

APPLICATION NO PA/2020/744

APPLICANT Mr Anthony Northcote, Town-Planning.co.uk

DEVELOPMENT Application for technical details consent (pursuant to permission in principle for residential development PA/2019/1117) for the erection of three dwellings

LOCATION Land adjacent to 61 Haxey Lane, Haxey, DN9 2ND

PARISH Haxey

WARD Axholme South

CASE OFFICER Mark Niland

SUMMARY RECOMMENDATION **Grant consent subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Paragraph 55 – Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Paragraph 127 – Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 163 – When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (b) the development is appropriately flood resistant and resilient;
- (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 170 – Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 189 – In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record

should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

North Lincolnshire Local Plan: DS1, DS7, DS14, DS16, T2, T19, RD2, H5

North Lincolnshire Core Strategy: CS5, CS6, CS17, CS19

CONSULTATIONS

Highways: No objections subject to the imposition of conditions.

Severn Trent Water: Foul drainage is proposed to connect into the public sewer, which will be subject to a formal section 106 sewer connection approval. Surface water is proposed to discharge to a watercourse, on which we have no comment.

Historic Environment Record: No objection subject to the removal of permitted development rights for extensions and outbuildings.

PARISH COUNCIL

Objects on numerous grounds, including the principle, as well as tenure type. The only material objections relate to the technical elements of the proposal. The parish council does have concerns regarding one of the plots being three-storey, and a disproportionate amount of amenity and parking provision.

PUBLICITY

A site notice has been displayed in accordance with Article 15 of the Development Management Procedure Order 2015 as amended.

No comments have been received.

ASSESSMENT

Planning history

PA/2019/1117: Application for permission in principle to erect one to three dwellings – approved.

PA/2018/1705: Planning permission to erect seven dwellings with detached garages – refused 3 June 2019.

Site characteristics

The site lies directly adjacent to, but outside, the development boundaries of both Haxey and Graizelound and is accessed via an existing dropped kerb onto Haxey Lane (A161), which is subject to a 30mph speed restriction in this location. A footpath runs along the eastern side of Haxey Lane, along the site frontage. The site is currently grassed.

The site frontage (facing Haxey Lane) contains a hedge, behind which is a post and rail fence. To the south is 69 Haxey Lane, with the boundary defined by a panel fence and hedging. To the rear (east) of the site are open fields and there is no boundary treatment along this boundary. To the north of the site is Marshall Farm, comprising a large detached dwelling and large agricultural building.

Existing properties along Haxey Lane include a mixture of single-storey bungalows, two-storey dormer bungalows and two-storey houses, arranged in a linear pattern of ribbon development.

The site and surrounding area lies within the Isle of Axholme Area of Historic Landscape Interest and within flood zone 2/3a of the Strategic Flood Risk Assessment for North and North East Lincolnshire.

Planning application PA/2019/1117 allowed for a permission in principle. The object of assessment under this application therefore relates to the technical information that would normally accompany a full planning application. The assessment will not revisit those policies and issues that would be relevant to a locational assessment of an application.

The application site achieved permission in principle for the erection of two dwellings; this application deals with the technical details that follow that application, which are:

- **character and appearance**
- **amenity**
- **the Area of Special Historic Landscape Importance (ASHLI)**
- **drainage**
- **highways.**

Character and appearance

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy has two parts: the first sets out in principle those development types that are acceptable; the second sets out a criteria-based approach to assessing those developments. The second part is of interest to this section in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development. Paragraph 'c' of the policy states:

"...the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials;"

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It states "...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place" and "Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable."

Policy H5, concerned with new housing development, and paragraph 127 of the National Planning Policy Framework (NPPF) are also relevant.

The applicant proposes three detached dwellings, two of which have living accommodation over two floors and the central dwelling allows for living over three floors with accommodation above the eaves. The parish council has commented that this is out of keeping with the other dwellings in the area. However, whilst the proposal may be slightly higher, the second floor is located under the eaves with only two small gable dormers on the principal elevation that would allow it to be read. It is considered that this difference between the dwellings promotes a diversity of built form that would not carry negative impacts upon the street scene which already has a broad mix of house types.

The applicant also promotes an acceptable palette of quality materials with a mix of reds for facing brick and clay pantiles. These are annotated on the elevation plans and so can be secured through the approved plans condition. The applicant also proposes to retain the hedging to the front of the site only removing space necessary for access/egress points; this softens the scheme and helps with the absorption of the dwellings into the existing street scene. The applicant also proposes 1.8 metre close boarded timber fencing between properties, and given its limited impact upon the street, is also considered appropriate; these points are secured by approving the site plan.

The built form of the dwellings, along with the appropriate materials proposed, are therefore not considered to give rise to unacceptable impacts upon the open countryside nor the settlements of Haxey and Graizelound. The proposal is considered appropriate to its context and would be in accordance with policies H5 and the second part of RD2 as well as policy H5 of the Core Strategy and paragraph 127 of the NPPF.

Amenity

Part of policy DS1 is concerned with impacts upon amenity whilst policy H5 'New Housing Development' also puts forward a criteria-based approach to assessing the amenity of new proposals; both are considered relevant. Policy DS1 of the North Lincolnshire Local Plan states that "No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing".

There is sufficient separation distances from dwellings that abut the site as well as those within the site not to give rise to unacceptable impacts upon the amenity rights of existing or future residents by way of overbearing/shadowing. Furthermore, all openings are positioned such that they would not give rise to unacceptable impacts from visual intrusion. There are side openings at first floor on elevations; however, these serve bathrooms, and under building regulations would be required to be obscure glazed. Another opening serves a landing on number 67, though this is at a sufficient distance as well as serving a non-habitable room that would mean it is not necessary to make it obscure.

The dwellings are sizeable and the amenity areas are on the smaller side in comparison but are in keeping with other dwellings in the area. Furthermore, there is sufficient space for bin storage.

It is therefore considered that the proposed scheme would align with policies DS1 and H5 of the North Lincolnshire Local Plan.

Area of Special Historic Landscape Importance

Core Strategy policy CS6 (Historic Environment) states, “The council will seek to protect, conserve and enhance North Lincolnshire’s historic environment as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains...” and “Development proposals should provide archaeological assessments where appropriate”.

Policy LC14 of the North Lincolnshire Local Plan has two parts: firstly, it sets out in principle development types that are appropriate; and secondly, it puts forward a criteria-based framework against which to evaluate those sites.

The proposal has been considered acceptable in principle by application PA/2019/1117 and under this application the council’s archaeologist has no objection subject to the removal of permitted development rights for extensions and outbuildings. A previous appeal was dismissed relating to planning application PA/2018/1705 which was for the erection of seven dwellings and garages; the impact upon the ASHLI being of paramount concern.

Notwithstanding those applications, all conditions are required to pass the six tests of conditionality. In this instance the removal of permitted development rights on these plots is considered unreasonable because there are dwellings in the area that are allowed the privilege of those rights that could equally, if not to a greater degree, impinge upon the character of the ASHLI. The dwellings’ curtilage areas are not overly excessive and any development within them that could be achieved under permitted development rights would not affect the character to a level that would justify the imposition of this condition.

It is therefore considered that the proposal would accord with policy CS6 of the Core Strategy as well as part of policy LC14 of the North Lincolnshire Local Plan.

Drainage/flooding

The site is located within Flood Zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011, but in Flood Zone 1 in accordance with Environment Agency Mapping.

Policy CS19 is concerned with flood risk, whilst policy DS14 of the North Lincolnshire Plan is concerned with foul sewage and surface water drainage. It states that the council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

The Environment Agency, council drainage team and Severn Trent Water have all been consulted. The Environment Agency has no objections given that finished floor levels are well above 4.1metres above Ordnance Datum, which is the critical level for the area; this can be seen with reference to the topography plan. Severn Trent water has no objections and has stated that a connection is mitigated and controlled by Section 106 of the Water Industries Act 1991. The council’s drainage team has not made comment upon the strategy put forward; surface water, in any case, will be controlled by building regulations and there are no concerns given that the proposal relates only to three dwellings.

It is therefore considered that the proposal is in accordance with policies CS19 of the Core Strategy as well as DS14 of the North Lincolnshire Local Plan.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The applicant proposes to formulate an access/egress for each of the dwellings whilst providing sufficient off-street parking. The council's Highways Development Control team has reviewed the submission and has no objections to the proposal subject to the imposition of conditions relating to the formulation of access points and the laying of hard standing prior to the occupation of any dwelling.

Given this mitigation, it is considered that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Conclusion

The proposed application for technical details is considered acceptable. The archaeologist has requested removal of permitted development rights for extensions and outbuildings; however, this is considered unreasonable given the relatively proportionate amount of amenity space on offer and the ability for neighbouring dwellings to benefit from those same permitted development rights that could cause equal harm to the ASHLI.

The proposal is therefore recommended for approval.

RECOMMENDATION Grant consent 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: 14D/44/2016; 15C/44/2016; 14A/44/2016; 14B/44/2016; 11A/44/2016.

Reason

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

3.

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.

4.

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.

5.

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.

Informative 1

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 2

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.

30 0 30 60 90 120 150 m

Haxey

A161

Marshall Farm

4.4m

Jasmine Cottage

The Crofters

Clwick

HAXEY LANE

Drain

FB

Drain

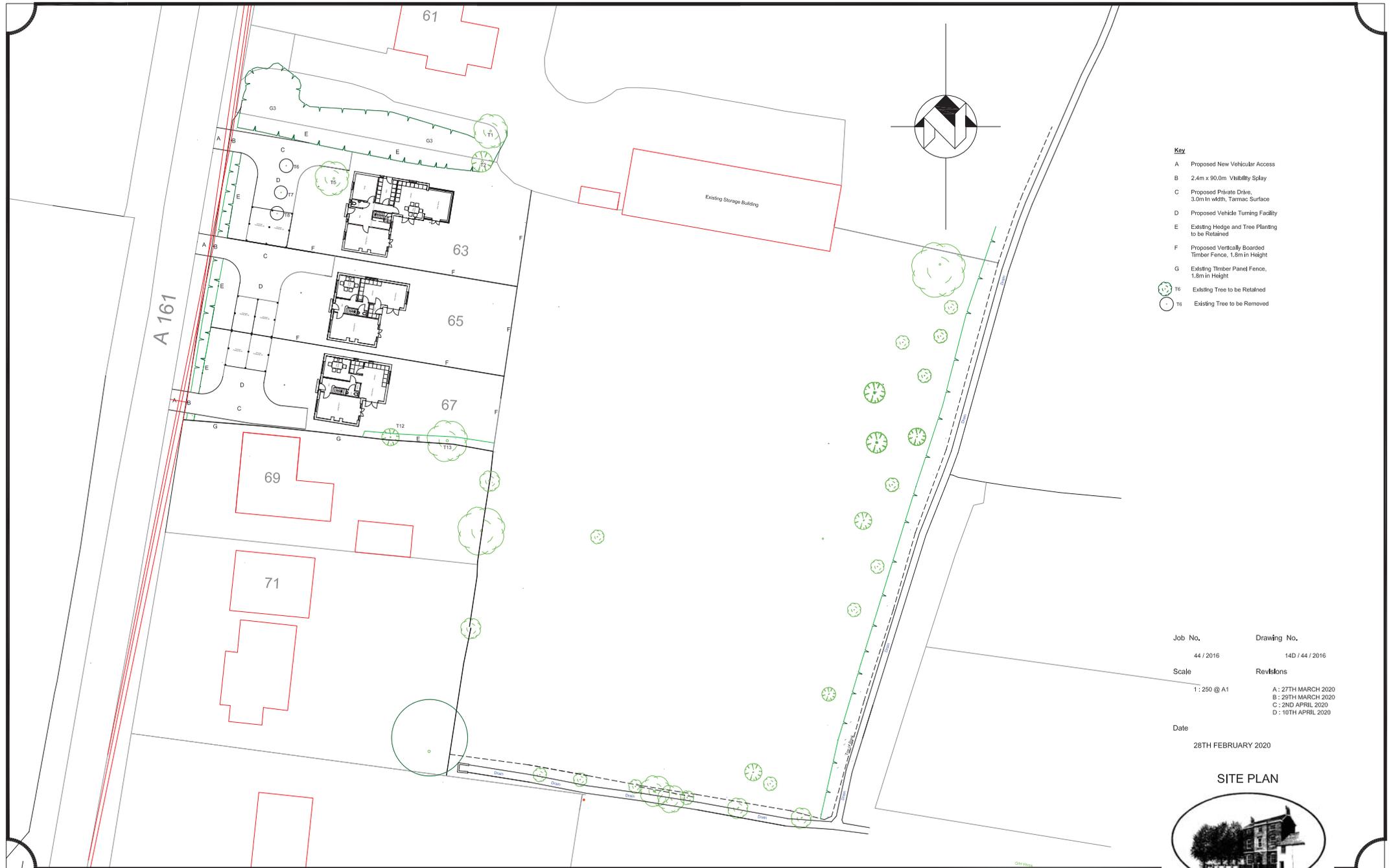
Drain

 **LC14**
 **Development Boundary**

**North
Lincolnshire
Council**

PA/2020/744

PA/2020/744 Site layout (not to scale)



- Key**
- A Proposed New Vehicular Access
 - B 2.4m x 90.0m Visibility Splay
 - C Proposed Private Drive, 3.0m In Width, Tarmac Surface
 - D Proposed Vehicle Turning Facility
 - E Existing Hedge and Tree Planting to be Retained
 - F Proposed Vertically Boarded Timber Fence, 1.8m in Height
 - G Existing Timber Panel Fence, 1.8m in Height
 - T6 Existing Tree to be Retained
 - T6 Existing Tree to be Removed

Job No.	Drawing No.
44 / 2016	14D / 44 / 2016
Scale	Revisions
1 : 250 @ A1	A : 27TH MARCH 2020 B : 29TH MARCH 2020 C : 2ND APRIL 2020 D : 10TH APRIL 2020

Date
28TH FEBRUARY 2020

SITE PLAN



Orchard House

**RESIDENTIAL DEVELOPMENT : 63-67 HAXEY LANE,
HAXEY, NORTH LINCOLNSHIRE**

PA/2020/744 Elevations and floor plans (No. 63) (not to scale)



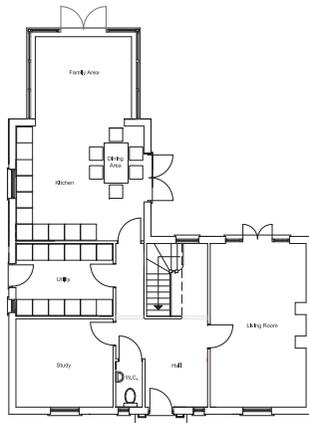
WEST ELEVATION



SOUTH



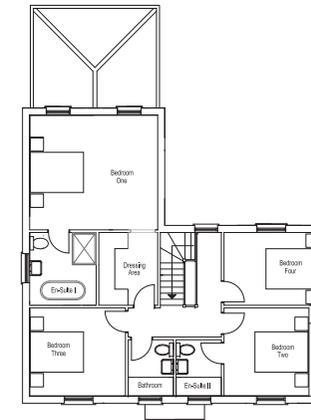
EAST



GROUND FLOOR PLAN



NORTH



FIRST FLOOR PLAN

Specification Notes :

Roof :
Weinerberger 20 20 Clay Tiles
Colour : Antigue Slate

Walls :
Facing Brickwork
Colour : Mixed Reds

Rainwater Goods :
UPVC Halfround Eavesgutters and RWP's
Colour : Black

Window Frames :
Timber Framed Construction
Vertically Sliding Sashes
Colour : Light Painted Finish

External Doors :
Front : Timber Framed Construction
Four Panelled
Colour : Dark Painted Finish
Rear : French Doors - Fully Glazed
Colour : Light Painted Finish

Job No. 44 / 2016
Drawing No. 15C / 44 / 2016
Scale 1 : 100 @ A1
Date 28TH MARCH 2020
Revisions
A : 2ND APRIL 2020
B : 10TH APRIL 2020
C : 14TH APRIL 2020

NO. 63
PLANS & ELEVATIONS



Orchard House

**RESIDENTIAL DEVELOPMENT : 63-67 HAXEY LANE,
HAXEY, NORTH LINCOLNSHIRE**

PA/2020/744 Elevations and floor plans (No. 65) (not to scale)



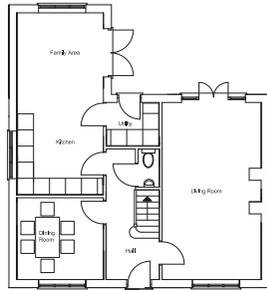
WEST ELEVATION



SOUTH



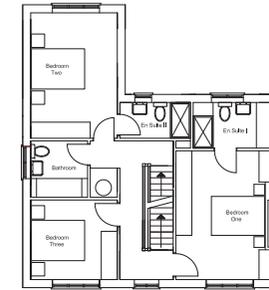
EAST



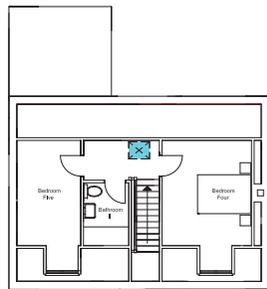
GROUND FLOOR PLAN



NORTH



FIRST FLOOR PLAN



FIRST FLOOR PLAN

Specification Notes :

Roof
Weinerberger County Clay Pantile
Colour : Flanders

Walls :
Forterra Chelsea Smoked Red
Colour : Mixed Reds

Rainwater Goods :
UPVC Halfround Eavesgutters and RWPs
Colour : Black

Window Frames :
Timber Framed Construction
Slate Hung Casements
Colour : Light Painted Finish

External Doors :
Front : Timber Framed Construction
Four Panelled
Colour : Dark Painted Finish
Rear : French Doors - Fully Glazed
Colour : Light Painted Finish

Job No. 44 / 2016
Drawing No. 14A / 44 / 2016
Scale 1 : 100 @ A1
Revisions A : 10TH APRIL 2020

Date 28TH MARCH 2020

NO. 65
PLANS & ELEVATIONS



Orchard House

**RESIDENTIAL DEVELOPMENT : 63-67 HAXEY LANE,
HAXEY, NORTH LINCOLNSHIRE**

PA/2020/744 Elevations and floor plans (No. 67) (not to scale)



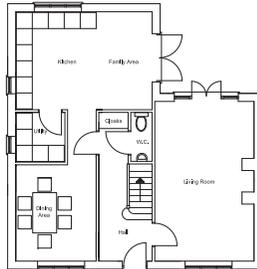
WEST ELEVATION



SOUTH



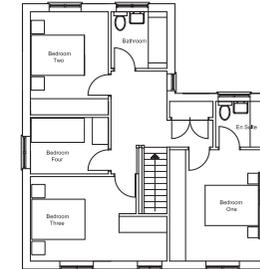
EAST



GROUND FLOOR PLAN



NORTH



FIRST FLOOR PLAN

Specification Notes :

Roof :
Wolnerberger 20 20 Clay Tiles
Colour : Antique Slate

Walls :
Forterra Chelsea Smoked Red
Colour : Red

Rainwater Goods :
UPVC Halfround Eavesgutters and RWP's
Colour : Black

Window Frames :
Timber Framed Construction
Side Hung Casements
Colour : Light Painted Finish

External Doors :
Front : Timber Framed Construction
Four Panelled
Colour : Dark Painted Finish
Rear : French Doors - Fully Glazed
Colour : Light Painted Finish

Job No.	Drawing No.
44 / 2016	14B / 44 / 2016
Scale	Revisions
1 : 100 @ A1	A : 10TH APRIL 2020 B : 14TH APRIL 2020
Date	
28TH MARCH 2020	

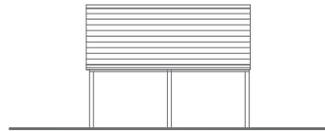
NO. 67
PLANS & ELEVATIONS



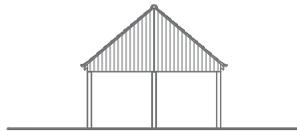
Orchard House

**RESIDENTIAL DEVELOPMENT : 63-67 HAXEY LANE,
HAXEY, NORTH LINCOLNSHIRE**

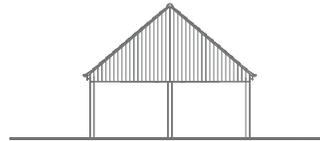
PA/2020/744 Elevations (garages) (not to scale)



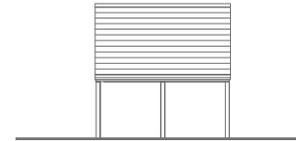
NORTH : NO. 63



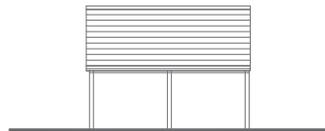
WEST



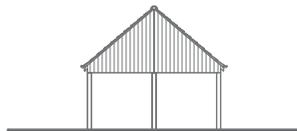
NORTH : NO. 65 & 67



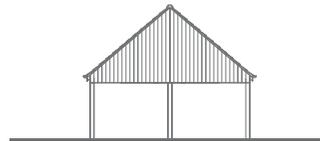
WEST



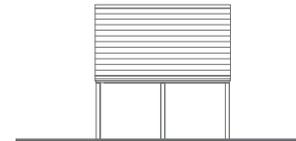
SOUTH



EAST



SOUTH



EAST



PLAN : NO. 63

Specification Notes :

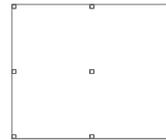
Roofs : No.63&67
Weinerberger 20 20 Clay Tile
Colour : Antique Slate Grey

Roof : No. 65
Weinerberger County Clay Pantile
Colour : Flanders

Structural Framework :
Oak Posts and Beams
Colour : Dark Stained Finish

Gable Walls :
Timber Vertical Boarding
Colour : Dark Stained Finish

Rainwater Goods :
UPVC Halfround Eavesgutters and RWP's
Colour : Black



**PLAN : NO. 65
PLAN : NO. 67**

Job No. 44 / 2016 Drawing No. 11A / 44 / 2016
Scale 1 : 100 @ A1 Revisions A : 10TH APRIL 2020
Date 1ST AUGUST 2018

**GARAGE
PLANS & ELEVATIONS**



Orchard House

**RESIDENTIAL DEVELOPMENT : 63-67 HAXEY LANE,
HAXEY, NORTH LINCOLNSHIRE**