

APPLICATION NO	PA/2018/2404
APPLICANT	Mr Mark Snowden, Keigar Homes Ltd
DEVELOPMENT	Planning permission to erect 77 dwellings with associated garaging, new estate access road and open space area
LOCATION	Land north of Dartmouth Road, Scunthorpe
PARISH	Scunthorpe
WARD	Brumby
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 Len Foster – significant public interest)

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 interested parties 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 CS7 (Overall Housing Provision)

Policy CS9 (Affordable Housing)

CONSULTATIONS

Highways: Advise conditions.

Severn Trent Water Ltd: No objections subject to conditions.

Environmental Health: Advise conditions regarding noise/construction, CEMP and vehicle charging points.

Environment Agency: Site levels should be well above the critical flood level of 4.1 metres above Ordnance Datum as established within the SFRA. No objections or further comments.

Education: Contributions are required for primary and secondary places (£440,440; £7865 per dwelling excluding affordable units and over 55 bungalows).

Humberside Police: Awaiting comments.

Public Health: Recommend consult Primary Care Service.

HER: No objections.

Waste and Recycling: Comments regarding requirements for refuse collection.

Leisure: Contribution required for improvements to leisure facilities at Quibell Park (£47,500).

Drainage Team: Following negotiations and amended drainage plans, comment/conditions.

Public Open Space: A commuted sum of £35,175 is required for maintenance of an on-site area of open space (to be transferred to NLC) and an off-site contribution of £40,876 to be spent on Parkwood playground or Manor Park junior playground.

Sport England: Awaiting comments.

Spatial Planning: The application conforms with policies CS7, CS8 and CS9 of the Core Strategy. The site is allocated for housing in the Housing and Employment Land Allocations DPD for 91 dwellings. The net density range for Scunthorpe is 40-45 dwellings in which 77 units is below this requirement.

The site lies within the development limit of Scunthorpe and is designated under policy R1 of the adopted North Lincolnshire Local Plan as a playing field. Through the Local Development Framework Process Sport England were consulted prior to its allocation for housing.

The site was assessed as part of the PPG17 Open Space Study referred to as reference number 233 Quibell Park in Area 4. In this assessment it was classed under the Typology as Outdoor Sports Facilities. The audit has identified 65 outdoor sports facility sites in the District, these accessible sites equate to 194.25 hectares and provide 1.22 ha per 1,000 population. Area 4 provides the most provision of outdoor sports facilities and the greatest provision per 1,000 population. Analysis using the threshold of 1,000 m shows that 76% of households in the area are within the accessibility threshold for outdoor sports facilities and 24% of all households are outside the identified accessibility threshold.

This demonstrated that there was an excess of playing pitches provision in the catchment and the site has no special significance to the interests of sport.

Ecology: No objections subject to conditions.

PUBLICITY

Several site notices were displayed close to the site. A press notice was also posted. Twenty-two letters of objection have been received raising the following material planning issues:

- need a balance between green and urban areas
- loss of green/open space
- highway safety concerns, especially near the bend, school and bus route
- traffic issues (increase in traffic, congestion, access for emergency vehicles etc)
- flood risk/drainage issues
- retention of playing field would benefit the town
- loss of wildlife
- potential fumes from the crematorium being blown into homes
- should use brownfield before greenfield wherever practical

- air quality concerns from loss of trees/green space
- no direct access to Quibell Park
- poor provision of green space compared to what has been lost
- local facilities (schools, drainage etc) cannot support increased development
- impact on wellbeing
- overlooking/loss of privacy and respect to crematorium.

STATEMENT OF COMMUNITY INVOLVEMENT

An informal meeting took place at the site before the application was submitted. This meeting involved local residents, members of Scunthorpe Town Team and some officers of North Lincolnshire Council.

ASSESSMENT

This application was deferred at a previous meeting of the planning committee to enable members to visit the site prior to making a decision.

The application site is a large area of open space to the south of Quibell Park. To the east of the site lies the crematorium with residential dwellings to the south and west. The site was historically used as playing fields/football pitches, however these uses ceased in 2012 due to lack of demand. It is believed that the land has been used by dog walkers and for community events such as cross country and local shows in more recent history. There are metal fences to all boundaries with the north and eastern boundaries defined by trees and hedges. The site is relatively flat with a cross fall east to west.

This application seeks planning permission to erect 77 dwellings with vehicular access being gained from Dartmouth Road, which leads onto Plymouth Road, close to Parkwood Primary School. A cycle/pedestrian access is proposed onto Weymouth Crescent. The proposed development would provide a mix of 2, 3, 4 and 5 bedroom homes with a mix of detached, semi-detached and link properties. Fifteen dwellings (link and semi-detached) are proposed to be affordable units for discount market housing and six bungalows are proposed which will be for private sales to over 55 age group, in perpetuity. An area of open space (which will also be used as a dry pond for SuDS attenuation in the event of a 1:100 year flood event) is proposed to the north west of the site, adjacent to the existing open space, to which it will be linked to form a larger parcel of land.

The main issues in determining this application are whether the proposal is acceptable in principle in this location, would have any adverse impact on highway safety and would otherwise be acceptable, primarily in terms of drainage and amenity.

Principle

The site lies inside the development boundary for Scunthorpe and is not within a conservation area. The site was previously allocated as playing fields within the North Lincolnshire Local Plan 2003. The land is now allocated for housing development as a

contingency site within the North Lincolnshire Council Housing and Employment Land Allocations Development Plan DPD (SCUH-C8).

Policy SCUH-C8 states that the site is suitable for up to 91 dwellings with housing mix, tenure, affordable housing and vehicular access to be agreed at planning application stage. The policy states that good footpath and cycle provision should be provided and it will be necessary to assess sporting facilities provision as part of an application, and if there is a shortfall, a replacement should be provided.

National Planning Policy Framework (NPPF) is a material consideration when determining planning applications. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up-to-date.

This statement confirms that North Lincolnshire Council does not currently have a five-year supply of deliverable housing sites. The consequence of this shortfall is to demonstrate that current policies are failing to deliver a five-year supply of housing in accordance with the NPPF and they are, therefore, failing to meet short-term housing needs. As such it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly there is a presumption in favour of sustainable development and development proposals should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits.

The allocation of the site as a contingency site states that the allocation will be triggered if there is a shortfall in housing provision on other identified sites. As there is not a five-year housing land supply it is considered that all contingency sites have been triggered.

As the site is allocated and has been through all the relevant allocations procedures, the principle of residential development on the site is considered acceptable.

Loss of open space/sports facilities

The site was previously allocated as playing fields and used as sports pitches. The site was last used as such in 2012 when this use ceased due to lack of demand. The playing pitches strategy (PPS) 2013 (refreshed 2015) showed a surplus provision in the Scunthorpe area of 11.3 adult football pitches, 1.6 junior football pitches and 6.9 mini soccer pitches. The PPS priority 7 states that the oversupply of pitches provides the opportunity for some pitches to be released. The balance of demand for council pitches for football in the Scunthorpe area is principally being met by the multi-pitch site at the Co-op Sports Ground and adjacent Central Park pitches.

Whilst development is preferred on brownfield sites, there is no planning policy which prevents development on greenfield sites and open land. As there is no shortfall in sports facilities and no active sports uses will be displaced by the development, there is no material planning reason why development of open space cannot be considered. The allocations process considered loss of open space and the spatial distribution of housing sites with sustainable development and provision of housing considered to outweigh the loss of open space. It should be noted that an area of public open space will be provided within the development site and an off-site committed sum for a Local Equipped Area of Play towards improvements at a nearby park. It is not considered that loss of this green space and a small number of trees would lead to an adverse impact on health and air

quality. As the area of open space will adjoin the existing area of open space on Weymouth Crescent, the footpath link through Quibell Park will be retained linking the development with this facility and the nearby Brumby Woods.

Drainage and flood risk

Concerns have been raised with regard to surface and foul water drainage and flood risk. On this site the infiltration rate is poor and the water table is high. Also, there are no watercourses close to the site. These factors have influenced the drainage strategy for the site where SuDS features will be implemented. Various drainage options were discounted due to the features of the site. The following solutions are proposed on the site:

- Underground storage: by using underground oversized pipes in conjunction with crate storage systems on some driveways (six storage crates shared over nine plots), these are designed to accommodate both 1 in 30 year and 1 in 100 year+ climate change storms. The discharge rate would be restricted via a flow control manhole.
- Rain gardens are proposed on the site. Twelve rain gardens are proposed over 20 plots and in front of the open space area.
- A dry pond is proposed to the north-west of the site which will double as an area of public open space. This dry attenuation area will be 0.6 metres deep and will allow for the collection of surface water in an extreme storm event. This area will not be underwater after normal rainfall events.

The proposed SuDS features are considered to be acceptable to ensure adequate surface water drainage and reduce the risk of flooding.

Concerns have been raised with regard to foul water as there have been some issues nearby with foul drainage. Severn Trent own the foul sewer and have suggested that modelling will be required to determine whether any improvements will be required. The applicant will enter into legal agreements with Severn Trent with regard to connection and ensuring that suitable foul drainage can be achieved by connection to mains sewer or, if this is not possible, by additional storage within the site.

With regard to flood risk, part of the site lies within Zone 2/3a of the SFRA 2011 (Zone 1 of the Environment Agency mapping 2018). As the site is an allocated site, this has already been through sequential testing. The applicant has submitted documentation to demonstrate that the proposal passes the exceptions test and the Environment Agency has confirmed that the development is safe from flooding.

Highways

The estate road is designed as a 'loop' to enable large vehicles to enter and leave the site in a forward gear, making it easier to accommodate delivery, refuse and emergency vehicles. The road design is formulated using the NLC Residential design guide and the Manual for Streets. There will be a pedestrian and cycle link via a new connection with Weymouth Crescent.

A Transport Statement has been submitted with the application which takes account of predicted traffic movements, the existing highway network, collision records and site layout. This document has been assessed by the Highways department which has no objections to the proposal subject to conditions.

A minimum of two off-street parking spaces (excluding garage spaces) are proposed to each dwelling with five casual parking bays provided off the carriageway.

The site is well served by public transport and is in a good location to generate trips by sustainable modes of transport with pedestrian, cycle and bus trips all realistic modes of transport.

Concerns have been raised regarding exiting from Dartmouth Road onto Plymouth Road. Analysis of road casualty and collision appraisals has not revealed any identifiable existing collision issues associated with the expected movements generated by the proposed development and it is not considered that there are any existing road safety issues pertinent to the development of the site. The proposals should not have a detrimental road safety impact on the local transport network and should not affect the safety of pedestrians and cyclists.

Amenity

The proposed development is well set out so as not to cause any overlooking or loss of amenity to existing properties. There is a minimum distance of 25 metres between the rear of existing and proposed dwellings, this distance being greater on many plots.

Some concerns have been raised regarding impact on and from the adjacent crematorium. The proposed dwellings are no closer to the crematorium site or building than existing dwellings on Plymouth Road which back onto it. A condition is proposed requiring a 1.8 metre high close-boarded fence along this boundary to ensure no loss of privacy. As there are existing dwellings which adjoin the crematorium, the principle of housing in close proximity has been established. Environmental Health has not raised any concerns regarding potential impact from the crematorium and it is not considered unacceptable for houses to be adjacent to this use. It should be noted that there is existing landscaping along this boundary which is to be retained as part of the development.

A condition relating to hours of construction is proposed to ensure that there will be minimal noise disruption to residents during construction.

Landscaping/ecology

The site will be landscaped and provide open green space. The line of poplar trees to the northern boundary of the site will be retained as part of the development. New planting is proposed within the site, including trees and shrubs within front garden areas. The proposed rain gardens will also visually improve the appearance of plot frontages and lawned rear garden areas will provide adequate amenity space for the dwellings.

An ecological report has been submitted with the application which assessed the site in respect of trees and protected and notable species. The report concluded the site to be of value at no more than a site level for notable and protected species, with key constraints being foraging and overwintering hedgehogs, and potential for nesting birds. There is also some suitable habitat and connectivity for foraging and commuting bats. Biodiversity management and ecological enhancements are proposed within the development, including the installation of bird and bat boxes, and hedgehog 'gates'.

Other issues

The proposed development has taken account of designing out crime with the layout maximising natural surveillance, adequate lighting and defined access routes.

Concerns have been raised regarding the description of the site address as 'land north of Dartmouth Road', rather than playing field/land south of Quibell Park. The description of the address does not have any impact on the 'red-edge' of the site or reflect any of the points raised in the report. The description/address of the site is not considered relevant in the determination or assessment of the proposal. Numerous other issues have been raised in respect of this application, however these are not material planning issues and therefore cannot be taken into consideration when determining it.

Conclusion

The site is an allocated housing site within the development boundary for Scunthorpe. The proposed development is well designed so as to not result in overlooking or loss of amenity to nearby properties.

RECOMMENDATION:

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for affordable housing, public open space, play areas, leisure contributions and education of the following amounts:

- **Affordable housing: 15 dwellings for discount market sale**
- **Six bungalows for over 55s in perpetuity**
- **Education: £440,440 (£7865 per dwelling excluding over 55s bungalows and affordable housing)**
- **Leisure: £47,500 towards Quibell Park**
- **Recreation: £35,173 on-site open space maintenance fee and £40,876 off-site sum for LEAP towards Manor Park junior playground or Parkwood playground;**

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 13 August 2019 the Group Manager – Development Management and Building Control be authorised to refuse the application on grounds of failure to agree the terms of a section 106 agreement contrary to the provisions of the North Lincolnshire Local Plan and Core Strategy; and**
- (iv) the permission so granted be 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 approved plans listed in drawing schedule 'Land off DARTMOUTH ROAD, SCUNTHORPE'.

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 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.

4.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, 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.

5.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

6.

No other works shall be commenced on the site until an appropriate access road junction serving construction vehicles with the adjacent highway network has been provided. The connection, including the means of preventing through traffic on Weymouth Road, shall be completed in accordance with details to be submitted to and approved in writing by the local planning authority prior to the occupation of the 40th dwelling.

Reason

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

7.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

8.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

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 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, including the means of controlling the deposition of mud onto the adjacent highway along with appropriate methods of cleaning the highway as may be required;

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 policies T2 and T19 of the North Lincolnshire Local Plan.

11.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted document, 'Keigar Homes Ltd Dartmouth Road, Scunthorpe: Extended Phase 1 Habitat Survey and Biodiversity Management Plan' and the submitted drawing numbers DT/133/06 rev A and DT/133/07 rev A. The management prescriptions set out in sections 5.1 to 5.28 of the management plan shall be carried out in their entirety in accordance with the timescales set out in the work programme in Table 2. All biodiversity features shall be retained thereafter. Prior to the occupation of the seventieth dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the Biodiversity Management Plan.

Reason

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

12.

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. Prior to the occupation of the 70th dwelling hereby approved, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

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

13.

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.

14.

Prior to the occupation of any of the dwellings, a scheme for the provision of electrical vehicle charging points shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed to take account of good practice guidance as set out in the Institute of Air Quality Management Land Use Planning and Development Control:

and contemporaneous electrical standards, including:

- Electrical Requirements of BS7671:2008;
- IET Code of Practice on Electrical Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7.

The approved scheme shall be installed in full and retained in perpetuity thereafter.

Reason

To facilitate the uptake of low emission vehicles and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework.

15.

Construction activities shall be undertaken in accordance with the submitted Construction Environmental Management Plan.

Reason

To protect residential amenity.

16.

Construction operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction and demolition 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

To protect residential amenity.

17.

The surface water drainage scheme shall be carried out in accordance with the SW Drainage Strategy (dwg EWE/228/01 rev C dated 25/02/19), Amended Flood Risk Assessment (Final Report REV D February 2019) and associated submitted documents, 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.

18.

No dwelling shall be occupied until a scheme for the disposal of foul water has been agreed in writing by the local planning authority and 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.

19.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

20.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

21.

Prior to the occupation of the dwellings on plots 1-19 and 29-48, 1.8 metre high close-boarded fencing shall be erected to the western, southern and eastern boundaries of the site (excluding public open space boundaries and access points) and once erected shall thereafter be retained.

Reason

In the interests of residential amenity.

Informative

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.



