the means of access to the site 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.

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.

6.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated November 2017, including the following mitigation measures detailed within the FRA:

- finished floor levels to be no lower than 3.5 metres AOD
- flood resilient construction techniques and materials to be used for all parts of the buildings up to at least 4.4 metres AOD
- boilers to be located above flood levels and electrical circuits to be split to allow safe isolation of ground floor outlets.

The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

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

7.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and

- (ii) the number, location and layout of the vehicle parking space(s) within the curtilage of the site;

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.

8.

Adequate vehicle access and parking facilities serving the existing dwelling shall be retained in accordance with details to be 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.

9.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

10.

No development shall take place until details showing the provision of a footway across the whole of the site frontage have been submitted to and approved in writing by the local planning authority.

Reason

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

11.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

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

12.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to

and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

13.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

14.

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.

15.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

In the interests of visual amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

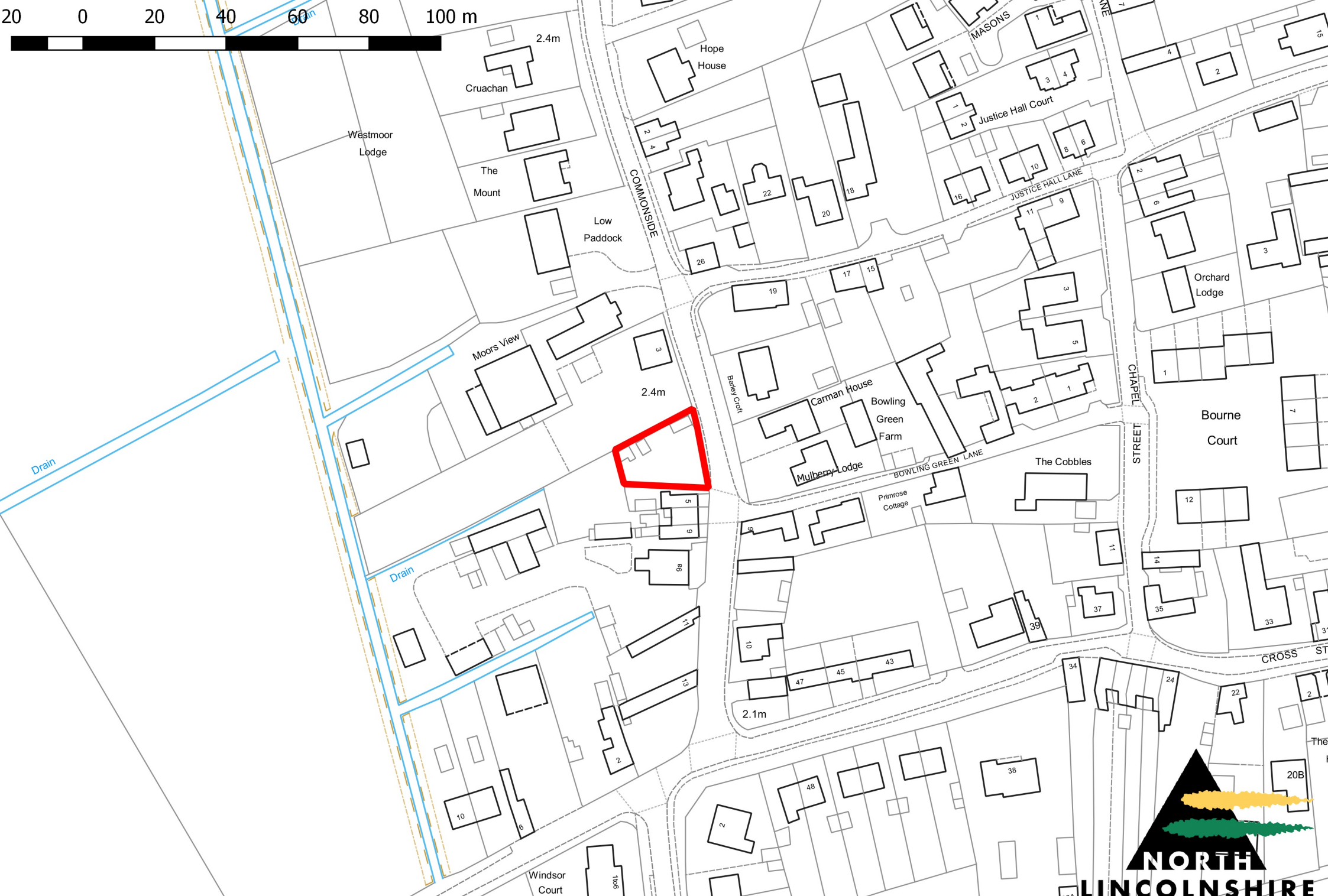
Informative 1

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 2

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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