

**APPLICATION NO** PA/2018/938

**APPLICANT** Mrs S A Hill & Miss R M Aked

**DEVELOPMENT** Planning permission to erect two detached dwellings

**LOCATION** Land adjoining The Old Vicarage, Church Street, Crowle

**PARISH** Crowle

**WARD** Axholme North

**CASE OFFICER** Leanne Pogson-Wray

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Crowle Town Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 11 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.

Section 5, Paragraphs 59-79 relate to Delivering a Sufficient Supply of Homes and states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraphs 124-132 state 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.

Paragraphs 155-165 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.

**North Lincolnshire Local Plan:** DS1 (General Requirements), H5 (New Housing Development), H8 (Housing Design and Housing Mix), HE2 (Development in Conservation Areas), HE5 (Development affecting Listed Buildings), T2 (Access to Development), T19 (Car Parking Provision and Standards), LC12 (Protection of Trees, Woodland and Hedgerows), DS16 (Flood Risk)

**North Lincolnshire Core Strategy:** CS1 (Spatial Strategy in North Lincolnshire), CS2 (Delivering more Sustainable Development), CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire), CS6 (Historic Environment), CS8 (Spatial Distribution of Housing Sites)

## CONSULTATIONS

**Highways:** No objections subject to conditions.

**Drainage Team:** No objection. Advise a condition regarding drainage.

**Tree Officer:** Need to ensure that the protective fencing is in place and not moved through any development. Also mitigation replacement green/tree planting needs to be conditioned to ensure any loss of trees is properly considered.

**HER:** Advise a condition regarding archaeological monitoring and recording.

**Environment Agency:** As finished floor level is over 4.1 metres above Ordnance Datum (AOD), no objections.

**Conservation:** No objection subject to conditions regarding materials and drawings of windows and doors.

## TOWN COUNCIL

Object to the proposal on grounds of inadequate sewerage.

## PUBLICITY

A site and press notice have been posted. No letters of representation have been received.

## ASSESSMENT

The application site is a part of an unused garden area of The Old Vicarage, a grade II listed building within Crowle conservation area. The site is a mix of grass and hardstanding. There is a detached brick and tile triple garage on the site with brick boundary walls to part of the north and east boundaries. There are fences to the west and southern boundaries. There are various mature trees and hedges along the boundaries of the site.

To the immediate north of the application site there are four town houses which have recently been erected on the site of a former church hall. These town houses are of traditional design with sash style windows with stone sills, and red multi brick and render with clay pantile roof. They are designed to be in keeping with the conservation area and enhance the appearance of the area and street scene. These town houses have very small rear gardens (less than 6 metres) with a brick boundary wall defining the rear boundary.

This application seeks permission to erect two detached dwellings. The dwellings will be simple in design with hipped roofs and an attached garage with a low pitched roof. A simple canopy porch is proposed over the front doors. The windows are modern casement windows with a roller shutter door proposed to the garage.

**The main issues in determining this application are whether the proposed dwellings would have any adverse impact on the character of the conservation area or on the amenity of neighbouring properties, and whether the development would result in any adverse impact on protected trees or result in an increased risk of flooding or create drainage issues.**

Planning permission has previously been granted under PA/2017/217 for one dwelling and a previous application for two dwellings on this site was refused under PA/2018/65 on grounds of loss of amenity to the properties to the north, poor design and inadequate parking and turning facilities. This scheme has been amended to improve the design of the dwellings by reducing the pitch of the garage roof and making changes to the window design to be more in keeping with the conservation area.

The principle of residential development on the site has been established with the granting of the 2017 permission. Two dwellings are considered appropriate for the site and the proposed layout would give sufficient amenity space to the dwellings whilst retaining good space around the listed building.

There is an existing vehicular access into the site although this is through two gates: one off Church Street onto an area of hardstanding and another gated access (with brick pillars between) into the application site. The proposed access turns into the site serving the dwellings. The previous application had inadequate access and parking facilities. This application has widened the access and provided two parking spaces per dwelling which is considered acceptable.

With regards to flood risk and drainage, the site lies within Flood Zone 2/3a and in an area where there are known drainage issues. The Environment Agency raise no objections to the application as the finished floor level will be over the critical level of 4.1 metres above Ordnance Datum. Whilst there are known surface water drainage issues with surface water being diverted to the foul drain, details are requested by condition to ensure that adequate drainage is achieved on the site. Foul water must be accepted by the sewerage company.

There are various mature trees on the site, all of which are protected as they are within a conservation area. A tree survey has been submitted with the application and no objections to the proposal have been raised subject to adequate protection of the trees during the course of development and an adequate landscaping scheme being agreed by condition.

The layout of the dwellings have been 'handed' and re-sited further south to allow greater separation to the dwellings to the north. The main part of the proposed dwelling (excluding the garage) will be 12.5 metres from the rear of the dwellings to the north, which is almost double the distance on the previous application. It is considered that this distance is an acceptable level of separation and as no windows are proposed on the side elevations it is not considered that the proposal would detract from the amenity of these properties.

The proposed scheme is considered to be of an acceptable design and layout and, with conditions regarding materials, it is not considered that the proposal would detract from the character of the conservation area or affect the setting of the adjacent listed building. The proposal is therefore considered to comply with the policies outlined above and is acceptable.

**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: LOCATION PLAN, SHRA/17/02 REVISED, SHRA/17/03 rev A and SHRA/17/04 rev A.

Reason

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

3.

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

Reason

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

4.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a Written Scheme of

Investigation that has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation by record of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy

- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

6.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

7.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date

of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction groundwork; the proposed archaeological mitigation strategy will ensure that any remains are appropriately recorded and a permanent archive created.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the development site is submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason

To prevent the increased risk of flooding in accordance with policies DS16 of the North Lincolnshire Local Plan, and CS18 and CS19 of the Core Strategy.

9.

At no time shall surface water be discharged to the foul sewer.

Reason

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

10.

No development shall take place until a scheme for the disposal of 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. Should the drainage scheme include soakaways, ground investigation details to support the feasibility of infiltration for the site, including infiltration tests comprising full scale tests to demonstrate long-term effectiveness and suitability, shall also be submitted with the drainage scheme.

Reason

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

11.

No development shall take place until detailed scaled drawings (at a scale of 1:10), together with details of materials of windows and doors, shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the agreed details.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To protect the existing protected trees on site in accordance with policy LC12 of the North Lincolnshire Local Plan.

13.

No development shall take place until proposals for landscaping have been submitted to and approved in writing by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

#### Reason

To enhance the appearance of the development in the interests of amenity.

14.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

#### Reason

To enhance the appearance of the development in the interests of amenity.

#### **Informative 1**

(i) Developers are advised to contact the North Lincolnshire Historic Environment Record for a discussion about the archaeological mitigation strategy at least 20 working days prior to the proposed commencement of development (email [alison.williams@northlincs.gov.uk](mailto:alison.williams@northlincs.gov.uk); telephone 01724 297471).

(ii) Measures to achieve preservation by record of any archaeological remains should include a programme of archaeological observation and recording work during all groundwork associated with the development, followed by appropriate assessment, analysis and reporting of the results. The Historic Environment Office can prepare a brief for this mitigation strategy; alternatively an archaeological contractor may prepare a specification for approval.

#### **Informative 2**

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 3**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.



Cross

St Oswald's Church

6.3m

CHURCH STREET

CHANCERY LANE

The Old Vicarage

War Meml

Vicarage

Community Resource Centre

VICAR'S WALK

Manor

Gardens

WEST TERRACE

BRUNYEE ROAD

6.6m

ESS

5.5m



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11a, 11, 7, 1, 37, 39, 42, 20a, 8 to 10, 12, 19, 17, 19b, 19c, 19d, 19e, 9 to 16, 1 to 8, 4, 1, 14, 8, 56, 58, 60, 64, 1, 2, 66, 45, 47