

APPLICATION NO	PA/2018/1446
APPLICANT	Mr Mark Pilkington
DEVELOPMENT	Outline planning permission to erect five dwellings, including the demolition of redundant farm buildings
LOCATION	The Farm Yard, Ferry Road, Graizelound, Haxey, DN9 2LY
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that 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 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy H8 (Housing Design and Mix)

Policy DS3 (Designing Out Crime)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking and Standards)

Policy LC14 (Area of Special Historic Landscape Interest)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

CONSULTATIONS

Highways: The site has previously had an agricultural use with associated vehicle movements and benefits from an existing access and extant permission for residential development. Would therefore be difficult to object on highway safety/traffic generation grounds.

As more than five dwellings would be wholly served by a private drive, it would be necessary to exempt the properties from charge under the Advanced Payments Code s219/220 of the Highways Act 1980.

Some concerns relating to layout and arrangement of parking and refuse collection. However, as layout is indicative only, conditions are proposed.

HER: The application site is located within the core historic landscape character type of the ancient open strip fields between Graizelound and East Lound. The site lies outside the development boundary and any residential development in this location would be an unacceptable intrusion and extension of the residential environment into the historic landscape.

The proposed development will be clearly visible from within the AOSF (Ancient Open Strip Fields) historic landscape from the roads and tracks to the north and east of the site. The effect of residential development in this location would be to extend the built environment into the historic landscape and would be an unacceptable visual intrusion that alters the appearance of and damages the legibility of the historic landscape. Any dwelling in this location would be highly visible and intrusive in the open landscape of the core historic landscape type; any proposal to screen such a development would be unacceptable as this would introduce a sense of enclosure that is at odds with the open landscape. Residential

development would result in the erosion of the key characteristic of openness at a highly visible location.

The proposed residential use would introduce inappropriate elements associated with domestic and recreational activities into the AOSF zone. As well as dwellings, these might include fencing, sheds, greenhouses, summerhouses and garden features, as well as other permitted development. Such items would not be related to the agricultural use of the historic landscape character.

Because the proposed development represents a change of use to residential that is not related to the traditional historic landscape character type of the open strip fields, and because it would introduce inappropriate development into this historic landscape in a highly sensitive visible location, it would damage the existing character and setting of the open strip field landscape between Graizelound and East Lound. As such it would be an unacceptable encroachment into the Area of Special Historic Landscape, and specifically into the most sensitive AOSF historic landscape character area.

Recommend refusal as it would adversely affect the character, appearance and setting of the historic landscape.

Yorkshire Water: The site is not within YW's operational area with respect to drainage of waste water but the developer should contact YW New supplies team regarding provision of a water supply.

Environment Agency: No objections based on submitted information.

Spatial Planning: No Section 106 contributions required.

Ecology: The proposal will not affect protected or priority species other than nesting birds. If permission is granted biodiversity enhancements will need to be secured.

Drainage: Advise conditions regarding SuDS/drainage.

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

Conservation: It is recommended that the 19th Century barn on the application site is retained and the residential development is designed in a sympathetic manner to complement the rural character of Graizelound.

PARISH COUNCIL

Objects to the proposal on the following grounds:

- Graizelound is a minimum growth hamlet and no evidence has been presented as to need for the type of housing proposed. Policy CS2 states 'small-scale developments within the defined development limits of rural settlements to meet identified local needs'.
- The site entrance/exit is on a potentially dangerous corner and the five house development could be considered over-development of the site, and no provision is made for visitor/services parking within the site.

- North Lincolnshire Council should take into consideration objections made by residents and neighbours.

PUBLICITY

A site and press notice have been posted. Three letters of objection have been received raising the following material issues:

- parking issues/lack of parking
- highway safety with agricultural traffic using the road
- poor visibility at access/impact on highway safety
- behind building line therefore out of character with area/layout of village
- noise and disturbance from access
- impact on amenity of neighbouring properties (overlooking, loss of light, visual impact)
- unsustainable regarding lack of jobs and school places and no amenities in Graizelound
- loss of wildlife
- drainage and sewerage issues.

Some non-material issues have also been raised, including water pressure and the presence of a historical right of way.

ASSESSMENT

The application site is a redundant farm which is predominantly in the development boundary for Graizelound. There is a very small section of hardstanding which is outside the development boundary. To the immediate west of the application site is a large formal agricultural building which benefits from permission under the prior approval process for partial demolition and conversion to three dwellings. This was under PA/2017/1539. There are agricultural buildings on this site which are to be demolished as part of this proposal to erect five dwellings on the site.

The main issues in determining this application are whether the proposal would have any adverse impact on the character and setting of the historic landscape, on the character of the area or on highway safety.

Principle

The application site is a brownfield site predominantly within the settlement boundary. Redundant agricultural buildings occupy the site with large areas of hardstanding and an area of green waste ground in the courtyard of the buildings. It is proposed to develop the site for five dwellings. An indicative layout has been submitted but, as all matters are reserved for subsequent approval, this is not being considered. As the majority of the site is within development limits, the site is considered to be sustainable and appropriate for development. The small area of land outside the settlement boundary is brownfield land and adjacent to the building to be converted to residential dwellings under PA/2017/1539.

As such it is very unlikely that this area will be used for dwellings due to the proximity to the building on the site.

The provision of dwellings within development limits should be supported, particularly in the absence of a five-year housing land supply. The principle of residential development on brownfield sites within this area is considered to be acceptable.

Historic landscape and conservation

An objection has been received from the Historic Environment Record Officer on grounds of impact on the character and setting of the Area of Historic Landscape Interest. All of Graizelound is within this landscape designation. There are open fields to the immediate north of the application site which have historic character and should be preserved. No part of the application site would encroach onto these fields and the site is entirely brownfield. Whilst it is accepted that there will be an impact onto the setting of this historic landscape there will not be a physical encroachment onto previously undeveloped land. The existing buildings are generally of poor quality and, with the exception of part of one small 19th century barn, the buildings do little to enhance the landscape.

The concerns from the HER officer are noted, however a planning balance must be made regarding impact on the landscape and the provision of sustainable residential development. It is considered that, with appropriate design, landscaping and boundary treatment to best preserve and enhance the surrounding area, impact on the landscape can be mitigated. The re-use of brownfield land and provision of housing within the development limits is considered to outweigh the impact on the historic landscape.

It is proposed to remove permitted development rights for all of the approved dwellings to prevent any uncontrolled structures and to allow control over any further impact on the historic landscape.

Comments have been made regarding the retention of a historic barn on the site. No part of the site is listed or is within a conservation area and there are no designations or protections on this building. The main barns are of poor quality, not in original form and with asbestos roofs. One part of a barn is in better condition. Whilst it would be preferable to retain this building as part of the redevelopment, and consideration could be given to this retention when a detailed application is being designed, there are no planning policy requirements to ensure that this building is retained. It should be noted that if a prior approval application to demolish this building were to be submitted, only the method of demolition could be considered.

Highways

There is an existing vehicular access to the site which was used for the previous agricultural use. This access was previously used by agricultural traffic and, as such, objections on grounds of highway safety cannot be substantiated. With the three dwellings approved on the adjacent site utilising the same access, the road would be exempt as there would be more than five dwellings wholly served from a private drive. Concerns have been raised regarding parking for the site; however, as this application is outline, with all matters reserved, conditions are proposed to ensure that adequate parking and refuse collection can be achieved.

Amenity

Comments have been received with regard to the amenity of neighbouring properties. As the application is an outline application, loss of light, privacy, overshadowing etc cannot be fully assessed; however, it is considered that there is sufficient space within the site for a residential development scheme which would not adversely affect the amenity of neighbouring properties. Any such potential impacts can be designed out at reserved matters stage. With regard to noise, as the previous use for agricultural purposes would have generated noisy traffic movements, it is not considered that residential development would be significantly worse than this use. A condition is proposed regarding hours of construction to minimise noise disturbance from this process.

Other issues

With regard to drainage, a condition is proposed to ensure that sufficient site drainage is achieved. Due to ground conditions, SuDS should be considered.

A condition is proposed to ensure appropriate biodiversity enhancements.

Concerns have been raised that the proposed development would be out of character with the area. Whilst the majority of residential development within the village is frontage development, the extant permission for conversion and the current built form of the site are material factors when considering character. The built form of the village will not be extended and the re-use of redundant buildings is considered to enhance the overall character of the area.

If permission for residential development was not approved, it is likely that no alternative use for this site could be sought due to the constraints of the site, age and structure of the buildings etc. As such it is likely that the buildings would fall further into disrepair and would have an adverse visual impact on the locality.

Concerns have been made regarding sustainability of the site and appropriateness for development. As the site is within the settlement boundary it is considered somewhat sustainable. Whilst Graizelound has no facilities, it is considered that this development would support the facilities within Haxey, which is supported by the National Planning Policy Framework.

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

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.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external 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.

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.

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.

6.

Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

In the interests of residential amenity.

7.

Prior to any demolition, site clearance or construction activities taking place, the applicant shall submit to the local planning authority a dust management plan for approval. The approved dust management plan shall be adhered to until the construction phase has been completed.

Reason

In the interests of residential amenity.

8.

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

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.

9.

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 vehicle parking and turning spaces 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.

10.

The existing vehicular access to the site shall be improved within highway limits 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.

11.

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.

12.

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.

13.

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.

14.

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.

15.

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.

16.

No dwelling on the site shall be occupied until adequate bin collection facilities serving the development have been provided adjacent to the adopted highway 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.

17.

Within six months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for written approval. The plan shall include:

- (a) details of bat roosting and bird nesting features to be installed on the new dwellings;
- (b) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (c) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (d) prescriptions for the retention, planting and aftercare of native trees and shrubs of high biodiversity value;
- (e) prescriptions for the creation of wetland habitat as part of sustainable urban drainage;
- (f) proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

18.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

19.

No development shall take place until a detailed flood risk statement and drainage strategy has been submitted to and approved in writing by the local planning authority. Detailed ground investigation details to support the feasibility of infiltration for the site are to be submitted to and approved in writing by the local planning authority. Infiltration tests should comprise full-scale tests to demonstrate long-term effectiveness and suitability.

Reason

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

20.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 19 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, and thereafter 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, in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

Informative 1

Geological records indicate the site to be underlain by mudstones which is a relatively impermeable deposit. Some investigation into the existing surface water drainage arrangements for current outbuildings should also be carried out.

Informative 2

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

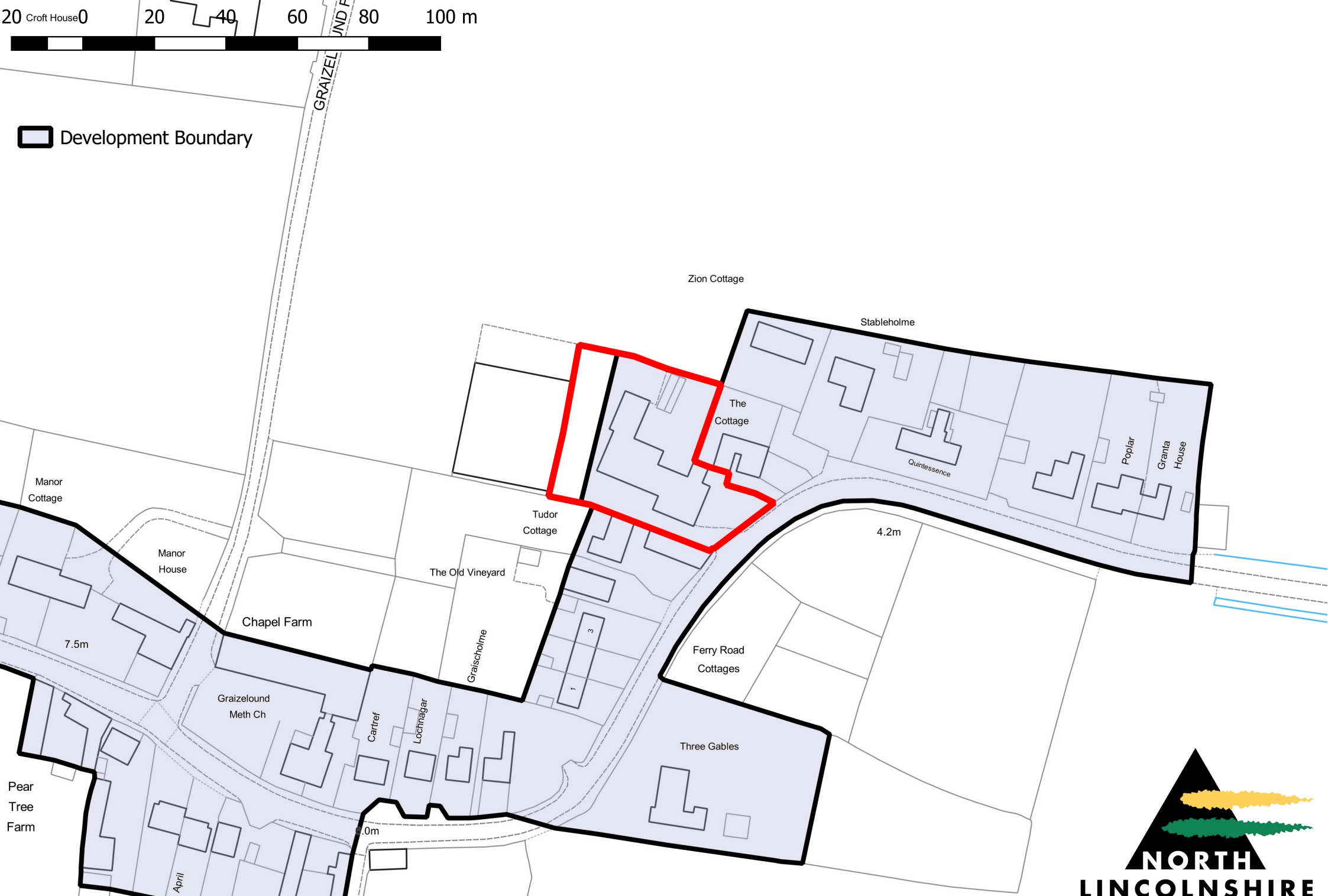
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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



Development Boundary



PA/2018/1446

