

APPLICATION NO	PA/2018/1890
APPLICANT	Mr David Easton
DEVELOPMENT	Outline planning permission to erect two dwellings with appearance, landscaping and scale reserved for subsequent approval
LOCATION	Green Acres, Main Street, Ealand, Crowle
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle and Ealand Town Council Member 'call in' (Cllr John Briggs – significant public interest)

POLICIES

National Planning Policy Framework: Sections 5, 12 and 14 apply.

North Lincolnshire Local Plan: Policies H5, H8, DS1, DS14, DS16, T1, T2 and T19 apply.

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

CONSULTATIONS

Highways: No objection, but recommend conditions and an informative relating to works within the public highway.

Severn Trent Water Ltd: No objection, but recommend a condition requiring a scheme for the disposal of foul and surface water drainage to be submitted for consideration, to include sewer modelling.

Environmental Health: The application for residential development is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks, however no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level. Recommend a condition in respect of contaminated land investigation.

LLFA Drainage: The development lies within an area which has long-standing flooding issues. The site is not within a surface water flood risk area and the development proposes connection into the Severn Trent sewer. No objection, but recommend that Severn Trent should be consulted on any drainage proposals.

Doncaster East Internal Drainage Board: Consent is required for any works which will increase the flow or volume of water into the IDB catchment. The development should not be allowed until the applicant is able to demonstrate the development itself is safe from flooding without increasing flood risk. Recommend a condition requiring a scheme for the disposal of surface water drainage to be submitted for consideration.

Environment Agency: No objection, but recommend a condition that the development takes place in accordance with the mitigation measures set out in the submitted FRA.

TOWN COUNCIL

Object on the grounds of sewerage, drainage and flooding issues and that the pumping station at Ealand is at capacity.

PUBLICITY

A site notice has been displayed and 15 letters of objection have been received raising the following issues:

- impact on local drainage and the pumping station
- homes located on Main Street are on an 'at risk' register with Severn Trent due to flooding issues
- additional houses will exacerbate the existing drainage issues
- impact on local services
- impact on view
- additional traffic
- some of the land is not within the ownership of the applicant
- impact on access to property
- the plot is too small for three dwellings
- increase in noise
- loss of light
- devaluation of property prices
- impact on visibility from Kings Croft
- insufficient parking provision.

ASSESSMENT

The application site consists of garden land to the front and rear of the applicant's detached bungalow. The existing bungalow is located on the corner of Main Street with Kings Croft and the site is located within the defined settlement boundary for Ealand, within

flood zone 2/3a. Outline planning permission is being sought to erect two dwellings on land to the front and rear of the applicant's bungalow with all matters, other than layout and means of access, not reserved for subsequent consideration through the submission of a reserved matters planning application.

The main issues in the determination of this planning application are the principle of development and impact upon flood risk/drainage and residential amenity.

Principle

This proposal is to erect two detached dwellings on land which forms garden to the front and rear of the host property. The site is located within the settlement boundary for Ealand and the area is residential in nature, therefore there is a presumption in favour of development for the erection of a new dwelling. The dwelling is proposed to be located within Ealand; policy CS2 (Delivering More Sustainable Development) of the adopted Core Strategy states that small-scale development should be focused within the defined development limits of rural settlements to meet identified local needs.

The site is considered to be a suitable infill plot within the defined settlement boundary for Ealand (rural settlement) and represents a sustainable location for residential development in terms of policies CS1, CS2 and CS7 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and paragraphs 14 and 49 of the National Planning Policy Framework.

The North Lincolnshire Sustainable Survey 2016 ranks the settlement of Ealand as 34th out of the 79 settlements scored within the survey and is classified as a Larger Rural Settlement, having four of the seven key facilities. Local facilities include a public house, village/church hall, post office and shop and a train station within easy reach of the site on foot, and a wider range of further services accessible by foot, bicycle and public transport readily available in Crowle. Therefore the proposal accords with the need to site development in locations with accessible local services.

A site layout plan has been submitted with the planning application; this plan shows that a bungalow can be accommodated to both the front and rear of the host dwelling and each can be served by an area of private amenity space to the rear and off-street parking for a minimum of two vehicles. In addition, the plan shows that the size of the proposed dwellings will be proportionate to existing bungalows located along both Kings Croft and Main Street. The plot proposed to the front of the host dwelling will not project any further forward (to the east) than existing dwellings located in immediate proximity of the site to the north (namely The Beeches and Willow Lodge) and therefore the siting of this dwelling is not considered to be out of keeping with the settlement character in this part of Ealand. Furthermore, the dwelling proposed to the front of the host property will be set back at a distance of 7.42 metres from the highway footpath; this allows sufficient clearance at the junction of Kings Croft with Main Street to ensure that visibility will not be impeded.

Flood risk/drainage

The site is located within Flood Zone 2/3a of the North Lincolnshire Strategic Flood Risk Assessment. As the proposal is for 'more vulnerable' development, there is a requirement for the sequential and exceptions tests to be applied and passed for the proposed dwellings. A flood risk assessment (FRA) has been submitted with the planning application, which contains an assessment of the exceptions test. It is worth noting that the

Environment Agency has considered the contents of the Flood Risk Assessment and raised no objections as the site levels are above the critical flood level of 4.1 metres above Ordnance Datum (AOD) and that the finished floor levels are to be set 30 centimetres above that level at 4.4 metres AOD.

The proposed development needs to be assessed against the sequential and the exceptions test. The FRA submitted with the planning application highlights there are no sites within the settlement boundary for either Ealand or Crowle (same parish) which are available and at a lower risk of flooding. It is considered that the sequential test is passed in this case.

The exceptions test then needs to be applied. The applicant has provided additional 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 dwellings will create jobs for local tradesmen, it will support local services and all materials will be sourced locally. In order to pass the exceptions test a development must meet the following criteria.

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 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 Ealand 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 and CS19 of the Core Strategy, and the National Planning Policy Framework in terms of flood risk.

The information submitted in support of this application states that surface water will be disposed of by means of infiltration drainage to a rainwater harvesting tank. Given that this is an area where surface water flooding issues are known to exist, that a number of neighbours have objected on flooding grounds and that soakaways may not be a suitable means of surface water disposal, it is considered prudent to recommend a condition requiring the method of surface water disposal to be submitted for consideration. In addition, this is an area where there is a known issue with misconnections of drainage systems into the foul sewer; it is therefore considered prudent to recommend a condition prohibiting surface water being disposed of via the foul sewer at any time.

In respect of foul drainage, it is proposed to discharge into the public sewer. Severn Trent has commented that the flooding issues results in the requirement for sewer modelling to be undertaken. In light of this request it is considered prudent to recommend a condition requiring details of the method of foul drainage to be submitted for consideration, to include sewer modelling to ensure there is capacity within the system.

Residential amenity

The proposal seeks outline planning permission for means of access and layout to be considered and all other matters reserved for subsequent consideration (through the submission of a reserved matters planning application). Matters relating to the position and heights of windows, and orientation and scale of the dwelling, would be considered at reserved matters stage; the potential loss of residential amenity arising from this subsequent planning application would be assessed at that stage of the planning process. Notwithstanding this, a layout plan has been submitted with the planning application, which shows that there will be sufficient land to serve as private amenity space for the host and proposed properties; in addition, there is sufficient land to the front of the proposed dwelling to provide a minimum of two off-street parking spaces, together with a turning space. Based on the site layout plan, it is considered that there is sufficient space within the site to ensure that both dwellings can be sited a sufficient distance from existing properties to ensure there is no loss of residential amenity through loss of light or having an overbearing impact.

It is inevitable that there will be loss of residential amenity to neighbouring properties through noise and disturbance during the construction period. However, this noise and disruption is considered to be short-term without harming the long-term amenity of the area.

Other issues

Loss of view and devaluation of property prices are not considered to be material planning issues and will not be assessed in this case. The plans show that an additional vehicular access can be achieved from Kings Croft without being detrimental to highway or pedestrian safety. Plot 2 will be served by an existing vehicular access from Main Street and the host property by an existing access from Kings Croft to the south. The erection of two additional dwellings is not considered to increase vehicular movements over and above those experienced in a residential area. Highways have considered the proposal and raise no objection to the erection of two additional dwellings on highway and pedestrian safety grounds.

RECOMMENDATION Grant permission subject to the following conditions:

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

Reason

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

- 2.

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

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

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.

6.

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.

7.

The access and parking shall be provided in accordance with the submitted details and once provided it shall thereafter be retained.

Reason

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

8.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 20 September 2018 by Howard J Wroot. In particular, finished floor levels shall be set no lower than 4.4 metres above Ordnance Datum.

Reason

To reduce the risk and impact of flooding on the development and future occupants in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

9.

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.

10.

No above-ground works 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.

11.

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

Reason

To define the terms of the permission and to ensure that the site is safe from flooding without increasing flood risk elsewhere.

12.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system. The foul drainage scheme shall include a sewer modelling study to ensure there is sufficient capacity in the mains sewerage system to accommodate additional flows. The method of surface water drainage disposal shall first consider the use of SuDS and if this is not feasible then other methods of surface water drainage disposal should be considered.

Reason

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

13.

The development hereby permitted shall be carried out in accordance with the following approved plans: 1024 3 of 5, 1024 4 of 5 and 1024 5 of 5.

Reason

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

14.

None of the dwellings hereby approved shall be occupied until the alterations proposed to the host dwelling shown on drawings 1024 3 of 5 and 1024 4 of 5 have been completed and once completed they shall thereafter be retained.

Reason

To define the terms of the permission and to protect the amenity of both the existing and proposed dwellings in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informative 1

There is a known issue with drainage in this area. You are advised to contact Severn Trent Water to discuss the drainage proposals for your site.

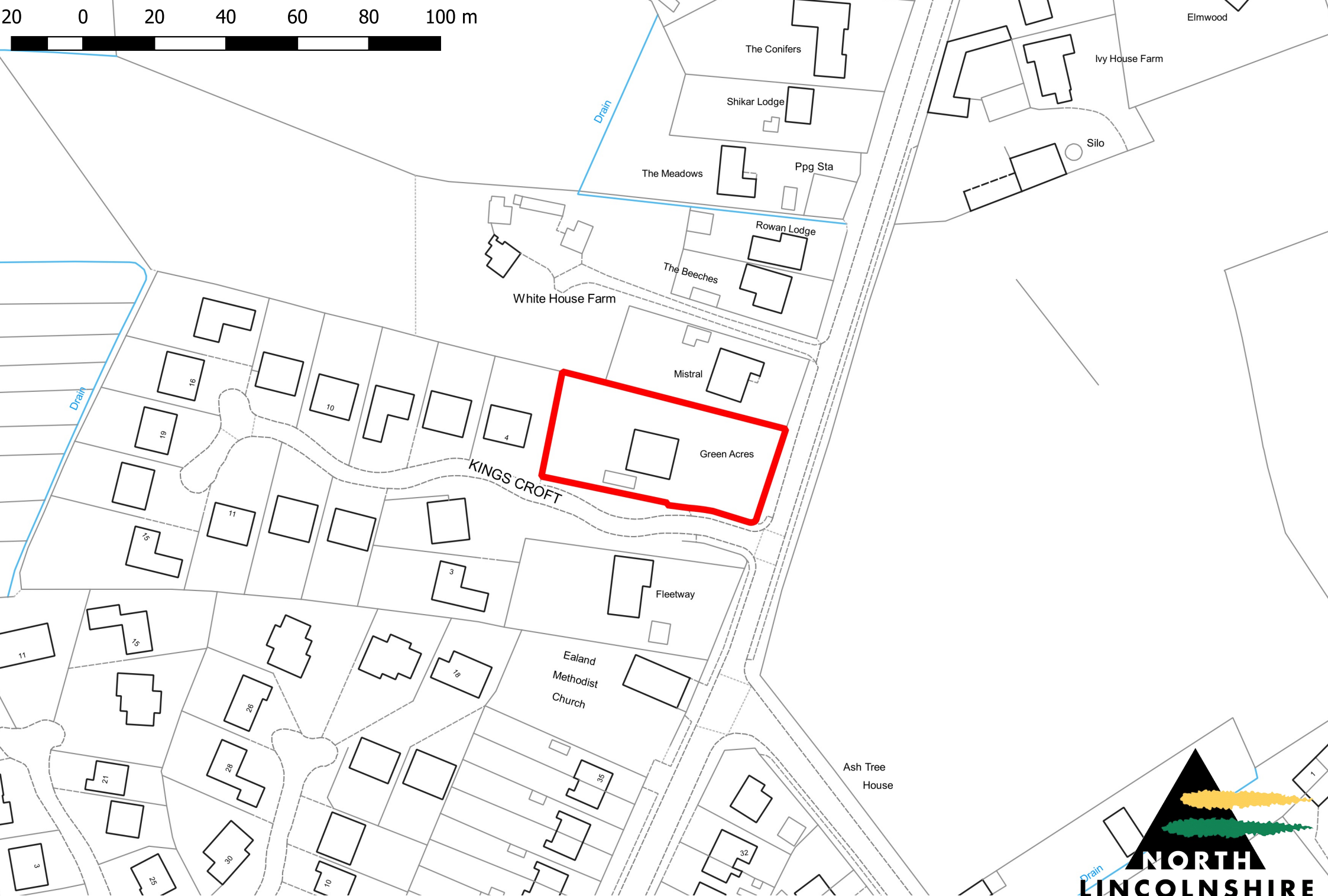
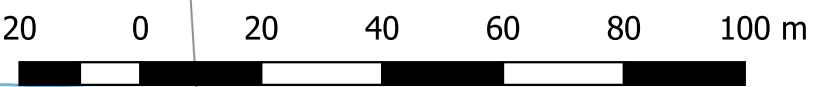
Informative 2

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.



PA/2018/1890



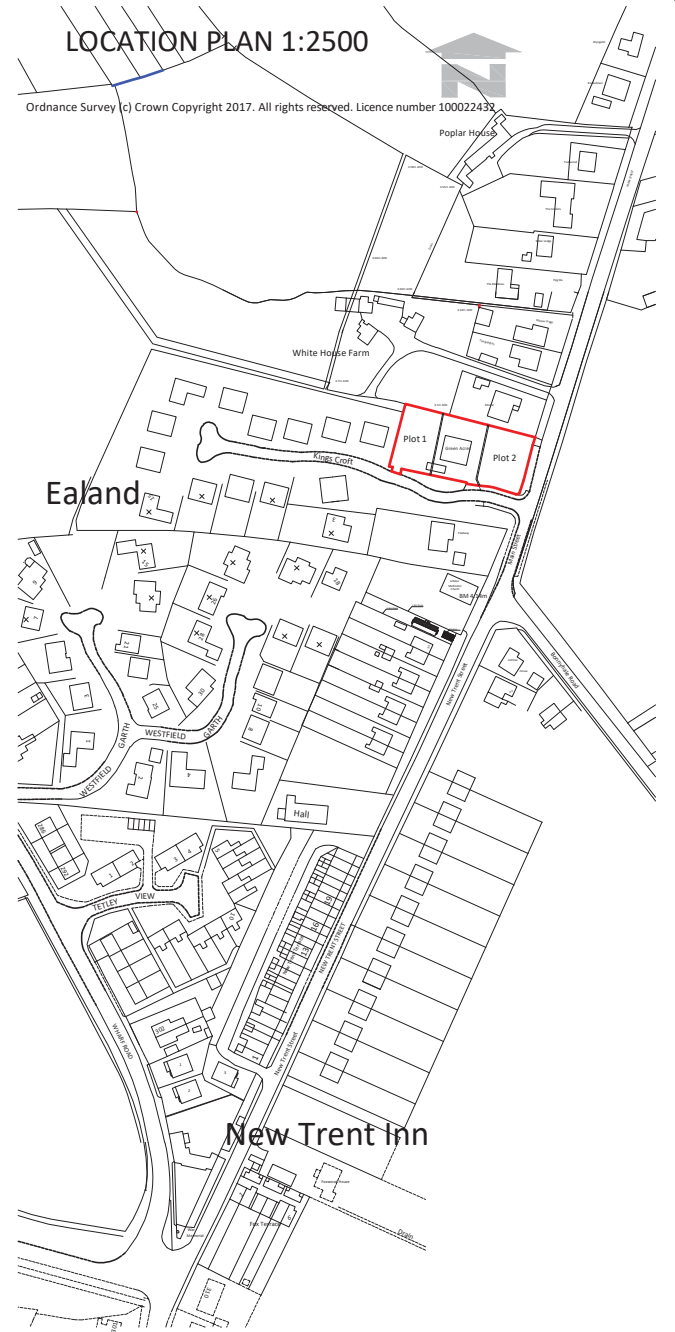
PA/2018/1890 Site layout (not to scale)

BLOCK PLAN 1:500

White House Farm



LOCATION PLAN 1:2500



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Client	Mr Davide Easton		
Date	9/10/18	Dwg No	5 of 5
Scale	As noted	Ref No	1024

Proposal	Outline Planning for Residential Development
Drawing	Green Acres, Main Road, Ealand, DN17 4JD
	Location & Block Plans

