

APPLICATION NO PA/2019/2017
APPLICANT Mr & Mrs Potter
DEVELOPMENT Planning permission to erect a dwelling
LOCATION Newland Farm, Blackdykes Road, Owston Ferry, DN9 1AQ
PARISH Owston Ferry
WARD Axholme South
CASE OFFICER Scott Jackson
SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Departure from planning policy

POLICIES

National Planning Policy Framework:

Paragraph 5 – Delivering a sufficient supply of homes

Paragraph 8 – Promoting healthy and safe communities

Paragraph 12 – Achieving well-designed places

Paragraph 14 – Meeting the challenge of climate change, flooding and coastal change

Paragraph 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan: Policies T2, T19, RD2, DS1, DS14, DS16, LC14 H5 and H9 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6 CS7, CS8, CS17, CS18 and CS19 apply.

CONSULTATIONS

Highways: No objection, but recommend a condition.

Environment Agency: The existing permission for a replacement dwelling (PA/2018/332) is referred to in the submitted documents. We understand that the current application is for an alternative proposal, not an additional dwelling to that currently permitted. The submitted flood risk assessment (FRA) states that the current permission stipulates finished floor levels no lower than 2.3 metres above Ordnance Datum (AOD). The FRA proposes the same floor level, with additional resilience measures.

However, condition 3 of PA/2018/332 sets a minimum floor level of 2.5 metres AOD, with resilience to 4.4 metres AOD. This floor level is well below the critical flood level of 4.1 metres AOD but was accepted on the basis that the property would be a replacement dwelling and was the maximum achievable. We strongly recommend that floor levels are set at the higher level. You may consider it appropriate to discuss this with the applicant before determining the application and to require a level of 2.5 metres AOD if found to be practicable. However, we have decided not to object, subject to the imposition of the following planning condition. This position is based on the proposal providing betterment over the previously demolished dwelling, the restrictions of existing land level and the design having all bedrooms at first floor and above.

Recommend the following condition:

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) by Nexus Design Solutions, November 2019, and the following mitigation measures detailed therein:

- finished floor levels to be set no lower than 2.3 metres above Ordnance Datum (AOD)
- flood resistance and resilience measures to be included as stated.

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

Historic Environment Record (HER): The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14) on the edge of the Early and Recent Enclosed Land character zones.

Newland Farm dates from early-mid 20th century; the original farmhouse was a modest two-storey traditional brick and slate dwelling with a single-storey range of brick and tile outbuildings and later steel-framed barns. The proposal is for a larger, modern-style dwelling of single and three-storey ranges with a mix of traditional and contemporary building materials. Such a building has the potential to adversely affect the character of the landscape heritage asset and its setting; however, I am satisfied that, in this location, a replacement dwelling is acceptable providing that the details of design and building materials are appropriate to the area and in accordance with the policy.

No objection subject to standard conditions regarding building materials and an appropriate condition to remove permitted development rights to avoid further intrusion of the built environment into the special historic landscape.

Drainage (Lead Local Flood Authority): No objection, but recommend two conditions.

PARISH COUNCIL

No response received.

PUBLICITY

A site notice has been displayed; no comments have been received.

ASSESSMENT

The application site formerly consisted of a two-storey detached farmhouse which was of red brick and slate roof tile construction; the dwelling has been demolished. There is a range of outbuildings to the rear of the site, some of which are of brick and pantile construction and others which have been demolished. The site is located outside the defined settlement boundaries for both Epworth and Owston Ferry and is therefore in the open countryside. The site is also located within Flood Zone 2/3a as defined in the North Lincolnshire Strategic Flood Risk Assessment (SFRA) and within the Isle of Axholme Area of Special Historic Landscape Interest as defined under policy LC14 of the North Lincolnshire Local Plan. Planning permission was granted for a replacement dwelling and double garage under planning application PA/2018/332. Planning permission is being sought to erect a detached dwelling on the site.

The main issues in the determination of this application are the principle of development, impact on the character and appearance of the countryside/LC14 land and flood risk.

Principle

Planning permission is sought to erect a new dwelling in the open countryside. The dwelling that was originally on this site and some of the outbuildings to the rear of the house have been demolished, therefore the proposed development under consideration in this planning application is essentially for the erection of a new dwelling in the countryside. To this end, policy RD2 of the North Lincolnshire Local Plan applies and states that development in the open countryside will be strictly controlled and planning permission will only be granted for development which is:

- (i) essential to the efficient operation of agriculture or forestry;
- (ii) employment related development appropriate to the open countryside;
- (iii) affordable housing to meet a proven local need;
- (iv) essential for the provision of outdoor sport, countryside recreation, or local community facilities;
- (v) for the re-use and adaptation of existing rural buildings;
- (vi) for diversification of an established agricultural business;
- (vii) for the replacement, alteration or extension of an existing dwelling;
- (viii) essential for the provision of an appropriate level of roadside services or the provision of utility services.

It is noted that the erection of a new dwelling in a countryside location, which is not in association with a specific or special need associated with the countryside, does not accord with the criteria set out in policies RD2 of the North Lincolnshire Local Plan and CS3 of the adopted Core Strategy. However, the applicant has the option of an extant planning permission (PA/2018/332) which allows for the erection of a detached dwelling with double garage to a ridge height of 9.32 metres. Given there is an option to construct a dwelling on

this site (in other words, a fall-back position), it is considered that the principle of residential development for a single dwelling on the site is established; however, there is a requirement to assess the impact of such development upon the character and appearance of the open countryside and upon the setting of the LC14 land.

In addition, the applicant has submitted an amended plan showing the outline of the dwelling overlapping the built footprint of the replacement dwelling approved under PA/2018/332. The local planning authority is therefore satisfied that only one new dwelling can be constructed on the site (in this rural location) and the proposal would not result in the establishment of two separate residential units in the open countryside.

Impact on the countryside/LC14 land

The proposal is for a new dwelling of varying ridge heights, with a single-storey element of brick and pantile construction to the side, and a secondary single-storey section in the centre which runs perpendicular in its form and direction. It is also proposed to erect a larger, three-storey section to the front which has a ridge height set approximately 3.67 metres higher than the remaining part of the house and which forms a focal point in the centre of the site. An amended plan has been received, which now shows the dwelling sited over part of the built footprint of the replacement dwelling approved under PA/2018/332, which results in the dwelling now proposed being further forward on the site towards Blackdykes Road. However, it would be sited forward of that part of the site where the bulkier outbuildings and sheds have been demolished, and it is therefore considered that the location of the dwelling respects the siting of buildings on the site. It is accepted that the three-storey element of the dwelling would result in a more visually prominent form of built development in the rural landscape; however, the plans show it would be physically connected to the remaining part of the house and it has been designed as a feature which reflects the form, mass, scale and appearance of an agricultural building, which is a form of building that is commonplace in rural parts of North Lincolnshire. It is noted that the ridge height of the proposed dwelling is approximately 0.6 metres higher than the replacement dwelling approved under the 2018 application, thus resulting in the potential for a more visually prominent form of built development in the countryside; however, it is considered that the mix of building heights and variations in the combination of external materials (consisting of brick, pantile, slate or metal-sheeted roof and sheet metal/wood effect steel) gives the appearance of a clustering of buildings in the rural landscape, provides visual interest and respects the appearance of the buildings to be demolished and those which were previously established at the site.

It is worth noting that views of the proposed dwelling in its amended position, in particular from the north and north-west, and from the west (in other words, from public footpaths and the public highway) would be screened by the existing line of mature conifer trees which line the northern/north-western boundary of the site and stand at a height in excess of 6 metres. In terms of the wider rural landscape, which is relatively flat in its topography and devoid of vegetation cover to the east, it is considered that the proposed dwelling would not be viewed in isolation, it would be visible in conjunction with an existing dwelling and its range of outbuildings (neighbouring property) located at a distance of approximately 140 metres to the north-west. To the west, views across the landscape towards the site (in an easterly direction) would be restricted across the LC14 land by a significant cluster of tree planting. Therefore, in terms of the impact of the proposal upon the character, appearance and setting of the rural landscape and the LC14 land, it is considered that the new dwelling would resemble a cluster of agricultural buildings and thus would not result in a significant

change. In addition, it is considered that views of the proposed dwelling would not be visible in the wider landscape; the proposal is not considered to adversely affect the character, appearance and setting of the LC14 land. Also, the dwelling would be positioned marginally deeper into the site than the replacement dwelling approved under the 2018 planning application and, as a result of its siting, it is considered that the impact of the built form upon the character and appearance of the rural landscape is lessened to an extent and that its siting respects the range of outbuildings which previously existed on the site.

Turning to the design of the dwelling, the plans show that each of the respective elevations would be broken up by a combination of window and door openings and the side elevation would be dominated by a large glazed window opening, adding visual interest to the appearance of the dwelling. To the front of the dwelling it is proposed to introduce a large glazed opening across three floors to the barn section, this adds a key design feature to the principal elevation and adds visual interest. The mix of ridge heights and external materials, together with the perpendicular orientation of the central section, gives the appearance of a cluster of agricultural buildings and mimics the collection of buildings which were previously positioned on the site. Some details of the proposed external materials of construction have been submitted within the design and access statement; given the potential mix of materials proposed and the rural landscape in which the proposal sits, it is considered necessary and reasonable to recommend a condition requiring details of the proposed external materials to be submitted for consideration.

The plans also show the side elevations of the three-storey element having non-regimented fenestration of varying sizes and the opening arrangements are relatively uniform in terms of their vertical alignment. The inclusion of detailing such as a mix of brick and vertical profile sheeting to either side of the glazed window feature, the mix of brick and sheeting to the side elevations of the three-storey element, the corbel detailing to the eaves and brick headers above all door and window openings to the eaves of the single-storey section of the dwelling add visual interest to the appearance and ensures a sense of continuity to the external materials being used in the construction of the dwelling across all the elevations.

In conclusion, by virtue of the siting of the dwelling, the varying ridge heights and range of materials, together with the screening afforded along the immediate site boundary and in the wider rural landscape, it is considered that the development would not result in an alien or discordant feature in the rural landscape and would not adversely affect the character, appearance and setting of the LC14 land.

Flood risk

The site is located in Flood Zone 2/3a as defined in the North Lincolnshire SFRA; this is the highest level of flood risk. The proposed development of a new dwelling constitutes a 'more vulnerable' use in a high flood risk zone, which this would require the sequential and exceptions test to be applied and passed. However, the applicant already has an extant permission in place, and given they have the option of constructing a detached dwelling on this site, it is considered that it would not be necessary to apply the sequential and exceptions test. Nonetheless, the applicant has addressed the sequential and exceptions test within the flood risk assessment (FRA) submitted with the application; this states that there is a permission in place for a replacement dwelling on the site and therefore the level of vulnerability is not increased as a result of considering this application for a new dwelling. In terms of the exceptions test, the FRA states that measures can be taken to ensure the site is safe from flooding (with agreement from the Environment Agency) and

that the development is sustainable as it will re-use brownfield land and replace a dwelling which had fallen into disrepair.

The FRA states that the potential for flooding could occur up to 4.1 metres AOD and the following flood risk mitigation measures are proposed:

- site levels to be raised by 500 millimetres to give a new ground level surrounding the buildings of at least 2.0 metres AOD
- floor levels to be set a further 300 millimetres above ground level to give a finished floor level of 2.3 metres AOD
- all service circuits to be routed at high level, and where practical, socket outlets, boilers etc to be a minimum of 0.5 metres above the raised ground floor level; electrical circuits to be wired to allow isolation from remaining floors
- resilient construction materials to be installed to all areas below 4.4 metres AOD as a minimum (concrete floors, blockwork partition walls with sand/cement render internally)
- avoid the use of absorbent cavity insulation to the ground floor level and install closed cell type cavity insulation
- a non-return valve should be fitted to foul drain runs
- the owner of the property shall contact the Environment Agency's Floodline to register the property to receive advance warning of flooding.

The FRA has been considered by the Environment Agency. It is recommended that, while the finished floor levels stated in the FRA are well below the critical flood level, a condition should be imposed that a minimum floor level of 2.3 metres AOD be provided within the dwelling. This view is based on the proposal providing betterment over the previously demolished dwelling, the restrictions from the existing land level and the design ensuring all sleeping accommodation is provided at first-floor level or above.

In conclusion, it is considered that sufficient mitigation measures can be incorporated into the design of the dwelling, that the finished floor level approved under the 2018 application can be achieved and that sleeping accommodation will be provided at a safe level (first floor or above) such that the proposed development can be constructed to the same flood resilience standard as that approved under the extant permission; it is therefore considered to be acceptable in flood risk terms.

Other issues

Given that permitted development rights are extensive, that the proposal is within the open countryside and an area of historic landscape interest, it is considered necessary to revoke permitted development rights to prevent uncontrolled expansion of the residential unit and to secure appropriate materials/design.

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: 00 549BDR LM, 01 549BDR ESP, 13 549DBR 01 PE and 15 549DBR 01 99.

Reason

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

3.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) by Nexus Design Solutions, November 2019, and the following mitigation measures detailed therein:

- finished floor levels to be set no lower than 2.3 metres above Ordnance Datum (AOD)
- flood resistance and resilience measures to be implemented to a height of 4.4 metres as described.

The mitigation measures shall be incorporated prior to occupation and shall thereafter be retained.

Reason

To reduce the risk and impact of flooding to the future occupants of the dwelling hereby permitted in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the adopted Core Strategy.

4.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from the highway onto the development site have been submitted to and approved in writing by the local planning authority. The agreed drainage system shall not be brought into use until the access and parking facilities have been provided.

Reason

To define the terms of permission and to ensure that surface water run-off is sufficiently contained within the site, in the interests of flood risk in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the adopted Core Strategy.

5.

No above-ground works shall take place until details 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.

6.

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.

7.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

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

8.

Notwithstanding the provision of Classes A, B, C and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (2015), or any order re-enacting that order with or without modification, no extensions or alterations shall be made to the dwelling or outbuildings erected within the curtilage of the dwelling other than those expressly authorised by this permission.

Reason

To regulate and control development on a site which is located within the open countryside in an area where development is strictly controlled in accordance with policies RD2 and LC14 of the North Lincolnshire Local Plan.

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.

Legend

-  Site Boundary
-  LC14



To Owston Ferry



Title: PA/2019/2017

Date: 28/02/2020

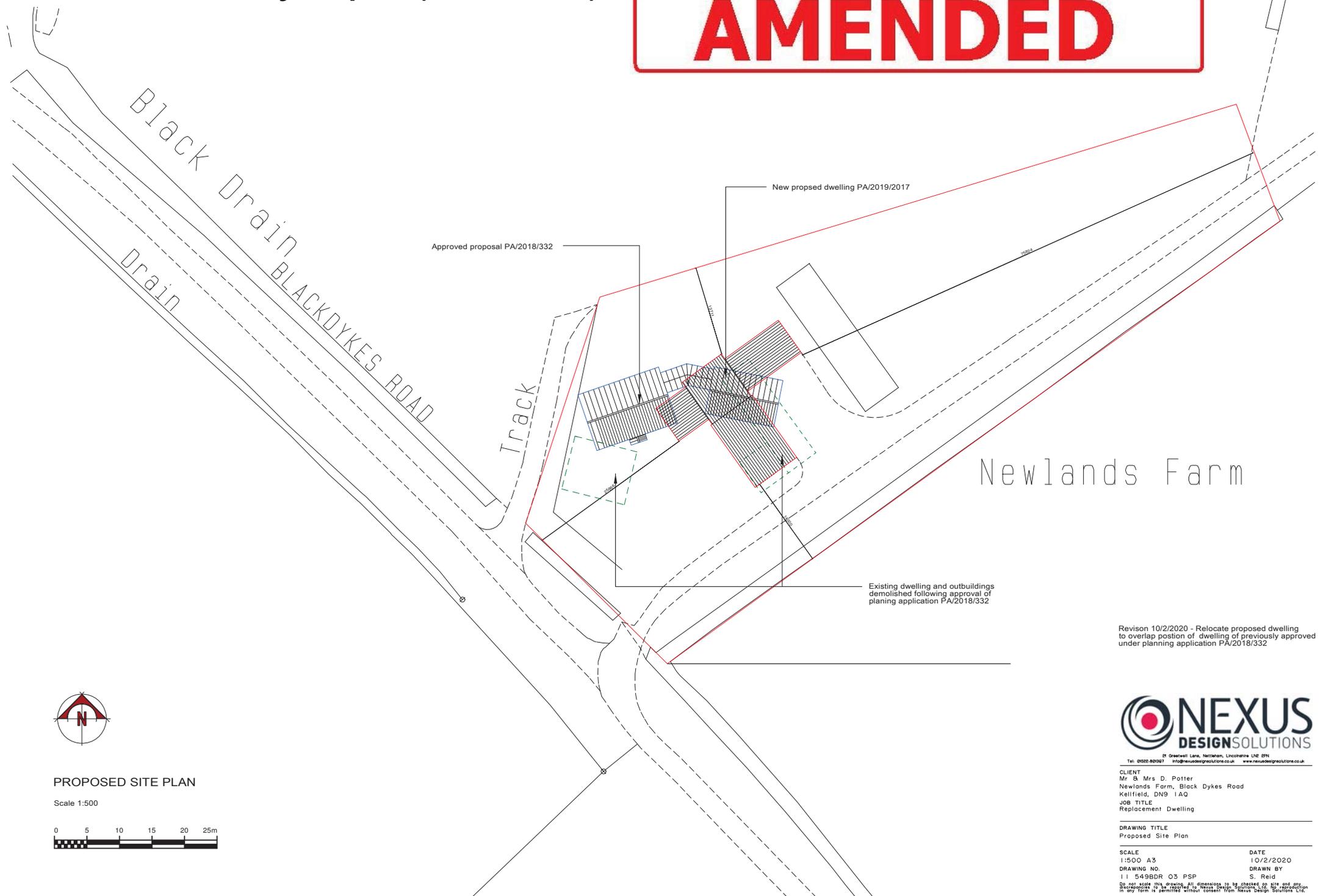
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Drawn By: MF

North Lincolnshire Council

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AMENDED



Newlands Farm

Approved proposal PA/2018/332

New proposed dwelling PA/2019/2017

Existing dwelling and outbuildings demolished following approval of planning application PA/2018/332

Revision 10/2/2020 - Relocate proposed dwelling to overlap position of dwelling of previously approved under planning application PA/2018/332



PROPOSED SITE PLAN

Scale 1:500



21 Greenwell Lane, Harpenden, Hertfordshire AL5 2RN
Tel: 01828 801927 info@nexusdesignsolutions.co.uk www.nexusdesignsolutions.co.uk

CLIENT
Mr & Mrs D. Potter
Newlands Farm, Black Dykes Road
Kellfield, DN9 1AQ
JOB TITLE
Replacement Dwelling

DRAWING TITLE
Proposed Site Plan

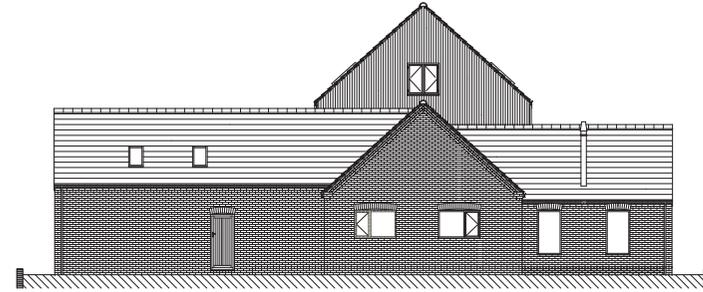
SCALE 1:500 A3	DATE 10/2/2020
DRAWING NO. 11 549BDR 03 PSP	DRAWN BY S. Reid

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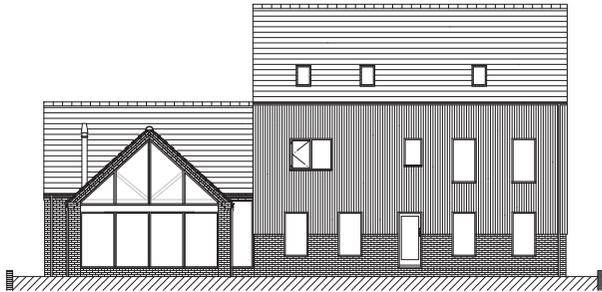
PA/2019/2017 Proposed elevations (not to scale)



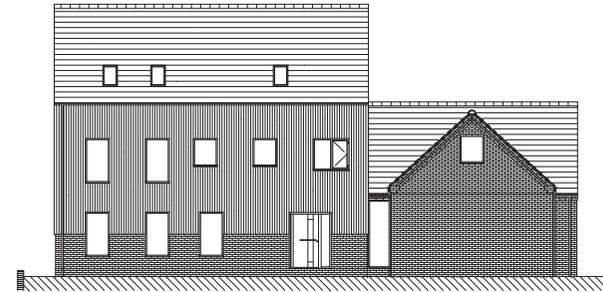
SOUTH EAST ELEVATION



NORTH WEST ELEVATION



SOUTH WEST ELEVATION



NORTH EAST ELEVATION

PROPOSED ELEVATIONS

Scale 1:100



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CLIENT
Mr & Mrs D. Potter
Newlands Farm, Black Dykes Road
Kellfield, DN9 1AQ
JOB TITLE
Replacement Dwelling

DRAWING TITLE
Proposed Elevations

SCALE	DATE
1:100 A1	27/11/19
DRAWING NO.	DRAWN BY
13 549DBR 01 PE	S. Reid

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