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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

17 November 2021

Chairman: Councillor Nigel John
Sherwood

Venue: Church Square House,
High Street,
Scunthorpe

Time: 2.00 pm

E-Mail Address:
tanya.davies@northlincs.gov.uk

AGENDA

1. Substitutions
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests, significant contact with applicants, objectors or third parties (Lobbying) and Whipping Arrangements (if any). (Pages 1 - 2)
3. To take the minutes of the meetings held on 20 October 2021 as a correct record and authorise the chairman to sign. (Pages 3 - 22)
4. Applications deferred from previous meetings for a site visit. (Pages 23 - 24)
 - (a) PA/2021/223 Outline Planning Permission to erect dwellings, revise access to highway, and demolish existing dwelling and structure, with appearance, landscaping, layout and scale reserved for subsequent consideration at 91 Barrow Road, Barton upon Humber, DN18 6AE (Pages 25 - 54)
 - (b) PA/2021/313 Planning Permission for condensed public house with takeaway, new commercial unit (Use Class E), two additional residential units with retention of existing landlord accommodation, and associated works at The Bay Horse, Shore Road, Garthorpe, DN17 4AD (Pages 55 - 82)
Members please note that the applicant has revised the proposal from three additional residential units to two, removing one of the apartments and extending the landlord accommodation and remaining first-floor apartment. No external amendments have been made. The report has been updated in relation to the lesser impact the revised proposal would have on parking provision on the site.)
 - (c) PA/2021/855 Outline Planning Permission to erect a detached dwelling with appearance, landscaping, layout and scale reserved for subsequent

consideration at Orchard House, 12 Barnetby Lane, Elsham, DN20 0RB (Pages 83 - 94)

- (d) PA/2021/1121 Planning Permission to vary condition 2 of approved application PA/2020/874 (amended drawings to reflect amendments to proposed dwelling) at land south of Church Street, Elsham, DN20 0RG (Pages 95 - 112)
5. Major Planning Applications. (Pages 113 - 114)
- (a) PA/2020/1483 Planning Permission to construct additional vehicle storage area with associated on-site infrastructure to include access bridge at Clough Lane, Killingholme, DN40 3JP (Pages 115 - 132)
 - (b) PA/2021/1210 Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/1716 dated 06/02/2020 for up to 48 residential dwellings at B1207 Station Road, Hibaldstow (Pages 133 - 144)
6. Planning and other applications for determination by the committee. (Pages 145 - 146)
- (a) PA/2021/37 Application for permission in principle to erect up to three dwellings (including demolition of existing garages) at The Bay Horse, Shore Road, Garthorpe, DN17 4AD (Pages 147 - 154)
 - (b) PA/2021/391 Planning Permission to erect single-storey extensions to existing dwelling (dormer storey to one wing) at The Game Farm, rear of 28 West End Road, Epworth, DN9 1LB (Pages 155 - 166)
 - (c) PA/2021/479 Outline Planning Permission for residential development with all matters reserved for subsequent consideration at land off Chesswick Crescent, Keadby, DN17 3DQ (Pages 167 - 178)
 - (d) PA/2021/1006 Planning Permission to erect three specialist housing units and a detached specialist activity space, including parking provision at land to the west of the Tudors, Moor Road, Bottesford, DN17 2BS (Pages 179 - 196)
 - (e) PA/2021/1033 Planning Permission for change of use of garage/outbuilding to restaurant/cafe (Use Class A3) [now Class E (Commercial, business and service)] and associated works at Garage/outbuilding at 2 Westgate Road, Westgate, Belton, DN9 1QG (Pages 197 - 208)
 - (f) PA/2021/1110 Planning Permission for a temporary change of use for the storage of prefabricated units at Slate House Farm, Redbourne Road, Hibaldstow, DN20 9NN (Pages 209 - 216)
 - (g) PA/2021/1197 Planning application to remove conditions 3 and 12 of PA/2009/1081 to allow for the unrestricted occupancy of two cottages at Holiday Cottages, Don Farm, Common Middle Road, Crowle, DN17 4EZ

(Pages 217 - 226)

- (h) PA/2021/1287 Planning Permission to retain change of use of garage to home hairdressing salon at 46 High Leys Road, Bottesford, DN17 2QA (Pages 227 - 238)
7. Applications for Approval of Reserved Matters (Pages 239 - 240)
- (a) PA/2021/1034 Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2017/392 dated 15/06/2018 for six four-bedroomed detached dwellings and integral garages at land north of Thistle Downs, Scotter Road, Messingham, DN17 3QE (Pages 241 - 254)
 - (b) PA/2021/1240 Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/792 dated 06/08/2018 for six dwellings at Carr Lane, Redbourne, DN21 4QZ (Pages 255 - 264)
8. Adoption of Worlaby Parish Neighbourhood Plan (Pages 265 - 322)
9. Any other items, which the chairman decides are urgent, by reasons of special circumstances, which must be specified.

Note: All reports are by the Group Manager - Development Management and Building Control unless otherwise stated.

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NORTH LINCOLNSHIRE COUNCIL

**DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS
AT MEETINGS**

(to be completed by relevant members present at the meeting below)

MEETING: Planning Committee

DATE: 17 November 2021

Member Name: _____

Page Number	Agenda Item Number or Application Number	Nature of Interest (Disclosable Pecuniary, Personal or Personal and Prejudicial)	Reason/Nature of Declaration
Page 1			

DECLARATIONS OF LOBBYING

Agenda Item Number or Application Number	Lobbied By
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 2</p>	

DECLARATIONS OF WHIPPING ARRANGEMENTS (SCRUTINY PANELS and relevant QUASI-JUDICIAL MEETINGS ONLY)

Name/Group	Agenda Item Number or Application Number	Nature of Whipping Arrangements

Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

20 October 2021

PRESENT: - Councillor N Sherwood (Chairman)

Councillors C Ross (Vice Chairman), S Bainbridge, J Davison, M Grant, R Hannigan, D Southern and D Wells

Councillors J Briggs, E Marper, C O'Sullivan, N Poole, D Rose and K Vickers attended the meeting in accordance with Procedure Rule 1.37(b).

The meeting was held at Church Square House, High Street, Scunthorpe.

2141 **SUBSTITUTIONS** - There were no substitutions at the meeting.

2142 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)** - The following members declared a personal interest –

Councillor D Rose

Application: PA/2021/1097 (Minute: 2145xi)

Nature of Interest: Chair of CPRE Northern Lincolnshire and Yorkshire and Humberside

Councillor D Wells

Minute: 2146

Nature of Interest: North Lincolnshire Council Ferry Ward member

The following members declared that they had been lobbied –

Councillor D Rose

Application: PA/2021/582 (Minute: 2145v)

Councillor J Briggs

Application: PA/2021/824 (Minute: 2145viii)

Councillor D Southern

Application: PA/2021/1001 (Minute: 2145x)

Councillor D Wells

Minute: 2146

2143 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 8 AND 22 SEPTEMBER 2021 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN - Resolved** – That the minutes of the meetings held

PLANNING COMMITTEE
20 October 2021

on 8 and 22 September 2021, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2144 **MAJOR PLANNING APPLICATIONS** - The Group Manager – Development Management submitted a report containing details of a major application for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

2144i **PA/2021/619 PLANNING APPLICATION TO VARY CONDITION 2 OF PA/2017/389 TO RE-ORGANISE PLOTS 1, 89, 90 AND 91 AT LAND OFF STATION ROAD, KIRTON IN LINDSEY** - The applicant addressed the committee and spoke in support of her application. She informed members that four plots at the front of the site had been repositioned due to their proximity to water pipes. The application was appropriate for the site and urged members to support the planning officers recommendation.

Local Ward Member Councillor N Poole elaborated on his concerns that the application would cause additional impact on the flood related issues in the vicinity. It would have a detrimental impact on nearby streets and due to the height of the proposed properties would have an impact on neighbouring dwellings. Drainage issues at the site were also a concern.

Councillor J Davison too had concerns about the drainage at the site. However, in his opinion, the application should be granted.

Resolved – That planning permission be granted in accordance with the conditions contained within the officer’s report.

2145 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** - The Group Manager – Development Management and Building Control submitted a report for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Service updated the reports orally where appropriate. Other officers attending gave advice and answered members’ questions as requested.

2145i **PA/2019/1845 LISTED BUILDING CONSENT TO DEMOLISH EXISTING OUTBUILDINGS, STRIP OUT MILL TOWER AND CONVERT TO A NEW DWELLING AND ERECT THREE LINKED DWELLING HOUSES AT FORMER HEWSON'S MILL, HEWSONS LANE, BARTON UPON HUMBER** - An objector addressed the committee and objected to the application. She stated that the mill and outbuildings were listed buildings and of significant historical importance to the area. The application was simply to allow the developed to maximise its profits, not restore and enhance the mill. Were the committee minded to grant the application then condition 6 should be amended. The Planning Officer should have sought expert opinion from a conservation engineer prior to making his recommendation.

PLANNING COMMITTEE
20 October 2021

The applicant's agent spoke in support of the application. He stated that the mill was unsafe and had not benefited from a roof for over 35 years. It was in a dangerous condition and may collapse were works not to commence imminently. He confirmed that there was no profit in the restoration of the mill for the developer. Barton Town Council supported the application. Due to the scale of the works required, no other developer was willing to restore the mill. However, the developers were local and wanted to see the building restored to its former glory.

Councillor Hannigan understood the points eloquently made by the objector. However, this application would preserve the heritage of the mill and restore the building making it fit for purpose.

Resolved – That planning permission be granted in accordance with the conditions contained within the officer's report.

- 2145ii **PA/2019/1846 PLANNING PERMISSION TO DEMOLISH EXISTING OUTBUILDINGS ATTACHED TO THE MILL; CONVERT MILL TO A DWELLING; ERECT A DWELLING TO THE MILL, THREE DWELLINGS WEST OF THE MILL AND DETACHED BLOCK OF FOUR DWELLINGS WITH ASSOCIATED PARKING, ACCESS AND GARDENS; AND RETAIN RAISED LAND LEVELS TO FORM GARDEN EXTENSIONS TO PLOTS 9, 10 AND 11 AT FORMER HEWSON'S MILL, HEWSON'S LANE, BARTON UPON HUMBER - Resolved** – That planning permission be granted in accordance with the conditions contained within the officer's report.

- 2145iii **PA/2021/223 OUTLINE PLANNING PERMISSION TO ERECT DWELLINGS, REVISE ACCESS TO HIGHWAY, AND DEMOLISH EXISTING DWELLING AND STRUCTURES, WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 91 BARROW ROAD, BARTON UPON HUMBER -** Local Ward Member Councillor K Vickers attended the meeting and spoke about the national importance of the site. The site was one of the first settlements in Barton. Were the development to proceed without proper records then the history of the site would be lost. He respectfully suggested that a condition be attached to the application that stated the development could not commence until an archaeological dig was satisfactorily completed. Members may benefit from a site visit to truly appreciate the site.

Councillor J Davison thanked the ward member for his attendance and presentation. He too had concerns about the archaeology at the site and suggested that a site visit may be appropriate.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That the application be deferred to the next meeting to allow the committee to visit the site.

**PLANNING COMMITTEE
20 October 2021**

Motion Carried

2145iv **PA/2021/313 PLANNING PERMISSION FOR A CONDENSED PUBLIC HOUSE WITH TAKEAWAY, NEW COMMERCIAL UNIT (USE CLASS E), THREE ADDITIONAL RESIDENTIAL UNITS WITH RETENTION OF EXISTING LANDLORD ACCOMMODATION, AND ASSOCIATED WORKS AT THE BAY HORSE, SHORE ROAD, GARTHORPE** - An objector addressed the committee and stated that he did not object to the application in principle. However, there was concern about the density of housing and lack of parking at the site. Eight car parking spaces were required at the site yet there were only seven available, with no provision available for visitors etc. A similar application in 2014 was refused due to the findings of the flood risk assessment. However, the application was now recommended for approval. The proposed balconies on the dwellings would cause privacy issues for neighbouring properties and the development would reduce the amenities in the village.

The applicant's agent informed members that the site had been vacant for eight years. The site had been listed at auction on two separate occasions however it had failed to sell. Consequently, it was now in a poor state of repair. The application would see a complete refurbishment of the building. The pub alone was not a viable proposition on its own. The application would see the pub footprint reduced, to a size representative of the number of villagers. The developer had liaised with local residents who had expressed their excitement at the project. There were only benefits to the application, with the development significantly improving the street scene.

Local Ward Member Councillor Briggs informed the committee that he supported the development of the local public house. It would regenerate Garthorpe and improve the character of the village. However, he was concerned that the development would exacerbate traffic/parking issues in the village. There were only seven car parking spaces at the site which was, in his opinion, not sufficient. Committee members would benefit from a site visit.

Councillor J Davison agreed with the Local Ward Member that in principle the application was of benefit to Garthorpe. However, the parking issues were a concern.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That the application be deferred to the next meeting to allow the committee to visit the site.

Motion Carried

2145v **PA/2021/582 PLANNING PERMISSION TO ERECT TWO DETACHED DWELLINGS AND ASSOCIATED GARAGES (INCLUDING DEMOLITION OF EXISTING DWELLING) AT THE CROFT, 10 COMMONSIDE,**

PLANNING COMMITTEE
20 October 2021

WESTWOODSIDE - Prior to consideration of the item, an objector attended and addressed the committee. She informed members that the site was a heritage asset. The application had the same frontage and was the same size as the previous application that was refused. The design and colour of the application does not blend in with the old properties in the village. The application was vast in size and had no prominent features. The dwellings would overlook neighbouring properties gardens and lead to a loss of privacy.

Local Ward Member Councillor Rose spoke on the application. He informed members that the site had previously been refused, which the applicant appealed. The appeal was dismissed. The current application was an improvement but was still not in keeping with neighbouring properties. They would be overbearing and have a detrimental impact on the historic landscape. The development would lead to a loss of privacy for neighbouring properties and be overlooking. The Planning Inspector dismissed the appeal as the site was a heritage asset.

Councillor J Davison was concerned that the application was for two large properties. It would, in his opinion, have a negative impact on the street scene. It was not in keeping and would lead to the loss of the buffer to the historic landscape.

Councillor Grant was of the opinion that the applicant did not have to use their own land as a buffer.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That planning permission be refused for the following reasons –

1.

The proposed development would constitute an overdevelopment of the application site and would result in a cramped form of development at odds with the character and appearance of the surrounding area. The proposals are therefore contrary to policies H5 and DS1 of the North Lincolnshire Local Plan, and policies CS5 and CS7 of the Core Strategy.

2.

Due to its location on a narrow rural road, the proposed vehicular access to this proposal fails to demonstrate that safe access and egress can be achieved. The proposal would therefore have an adverse impact on highway safety contrary to policies T2 and H5 of the North Lincolnshire Local Plan.

3.

The proposed development would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance. The size, scale and massing of the proposed dwellings would adversely affect the character, appearance and setting of the historic landscape of the Isle of Axholme, specifically the character and setting of the core historic landscape of the

PLANNING COMMITTEE
20 October 2021

Ancient Open Strip Fields, as well as the historic settlement form that contribute to the character, setting and legibility of the historic landscape. It is therefore contrary to policy CS5 of the North Lincolnshire Core Strategy, and policies DS1 and LC14 of the North Lincolnshire Local Plan.

Motion Carried

- 2145vi **PA/2021/647 PLANNING PERMISSION TO EXTEND FARMYARD, CREATE ADDITIONAL ACCESS AND REGULARISE EXTENSION TO FARM BUILDING ERECTED UNDER PA/2013/1565 AT NORTHFIELD FARM, BELTON FIELDS LANE, WESTGATE, BELTON** - The applicant attended the meeting and spoke in support of his application. He informed members that the farm required additional hard standing to safely store farm equipment. The application would have very little effect on the area. It was merely replacing existing buildings. The current surface at the farm was impractical for use in winter. Were the application to be refused then it would have a detrimental effect on the farm, with the viability of the business brought in to question. Belton Parish Council supported the application.

Councillor J Davison understood the recommendation proposed by the planning officer. However, he was of the opinion that the application should be granted.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That the planning application be granted, subject to the inclusion of 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:

LINF 008 Location Plan
LINF 009 Existing Site Plan
LINF 001 Site Plan
LINF 007 Proposed Site Plan
001 Proposed Barn Extension
Design, Access and Planning Statement
Heritage Statement.

Reason

PLANNING COMMITTEE
20 October 2021

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

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

4.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

5.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

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

PLANNING COMMITTEE
20 October 2021

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.

Motion Carried

- 2145vii **PA/2021/702 PLANNING PERMISSION TO RUN A DOG GROOMING BUSINESS FROM A BRICK BUILDING WITHIN REAR GARDEN AT 87 FERRY ROAD WEST, SCUNTHORPE** - Local Ward Member Councillor E Harper attended the meeting to query condition 3 included within the planning officer's recommendation. It was not obvious in the report how the condition would be enforced.

Councillor J Davison stated that he had no problem with the application. However, like the Ward Member, he could not see the need for condition 3 to be attached to the permission.

It was then moved by Councillor J Davison and seconded by Councillor C Ross –

That the application be granted in accordance with the recommendation contained within the report, subject to the removal of condition 3.

Motion Carried

- 2145viii **PA/2021/824 OUTLINE PLANNING PERMISSION FOR FIVE DWELLINGS WITH APPEARANCE, LANDSCAPING AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT LAND TO THE REAR OF THE WHITE HOUSE, HIGH STREET, GARTHORPE** - An objector attended the meeting and spoke against the application. The application would, if granted, set a precedent. It was outside the development boundary and was not necessary. There was a flood risk at the site with previous flooding in the vicinity.

A representative of the applicant addressed the committee. He provided some background to previous applications at the site. The applicant was, following communication with the planning officer, under the impression that the application would be recommended for approval. The application was a sustainable development and would assist in the regeneration of Garthorpe. The site was in essence a small infill plot and, were members unsure of any aspect of the development, they could hold a site visit.

Local Ward Member Councillor J Briggs stated that the application was outside the development boundary and therefore should not be granted.

PLANNING COMMITTEE
20 October 2021

The planning officers report had taken into account all the pertinent points and the recommendation was appropriate.

Councillor R Hannigan believed that the site was not just an infill plot. It would have a detrimental effect on the street scene and should not be granted.

Resolved – That planning permission be refused in accordance with the recommendations contained within the report.

2145ix **PA/2021/855 OUTLINE PLANNING PERMISSION TO ERECT A DETACHED DWELLING WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT ORCHARD HOUSE, 12 BARNETBY LANE, ELSHAM** - An objector addressed the committee and spoke against the application. As a resident of an adjacent property, she was concerned that her property would suffer from a loss of privacy as a result of the development. The application was outside of the development boundary. The Parish Councill had objected to the application. Her property was currently very private but this would change were the application to be granted. The development would have a detrimental impact on the appearance and light of her property. Were the development smaller and situated on a different part of the site then it would be acceptable.

Local Ward Member Councillor R Waltham MBE respectfully requested that members visit the site.

Councillor J Davison confirmed that the application was only for outline permission. However, it was situated outside the development boundary.

It was then moved by Councillor J Davison and seconded by Councillor D Wells –

That the application be deferred to the next meeting to allow the committee to visit the site.

Motion Carried

2145x **PA/2021/1001 PLANNING PERMISSION TO ERECT A TWO-STOREY REAR EXTENSION AND MAKE ALTERATIONS TO PROVIDE A SIX-BEDROOM HOUSE OF MULTIPLE OCCUPATION AT 35 DONNINGTON GARDENS, SCUNTHORPE** - An objector attended the meeting and spoke against the application. She respectfully requested that members vote against the planning officer's recommendation and refuse the application. The street was currently quiet and private. However, the application would have a detrimental impact on the vicinity. She disputed the planning officer's statement that the impact on neighbouring properties would be minimal. The development would affect neighbouring properties light and privacy. A house of multiple occupation would generate a lot of activity on a quiet road. The lack of parking close to the development was also a concern.

PLANNING COMMITTEE
20 October 2021

The applicant's agent spoke in support of the application. She conformed that there were dwellings surrounding the development, but they would not be impacted were the application granted. The application consultation saw only five letters of objection received. The development had no windows to the side and rear, it could therefore not be overlooking or impact on neighbours' privacy or loss of light. The development would attract young professionals who wanted accommodation close to the town centre, hence why fewer car parking spaces were required.

The Chairman read out a letter supporting residents concern from Scunthorpe County Constituency Member of Parliament Holly Mumby-Croft.

Local Ward Member Councillor C O'Sullivan spoke against the application. Residents were greatly concerned that the application would affect their quality of life. It was, in her opinion, an over development of the site. A number of concerned residents had made contact to share their feelings on the application, citing a lack of sufficient parking, increase traffic and a loss of privacy. The site was not appropriate for a house of multiple occupation.

Councillor R Hannigan shared the concerns of the objector, Member of Parliament and Ward Member.

It was then moved by Councillor R Hannigan and seconded by Councillor C Ross –

1.

The proposed development, by virtue of its siting, size, and density relative to neighbouring properties, would result in a harmful cramped form of development out of character with the surrounding area. The proposed development is therefore contrary to policy CS5 of the North Lincolnshire Core Strategy and saved policies DS1, H5 and H7 of the North Lincolnshire Local Plan.

2.

The proposal would prejudice the neighbouring amenity of 37 Donnington Gardens by way of detrimental noise. As such, the development conflicts with policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

3.

By reason of the proposed parking arrangement, and the consequent potential impact resulting in on-street parking on Donnington Gardens, the proposal would cause highway safety impacts on this residential street. The proposed development is therefore contrary to saved policy T19 of the North Lincolnshire Local Plan.

Motion Carried

PLANNING COMMITTEE
20 October 2021

STOREY DWELLING WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT POND FARM, TRENTSIDE ROAD, KELFIELD - The applicant's agent addressed the committee and spoke in support of the application. He informed the meeting that the development was to be built and occupied by the applicant's daughter and her family. The development would make the site more secure and allow the family to be together. The application had been scrutinised when it was submitted for reserved matters. The Parish Council had supported the application and there were no objections to the development. The Environment Agency had now removed their objection. A similar infill application adjacent to the development site had been granted a few months ago. An additional condition could be attached to the conditions that would ensure the development could not be sold unless for agricultural use.

Local Ward Member Councillor D Rose would support the granting of the application were an agricultural condition included within the conditions.

Councillor J Davison stated he too would support the application were an agricultural condition attached to the conditions.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

That planning permission be granted, subject to the inclusion of the following conditions –

1.
Approval of the details of the layout, 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 layout, 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

PLANNING COMMITTEE
20 October 2021

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.

The development shall be carried out in accordance with the submitted flood risk assessment (dated 10 June 2021 and compiled by Howard J Wroot Chartered Surveyor) and the following mitigation measures it details:

- Finished floor levels of all habitable accommodation shall be set no lower than 6.53 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

6.

The details submitted in pursuance of any future reserved matters application based on this outline planning permission shall be accompanied or preceded by the submission to the local planning authority of a statement of heritage significance that accurately describes the significance of all the heritage assets and their settings, the potential impact of the development, justification of the impact and how the proposals accord with the requirements of policy LC14 of the North Lincolnshire Local Plan and other relevant historic environment local plan policies. The statement shall be supported with photographs that demonstrate the impact on vistas into and out from the site, including the scale of the proposed dwelling in relation to the neighbouring properties.

Reason

To protect the historic landscape and nearby heritage asset in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

PLANNING COMMITTEE
20 October 2021

7.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be

PLANNING COMMITTEE
20 October 2021

prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

PLANNING COMMITTEE
20 October 2021

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

9.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

10.

Notwithstanding the provisions of Classes A, B, C, D, E and G 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, buildings or enclosures shall be erected on the site or installed on the building other than those expressly authorised by this permission.

Reason

To protect the historic landscape in accordance with policies LC14 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy.

11.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

12.

No loose material shall be placed on any driveway or parking area within 10

PLANNING COMMITTEE
20 October 2021

metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

13.

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.

14.

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.

Motion Carried

2145xii **PA/2021/1121 PLANNING PERMISSION TO VARY CONDITION 2 OF APPROVED APPLICATION PA/2020/874 (AMENDED DRAWINGS TO REFLECT AMENDMENTS TO PROPOSED DWELLING) AT LAND SOUTH OF CHURCH STREET, ELSHAM** - An objector attended the meeting and spoke against the application. The development was, in his opinion, too large and not in keeping with the other properties on the street. It would overshadow number 2 and 4 Church Street and be approximately five times the size of number 4. The proposed obscure glass would still lead to a loss of privacy for neighbouring properties. Were the application granted, it would have a detrimental impact on the quality of life of residents on the street. The development was completely out of character with the local area. The development did not comply with policy DS1 and the application did not satisfactorily address the risk of flooding.

The applicant's agent spoke in support of the application. He informed the committee that the application had been amended with the French doors being removed from the plans. The house was required to accommodate the larger family. The application had previously been agreed as being an

PLANNING COMMITTEE
20 October 2021

appropriate development for the site. The variation would only see the property extended to the rear.

Councillor J Davison agreed with the objector that the application was for a very large house. He was concerned that the development would overlook neighbouring properties and the scale of the application was not appropriate.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

That the application be deferred to the next meeting to allow the committee to visit the site.

Motion Carried

2145xiii **PA/2021/1199 PLANNING PERMISSION TO ERECT A TWO-STOREY SIDE EXTENSION, A SINGLE-STOREY REAR EXTENSION AND A FRONT PORCH, AND CARRY OUT INTERNAL ALTERATIONS TO THE BUILDING AT 10 ACCESS ROAD TO PYEWIPE FARM, REDBOURNE - Resolved** – That planning permission be granted in accordance with the recommendations contained within the report.

2145xiv **PA/2021/1244 PLANNING PERMISSION FOR EXTENSIONS AND ALTERATIONS, INCLUDING INCREASE IN HEIGHT OF THE PROPERTY, GABLE DORMERS TO THE FRONT, LINK BUILDING AND TWO-STOREY SIDE EXTENSION, AND OTHER ASSOCIATED WORKS AT 9 PARK DRIVE, WESTWOODSIDE** - Councillor J Davison stated that the application would have an adverse impact on the amenities of neighbouring properties.

It was then moved by Councillor J Davison and seconded by Councillor R Hannigan –

That planning permission be refused for the following reasons -

1.

The proposal would result in an adverse impact on the amenity of the adjacent dwelling in that it has the potential to take away the privacy of the adjacent dwelling contrary to policies DS1 and DS5, as well as the SPG1 Design Guidance for House Extensions, of the North Lincolnshire Local Plan.

Motion Carried

2146 **DEFINITIVE MAP MODIFICATION (NORTH KILLINGHOLME FP84) 2020 ORDER - REFERRAL TO SECRETARY OF STATE** - The Director: Operations submitted a report to seek approval to forward a submission to the Secretary of State in relation to objections received in relation to this

PLANNING COMMITTEE
20 October 2021

diversion order.

An application to divert a section of the existing public footpath North Killingholme 84, was made by the owners of Church Farm, North Killingholme.

The existing public footpath 84 crossed through land belonging to Church Farm. The proposed diversion and existing route was attached in the definitive map modification order at Appendix 1 of the report.

Two objections were received when the order was advertised.

One objection had since been withdrawn and changed to a representation. The remaining objection was made on behalf of the North Killingholme Parish Council. A copy of the objection and representation was attached at Appendix 2 of the report.

The parish council had queried why the path should be diverted to suit an individual. However, the Highways Act 1980 provided that a path could be diverted in the interests of an owner, not just in the interests of the public.

The parish council also objected on the basis that the existing route was part of the Nev Cole Way and was designed to give a focal point for the church.

The Nev Cole Way was not a formally recognised route which held any legal status and had no links with North Lincolnshire Council's public rights of way service. No objections to the diversion had been received by the Planning Committee. from any of the local user groups who form part of the consultation process. Likewise, there had been no objection received from the Diocese of Lincoln via the local church committee. No concern had been raised regarding the path being a focal point for the church. The proposed diversion would lead walkers to the church, as was currently the case.

There were provisions within the Order, which stated that certain works must be completed to ensure the path was safe and comfortable to use, before the Council would confirm the diversion.

The options for consideration by the committee were –

- (i) To refer the application to the Secretary of State for confirmation of the order as made.
- (ii) To refer to the Secretary of State but taking a neutral stance regarding confirmation.
- (iii) Not to refer the order to the Secretary of State.

Resolved – That the “Definitive Map Modification (North Killingholme FP84) (2020) Order” not be supported.

PLANNING COMMITTEE
20 October 2021

- 2147 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED** - There were no urgent items for consideration at the meeting.

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS DEFERRED FROM PREVIOUS MEETING FOR SITE VISITS

1. OBJECT

- 1.1 To consider items which have been deferred to allow members to visit the sites.

2. BACKGROUND

- 2.1 The applications listed on the attached schedule were deferred at a previous meeting of the committee to allow members to visit the sites before making a decision.
- 2.2 Members will undertake the site visits in the morning on the day of the meeting.

3. INFORMATION

- 3.1 The reports relating to the deferred items are attached. The reports have been updated since the last meeting where appropriate.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Ref: CB/JMC/Planning committee 17 November 2021.docx
Date: 8 November 2021

Background papers used in the preparation of this report:

1. The applications, including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use.

APPLICATION NO	PA/2021/223
APPLICANT	Ben Pearson
DEVELOPMENT	Outline planning permission to erect dwellings, revise access to highway, and demolish existing dwelling and structures, with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	91 Barrow Road, Barton upon Humber, DN18 6AE
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Keith Vickers – significant public interest) Objection by Barton upon Humber Town Council

POLICIES

National Planning Policy Framework:

Paragraph 7 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and

pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

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 109: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 130 states that 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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 174 states: '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 196: Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 197: In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 201: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 205 states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Footnote 63 of the NPPF notes that 'Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Design)

CS6 (Historic Environment)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

CS16 (Landscape, Greenscape and Waterscape)

CS17 (Biodiversity)

CS19 (Flood Risk)

North Lincolnshire Local Plan:

Policy H1 (Housing Development Hierarchy)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H9 (Housing Density)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy HE9 (Archaeological Evaluation)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objection subject to a series of conditions on access, road layout, traffic management and parking.

NLC Waste Management: Waste Management should be referred to at the earliest stage of building design for new properties to include adequate storage areas for waste management facilities and good access for collection crew.

Barton Civic Society: The loss of a fine late Victorian house adjoining the attractive former cemetery lodge would be most regrettable. We suggest that keeping the property as a whole house, or if necessary, converted to several properties, whilst using the current vehicular access to the rear land for a more appropriate development would be preferable to the current plan.

Ecology: (First response) This application should not be determined, except for a refusal, until a bat and nesting bird survey has been carried out and we have considered the findings. Trees have already been removed, contrary to SPG11.

If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 2.0.

(Second response) Common pipistrelle, soprano pipistrelle and noctule bats were recorded around the site in good numbers. Trees have already been removed, contrary to SPG11. If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 3.0.

Environmental Protection: The proposed development of residential properties is a sensitive end use. In addition, there is an existing building on the site. There is therefore the potential for the site to have been impacted upon by contamination such as asbestos and heavy metals which are harmful to human health.

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 pre-commencement condition for contamination survey work.

The construction and site clearance process has the potential to cause a nuisance at the surrounding residential properties. Recommend the inclusion of a condition to protect residential amenity via controls on construction hours.

HER Archaeology: The application site contains important evidence of the early settlement of Barton between the mid-8th to the 12th centuries including a section of the town ditch known as the Castledyke. The archaeological evidence is considered of national importance to be treated as equivalent to a designated heritage asset (scheduled monument) (NPPF, Paragraph 194, Footnote 63).

Regrettably, recent planning history has allowed the applicant to undertake engineering groundworks across the site destroying known archaeology in the process; nonetheless, it is anticipated that significant evidence will survive. Paragraph 191 of the NPPF states, 'Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the

deteriorated state of the heritage asset should not be taken into account in any decision.’ Groundworks associated with the current proposals for development of the site would cause substantial harm to the surviving archaeological significance of the site.

The applicant has submitted the archaeological Written Scheme of Investigation (WSI) relating to full planning application PA/2011/1554. The WSI would not achieve the preservation of the significance of the heritage asset and does not relate to the current outline application or secure the details of reserved matters. The Historic Environment Record recommends REFUSAL of planning permission as the mitigation strategy is inadequate and the proposal would result in substantial harm to archaeology of national importance equivalent to a scheduled monument contrary to paragraphs 190, 193, 194, 195 and 199 of the NPPF, Core Strategy policy CS6 and saved local plan policies HE8 and HE9.

Historic England: Historic England has concerns regarding the application on heritage grounds. Considers that the issues outlined in their advice need to be addressed in order for the application in its present (or any revised) form to meet the requirements of paragraphs 189, 190, 133, 134, 136, 191 and 199 of the NPPF. Draws attention to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

LLFA Drainage: (First response) The development falls within lower threshold assessment levels (5–9 properties) and provides no information to support the proposals. There would seem to be no feasible surface water drainage outfall within the vicinity of the development. The proposal mentioned to connect into the public sewer on Barrow Road beyond the southern boundary is topographically higher than the rest of this site so this requires verification. For this reason, the LLFA Drainage Team object to the proposed development. The applicant has failed to provide a flood risk assessment + principle drainage strategy. This should outline all sources of flooding and proposals to mitigate this, including preliminary drainage layout plans, topographical survey and outline hydraulic calculations including an indicative discharge rate for a 1 in 100 year storm event plus CC based on SuDS principles, including adoption/maintenance proposals.

(Second response) The LLFA Drainage Team maintains their objection to this proposed development. The submitted Flood Risk Assessment & Drainage Strategy dated 5th July makes reference to the existing ‘Castledyke ponds’ which run through the proposed development and are in close proximity to two dwellings as detailed in Section 6.2.5 and shown on the Drainage Strategy Drawing on page 41 of the submitted document. However, it fails to provide any mitigation to safeguard this feature and gives an indication of its estimated inflows, outflows and outfall, including future adoption and maintenance of this feature. There are other fundamental design issues that could be resolved at a later date with respect to overland flows/cut off drain etc but the above issue is critical and requires attention prior to determination.

(Third response) Following the submission of additional details, objection withdrawn subject to a series of conditions to ensure adequate drainage at the detailed design stage.

TOWN COUNCIL

Objects to the application for the following reasons:

- Archaeological value of the land: a major archaeological investigation in 2008 uncovered artefacts and structures indicating an extension of the town's Castledyke running through the site and signs of a previous settlement, with some artefacts dating back to the 8th and 12th century. The property adjacent to the west boundary was refused planning permission last year on grounds of the historical importance of both sites.
- The location of the junction on an A road handling a high number of lorries and being used to drop off and pick up students from Baysgarth School is of concern.
- If the land is developed concern over water run-off down to the properties north of the application.

PUBLICITY

Advertised by site and press notice. Twenty-two responses have been received objecting to the application on the following grounds (summarised):

- harm to highway safety and capacity
- drainage and foul water discharge concerns
- trees have been removed on site – impact on wildlife
- biodiversity survey needed
- impact on archaeological remains
- over-development of the site
- planning history 'undermining' the planning system
- overshadowing
- potential flooding to Norman Close
- loss of the existing dwelling
- overlooking
- impact on the safety of the nearby school through increased traffic
- insufficient need for the development
- pollution
- would reduce parking provision in the area.

ASSESSMENT

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

Site

The application site is the existing residential curtilage of 91 Barrow Road, a 19th century large dwelling with an open area of amenity land to the rear (north). The total site measures approximately 0.13ha. The north of the site bounds the rear of bungalows on Norman Close, the west bounds 89 Barrow Road, and the east bounds 93 Barrow Road and a cemetery screened from the site by walling and existing hedging/trees. To the opposite side of Barrow Road is Baysgarth School.

The site slopes gradually rising from south to north. There are identified archaeological assets buried underneath the site. These will be discussed later in this report.

The application site is not within a conservation area, nor does it comprise or fall within 30 metres of a listed building. The site is located within SFRA Flood Zone 1, meaning a lower flooding risk.

Planning history

There is planning history on the site. Two previous proposals for dwellings on the site were withdrawn:

- PA/2010/1513 for 14 houses
- PA/2011/1554 for 14 houses

More recently, applications for lawful development on the site have been approved:

- PA/2019/1785 Application for lawful development of swimming pool, changing room and detached garage and store
- PA/2020/816 Application for lawful development for tennis court, carp ponds and associated water features

The site has been largely cleared in connection with the above.

Proposal

Outline planning permission is sought to demolish the existing dwelling and erect new dwellings. Appearance, landscaping, layout and scale are reserved with access considered as part of the outline application; however, indicative layouts and plans have been provided and these will be examined against relevant policy themes along with access.

A repositioned access to the middle of the southern boundary of the site is proposed, with a footpath link between the proposed plots and Barrow Road.

The application description initially stated that the application was for six new dwellings. Whilst six market dwellings are indicated on the application form, this has been revised

following discussions with the applicant and the proposal is now for an unspecified number of dwellings, with quantum and layout of development reserved.

The main issue in the determination of this application is the principle of the development and whether the site can be developed without having an adverse impact on the character of the site and surrounding area. Other issues below will be considered based on the submitted information:

- **archaeological impact**
- **impact on ecology**
- **flood risk and drainage**
- **access and parking**
- **indicative plans.**

Principle of development

As this is an outline planning application with all other matters (except for access) reserved, the key consideration is the acceptability in principle of residential development on this site. Whilst indicative plans showing six new dwellings (a net increase of five on the site) have been provided, the current application is for outline planning permission to establish the principle of residential development on the site and access to the site only and the proposal description does not reference a specific quantum of development. Therefore, the key consideration relating to the principle of development is whether the site can feasibly host further residential development.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

Central Government places high importance on new homes being delivered throughout the country to address the chronic shortage. Paragraph 11(d) of 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.

A recent review of the of the Five-Year Housing Land Position Statement in August 2021 has identified that North Lincolnshire Council can demonstrate a five-year housing land supply. There is therefore no tilted balance applied through paragraph 11 of the NPPF. The site is within the development boundary of Barton-upon-Humber as per the Housing and Employment Land Allocations DPD and, as such, residential development in this location is acceptable in principle. Barton is second on the settlement hierarchy for North Lincolnshire, after the Scunthorpe and Bottesford Urban Area. The parcel of land is considered large enough to accommodate additional dwellings, as demonstrated in the submitted indicative

layout plan, with adequate amounts of private amenity space, parking and access for each of the new properties.

Residential development on this site has the potential to meet the economic (via construction jobs and potential attraction of workers to North Lincolnshire), social (if adverse impacts are limited from the development), and environmental (if such impacts are limited) tests of the NPPF.

With regard to sustainability of the site, it is within an existing residential area and served by public footpaths, is opposite a school and within walking distance of essential services and public transport links. There are bus stops less than 200m from the entrance to the site serving the centre of the town and Hull. The train station is approximately 1 mile via foot or cycle. The closest convenience store is approximately six minutes walking time from the site, with other services, including schools, food outlets and surgery, within reasonable walking distance of the site. The site is therefore considered to be sustainable in relation to its proximity to existing services.

The proposal therefore accords with the NPPF, policies CS1, CS2, CS3 and CS8 of the Core Strategy, and saved policies H1 and H5 of the local plan in relation to the broad principle of residential development on this site.

Archaeological/heritage impact

A key matter concerning the acceptability of development on this site relates to archaeological impact. There is a complex planning history in relation to this. In 2008, archaeological evaluation comprising the excavation of trial trenches revealed the presence of archaeology of high significance across the site, including evidence of Saxon occupation and the 12th century town defences. These are a continuation of features first revealed during archaeological excavation in advance of the construction of the neighbouring property at 89 Barrow Road in 2000 and associated with the nationally significant archaeology of St Peter's Church and Saxon manorial site. The remains at 89 and 91 Barrow Road are thus of particular significance for the understanding of the Saxon origins of Barton-on-Humber. The application site is located less than 100m to the southeast of the large sub-circular enclosure that pre-dates the 10th century Church of St Peter built over its west side. The outline of this defensive ditch can be traced in the modern street pattern enclosing a substantial area of approximately four hectares.

The archaeological evidence is considered of national importance to be treated as equivalent to a designated heritage asset (scheduled monument) (NPPF, Paragraph 194, Footnote 63). North Lincolnshire Core Strategy policy CS6 states that 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...archaeological remains. Local plan policy HE8 notes that development proposals that would result in an adverse effect on Scheduled Ancient Monuments and other nationally important monuments, or their settings, will not be permitted.

It is therefore clear that there is a significant archaeological feature of importance on the site, and that planning policy is strongly in favour of the preservation of this. The planning history for the site is noted, however. PA/2020/816 was an application for a Lawful Development Certificate for a proposed tennis court, ponds and associated water features and landscaping to the rear of the dwelling, approved in 2020. Previous to this, PA/2019/1785 was an application for a Lawful Development Certificate for a proposed

swimming pool, changing room and detached garage/carport with workshop and wood store, which was also approved. These aspects of lawful development would, due to their siting and nature, destroy the subterranean archaeological feature – the Castledyke. There is evidently a fallback position whereby any harm to the asset resulting from residential development must be balanced against the potential loss if the above lawful developments are undertaken.

Paragraph 201 of the NPPF is outlined above and states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The council's archaeologist objects to the proposal on the grounds of harm to the asset and insufficient surveying and mitigation. The Written Scheme of Investigation (WSI) is several years old, and the site has been cleared of vegetation since. There are some shallow excavations of a few centimetres in depth and small mounds of soil on the site, however the situation relating to the Castledyke itself and any other archaeologically significant assets on the site has not materially changed since the WSI was carried out.

As noted by Historic England, the planning process should not reward any wilful destruction of our national heritage and every effort should be made to ensure that the intention of national and local planning policy to ensure development is sustainable is not thwarted. Impact on the archaeology of the site is highly regrettable; however, as noted, there is a lawful fallback position which would result in total loss of the Castledyke section. The current proposal provides the opportunity to accurately record the archaeology of the site prior to any development, thus preserving its record for future generations. Local plan policy HE9 states that sites of known archaeological importance will be protected. When development affecting such sites is acceptable in principle, mitigation of damage must be ensured and the preservation of the remains in situ is a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before and during development. The potential subdivision of the site into separate plots under different ownership would leave potential excavation difficult for future generations, and the development itself may result in harm to the asset either during construction or over the lifetime of the development. As such, excavation and recording of the site is the preferred option.

The applicant has agreed to a condition to excavate and record the archaeology of the site prior to the commencement of development. Subject to this, understanding of the historical significance of the site and wider area can be gained which would otherwise be lost through the lawful fallback position posed by the approvals in 2019 and 2020. This condition would not reduce risk of harm to the archaeology of the site but would ensure that it is recorded for future generations. With the above condition, the proposal would be acceptable on balance in relation to archaeological impact.

Concerns have been raised regarding the loss of the existing Victorian dwelling on the site. As the building is not listed, nor is it in a conservation area, demolition could be carried out without planning approval. It is not therefore reasonable for the planning authority to put controls on this. It is noted, however, that the existing dwelling is an attractive large dwelling which forms part of a row of older dwellings in large plots, contributing positively to the street scene character and appearance.

Impact on ecology

Core Strategy policy CS17 states that the council will provide effective stewardship of North Lincolnshire's wildlife through (among other things) ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.

Following on from the initial response from the council's ecologist, the applicant provided a Preliminary Bat Roost Assessment and a Bat Activity Survey Report, which were considered by the ecologist. Following submission and review of the above, the ecologist noted that the survey methods used, and the survey effort deployed, are appropriate for the site in question in relation to bats only. No nesting birds were noted, though the survey effort devoted to these is not clear. The surveyor found no evidence of roosting bats. However, common pipistrelle, soprano pipistrelle and noctule bats were recorded commuting through and foraging around the site in good numbers.

Until recently the site featured some overgrowth and trees, which have since been cleared leaving little biodiversity value on the site. Supplementary Planning Guidance (SPG11 Trees and Development) states that, 'Removal of trees and hedgerows prior to discussions with the council, or a design and layout being finalised, is not recommended. It is against principles underlying sustainable development and results in future generations being robbed of resources, which could be of importance to them. Where this occurs, however, the council will use its landscape appraisal information and regularly updated digital aerial survey data to inform its approach to discussions regarding the landscaping of sites and appropriate levels of tree planting. There will be a presumption that lost tree cover will be made up either at the development site or in close proximity to it. Exceptionally, replanting elsewhere will be allowed. Planning obligations may be required to secure such planting. The council will seek to reach agreements with developers to secure the reinstatement of tree cover lost to development. It is expected that all tree work will be carried out to the highest standards and planning conditions and Tree Preservation Orders will be used to ensure such standards.'

If permission is granted, then significant landscaping and biodiversity enhancements will be required to offset the loss of the above. A biodiversity metric assessment and biodiversity management plan shall be secured for submission within three months of commencement of development via condition. The ecologist also recommends a condition on when the biodiversity management plan shall be carried out. This is considered reasonable and necessary for the provision of biodiversity net gain within the development. The suggested condition shall be reworded to remove reference to the '6th dwelling'.

Subject to adequate biodiversity enhancements alongside any future reserved matters proposal, secured via condition, the proposal has the potential to offset the lawful loss of the pre-existing planting on the site and provide benefits to the local ecology. As such, the proposal accords with Core Strategy policy CS17, and local plan policies LC5 and LC6.

Flood risk and drainage

The site lies within flood zone 1 according to the council's SFRA. As flood risk is considered to be low, and given the existing development in the area, it is considered that additional dwellings could safely be accommodated on this site with due regard for flood risk.

The Drainage team also requests conditions relating to surface drainage. These conditions are considered appropriate to ensure that the development does not result in unacceptable water run-off into neighbouring properties or onto the highway, risking both amenity and highway safety. A condition requiring a drainage strategy for the site is also considered reasonable, although it will not be tied to the one submitted as the final layout may be substantially different from the indicative layout of development. The Drainage team requests a condition to determine the nature of existing 'ponds' on the site. This refers to the Castledyke feature which does not include any deep excavations or ponds which would impact on drainage in a material way. Any final drainage strategy should take the archaeological features within the site into consideration.

The site is large enough to provide a good potential for SUDs or soakaway to be proposed within the detailed design of the scheme. Unacceptable surface water run-off onto neighbouring property and the highway, and vice versa, could be avoided via an appropriate drainage strategy and design. Overall, and subject to the required conditions and additional information at reserved matters stage, the proposal for outline planning permission is in accordance with Core Strategy policy CS19 and local plan policy DS16 in relation to flood risk.

Access and parking

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 is concerned with parking provision, as well as general highway safety; both policies are considered relevant.

Access is the only detailed matter which is not reserved and therefore for full consideration at this stage. An access road is proposed to run from south to north through the middle of the site, with a circular turning area at the northern part of the site. This would then be served by driveways to individual plots. A new opening to the southern boundary would be created to provide the new access along with adequate visibility splays. The council's Highways team has reviewed the application and has no objection subject to a suite of conditions on the adequate management of the access during construction, the creation of safe access and parking prior to occupation of any dwellings to be built, and the preservation of safe access thereafter.

It is considered that adequate visibility in both directions when leaving the site onto the busy Barrow Road could be achieved. The addition of a small residential development is not considered likely to result in a significant intensification of use of Barrow Road which is already a wide key road into Barton. The proposal is not considered likely to result in an unacceptable increased risk to highway safety or capacity, including for users of the school on the other side of the road.

Pedestrian footpaths would be easily accessed directly outside the site providing walkway access to the town centre and local public transport links.

With regard to parking, the indicative layout plans show two parking spaces for each dwelling. Regardless of the final layout, appropriate parking could be secured due to the size of the site, commensurate to the number of dwellings proposed at the reserved matters stage.

Subject to the final layout being approved and the conditions added to the outline approval, it is considered that the proposal largely accords with policies T2 and T19 of the North Lincolnshire Local Plan. Many of the highways conditions recommended may be discharged with the submission and approval of details at reserved matters stage if outline approval is granted.

Indicative plans

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...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.’ Impact on neighbouring residential amenity will be fully considered at the reserved matters stage as layout and design have been reserved.

Based on the submitted indicative site plan, however, it is considered that a layout accommodating new residential development could be achieved whilst providing adequate dwelling sizes in keeping with the general street scene and providing sufficient garden sizes.

With regard to neighbour amenity, any final layout should ensure that no overlooking into the habitable room windows of neighbouring dwellings occurs, and that no overlooking into or between dwellings proposed occurs. The presence of retained trees along the boundary would reduce this risk, in addition to suitable solid boundary treatments and new landscaping.

In terms of overshadowing, it is considered that sufficient separation distances between respective properties could be provided to ensure that adequate sunlight access is achieved.

For any final design submitted with a reserved matters application, it should be ensured that the dwelling designs and layout is sympathetic to the character and appearance of the street scene. The site is largely screened by tall hedging to the roadside boundary to the south. Whilst some of this would be lost via the creation of a new access, as much as possible should be retained to limit the impact of the development on the appearance of the street. This part of Barrow Road has a low-density appearance and any development on the site should ensure that this is not unacceptably harmed.

The indicative design of the dwellings shown would not be unacceptable in and of itself within an area which features a mix of architecture, subject to the above considerations.

Other matters

The applicant is advised to refer to the comments and standing advice from NLC Waste Management in relation to the provision of suitable bin collection points, when the site layout plans are submitted as part of any reserved matters application.

Policy DS7 is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. The Environmental Health team notes that the application for residential development is a sensitive end use and is on a site where previous uses are not fully known. As such, they have requested a full site survey to establish any land contamination issues. This can be secured by condition to be approved before the commencement of any

works. Subject to there being no insurmountable contamination issues, there is no objection in this regard.

Environmental Health have also advised a condition restricting days/hours of construction. This is considered reasonably necessary to limit adverse impact on neighbouring amenity, as the site is bounded by existing dwellings on three sides.

It is not considered that any pollution resulting from the development, either during construction or the life of the development when completed, would be at a level inappropriate for an urban area or would be unacceptably significant. There is no indication, subject to appropriate contamination surveys and works where necessary, that health risks to the surrounding area would result.

Conclusion

The wider principle of residential development in this area and on this site is considered to be acceptable and in accordance with both national and local planning policy. Whilst impact on the heritage of the site is a contentious issue, it is considered that residential development on the site with excavation and recording of the archaeological deposits would be preferable to a total loss of the assets through the extant lawful development approved.

Due to the existing character and appearance of the site, a subsequent reserved matters application should ensure compatibility of design with the traditional, semi-verdant street scene. It is considered that the site is of sufficient size to accommodate acceptable plot sizes and a suitable layout to provide adequate parking, turning and access as shown, and sufficient amenity for occupants and existing neighbouring properties.

Pre-commencement conditions

Pre-commencement conditions are attached to this report. The inclusion of these within the decision notice has been agreed with the applicant/agent.

RECOMMENDATION Grant permission subject to the following conditions:

1. Approval of the details of the layout, scale and external 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 layout, scale and external 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 development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. This may be based upon the submitted Flood Risk Assessment & Drainage Strategy, prepared by Odyssey, Project No: 21-146, Revision: A, dated: June 2021.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

6.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 5 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

7.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

9.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 91BR_20201030_07 - Location and Block Plans.

For clarity, the access only is approved via the block plan with all other aspects of layout shown as indicative.

Reason

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

10.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health;
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

11.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity metric assessment and biodiversity management plan to the local planning authority for approval in writing. The document shall include:

- (a) an assessment of biodiversity loss based on the habitat and hedgerow baseline evident in aerial photos taken prior to the clearance of the site;
- (b) details of measures required to provide at least 10% biodiversity net gain in accordance with the Defra biodiversity metric 3.0;
- (c) details of sensitive working practices to avoid harm to hedgehogs, bats and nesting birds;
- (d) details of bat boxes and bat bricks to be installed on at least two dwellings;
- (e) details of swift boxes and sparrow terraces to be installed on at least two dwellings;
- (f) details of nesting sites to be installed to support other species, including starling and house martin;
- (g) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (h) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (i) prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- (j) proposed timings for the above works in relation to the completion of the dwellings.

Biodiversity units should be delivered on site, within the red line boundary shown on the submitted Location Plan. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy.

Reason

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

13.

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

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

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

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

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

Reason

To limit the impact of construction on the residential amenity of surrounding dwellings.

14.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and, once provided, the vehicle parking facilities shall be retained.

Reason

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

15.

Within three months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

16.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to

and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

17.

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.

18.

Development shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

19.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

20.

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.

21.

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.

22.

No other development shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

23.

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.

24.

The penultimate dwelling on site shall not be occupied until the access roads have been completed.

Reason

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

25.

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.

26.

No development shall take place until a construction phase traffic management plan showing details of:

- (i) a pre/post construction condition survey of the carriageway to identify any defects and how they will be rectified;
- (ii) all associated traffic movements, including delivery vehicles and staff/construction movements;
- (iii) any abnormal load movements;
- (iv) contractor parking and welfare facilities;
- (v) storage of materials; and
- (vi) 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.

Reason

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

27.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation by record of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

28.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

29.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

Informative 1

Exceedance flows routing through the development site, including land beyond the northern boundary: the report suggests that a filter drain to the north "may be required" to mitigate against exceedance flows.

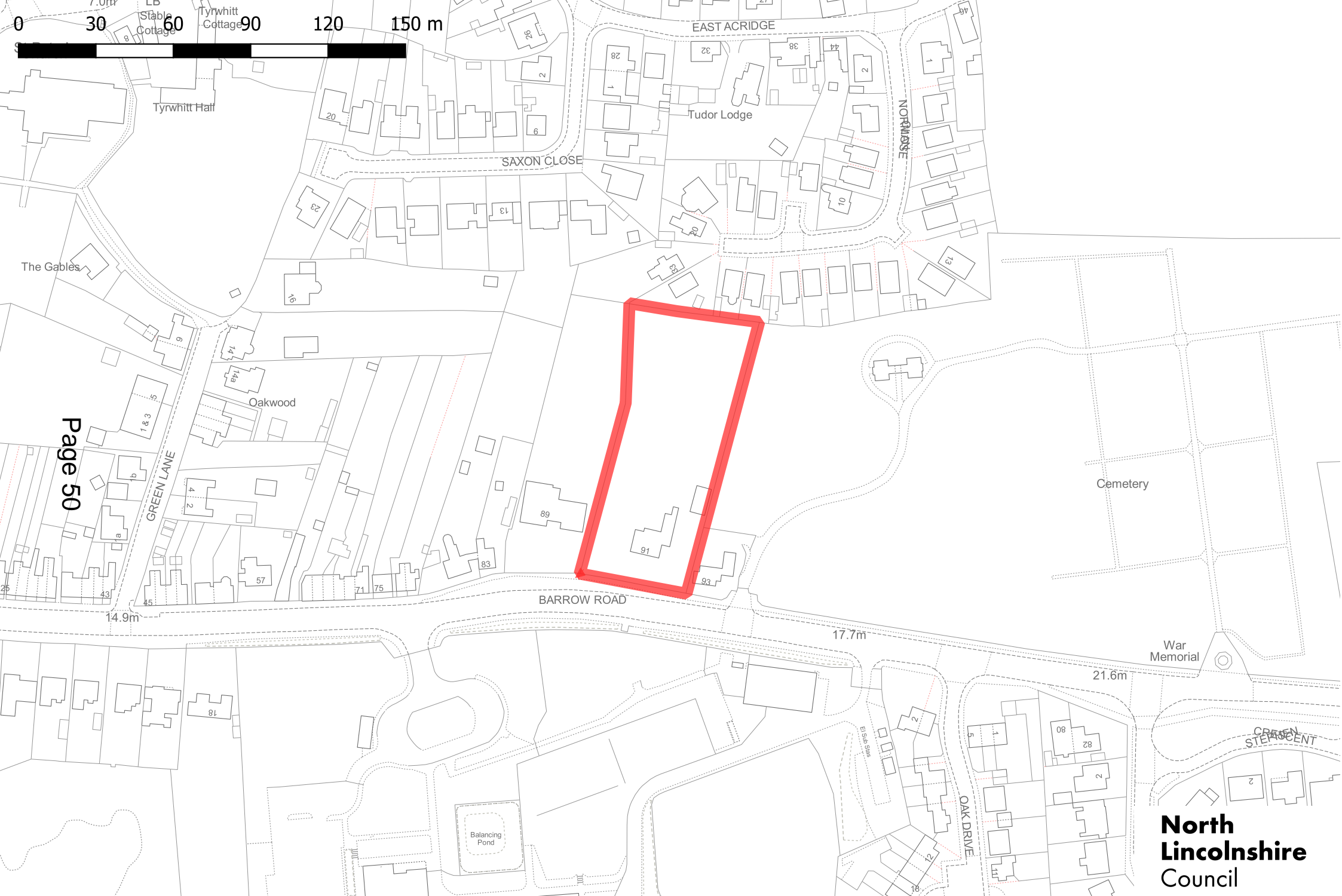
Informative 2

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.

Informative 3

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.

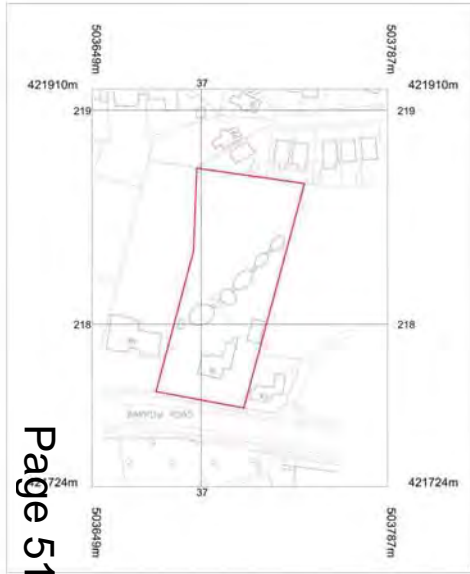


Page 50

**North
Lincolnshire
Council**

PA/2021/223 Indicative layout (not to scale)

Stanfords VectorMap



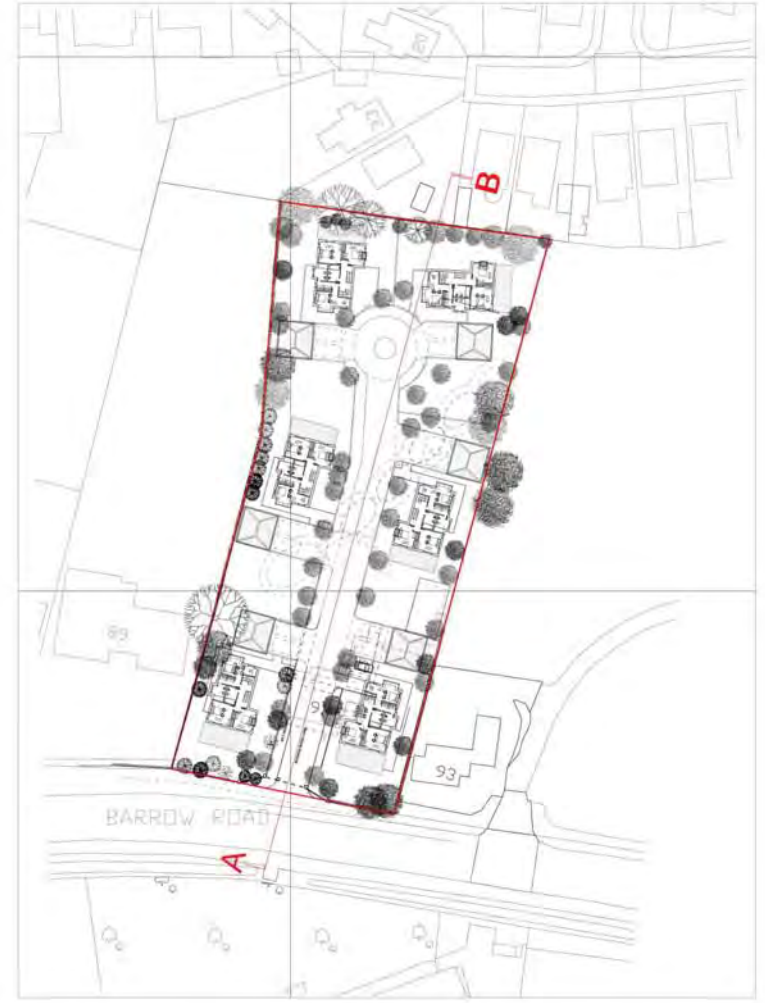
Page 51



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EXISTING BLOCK PLAN 1:500



PROPOSED BLOCK PLAN 1:500



SITE LOCATION PLAN 1:1250

Rev	Date	Description	By

SEAFORTH
 91 BARROW ROAD
 BARTON ON HUMBER
 LINCOLNSHIRE

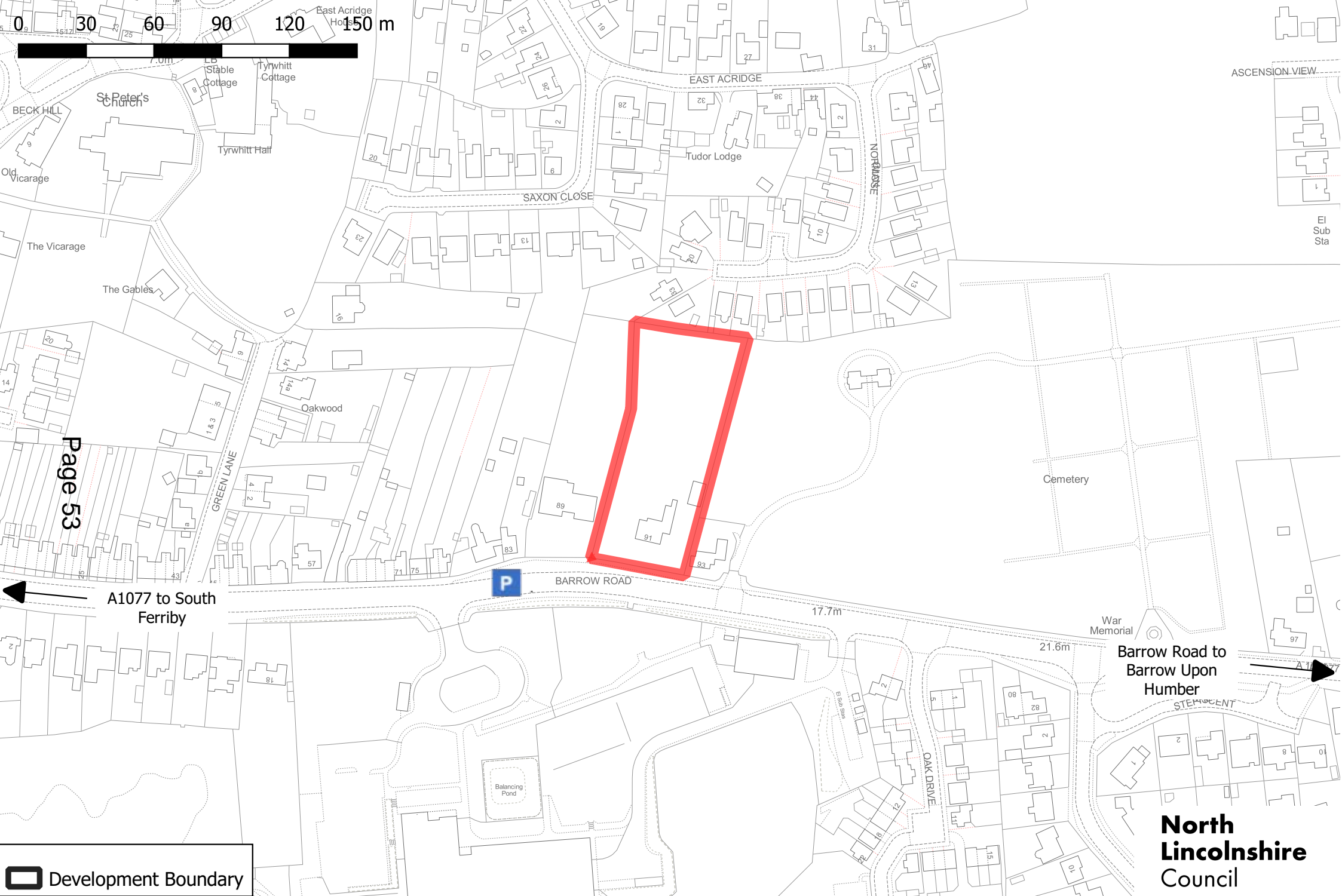
Nicholas Hatton
 22, HARTLIP HILL
 Nr SITTINGBOURNE
 KENT ME9 7PA
 07561091921
 nick.hatton@sky.com

PROPOSED SITE LOCATION PLAN
 & EXISTING + PROPOSED BLOCK PLANS

Checked By:	Approved By:
Drawn By: A.S.	Drawn By:
Plot Number: 1:2021/223 Q.01	Date:
Drawing Reference:	91BR_20201030_07

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0 30 60 90 120 150 m



Page 53

A1077 to South Ferriby



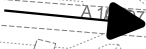
BARROW ROAD

17.7m

Cemetery

War Memorial

Barrow Road to Barrow Upon Humber



Development Boundary

**North
Lincolnshire
Council**

PA/2021/223 Sat nav: 83 Barrow Rd,
Barton, DN18 6AE

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APPLICATION NO	PA/2021/313
APPLICANT	RJE Planning & Developments Ltd
DEVELOPMENT	Planning permission for a condensed public house with takeaway, new commercial unit (Use Class E), two additional residential units with retention of existing landlord accommodation, and associated works
LOCATION	The Bay Horse, Shore Road, Garthorpe, DN17 4AD
PARISH	Garthorpe and Fockerby
WARD	Axholme North
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs John Briggs and Julie Reed – significant public interest) Objection by Garthorpe and Fockerby Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 7 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to

improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 84 states that planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 130 states that 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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 160 relates to flood risk and states that 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 such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- (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.

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Design)

CS7 (Overall Housing Provision)
CS8 (Spatial Distribution of Housing Sites)
CS11 (Provision and Distribution of Employment Land)
CS14 (Retail Development)
CS17 (Biodiversity)
CS19 (Flood risk)
CS22 (Community Facilities and Services)

North Lincolnshire Local Plan:

H3 (Previously Used Land)
H5 (New Housing Development)
H8 (Housing Design and Housing Mix)
S9 (Restaurants and Hot Food Takeaway Establishments)
RD3 (Industrial and Commercial Development in Minimum and Medium Growth Settlements)
C2 (Community Facilities in Minimum Growth Settlements and Rural Hamlets and Villages in the Open Countryside)
DS1 (General Requirements)
DS7 (Contaminated Land)
DS14 (Foul Sewage and Surface Water Drainage)
DS16 (Flood Risk)
T2 (Access to Development)
T19 (Parking Provision)
LC5 (Species Protection)
LC6 (Habitat Creation)

Housing and Employment Land Allocations DPD:

PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No comments or objections.

Drainage (Lead Local Flood Authority): It is unclear as to how the existing site is currently drained from a surface water perspective. For this reason it is recommended that the development provides a combined surface water drainage strategy for the whole site moving forward. It is unlikely that soakaways are a feasible surface water drainage option given the likely ground conditions.

Taking this into consideration the LLFA Drainage Team has no objections to the proposed development subject to the imposition of conditions requiring the submission and actioning of a drainage scheme for the site.

Isle of Axholme and North Nottinghamshire Water Level Management Board: There are no Board-maintained watercourses in close proximity to the site.

Environment Agency: The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the measure(s) as detailed in the submitted Flood Risk Assessment are secured by way of a planning condition. Recommend a condition relating to finished floor levels and flood resilience measures.

Designing Out Crime: No objections. Provide advisory notes on risk of theft of cycles.

Environmental Protection, Housing: The applicant needs to be made aware that the residential units included within this development would be classed as a House in Multiple Occupation (HMO) if Building Control Approval is not granted, under S257 of the Housing Act 2004. Without Building Control Approval, the residential development will require a Licence under the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 and the applicant would also need to comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. In the absence of Building Control Approval, the residential dwellings should not be occupied, as by virtue of it were to be occupied and require a licence, and as such no licence be obtained, this is a criminal offence and may lead to prosecution. The second floor three-bedroom flat must only be occupied by one household. If it is occupied by more than one household and Building Control Approval is granted, this unit itself would still be a HMO and the applicant would be required to ensure they comply with the Management of Houses in Multiple Occupation (England) Regulations 2006 and, depending upon how it is occupied, may require a licence under the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.

Environmental Protection: The application for residential development is a sensitive end use and is located on land at the rear of a public house where garages are situated, meaning there is the potential for contaminants such as hydrocarbons and asbestos to impact on the site. A condition on mitigations if contamination is found is therefore recommended.

As the proposed development is in close proximity to residential dwellings the installation of cooking extraction, ventilation or air conditioning systems have the potential to cause noise and/or odour nuisance at nearby residential properties.

Furthermore, the proposed residential development introduces sensitive receptors to potential adverse noise from the existing public house and proposed takeaway. Noise generated from activities at such premises, including noise from the comings and goings of patrons, car park noise, plant noise (including chillers and extraction) and noise from

entertainment, has the potential to impact on the amenity of the proposed residential development.

As the Bay Horse still exists, although not currently fully operational, there is still the potential for it to reopen fully in the future. No information has been included with the application that demonstrates noise would not be an issue from the existing commercial premises.

This department has been made aware by the planning department that a noise assessment is to be undertaken prior to determination which will take account of the above matters. Once this has been submitted further comment can be provided and, if necessary, suitable conditions recommended. If no further information is forthcoming, this application cannot be supported.

Ecology: The submitted ecological appraisal has revealed no evidence of bat roosts and limited potential for nesting birds. Previous surveyors did record both common and soprano pipistrelle bats foraging around the site. If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework.

PARISH COUNCIL

Objects on the following grounds:

- not in keeping with the character of the village
- unsafe access and egress to the site
- the many comments from village residents.

PUBLICITY

Advertised by site and press notice. Eleven responses have been received objecting to the application on the following grounds:

- potential issues with blocking traffic, including farm machinery
- support the pub reopening but not the housing
- insufficient parking
- no demand for flats in the village
- loss of privacy
- out of character for the village
- inappropriate density of development
- no outdoor space for the dwellings
- where will sewage go?

- over-development
- no loading/turning facilities for delivery vehicles
- the potential benefits of the proposed development (re-opening of a community pub) have not been substantiated
- is the pub and takeaway viable?
- local buses are not regular and do not operate in the evenings or on Sundays
- the biodiversity survey is out of date
- no space for electrical vehicle charging
- flood risk
- the development would limit access (particularly for emergency vehicles) to the local park, football ground and children's play area
- insufficient water pressure
- surface water removal concerns
- the refurbishment and associated building work should take place before and separate to the erection of any residential properties
- potentially contaminated ground from the small petrol station/pump which was in place in front of the then Bay Horse hotel

Three responses have also been received supporting the application for the following reasons:

- rejuvenation of the area
- needed in Garthorpe
- would provide a sense of community.

UPDATE

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision. In the interim, the applicant has provided an amended floor plan and revised the proposal from three additional residential units to two, thus removing one of the apartments from the proposal and extending the floorspace of the landlord accommodation and remaining first-floor apartment. An additional parking space has been provided through the reduction in a proposed first floor porch feature, and relocation of the proposed covered cycle storage area.

Some small changes have been made to the report below to reflect this, namely in relation to the lesser impact the revised proposal would have on parking provision on the site.

ASSESSMENT

Site

The application site comprises part of the wider site of the Bay Horse public house on Shore Road, Garthorpe. The application site comprises the existing public house and an area of hardstanding to the front. The application site is not within a conservation area, nor does it comprise or fall within 30m of a listed building. The main part of the public house is adjoined to the southeast by a two-storey element set back from the main frontage. Further adjoining this to the southeast is a row of single-storey garages which are not part of the application site but are under the same ownership.

The site is located within SFRA Flood Zone 2/3a – meaning higher flood risk. The site is located within the settlement boundary for Garthorpe. At the time of writing the public house is vacant.

Planning history

PA/2014/0764: Planning permission for the demolition of an existing public house, erection of two four-bedroom semi-detached houses, rebuilding of existing public house to provide a bar, restaurant, B&B rooms, landlord accommodation, two-bedroom flat, car parking spaces and associated landscaping – refused January 2014.

PA/2006/1895: Outline planning permission to erect three two-storey dwellings (layout and access not reserved for subsequent approval) – approved January 2007.

PA/2021/37: Application for permission in principle to erect up to three dwellings (including demolition of existing garages) – currently pending determination.

Proposal

The proposal seeks the refurbishment and extension of the existing public house to provide a condensed public house with takeaway food use and commercial unit with flexible use within class E(a), E(b), E(c), E(e) and E(g)(i) on the ground floor, a two-bedroom maisonette and two three-bedroom apartments. One of the first-floor three-bedroom apartments is the retained landlord flat.

The additional space would be achieved via a two-and-a-half-storey extension over and in front of the existing two-storey part of the building to the southeast of the main public house. The extended part of the building would be roughly level in width and height with the main public house.

Each apartment is proposed to have two car parking spaces at the front of the site. Four parking spaces are to be retained for the public house and commercial unit and servicing of the public house would take place from within the car park area.

The concurrent application (PA/2021/37) for the adjoining land is not considered to prejudice the assessment below which has been considered on its own merits.

The key considerations in the assessment of this application are:

- **the principle of the development;**
- **flood risk;**
- **design and appearance;**
- **highways, access and parking;**
- **residential amenity;**
- **ecology;**
- **drainage and land quality.**

Principle of development

Residential units

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

Policy CS1 of the Core Strategy sets out a spatial strategy for North Lincolnshire which seeks to support rural settlements as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs, provided that any development that takes place is in keeping with the character of the settlement.

Policy CS8 relates to the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

The site is within the settlement boundary of Garthorpe and Fockerby as defined in the Housing and Employment Land Allocations DPD and as such there is a general presumption in favour of sustainable development.

Central Government places high importance on new homes being delivered throughout the country to address the chronic shortage. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development, which gives increased weight where a five-year housing land supply has not been identified. North Lincolnshire Council has recently published a statement in August 2021 confirming that it can now demonstrate a five-year housing land supply. As such, the development plan is considered up-to-date and the NPPF paragraph 11 'tilted balance' is not applicable for the proposal.

It remains therefore to assess whether the proposed development is considered to be sustainable, as the provision of three residential units could be considered to be small-scale development broadly appropriate for a rural settlement such as Garthorpe and Fockerby.

In considering the sustainability of a site, consideration must be given to the dimensions as outlined in paragraph 8 of the NPPF: economic, social and environmental.

The investment in construction and related employment would represent a small economic benefit, as would the support which the additional population would have the potential to produce for the local economy. The proposal would support the local settlement of Garthorpe in accordance with policy CS1.

The proposed scheme would result in the delivery of a net increase of two residential units at the site which would help to contribute to the mix of housing types within the locality.

Garthorpe and Fockerby is a rural settlement containing three out of the seven key facilities and services and is ranked 42nd on the settlement hierarchy for North Lincolnshire (as of 2019). Whilst the settlement is rural and not highly sustainable in terms of supporting large development, the provision of three additional residential flats is considered sustainable with regard to transport and services access. The site is also located near to a bus route to Scunthorpe with bus stops located close to the site on High Street. The development has the potential to support the viability of the refurbishment of the public house and the commercial uses (discussed below), whilst limiting impact due to its small scale.

Environmentally, careful design and landscaping could ensure environmental benefit. No significant environmental impact is likely, with the proposal being the change of use and extension of an existing building, with the remainder of the site being hardstanding.

It is considered that the proposal would, on balance, meet the test of the three sustainability dimensions and would be a modestly sustainable and suitable form of development contributing to overall housing provision within North Lincolnshire. Whilst Garthorpe and Fockerby is at the lower end of sustainability in terms of settlement size and service provision, the scale of the development in the location proposed is considered appropriate for the area, and there is viable public transport access.

The overall acceptability of the proposal therefore depends on a detailed assessment of impacts as below.

Commercial units and the Bay Horse

The proposal includes the reduction in the area of the site used as the Bay Horse public house, resulting in a compressed use. The public house would also operate a food takeaway from within. A ground floor Use Class E (commercial) unit is proposed alongside the public house.

Policy CS22 (Community Facilities and Services) of the adopted Core Strategy applies and states that the provision of new community facilities or the improvement of an existing community facility which meets the needs of local residents will be supported in principle. National Planning Policy Framework (NPPF) supports the retention and provision of community facilities to meet local needs; specific reference is made to a public house as constituting a community facility.

The takeaway use combined with the reconfigured public house would support the public house and its viability, through diversifying its income stream. In principle, this is acceptable subject to consideration of the impact on the residential units. Greater financial viability supported by the takeaway use is likely to increase the likelihood of the success of the public house and its benefit as a community facility. This aspect of the proposal is therefore acceptable in principle.

CS14 (Retail Development) states that to fulfil their role in providing vital day-to-day shopping facilities for local communities in both urban and rural areas, the retention and enhancement of local centres and corner shops will be supported.

The commercial unit is proposed as being flexible under the new Use Class E, which would allow for a variety of uses including (but not limited to) retail, café/restaurant, professional services, offices or nursery. The site is central within the village of Garthorpe and has parking and good access to public transport and pedestrian routes. It is considered that the site would be a sustainable location for such a commercial use given the modest scale of the unit. The applicant states that the unit could be used in conjunction with or in support of the public house itself. It would, however, have the flexibility to be used separately subject to demand and would have the potential to provide local employment and/or services to the residents of Garthorpe.

As noted previously, the site is within a defined settlement boundary and in a relatively sustainable location of a rural village. There is no objection in principle to the commercial aspects of the proposal.

Flood risk

The application site, along with all of Garthorpe and Fockerby and the surrounding area, lies within a high-risk flood zone (2/3a Tidal) as defined in the Strategic Flood Risk Assessment (SFRA). Paragraph 160 of the NPPF is set out at the beginning of this report and is clear that development in high-risk flood areas must not increase flood risk. The NPPF also sets out that sequential and exceptions tests must be met where necessary. Policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy set out the council's approach to development in areas at risk of flooding. These policies seek to direct new development to areas at lowest risk of flooding and only permit development in areas of high risk where it provides wider sustainability benefits to the community that outweigh flood risk; is on previously developed land; and a Flood Risk Assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere.

The proposal is for 'more vulnerable' development (residential aspects of development) as defined within the National Planning Practice Guidance. There is therefore a requirement for the sequential and exceptions tests for development to be passed.

Included within the submission is a Flood Risk Assessment (FRA) which has been reviewed by the Environment Agency (EA) following consultation. The EA states that proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the measure(s) as detailed in the submitted Flood Risk Assessment are secured by way of a planning condition, i.e. finished floor levels to be set no lower than 4.1m above Ordnance Datum (AOD) and appropriate flood resistance/resilience measures to be selected and incorporated to 4.4m AOD. The FRA states that the general ground levels on the site are between 3.49m and 4.75m AOD with the site rising gradually in a northerly

direction. The whole site as existing is therefore close to or above the 4.1m AOD required by the EA. The proposed drawings show finished floor levels at 4.3m AOD throughout.

As noted, the public house still exists at ground floor level and flood risk would not materially increase to this use as a result of the proposal. The commercial uses proposed are not 'more vulnerable' and would not be unacceptable at ground floor level. Of the residential uses proposed, one of the apartments would have a living/kitchen area at ground floor level. However, bedrooms would all be at first floor level or above and there would be safe refuge from any future flooding.

With regard to the sequential test, all of Garthorpe and Fockerby is in flood zone 2/3a and therefore there are no available sites in Garthorpe and Fockerby at a lower flood risk zone than the application site. The sequential test is therefore passed.

The exceptions test must also be passed, which seeks to ensure that development provides benefits to the community that outweigh the risks of flooding, is located on previously developed land where possible; and is safe and does not increase the risk to others. As the applicant's design and access statement correctly asserts, the application site is classed as previously developed land containing an existing public house and garages and thus meets the second part of the test. The public house is existing and the extended footprint of the building would not be significant (around 40sqm). The NPPF states that development must be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The potential flood risk to the new and existing uses has been discussed above. It is not considered that there would be unacceptable risk from flooding on the site.

Regardless of the above, for the exceptions test to be met, the proposal must demonstrate benefits to the community that outweigh the risks of flooding. The broader principle of the development has been outlined in the previous section of this assessment and links to this. The proposal is considered to be sustainable with identifiable social and economic benefits to the locality, particularly in securing the viability of a community use (public house). The exceptions test is therefore passed.

Taking account of the above, it is considered that the proposal would not result in an unacceptable increased risk of harm from flooding to the site or surrounding area and accords with the relevant policies outlined.

Design and appearance

The NPPF attaches great importance to the design of the built environment. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policies H5 and DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and visual amenity. In respect of impact on character, policy DS1 states that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area.

The Bay Horse is located on the corner of Shore Road and Island Road, making it an important and visible feature of the village. The current public house building is traditional with gable chimneys and a modest two-storey pitched roof design. The existing adjoining garages are set down at roof level and appear secondary to the main building, albeit not contributing significantly to the character and appearance of the area. The proposal would

see a modest footprint increase, with the adjoining element sitting roughly level at the ridge and with a slight set back at the front elevation. The eaves would be set down from the Bay Horse and the fall in ground level would also ensure that the residential/commercial element of the site would retain a subservient appearance relative to the old public house – despite having a frontage the same length.

There would be a contrast with the public house in the introduction of contemporary second floor dormers and general fenestration. To the rear, there would be three-storey rear-facing gable features and a less sympathetic appearance. As the rear of the site does not form a key characteristic of any street scene, this is acceptable.

In terms of materials used, the newer element would appear to contrast with the rendered public house element. Materials details shall be secured via conditions to ensure that the Bay Horse remains the dominant visual feature in the vicinity.

It is considered that the scale, layout and appearance of the proposed alterations and extension are appropriate to the street scene, and the character of the existing site and wider area. The proposal would be sympathetic to the public house building which would retain visual pre-eminence. In this regard, the proposal accords with policies DS1 and H5 of the local plan and CS5 of the Core Strategy.

Highways, access and parking

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

Access to the site will be taken off Shore Road. Four parking spaces would be retained for the pub and commercial unit. Servicing of the pub would take place from within the car park area, off the road, as it has done previously. Four car parking spaces would be provided for the residential element – two for the three-bedroom units and two for the two-bedroom units. This is considered to be acceptable given the proximity to public transport and services, but also accounting for the rural location of the village and likely need for private transport. Highways have been consulted and have no comments or objections. Covered cycle storage and motorcycle parking is also shown proposed on the submitted plans.

It is noted that concerns have been raised stating that local buses are not regular and do not operate in the evenings or Sundays. It is not expected that public transport would be the primary transport medium used for occupants of the residential units, and the provision of a parking space for each is therefore essential. Due to the scale of the units, two spaces for each is a reasonable and acceptable provision.

It would be the responsibility of the public house owners/operators and future users of the site to ensure that large farm vehicles and emergency services are not restricted due to inappropriate parking.

It is unlikely that the provision of the three dwellings would result in a significant impact on highway safety or capacity in the area, when the existing public house use and the central location within the village is considered. The public house exists and would utilise existing parking space. In this regard, the proposal would accord with local plan policies T2 and T19.

Residential amenity

Local plan policy DS1 (iii) 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. Policy H5 also states that development will only be permitted where it does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings. This is reiterated by policy H7 which seeks to ensure that there is no adverse effect on the amenities of any residential premises or adjoining use through overlooking and loss of privacy or loss of amenity area to the adjoining dwellings.

The proposed extension would not be of a scale or layout as to impact on access to natural light or outlook for any neighbouring residential property. The building bounds roads on two sides, open land to the rear and a currently non-residential site to the east under the same ownership. Similarly, the proposed windows would not have direct views into or onto neighbouring dwellings within 21 metres. As a result, no unacceptable overlooking is considered likely.

The key consideration with regard to amenity is the living conditions of future occupants of the proposed flats. The three market apartments are of particular consideration, with the landlord accommodation being retained. The proposed flats would all have adequate access to natural light, outlook and ventilation and would provide good circulation space and sufficient floor space. The applicant has provided a Noise Impact Assessment (NIA) in support of the application which details measures to ensure that the use of the public house and takeaway and potential ground floor commercial uses does not result in unacceptable noise disturbance to the detriment of future occupants. The assessment has identified the main noise sources as localised and distant road traffic noise and birdsong, during both the day and night-time periods. Mitigation measures have been recommended to protect internal noise levels which include acoustic trickle vents along with standard glazing and a separating floor between the public house and first floor accommodation. The NIA has been fully reviewed by the council's Environmental Health team who suggest conditions on adequate glazing and ventilation to prevent noise pollution from outside, and a suitable separating floor to reduce noise from the ground floor uses. Conditions restricting opening hours of the various proposed and existing uses and preventing live music have also been discussed with the agent for this application and will be imposed.

Additionally, the proposed development is in close proximity to residential dwellings and the installation of cooking extraction has the potential to cause an odour nuisance at nearby residential properties as well as the proposed flats. Prior to installation, a scheme for the extraction and filtration of cooking odours shall be secured via condition.

The proposed residential units would have no private outdoor space. However, this is not unusual for apartments and the site is in close proximity to playing fields to the northeast which would provide open outdoor space for occupants.

Overall, subject to adequate controls via planning conditions, it is not considered that the proposal would result in any unacceptable impacts on the residential amenity of neighbours and would ensure adequate residential amenity for future occupants of the three apartments. The application would therefore accord with local plan policies DS1 and H5 with regard to amenity.

Ecology

Core Strategy policy CS17 states that the council will provide effective stewardship of North Lincolnshire's wildlife through (among other things) ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.

The council's ecologist accepts the methods and results of the submitted ecological appraisal, which found no evidence of bat roosts and limited potential for nesting birds. Surveyors in 2014 did record both common and soprano pipistrelle bats foraging around the site. With this application, biodiversity enhancement should be secured by use of wildlife-friendly trees and shrubs in landscaping and the use of bat boxes and nest boxes.

Subject to adequate biodiversity enhancements secured via condition, the proposal has the potential to provide benefits to local ecology. As such, the proposal accords with Core Strategy policy CS17, and local plan policies CS17 and LC6.

Drainage and land quality

With regard to drainage, the LLFA Drainage team has been consulted. They note that it is unclear how the existing site is currently drained from a surface water perspective. For this reason, it is recommended that the development provides a combined surface water drainage strategy for the whole site moving forward. It is unlikely that soakaways are a feasible surface water drainage option given the likely ground conditions. Conditions will be imposed requiring a drainage strategy which would ensure that any risk of localised or surface flooding within the site or to the immediate neighbours is addressed, in accordance with policies CS19 of the Core Strategy and DS16 of the local plan.

Local plan policy DS7 relates to ensuring that development is safe from land contamination. The Environmental Protection team have reviewed the application and note that the application for residential development is a sensitive end use and is located on land at the rear of a public house where garages are situated, meaning there is the potential for contaminants such as hydrocarbons and asbestos to impact on the site. Considering the sensitive end use of the proposed development, a standard monitoring condition for contamination will be attached should permission be granted.

Conclusion

In summary, the proposal for new residential and commercial units, in conjunction with a reopened public house with takeaway use, would provide benefits to the local community which are considered to outweigh concerns over the location in a flood risk zone. Sufficient occupant amenity, existing residential amenity, highway safety, parking provision and drainage would be secured either through the submitted details or via planning condition. In addition, the proposal would be appropriate for and sympathetic to the rural village location.

Overall, the proposal is considered to be an acceptable and efficient use of land which provides an opportunity for diversification of and support to the community asset of the Bay Horse, and broadly accords with adopted planning policy. It is therefore recommended that the application be approved.

Pre-commencement conditions

The pre-commencement conditions below have been agreed with the applicant/agent.

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:

0525-LOC-01 P1 - Site Location Plan
0525-BL-01 P1 - Existing and Proposed Block Plans
0525-PR-01 P2 - Proposed Ground Floor Plan
0525-PR-02 P2 - Proposed First & Second Floor Plans
0525-PR-03 P2 - Proposed Elevations

Reason

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

3.
No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.
Prior to the occupation of the proposed residential units, the scheme of sound insulation works as detailed within Table 5.1 of report reference "Environmental Noise Solutions Limited, Noise Impact Assessment For A Proposed Change Of Use And New Development, The Bay Horse, Shore Road, Garthorpe, DN17 4AD, dated 3 June 2021, report reference NIA/9753/21/9724/v1/The Bay Horse" shall be installed and maintained thereafter.

Reason

To minimise the potential for noise nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.
Prior to the occupation of the proposed residential units, the scheme of sound insulation works as detailed within Sections 5.23–5.33 of report reference "Environmental Noise Solutions Limited, Noise Impact Assessment For A Proposed Change Of Use And New Development, The Bay Horse, Shore Road, Garthorpe, DN17 4AD, dated 3 June 2021, report reference NIA/9753/21/9724/v1/The Bay Horse" shall be installed and maintained thereafter.

Reason

To minimise the potential for noise nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

The opening hours of the public house shall be:

- 11am to 11pm Monday to Sunday.

The opening hours of the takeaway shall be:

- 11am to 10pm Monday to Sunday.

The opening hours of the commercial unit shall be:

- 9am to 6pm Monday to Friday

- closed on Saturdays, Sundays and public/bank holidays.

The delivery hours to the public house, takeaway and commercial unit shall be:

- 7am to 10pm Monday to Sunday.

Reason

To minimise the potential for noise nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

Prior to installation, details of any fixed plant serving the development shall be submitted to and approved in writing by the local planning authority. The submitted details shall include the location, layout and specification of the systems, including noise data. The noise data shall include details of noise levels emitted by the proposed plant, including frequency spectrum information, noise attenuation measures if appropriate and the resulting predicted noise level at the closest residential property. The agreed systems, including any agreed noise attenuation measures, shall be installed prior to the commencement of use of this development and shall be retained thereafter.

Reason

To minimise the potential for noise nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

No live music shall be played at or within the public house.

Reason

To minimise the potential for noise nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

Prior to installation, a scheme for the extraction and filtration of cooking odours shall be submitted to and approved in writing by the local planning authority. The scheme shall also

provide details of the noise impact of any extraction and filtration system and the details of any noise mitigation measures necessary. The approved scheme shall be implemented prior to commencement of the use and maintained thereafter.

Reason

To minimise the potential for odour nuisance and to prevent the loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

No development shall take place until a detailed surface water drainage scheme for the whole site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change which should be based on the current national guidance will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

11.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 10 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

12.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support house sparrows and starlings;

- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) prescriptions for the planting of native trees of high biodiversity value;
- (e) proposed timings for the above works in relation to the completion of the buildings.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy.

13.

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

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy.

14.

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.

15.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 19 February 2021, reference 74065R3 by GeoSmart Information and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 4.1m above Ordnance Datum (AOD)
- Appropriate flood resistance/resilience measures to be selected and incorporated to 4.4m AOD.

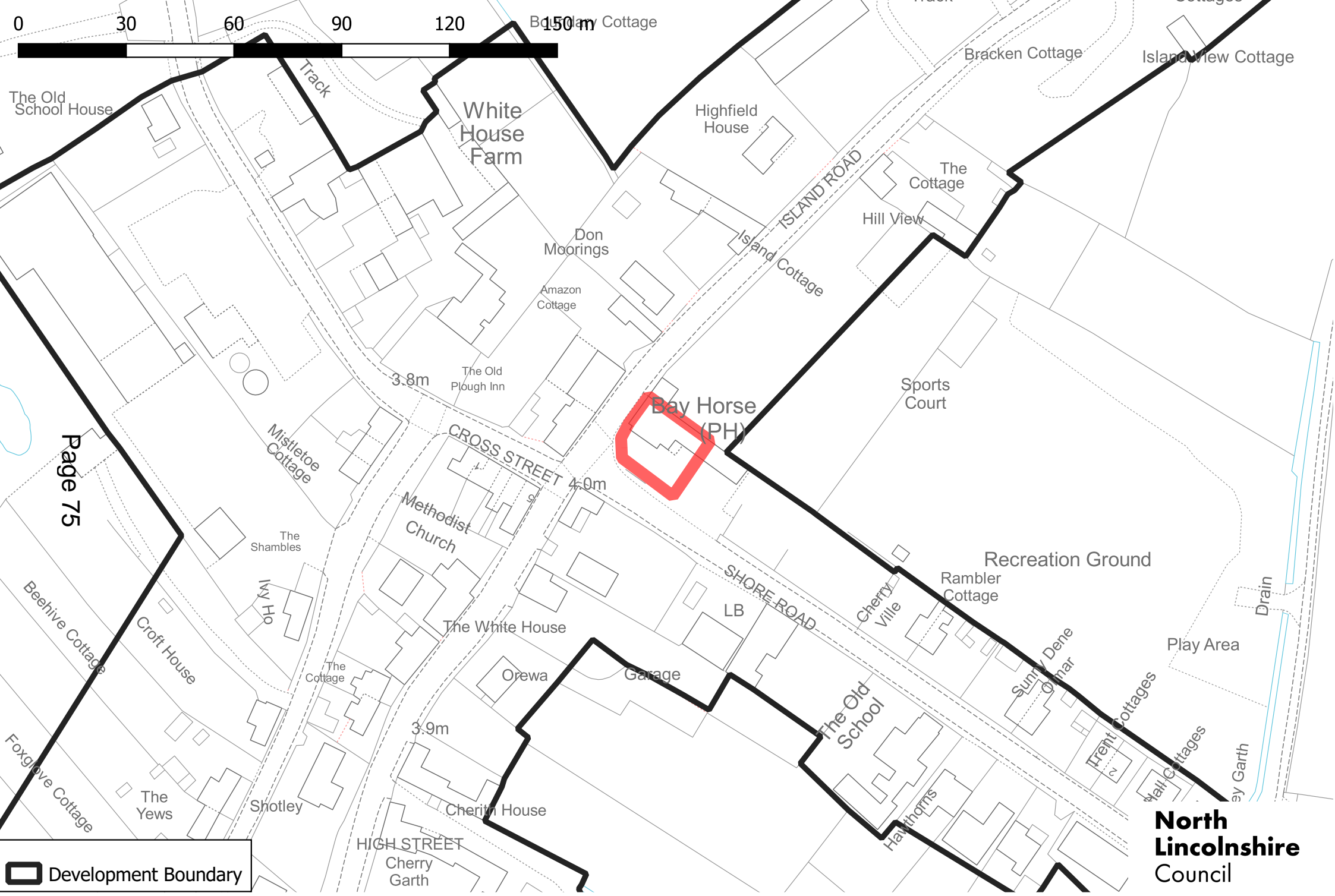
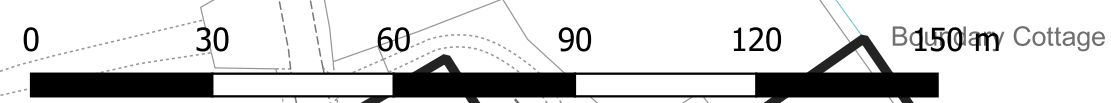
The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the development and future occupants.

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.



 Development Boundary

PA/2021/313

**North
Lincolnshire
Council**

Page 75

The Old School House

0

30

60

90

120

150m

Cottage

Bracken Cottage

Island View Cottage

White House Farm

Highfield House

The Cottage

Hill View

Don Moorings

Island Cottage

Amazon Cottage

The Old Plough Inn

Bay Horse (PH)

Sports Court

Mistletoe Cottage

CROSS STREET

Methodist Church

The Shambles

Recreation Ground

Rambler Cottage

Beehive Cottage

Croft House

WYHO

SHORE ROAD

Cherry Ville

The White House

LB

Play Area

Drain

The Cottage

Orewa

Garage

Sunny Dene

Ormar

Foxglove Cottage

The Yews

Shotley

3.9m

Cherish House

The Old School

Hailthorns

Frent Cottages

Wall Cottages

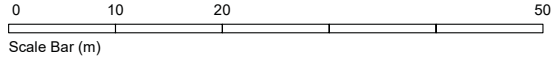
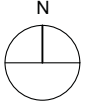
ey Garth

HIGH STREET
Cherry Garth

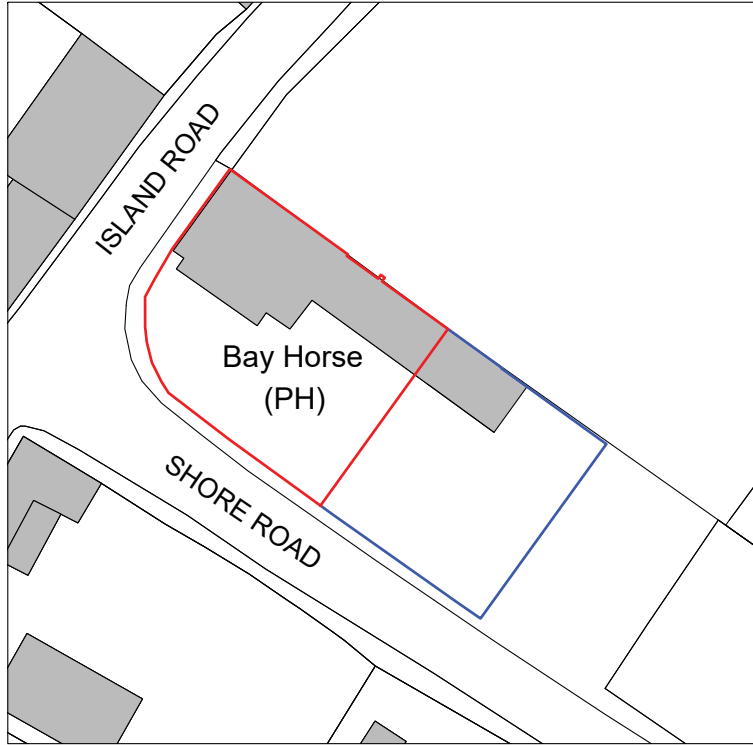
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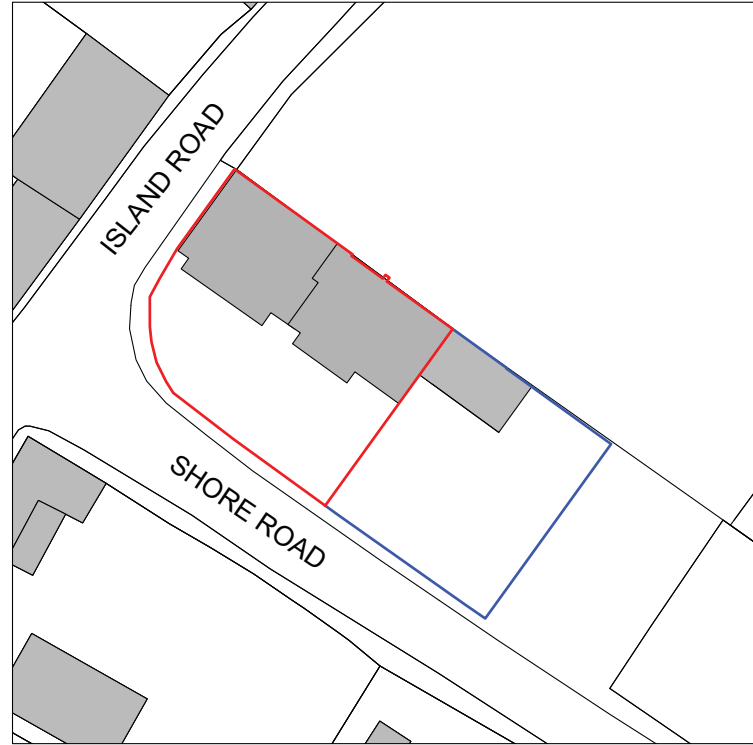
PA/2021/313 Existing and proposed block plans (not to scale)



Page 76



Existing Block Plan



Proposed Block Plan

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File Ref: 0525-Plans & Elevs-E10

P1 PLANNING APPLICATION 13.01.21

Client
**RJE Planning
& Developments**

Project
**The Bay Horse, Garthorpe,
North Lincs DN17 4AD**

Drawing
Block Plans

Scale
1:500 @ A3

Date
Dec 2020

Dwg Ref
0525-BL-01

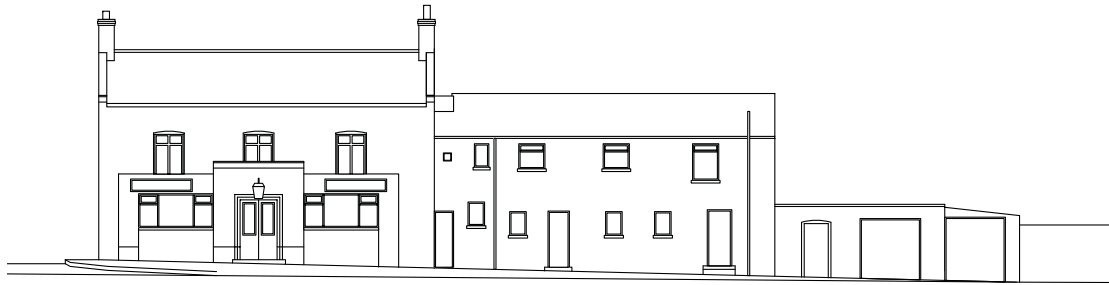
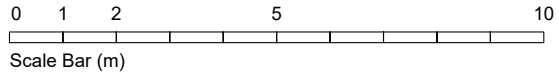
Rev
P1

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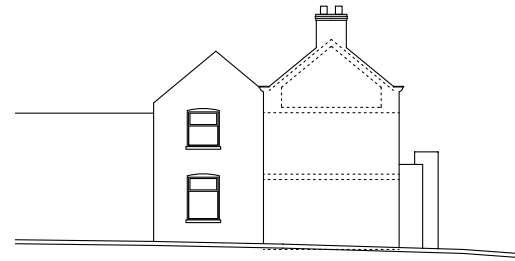
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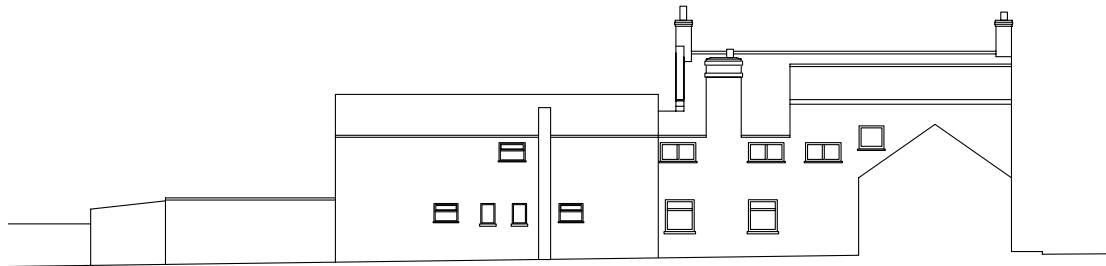
PA/2021/313 Existing elevations (not to scale)



Existing Front (South) Elevation



Existing Side (West) Elevation



Existing Rear (North) Elevation



Existing Side (East) Elevation

Page 77

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File Ref: 0525-Plans & Elevs-E19

P1 PLANNING APPLICATION 13.01.21

Client
**RJE Planning
& Developments**

Project
**The Bay Horse, Garthorpe,
North Lincs DN17 4AD**

Drawing
Existing Elevations

Scale
1:200 @ A3

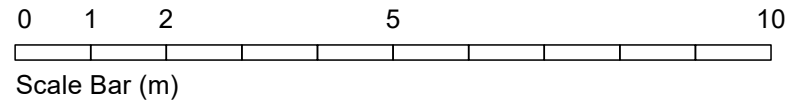
Date
Dec 2020

Dwg Ref: **0525-EX-02** Rev: **P1**

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File Ref: 0525-Plans & Elevs-E22

P1	PLANNING APPLICATION	13.01.21
P2	Minor amendments	22.10.21



Page 78

Proposed Front (South) Elevation



Proposed Side (West) Elevation



Proposed Rear (North) Elevation



Proposed Side (East) Elevation

Client
RJE Planning & Developments

Project
The Bay Horse, Garthorpe, North Lincs DN17 4AD

Drawing
Proposed Elevations

Scale
1:200 @ A3

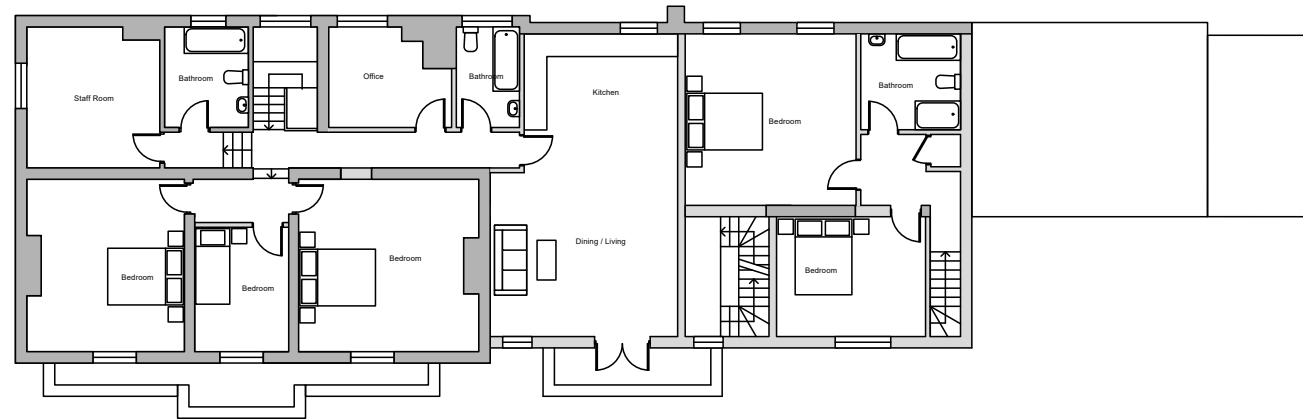
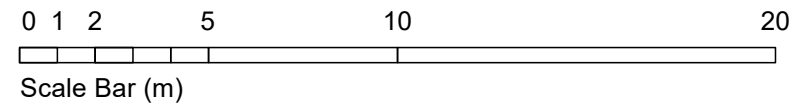
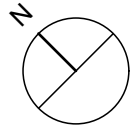
Date
Dec 2020

Dwg Ref
0525-PR-03

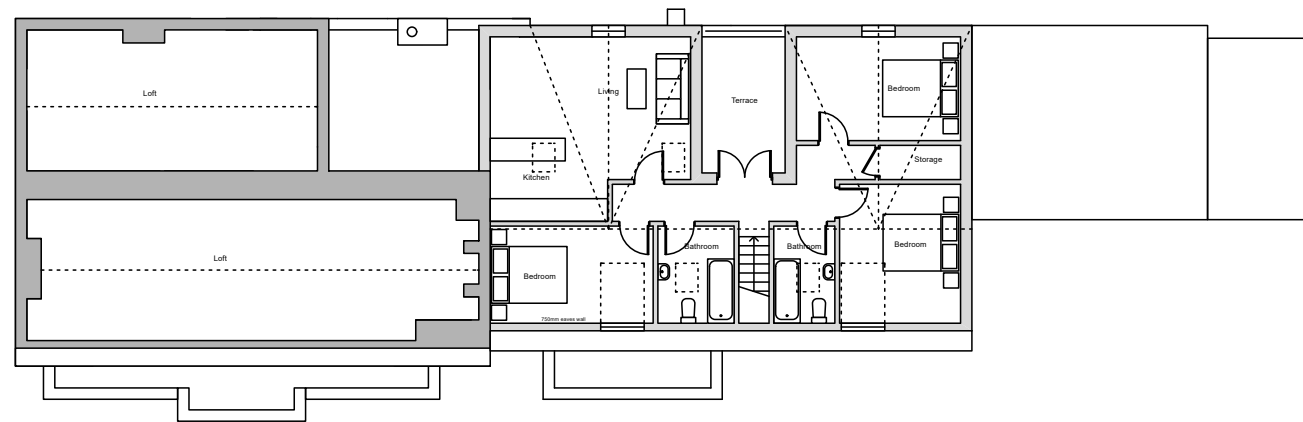
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P2

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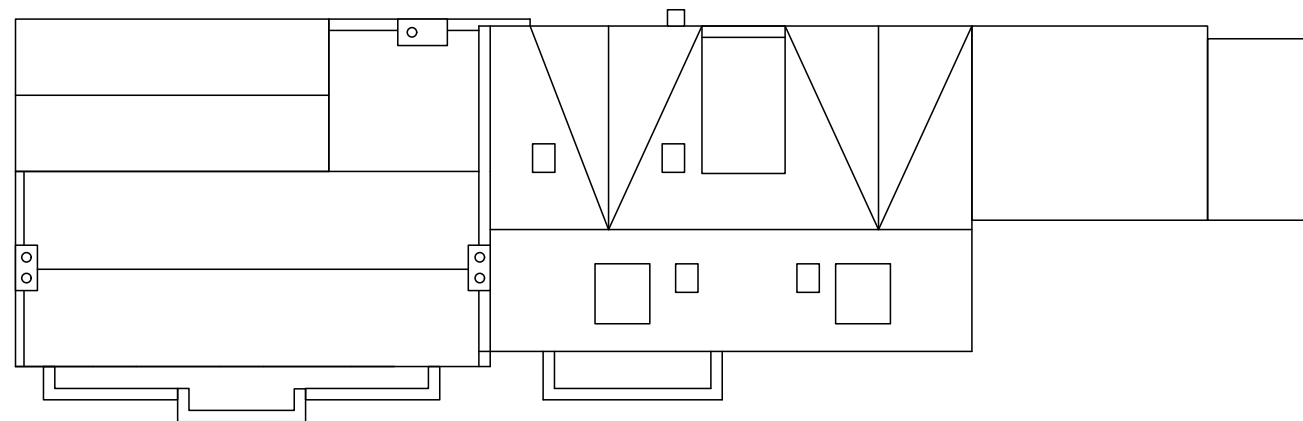
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Proposed 1st Floor



Proposed 2nd Floor



Proposed Roof

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File Ref: 0525-Plans & Elevs-E22

P1	PLANNING APPLICATION	13.01.21
P2	1st floor revised, minor amendments	22.10.21

Client
RJE Planning & Developments

Project
The Bay Horse, Garthorpe, North Lincs DN17 4AD

Drawing
Proposed 1st & 2nd Floor

Scale
1:200 @ A3

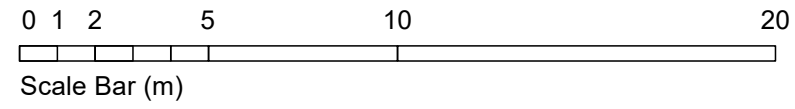
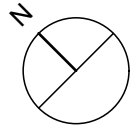
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Dwg Ref	Rev
0525-PR-02	P2

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AMENDED

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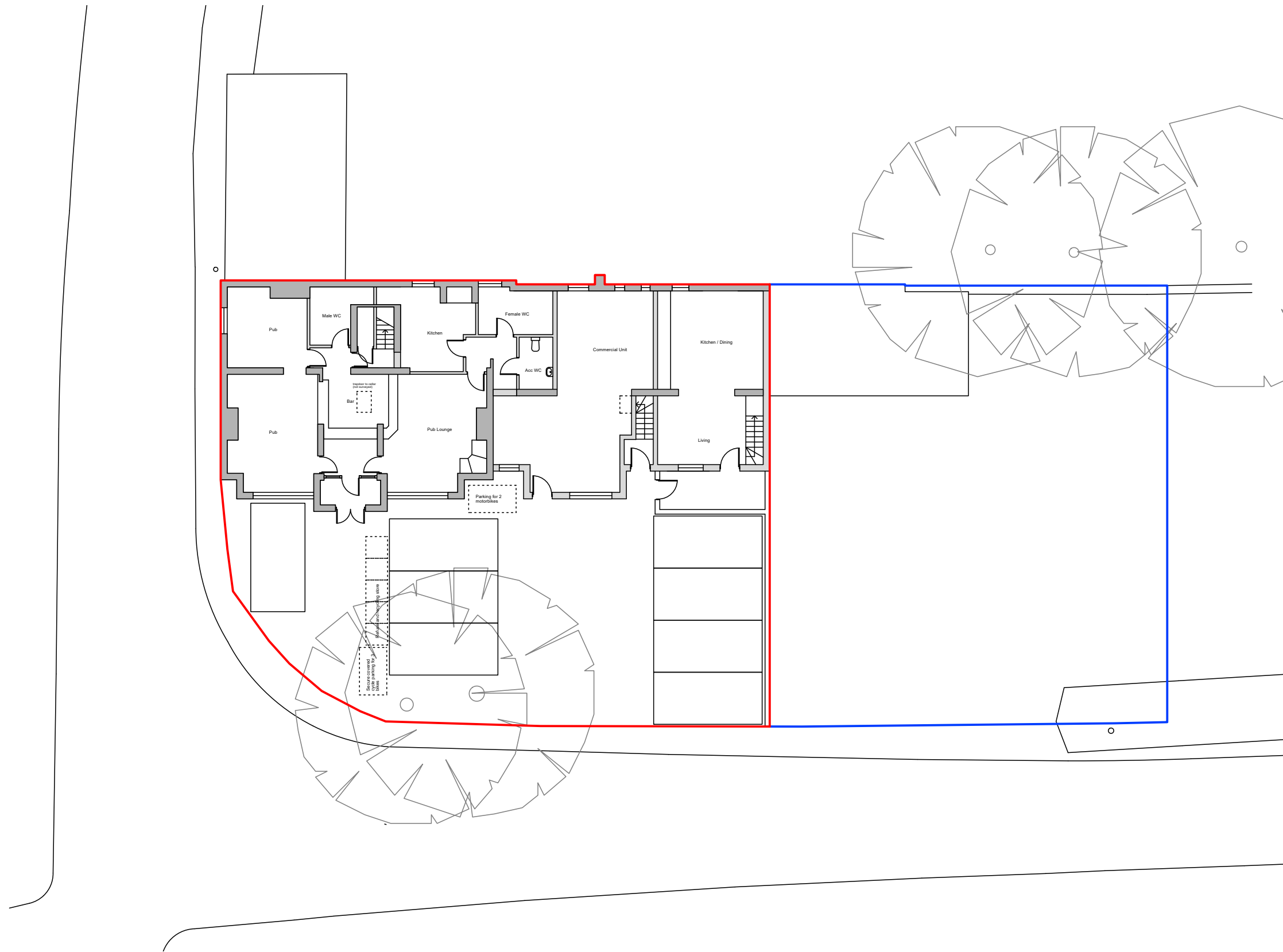
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File Ref: 0525-Plans & Elevi-E22

P1	PLANNING APPLICATION	13.01.21
P2	Minor amendments	22.10.21

Page 80



Client
RJE Planning & Developments

Project
The Bay Horse, Garthorpe, North Lincs DN17 4AD

Drawing
Proposed Ground Floor

Scale
1:200 @ A3

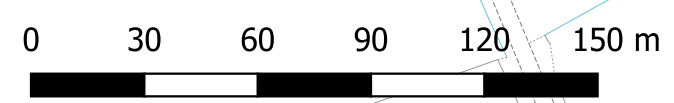
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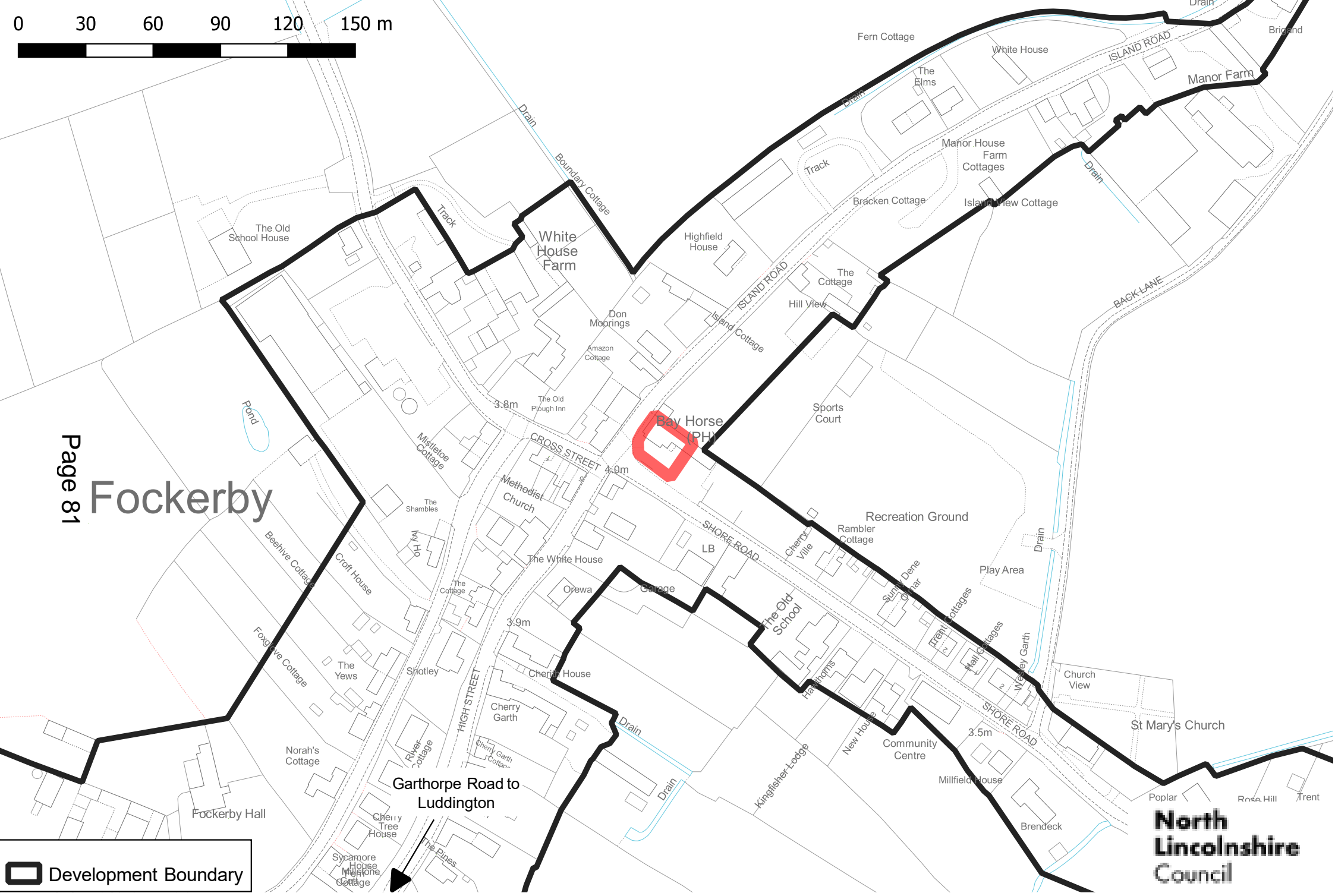
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Fockerby



 Development Boundary

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2021/855
APPLICANT	Mr & Mrs Alister Ramsay
DEVELOPMENT	Outline planning permission to erect a detached dwelling with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	Orchard House, 12 Barnetby Lane, Elsham, DN20 0RB
PARISH	Elsham
WARD	Brigg and Wolds
CASE OFFICER	Brian McParland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Elsham Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework:

Paragraph 8 – Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

North Lincolnshire Local Plan: DS1, DS7, DS14, DS16, H7, H8, RD2, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS18, CS19

CONSULTATIONS

Highways: No objection but recommend conditions relating to access, parking and turning.

Drainage (Lead Local Flood Authority): No objection.

Environmental Protection: No objection but recommend a contaminated land condition.

Historic Environment Record: No objection.

Ecology: No objection but recommend a condition requiring a biodiversity management plan to be submitted.

PARISH COUNCIL

Objects as the site is partially outside the development boundary.

PUBLICITY

The application has been advertised by site and press notice. One objection has been received with regard to potential overlooking and loss of privacy.

ASSESSMENT

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

The site

The application site is situated on the south-west side of Barnetby Lane and serves as amenity space for 12 Barnetby Lane (Orchard House) to the east. The site is bounded by landscaping and shares access with 10 Barnetby Lane. It is acknowledged that the site is partly within the open countryside to the rear and partly within the development limits of Elsham.

The site is within a SFRA flood zone 1 (low risk), is not within a conservation area and does not relate to any listed buildings. There are no tree preservation orders on the site.

Proposal

This application seeks outline planning permission to erect a detached dwelling (including access) with some matters reserved.

The main issue to be considered is whether adequate justification can be demonstrated with regard to the principle of the development, including access.

Principle of development

Development limits for each settlement are set out in the Housing & Employment Land Allocations Development Plan Document and are strongly supported as a key tool in ensuring that future development occurs in sustainable locations. The site is located partly within the development limits of Elsham which is defined by the Core Strategy as a rural settlement. New housing within rural settlements will be permitted, but only where there are opportunities for small-scale developments that maintain the viability of the settlement and

meet identified local need. Moreover, development should make the best use of existing land within these rural settlements.

The proposal is considered a small-scale development. It would be sympathetic in terms of the surrounding pattern of development, would be partly situated within an established rural settlement and would also improve the context and appearance of the site in the interest of place-making.

It is acknowledged that the application site is only partly within the settlement of Elsham given the settlement boundary runs through the middle of the site which results in the south side of the site resting within the open countryside.

Policy RD2 (Development in the Open Countryside) would apply which limits development in the open countryside to replacement, agricultural or forestry dwellings etc. The proposed dwelling would not meet the criteria stipulated within policy RD2. Notwithstanding this, the site is currently in use as a tennis court and garden land serving Orchard House to the east; subsequently, the application site is defined as previously developed land. The application site also falls within the wider curtilage of Orchard House which is defined by landscaping and extends the existing residential curtilage into the open countryside. Furthermore, the site is a 'gap site' given the location of neighbouring dwellings (numbers 10 to the west and Orchard House to the east). Considering the context of the site and the circumstances of the application as outlined above, on balance, the location of the application site for residential development should be determined as being within the settlement boundary of Elsham, and that policy RD2 does not apply in this instance. It is acknowledged that each application is assessed on its individual merits.

In light of the above, the principle of residential use of the site in this location is acceptable (subject to the below considerations) and would accord with the overarching strategic policies of the development plans and the principles set out in the National Planning Policy Framework (NPPF) in this regard.

Impact on the amenity of the locality

Policies H7 of the local plan and CS5 of the Core Strategy are concerned with a proposal's impact on the locality; both are considered relevant. The applicant has submitted an indicative layout illustrating a two-storey detached dwelling of modest proportions. The site is an appropriate size and could accommodate a two-storey detached dwelling without creating a cramped appearance, with only limited impacts on the locality. This issue would be assessed in more detail through the submission of a subsequent reserved matters application where the appearance, layout and scale would be considered. The indicative two-storey detached dwelling design, as illustrated, would accord with policies H7 and CS5.

Impact on residential amenity

Policies H7 of the local plan and CS5 of the Core Strategy are also concerned with a proposal's impact on residential amenity; again both are considered relevant. In terms of impact on residential amenity, the council is satisfied that the indicative dwelling design could be situated within the site without adversely affecting the amenity of neighbouring residents. This issue would be assessed in more detail through the submission of a subsequent reserved matters application where the impact on neighbouring amenities would be fully considered. The indicative two-storey detached dwelling design, as illustrated, would accord with policies H7 and CS5.

Highways

In terms of access, this would be via a shared access which currently serves number 10 and Orchard House and directly links into Barnetby Lane. Parking space for two vehicles has been provided for the proposed dwelling which meets planning guidance requirements. No on-street parking would be required.

Highways have raised no objections to the proposal subject to a condition. The proposal would therefore accord with policies T2 and T19 of the North Lincolnshire Local Plan.

Land quality

Policy DS7 of the local plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The residential development is a sensitive end use. The applicant has not submitted any information regarding land quality. The council's Environmental Protection team have recommended a condition relating to land contamination which will be attached to any planning permission.

Conclusion

Whilst the application site would be partly within the settlement limits of Elsham and partly within the open countryside, this residential development, in principle, would adequately integrate into the existing plot without prejudicing the character of the open countryside.

Pre-commencement conditions

The pre-commencement conditions have been agreed with agent/applicant.

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

Reason

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

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, 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.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan

1 Existing Site Layout

2 Proposed Plans/Site Layout.

Reason

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

6.

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.

7.

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.

8.

The dwelling shall not be occupied until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- details of bat roosting features to be installed;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- proposed timings for the above works in relation to the completion of the building.

Reason

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

10.

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

Reason

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

11.

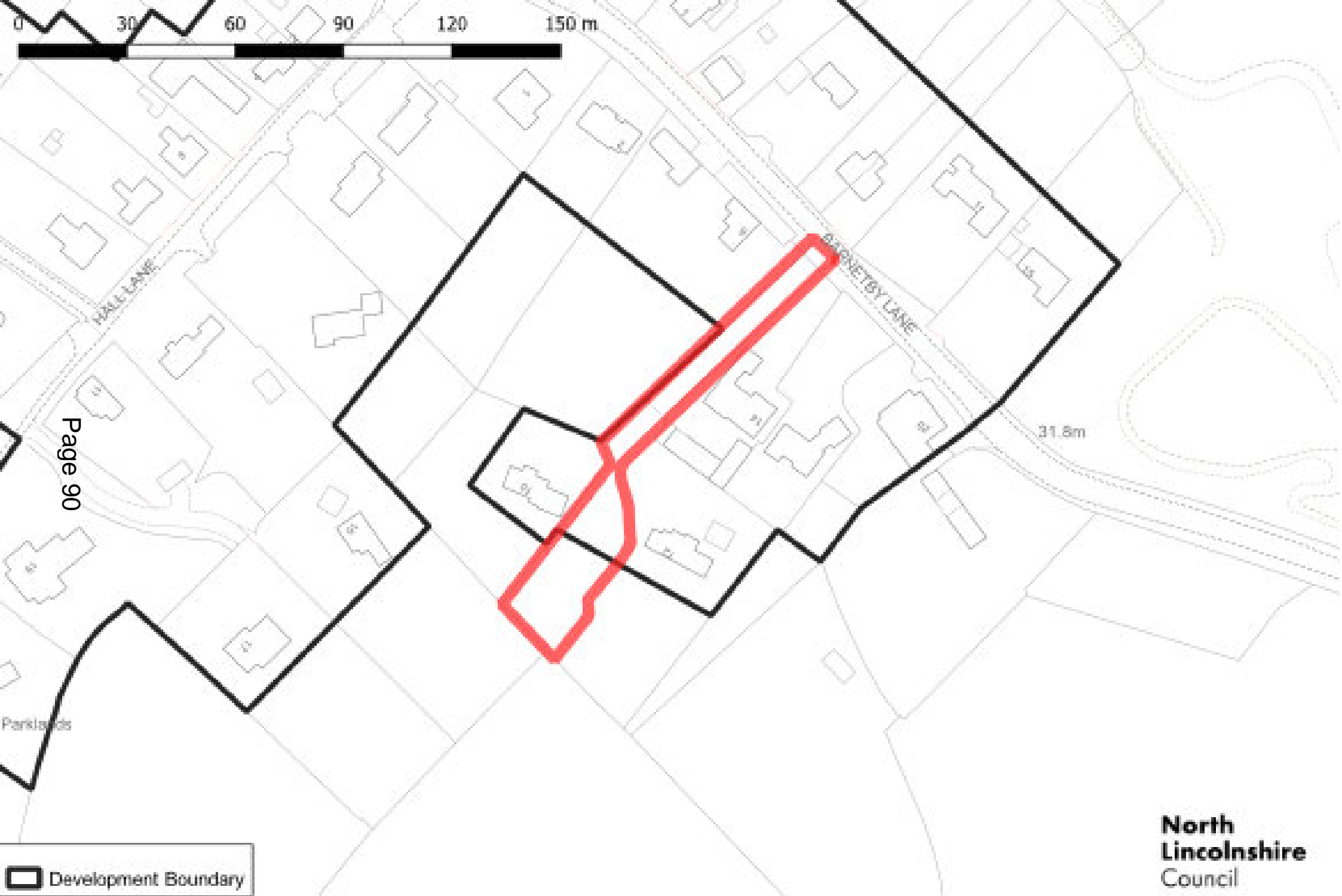
If during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

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

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 39 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.



Page 90

 Development Boundary

**North
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PA/2021/855

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All dimensions shall be checked on site by the Contractor Prior to Commencement of Work on Site. Do not start work until you have checked all dimensions.



Page 91



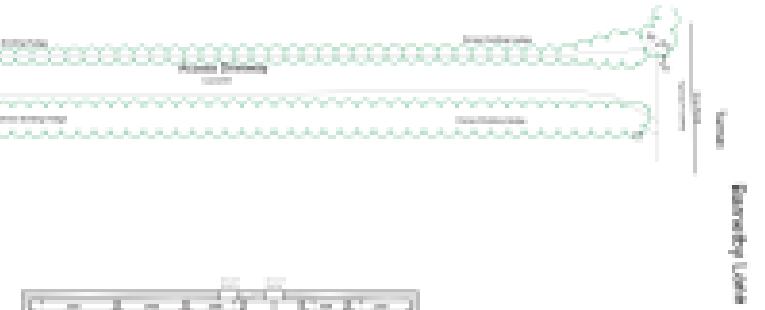
Existing Site Layout

Revision	Date
Robert Farrow (Design) Ltd Architecture / Planning / Construction Topographical Services Miller House, 11 Northgate Street, East Windsor, Fife, KY21 5AA Tel: 01834 818888 E-mail: r.farrow@robertfarrow.co.uk	
Client: Mr & Mrs Ramsey	
Title: Landscaping Site Layout 02 - Boundary Lines Garden 10/09/2009 10:28 AM (1:20) (1:20)	
Scale	1:200
Sheet	09
Page	1
Date	10/09/2009
Author	RF

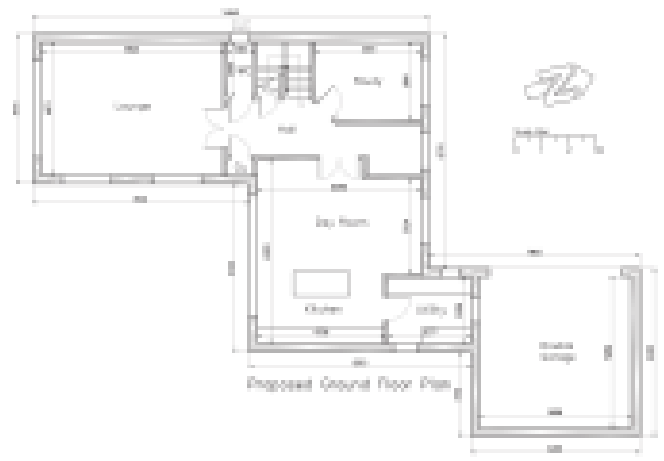
All Dimensions shall be Checked on Site by the Contractor Prior to Commencement of Work on Site. Do Not Start if in Doubt etc.



Proposed Site Layout

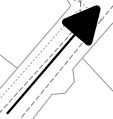


Proposed First Floor Plan



Proposed Ground Floor Plan

Revision	Date			
Robert Farrow (Design) Ltd Architecture / Planning / Client Services Topographical Services Miller House, 12 Northgate Street, East Windsor of Putney, W14 8AA Tel: 020 8208 0000 E-mail: r.farrow@robertfarrow.co.uk				
Client: Mr & Mrs Ramsey				
Title/Project: Plans/Drawings 02 - Boundary Lines Garden 10/20 - 20/20 (20/20/20)				
Scale	Revision	Pages	Date	Author
1:100	01	2	16/07/2024	RF



Middlegate Lane to Worlabby

GP
24.8m



BARNETBY LANE

31.8m

Barnetby Lane to M180

53.0m

Page 93

Parklands

 Development Boundary

PA/2021/855 Sat nav: 6 Barnetby Lane, Elsham, DN20 0RB

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Council**

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APPLICATION NO	PA/2021/1121
APPLICANT	Mr & Mrs Deakin
DEVELOPMENT	Planning permission to vary condition 2 of approved application PA/2020/874 (amended drawings to reflect amendments to proposed dwelling)
LOCATION	Land south of Church Street, Elsham, DN20 0RG
PARISH	Elsham
WARD	Brigg and Wolds
CASE OFFICER	Brian McParland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Elsham Parish Council

POLICIES

National Planning Policy Framework: Section 12

North Lincolnshire Local Plan: DS1, DS14, H5, H8, LC7, T2, T19, HE9

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS18

CONSULTATIONS

Highways: No objection, but recommend conditions relating to access, parking and turning.

Drainage (Lead Local Flood Authority): No objection, but recommend conditions relating to plans and drainage schemes.

Environmental Protection: No objection.

Historic Environment Record:

- The application site contains buried archaeological remains associated with the medieval hospital and priory founded in the 12th century.
- Conditions 8–11 of permission PA/2020/874 relate to a pre-construction programme of archaeological excavation of the footprint of the proposed dwelling.
- The footprint of the amended design is larger than the original and therefore the excavation will take longer or additional manpower to complete before the construction of the house can commence.
- The applicant should ensure they are fully aware of the requirements to comply with these conditions.

- In order that they make the appropriate provisions, the applicant is advised to secure the services of a CfIA registered archaeological contractor at the earliest opportunity to prepare the archaeological written scheme investigation and secure the implementation of the excavation to avoid any delay to their construction work.
- I have no objection to the proposed variation of the plans subject to conditions 8–11 secured on any new permission that may be issued.

PARISH COUNCIL

Elsham Parish Council object to the application with the following comments:

- The scale of the building is out of keeping with the neighbouring properties.
- Due to the elevation of the property, it will dominate and overlook neighbouring properties.
- Due to the scale of the property, it will overshadow neighbouring properties.

PUBLICITY

Advertised by site and press notice. Five responses have been received objecting to the proposal on the following grounds:

- impact on character
- impact on neighbouring amenity
- flood risk.

ASSESSMENT

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

The site

The application site is on the south side of Church Street and is undeveloped flat land between 4 and 14 Church Street within the rural settlement of Elsham. The site is bounded by mature trees and hedgerows to the north, east and west. The site is not within a conservation area, is within a SFRA flood zone 1 (low) and does not relate to any tree preservation orders (TPOs) or listed buildings.

Proposal

This application seeks planning permission to vary condition 2 of approved application PA/2020/874 (amended drawings to reflect amendments to proposed dwelling).

PA/2020/874 was approved on 19 August 2020 subject to conditions.

The main issues to be considered are whether adequate justification can be demonstrated with regard to the impact of the proposal on the character of the area and its design, impact on archaeology and neighbouring amenity.

Principle of development

The principle of development has already been established by way of previously approved application PA/2020/874.

Impact on the character of the area and design

The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on character, policy DS1 states that the design and external appearance of a proposal should reflect or enhance the character, appearance and setting of the immediate area. Policies H5 and H8 of the North Lincolnshire Local Plan are also considered relevant.

The local area of Church Street has an organic pattern of development which lacks uniformity. Furthermore, it is acknowledged that many properties within the area are of an inconsistent design and benefit from different designs, footprints and varying setbacks. The proposed dwelling would have a modestly larger building footprint to that already approved under PA/2020/874 (whilst maintaining the L-shaped layout). Importantly, the proposed dwelling variation would still be adequately set back from the front elevation maintaining the existing building line along Church Street. In addition, the proposed dwelling would still be set in from the site curtilages and so would not appear as a cramped form of development. It is noted that the external materials proposed have been revised: the original materials were red facing brickwork (walls) and clay pantile (roof). The materials now proposed are Desimpel Hathaway brindle red (walls) and Marley modern interlocking concrete tiles in anthracite grey (roof), which are acceptable.

It is considered that the proposed variation, by way of design, would not prejudice the local area. As such, the development would be in accordance with policies DS1, H5, H8 of the local plan and CS5 of the Core Strategy.

Neighbouring amenity

Policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on amenity, policy DS1 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.

It is acknowledged that the proposed variations would include additional fenestrations along the west elevation at first-floor level. These fenestrations would front onto the neighbouring property (4 Church Street); however, they are proposed to be obscure-glazed which is acceptable and can be controlled by condition. There would therefore be no loss of privacy. The proposed dwelling would be set back from the side elevation of number 4 by approximately 9m which would offset impacts of overshadowing and loss of daylight, similar to that already approved under PA/2020/874. In addition, and considering the east-west orientation of the sun, there would be no detrimental loss of sunlight – number 4 would still benefit from an open and unrestricted rearward outlook.

It is considered that the proposed variation, by way of design, would not prejudice neighbouring amenities. As such, the proposal would be in accordance with policies DS1 of the local plan and CS5 of the Core Strategy.

Impact on archaeology

The council's archaeologist has commented as follows:

'The application site contains archaeologically significant remains associated with the medieval priory at Elsham. The construction of the proposed dwelling will destroy any remains or render them inaccessible for future investigation. To off-set the substantial harm to the archaeological interest of the site I advised a programme of pre-construction archaeological excavation within the footprint of the new dwelling. This is in accordance with the NPPF and local planning policy.

The new designs submitted with the current application are for a larger dwelling on an enlarged footprint compared to the permitted plans. There are no reasons to object to the variation on archaeological grounds subject to the same archaeological conditions (8-11) on any new permission that may be granted.

It is important to note that the footprint of the new dwelling will require detailed archaeological excavation ahead of the commencement of the construction work. It is therefore in the applicant's best interest to commission a CIFA registered archaeological contractor to prepare a written scheme of investigation for the programme of archaeological work to be agreed with the planning authority and to ensure their availability to undertake the site excavation work to avoid delay to the construction programme.'

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst policy DS14 of the local plan is concerned with foul sewage and surface water drainage.

The council's drainage team have been consulted and have no objection. The application site is within flood zone 1 and is therefore a preferred place for development in terms of flood risk.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

The council's highways department have no objection to the proposal, subject to a condition. It is therefore considered that the proposal would be in accordance with policies T2 and T19 of the local plan.

Conclusion

The principle of development has already been established by way of PA/2020/874. The proposed variation in design is considered to be a modest alteration and would not harm the character or the amenity of the local area. As such, the proposal would be in accordance with policies DS1, H5 and H8 of the local plan and policy CS5 of the Core Strategy.

Other matters

The original conditions attached to planning permission PA/2020/874 will be carried over to this planning permission. No conditions have been discharged. An additional obscure-glazed condition has been recommended.

Condition 2 of PA/2020/874 (the subject of this application) will be varied and attached.

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: 1308.01 Rev A Site Plans; 1308.02 Plans and Elevations; 1308.03 Indicative 3D.

Reason

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

3.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

4.

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.

5.

The development shall be carried out in accordance with the Proposed Site Plan, drawing number 1308.01 Rev A, dated 30/07/2021.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan,

policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

6.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 5 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

7.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes;

- adjoining land;
- groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

8.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a written scheme of investigation that has been submitted to and approved in writing by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:

- measures to ensure the preservation by record of archaeological features of identified importance within the footprint of the development prior to any development commencing
- methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- post-fieldwork methodologies for assessment and analyses
- report content and arrangements for dissemination, and publication proposals
- archive preparation and deposition with recognised repositories
- a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the archaeological site work is undertaken and completed in accordance with the strategy prior to any development commencing
- notification in writing to the North Lincolnshire Historic Environment Record of the commencement of the archaeological works and arrangements to monitor such works
- a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications
- evidence that a contract has been entered into with a competent and suitably qualified archaeological contractor to undertake all stages of the programme of work.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

9.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved

details and timings. No variation shall take place without the prior written consent of the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

10.

The dwelling shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved written scheme of investigation, and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

11.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

12.

Before the beneficial occupation of the development hereby permitted, the windows along the west elevation situated at first-floor level shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of the neighbouring property, in accordance with policy DS1 of the North Lincolnshire Local Plan.

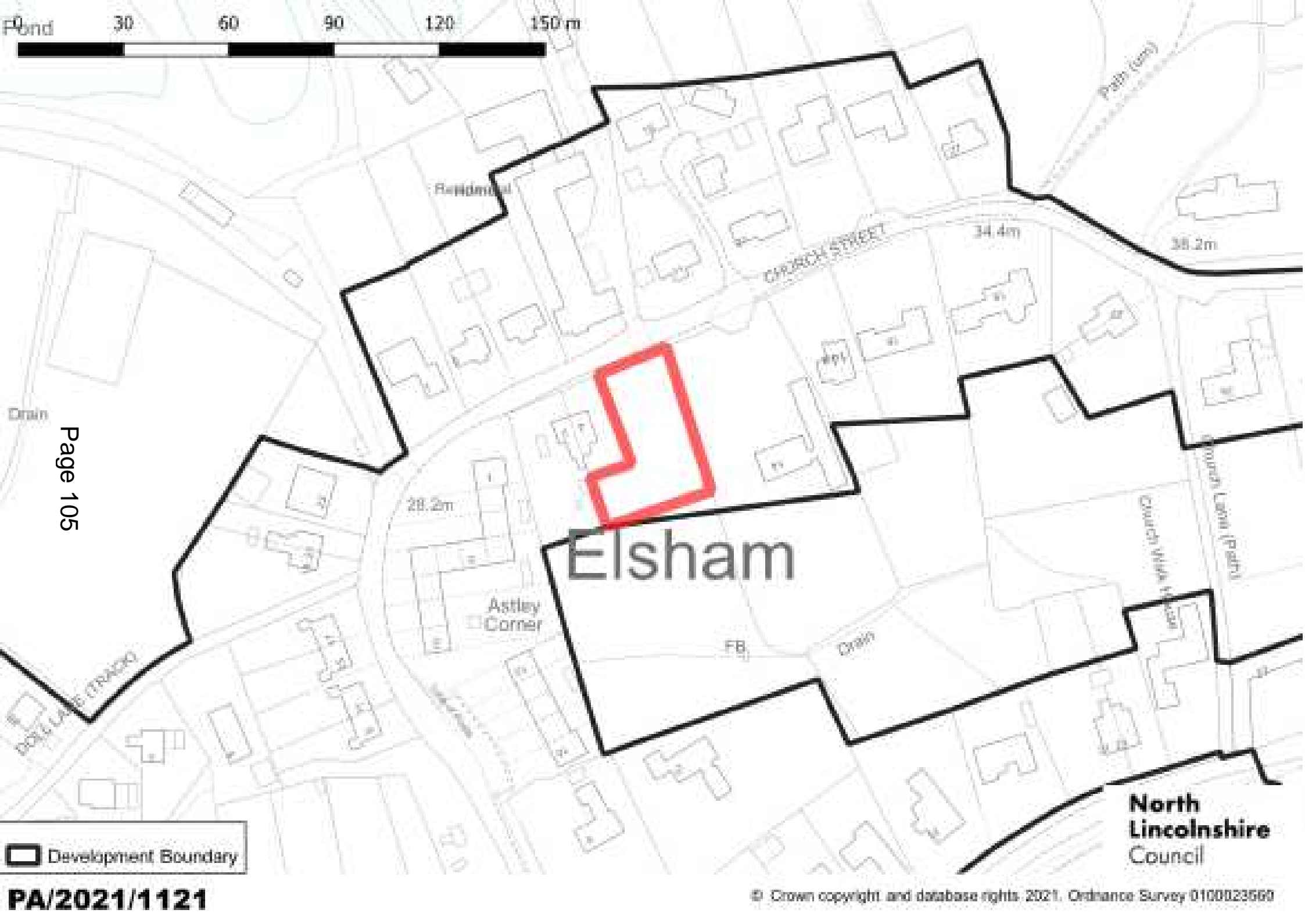
Informative 1

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.



Page 105

 Development Boundary

**North
Lincolnshire
Council**

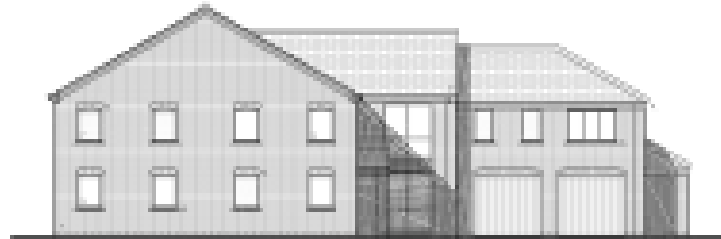
PA/2021/1121

NOTES:

1. All construction shall be in accordance with the applicable provisions of the International Building Code, International Residential Code, and applicable local codes and ordinances.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall be responsible for ensuring that all construction is completed in accordance with the approved plans and specifications.
4. The contractor shall be responsible for maintaining the site in a safe and secure condition at all times.



North Elevation



East Elevation

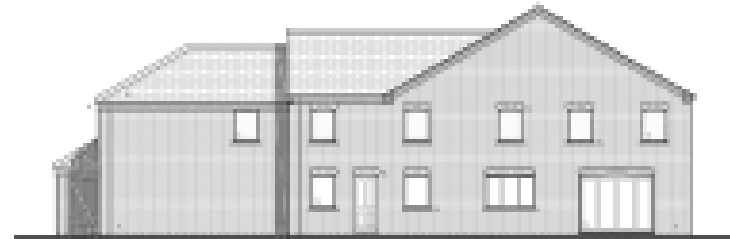
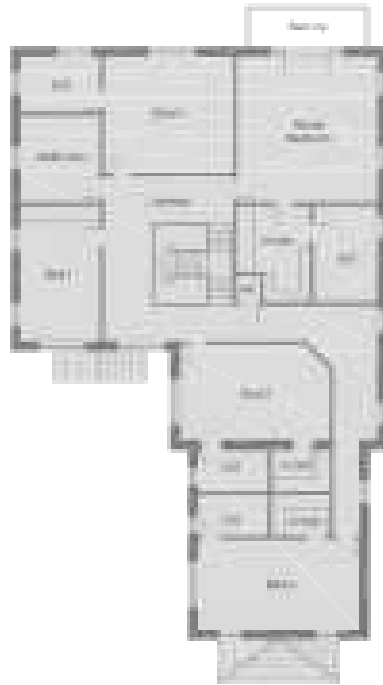


South Elevation

Proposed Ground Floor
 (not to scale - dimensions are approximate)



Proposed First Floor



West Elevation

- Legend:**
- 1. Existing Foundation
 - 2. Proposed Foundation
 - 3. Existing Footing
 - 4. Proposed Footing
 - 5. Existing Wall
 - 6. Proposed Wall
 - 7. Existing Window
 - 8. Proposed Window
 - 9. Existing Door
 - 10. Proposed Door



Page 108



Proposed Site Plan
1:1250

Proposed Block Plan
1:500

id architecture

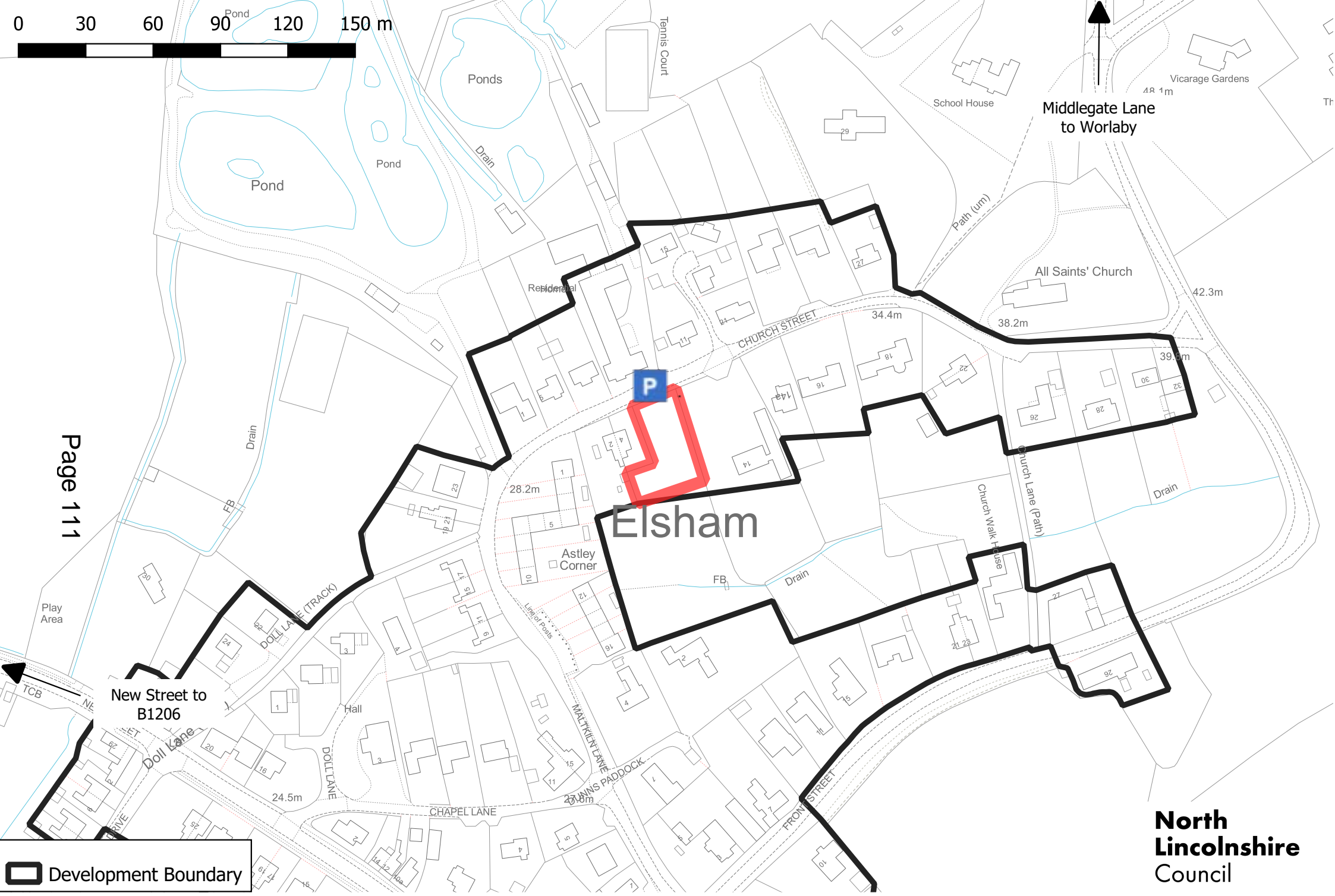
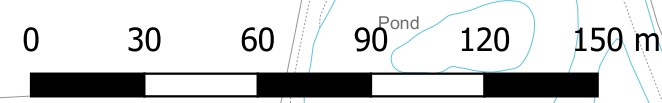
TITLE: Proposed Site Plan
 CLIENT: Mr Palmer
 PROJECT: New Dwelling
 LOCATION: Church Street, Eshan
 DRAWN BY: NG
 CHECKED BY: RC
 SCALE: As Shown
 SIZE: A3
 DATE: 02 Feb 2020
 STAGE: Planning

DRG NO: 9777 / 010

REV:



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Page 111

Development Boundary

**North
Lincolnshire
Council**

PA/2021/1121 Sat nav: 4 Church Street
Elsham, DN20 0RG

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

MAJOR PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about major planning applications which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 References to standard time limit conditions and standard outline conditions mean the conditions automatically applied by sections 91 and 92 of the Town and Country Planning Act 1990.
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.
- 3.5 Members will visit the sites in the morning on the day of the meeting if deemed necessary by the Chairman of the Planning Committee in consultation with the Development Management Lead.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.

- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Reference: CB/JMC/Planning committee 17 November 2021.docx
Date: 8 November 2021

Background papers used in the preparation of this report:

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

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Agenda Item 5i

APPLICATION NO	PA/2020/1483
APPLICANT	Mr Benjamin Dove-Seymour, C.RO Ports Killingholme Ltd
DEVELOPMENT	Planning permission to construct additional vehicle storage area with associated on-site infrastructure to include access bridge
LOCATION	Clough Lane, Killingholme, DN40 3JP
PARISH	North Killingholme
WARD	Ferry
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by North Killingholme Parish Council

POLICIES

National Planning Policy Framework: Sections 6, 11, 12, 14, 15 and 16 apply.

North Lincolnshire Local Plan: RD2, DS1, DS14, DS16, R5, LC5, LC6, LC20, T1, T2, IN3, HE8 and HE9 apply.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS11, CS12, CS17, CS19 and CS25 apply.

Housing and Employment Allocations DPD: SHBE-1

CONSULTATIONS

Highways: No objections or comments.

Ecology: The proposal does not comply with saved policy LC20 or the guidelines within SPG5. Revised proposals are required, with more impact avoidance, mitigation and enhancement proposals delivered on site. A legal agreement is required to ensure that 10% biodiversity net gain can be delivered on-site and off-site combined. If the local planning authority is minded to approve the application then conditions are recommended in relation to the development taking place in accordance with the Construction Environmental Management Plan (CEMP), and the submission and implementation of a biodiversity management plan.

Sensitive working methods will be required in relation to badger and little ringed plover. Measures will also be required to ensure that badgers can continue to move between setts and can forage with access to adequate habitat. Sensitive working methods are now proposed. Any proposals to retain little ringer plover breeding habitat are welcome providing that this can realistically be achieved within a busy construction/car storage site.

JBA Consulting (North East Lindsey Drainage Board): The northern area of the site is in Zone 2/3 on the Environment Agency Flood Maps and potentially at flood risk. It is noted a Flood Risk Assessment is included in the application.

The Board's maintained 11-Killingholme Haven runs from the eastern 'Red Line' boundary, flowing to the South. Under the terms of the Land Drainage Act 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within a board-maintained watercourse including infilling or a diversion. Under the terms of the Board's Byelaws, the prior written consent of the Board is required for the introduction of any water into the district whether directly or indirectly. It is noted in the flood risk assessment, this is to be further agreed with North East Lindsey Internal Drainage Board, via the consent process.

A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. All drainage routes through the site should be maintained both during the works on site and after completion of the works. No development should be commenced until the local planning authority has approved a scheme for the provision, implementation, and future maintenance of a surface water drainage system.

LLFA Drainage: Based on the submission of additional information the previous objection is withdrawn. Conditions are recommended in respect of the submission and implementation of a surface water drainage scheme.

Environment Agency: Following receipt of additional information the previous objection is withdrawn. Conditions are recommended in respect of contaminated land investigation, remediation of the site and the development taking place in accordance with the Flood Risk Assessment (FRA).

Environmental Health: No objection, recommend a condition the development takes place in accordance with the CEMP and a revision to the construction hours is advised.

Spatial Planning: Local plan policy IN3 supports in principle proposals for B1, B2 and B8 industrial related development within the South Humber Bank Area. Under this policy development proposals are required to be compatible with existing and proposed surrounding uses, are planned and laid out on a comprehensive basis, any storage areas are screened, provision is made for loading and offloading and that a comprehensive landscaping scheme is incorporated as an integral part of the development.

Policy SHBE-1 allocates 900ha of land adjacent to the Humber Estuary for B1, B2 and B8 industrial land uses and ancillary development that are associated with port activities, including land-based development allowing for the potential future development of a port that meet the tests of the Habitats Regulations.

In this instance, given its location within an area characterised by industrial uses and its connectivity to the strategic highway network, it is considered that the proposal generally conforms to the aforementioned policies and that the principle of development is acceptable, subject to the provisions of the development plan and the NPPF.

The site, although predominately previously developed, is also located within the South Humber Bank Landscape Initiative Area (local plan policy LC20) which seeks to develop a network of grassland, hedgerows, woodland and open water between and around industry

and to increase the recreational use of the wider area. Any proposal within this area would be expected to adhere to the broad principles of this policy but also reflecting the brownfield nature of the site.

Humberside Fire and Rescue: It is a requirement that adequate access for fire fighting is provided to all buildings or extensions to buildings.

Historic Environment Record: Following receipt of a satisfactory Written Scheme of Investigation (WSI) no objections are raised. Conditions are recommended.

Neighbourhood Services (Public Rights of Way): Following receipt of additional information which clarified the proposed width of public footpath 77 and the Able UK DCO footpath will remain unaffected by the proposals, the previous objection is withdrawn.

North Killingholme Parish Council: Object on the following grounds:

- There should be no turn towards East Halton Road and no access from it.
- There is no proper infrastructure in place to control the expansion of industry and this will in turn create issues for North Killingholme and along East Halton Road.
- There is no clarification as to how footpath 77 is being incorporated into the development.

PUBLICITY

Site notices have been displayed; no comments have been received.

STATEMENT OF COMMUNITY INVOLVEMENT

This is contained within the Planning Statement submitted with the application. The applicant contacted the clerk at East Halton parish council to outline the development and discuss community engagement. The applicant accepted a virtual invitation to appear at the parish meeting on 4 September 2020 and a summary leaflet was circulated to those who attended the meeting. A representative of the applicant was available via electronic means at the parish meeting.

ASSESSMENT

The application site comprises two sites which extend to approximately 28.76 hectares in total area and are divided by a public footpath and a drainage ditch. Much of the land has previously been developed with the most westerly section (Part A – 10.76 hectares) housing the former Centrica Killingholme Power Station (now demolished) and the north-easterly part (Part B – 18 hectares) laid to hardstanding and used for the storage of vehicles. The site is located in the open countryside and the land surrounding the site comprises open car storage, an area of woodland to the south and the former Killingholme Power Station. Haven Road and Chase Hill Road are located to the south and east of the site, the village of East Halton is located 1.39 kilometres to the west and North Killingholme 2.3 kilometres to the south-west. Planning permission is sought to construct additional vehicle storage to allow for the storage of up to 12,406 cars and the erection of a bridge to link the two parcels of land. The plan also includes the erection of lighting columns, boundary fencing, welfare facilities, drainage works and provision for the continued use of the public footpath.

The main issues in the determination of this application are the principle of development, impact on the character and appearance of the countryside (incorporating biodiversity), flood risk and other issues.

Principle

The site is located on land outside any defined settlement boundary and therefore policies RD2 of the North Lincolnshire Local Plan (NLLP) and CS3 of the adopted Core Strategy (CS) apply. Policy RD2 states that development in the open countryside will be strictly controlled and only permitted for development which is employment related development appropriate to the open countryside. The existing site operated by the applicant is a port facility used for the importation and open storage of motor vehicles. This also takes place on adjacent sites to the south-east which are operated by GBA Killingholme. Therefore, open car storage is an established use and a defining characteristic of the industrial landscape along the eastern side of Rosper Road and to the north of Haven Road and Clough Lane.

It is worth noting that Part B of the site (which is located in the north-easterly section) is already laid to hardstanding and is used for the open storage of vehicles. In addition, a certificate of lawfulness was granted in 2005 (PA/2005/1096) on this part of the site for open storage and distribution and therefore no planning permission is required for the continued use of this part of the site for open vehicle storage. Part B of the site does have consent under a Development Consent Order for a gas-fired power station (from 2014), however the ongoing use of the site for open vehicle storage will not compromise the future development of this part of the site.

It is also noted that approximately 1.5 hectares of land within Part A of the site encroaches into the land allocated as the South Humber Bank employment site under policy SHBE-1 of the Housing and Employment Allocations DPD. This policy seeks for a 900-hectare site to be developed for B1, B2 and B8 industrial land uses and ancillary development which is associated with port activities. It is considered that the use of land for open vehicle storage is broadly consistent with this policy (i.e. it is port-related development) and that the development of a 1.5-hectare section of land will not compromise the wider delivery of the employment area allocated under policy SHBE-1. In addition to this it will allow an established business to expand their operations. This is a business which has direct linkages to port-related operations (importation of motor vehicles) and the NPPF at paragraph 81 states, 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'. In addition, the need for the site expansion is clearly set out in the design and access statement submitted with the application, which states the following:

Brexit, and in particular the need to accommodate new and increased customs requirements at UK ports, has driven a need for more storage facilities at the Terminal. The distribution model for international vehicle movements is projected to change, with the strong likelihood that more vehicles will need to be held in UK ports awaiting dispatch.

In order to provide the level of business certainty, operational flexibility and long term improvement necessary to maintain crucial business contracts and sustain its commercial activities, C.RO Ports needs to ready itself for this situation and bring forward increased vehicle storage capacity.

It should also be noted that the development will in part result in the redevelopment of a brownfield site as the Centrica Killingholme Power Station has now been demolished on Part A which is the subject of additional open vehicle storage. The requirement to provide wider landscape planting initiatives under policy LC20 of the NLLP is acknowledged (and will be discussed in more detail in a subsequent section of this report) but given this development will result in the extension of an established port-related facility, it is consistent with industrial uses established on neighbouring site, it will redevelop a brownfield site, it has direct linkages to both the port facilities and the wider road network and will not compromise the delivery of the allocated employment site, it is considered the proposed development complies with policies RD2 and IN3 of the NLLP and CS12 of the CS and is broadly consistent with the provisions of policy SHBE-1 of the Housing and Employment Land Allocations DPD. In conclusion, the principle of development on this land is considered to be acceptable.

Impact on countryside/landscape character (incorporating biodiversity)

The proposal will result in the redevelopment of a brownfield site for open car storage, the erection of a bridge which has an overall height of 4.5 metres and width of 11 metres, and lighting columns at a height of 20 metres; these will be the most visually prominent aspects of the design proposals. It is worth noting that a power station was previously sited within Part A of the development site and was a bulky industrial installation with a number of vertical chimneys/flues; it therefore had a much more significant impact on landscape character.

A landscape and visual appraisal has been submitted with the planning application stating the proposal would not alter the landscape character (industrial landscape) in Part B of the site which only involves a reconfiguration of the layout to facilitate an increase in the parking capacity. In respect of Site A (the former power station site) it states there will be an extension of the 'Industrial Landscape' character type into a small section of the 'Open Undulating Farmland' landscape type and the site does not share the characteristics consistent with this landscape character type. It states the site lacks having an open character, arable character and is a brownfield site, it being enclosed by industrial development and woodland copses and the existence of large-scale prominent industry prevents long-distance views into the wider rural landscape.

The conclusions of this report are that the presence of tall industrial structures, Chase Hill Wood and field boundary vegetation serve to limit the extent of the surrounding landscape from where the site is visible and the tallest elements of the scheme (i.e. the bridge, perimeter fencing and lighting columns) would be relatively low compared with surrounding structures and visible from only short sections of public footpath 77 through and adjacent to the site. It states large-scale visual effects would be experienced from users of the public footpath adjacent to and through the site, although the layout of the footpath has been considered with an appropriate landscape buffer and the overall conclusion is the proposed development would not give rise to undue negative effects on landscape character, fabric or views.

The viewpoints assessed show that from each viewpoint the magnitude for the visual effect would be from large (view south-east from public footpath 77) to small to negligible from public footpaths in the wider area. It is acknowledged the proposal would have a localised urbanising effect on a short section of the public footpath, but the ditch and width of the

public footpath would form a buffer between the footpath and the hardstanding. It is noted that the following landscape proposals are put forward as part of the development:

- Boundary hedgerows and ditches will be retained.
- A 15m wide strip of neutral grassland which will form a buffer between the proposed development and Chase Hill Wood.
- Pond in the north of Part B will be extended. Marginal vegetation will be allowed to recolonise the pond.
- Existing ditch habitat will be retained with a net increase of 0.55ha of new ditch habitat created. The banks will be sown with a marginal riparian grassland mixture.
- The lighting will be on 20m high columns except around the pond in Part B where 5m columns will be used. In this area, and adjacent to Chase Hill Wood, LED lighting fittings with shields, dimmable armatures, 'warm light' armatures will be used.
- A construction and environmental management plan (CEMP) will be prepared which will identify biodiversity protection zones and mitigation measures to be undertaken and delivered at the construction stage for relevant habitats and species. The CEMP will also include details of habitat retention and creation measures and methods.

Once the landscaping becomes established over time it will create additional greened sections which in turn could provide biodiversity net gain and create linkages with existing established wildlife areas such as Chase Hill Wood to the south. As noted above, the most visually prominent aspect of the development is the bridge and the lighting columns, however much of site (Site B) is already laid to hardstanding with lighting columns to the same proposed height and this is a defining feature of the industrialised landscape in this part of Killingholme. The bridge will be predominantly screened from Haven Road and Chase Hill Road by Chase Hill Wood to the south and the development will be viewed as part of the 'Industrial Landscape' character type when viewed from outside the site as it will be visible in conjunction with the industrialised landscape to the south and south-east. The concerns raised by the council's ecologist with respect to impact on landscape character are noted, however the appearance of Part B and its contribution to landscape character will remain unaltered as a result of the proposals.

The proposed development (in particular the redevelopment of Part A) would alter the character and appearance of the countryside. However, that would apply to any site which is located on the edge of an industrial area, including those allocated for development in the HELAP (such as the land under SHBE-1), and would be an inevitable consequence of an existing, established business seeking to expand and enhance their operations as a result of uncertainty in the economy. Given the fact that the site is comparatively enclosed and well screened, it is a brownfield site and lies directly adjacent to existing industrial and commercial development, it is considered that the landscape impact would be limited in this instance.

Furthermore, the impact of the proposed development on those using the footpath (public footpath 77) through the site will change, however the sense of greened openness to this experience will be retained to some extent with a 4 metre wide footpath with a 2 metre buffer to the side and a clearance of a minimum of 3 metres to the drainage ditch and the removal of the fencing from the drainage channel side will aid in the sense of openness

through the site. Following clarification of the width of the footpath and the planting buffer (at 4 metres and 3 metres respectively) the PROW officer has removed their objection and has no objection to the provision of the footpath in this regard. It is considered that the information submitted within the landscape and visual appraisal, the proposals for landscaping and ecological improvements and the revisions to the site layout (which includes a buffer from the footpath to the drainage ditch and removal of the fencing) is sufficient to ensure that the impact of built development can be successfully assimilated into the rural landscape over time and there are no wider landscape impact issues arising from the development (i.e. it will not be highly visible in the wider rural landscape). Finally, the fringes of this site are a semi-industrialised rural landscape and the re-introduction of an industrial use onto a brownfield site is not considered to be at odds with the prevailing character of development in this part of the rural landscape.

Turning to biodiversity matters the proximity of the site to the Humber ecological designations (SSSI, Ramsar, SPA, SAC) is noted, however the council's ecologist has confirmed there is no perceived impact on these designations but some potential impact on protected species including bat corridors, badgers and little ringed plover in and around the site. Notwithstanding this it is worth noting this is an operational site (in part) and the applicant has submitted a Construction Environmental Management Plan to demonstrate how sensitive working methods can be employed in relation to protected species to avoid disturbance. Given the constraints of the site in the form of roads, drainage ditches, the public footpath, the existing operational site (Part B), Chase Hill Wood, there is limited scope within the site to achieve any significant biodiversity enhancement without constraining the operational requirements of the business and given there is scope to achieve biodiversity enhancement within parts of the site, on the boundaries of the site and on neighbouring land within the applicant's same ownership (outlined in blue on the site location plan), it is considered both reasonable and necessary to recommend a condition for the submission of a biodiversity and landscape management plan; this would provide the opportunity for the net loss of biodiversity from the site to be addressed, it would seek to address the requirement for landscaping enhancement (required under policy LC20 of the NLLP) to be achieved and provide the appropriate mechanism through which additional habitat for the protected species can be considered and subsequently delivered. It is considered that the imposition of such a condition would comply with paragraph 55 of the NPPF in this regard. In addition, it is proposed to use lower-level lighting columns with lighting spill contained within the site in the more ecologically sensitive parts of the site (i.e. along its boundaries); this will help to mitigate potential impacts on protected species.

Flood risk

The site is located within flood zones 1 and 2/3a as defined by the North Lincolnshire Strategic Flood Risk Assessment (SFRA). A Flood Risk Assessment (FRA) has been submitted, which has been considered by the Environment Agency and no objections have been received on flood risk grounds. The proposal is for open car storage and an office building which constitute 'less vulnerable' uses in a high flood risk zone. By applying the vulnerability of the use (less vulnerable) to the flood zone in which it is proposed (2/3a) the development is considered to be appropriate as set out in the National Planning Practice Guidance. Notwithstanding this it is proposed to introduce a significant amount of hardstanding onto Part A (the former power station site) and this has the potential to increase surface water drainage run-off.

The flood risk assessment submitted with the application addresses the potential for surface water drainage flooding and a scheme is put forward for its disposal. This consists of ditches and ponds to capture and attenuate flows and a combined drainage solution to store and attenuate run-off, together with restricting flows into adjoining watercourse. It is also proposed to make a cut in the existing ditch (1200 metres in length) to create additional drainage channels and to utilise the existing pond in the north-eastern corner of Part B for storage. Conditions are recommended by LLFA Drainage requiring the submission and implementation of a method of surface water drainage disposal, which considers the incorporation of SuDS measures, and which is based on the drainage strategy already submitted for consideration within the FRA. These conditions are considered both necessary and reasonable to ensure the development is acceptable in flood risk and drainage terms.

Other issues

North Killingholme Parish Council has objected to the proposals on increased traffic movements and matters relating to highway safety. A Transport Statement has been submitted with the application, which states the proposal is predicted to generate an additional 563 two-way HGV movements per week, with Thursdays being the busiest day in terms of trip generation, resulting in 131 two-way HGV trips. In terms of impact on the local highway network the Transport Statement states there will be an uplift of less than 3.7% in HGV movements across a day and that the proposal therefore generates a non-material uplift in traffic flows on the network.

Based on the development proposals and the information contained within the submitted Transport Statement, Highways have raised no objection on highway or pedestrian safety grounds.

In terms of loss of residential amenity, the main sources of this would be during the construction and operational phases of the development and from the light spill from the lighting columns proposed. The supporting information submitted with the application has been reviewed by Environmental Health and given the distance to the nearest residential properties (sensitive receptors) no issues have been raised in relation to noise or light disturbance in this regard. Conditions are recommended in respect of the development taking place in accordance with the measures outlined in the CEMP and in respect of construction and site clearance hours; these conditions are considered sufficient to mitigate any potential loss of residential amenity.

The supporting information satisfactorily demonstrates there will be no direct or indirect impact on the setting of any listed buildings or Scheduled Ancient Monuments (either solely or cumulatively) and the Historic Environment Record has raised no objection to the proposals in the Written Scheme of Investigation which has been considered acceptable in setting out a framework for archaeological works on the site.

Conclusion

It is considered the development will result in the expansion of an established port-related facility onto a brownfield site and one which will ensure the continued provision of a public footpath through the site. It is considered the proposal is acceptable in principle as it would be broadly compliant with policy SHBE-1 of the Housing and Employment Land Allocations DPD by providing port-related development that doesn't conflict with the wider delivery of the 900-hectare employment site. It is considered the proposal can be successfully

assimilated into the rural landscape with it being viewed in conjunction with similar land uses and against an industrialised landscape character. The proposal is not considered to result in issues related to highway and pedestrian safety and will not impact on residential amenity. Accordingly, the application is recommended for approval.

Pre-commencement conditions

Pre-commencement conditions in relation to contaminated land investigation, the submission of a surface water drainage scheme and additional details in respect of a programme of archaeological works have been agreed with the applicant's agent.

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: NWKG-2020-P-107-D, 6608_007_A, 6608_009, NWKG-2020-P-103-D and NWPU-2014-PA-106-0.

Reason

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

3.
Development shall take place in accordance with the archaeological mitigation strategy 'North Killingholme Written Scheme of Investigation for Staged Archaeological Mitigation, Headland Archaeology, 01/10/2021 rev 14/10/2021', and the approved details and timings.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site contains archaeologically significant remains that the development would otherwise destroy. The archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

4.
Prior to commencement of development, the applicant, or their agents or successors in title, shall submit the following details to the local planning authority for their written approval:

- (i) confirmation that a contract has been entered into with an archaeological contractor to undertake all stages of the archaeological mitigation programme
- (ii) a timetable that provides sufficient notification and allowance of time to ensure the completion of the specified archaeological excavations and recording work ahead of construction commencing

- (iii) details of the archaeological organisation proposed to implement the approved mitigation strategy; a list of all staff involved, including sub-contractors and specialists, their responsibilities and qualifications
- (iv) arrangements to notify the North Lincolnshire Historic Environment Officer of the commencement of archaeological works at least 10 working days before commencement and a schedule of visits to monitor such works.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site contains archaeologically significant remains that the development would otherwise destroy. The archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding.

5.

The development shall not be brought into operation until the site investigation and post excavation assessment has been completed in accordance with the programme set out in the approved archaeological mitigation strategy, and provision secured for the subsequent analysis, publication and dissemination of results and archive deposition, to be approved by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because details pursuant to the post-excavation assessment are required to ensure satisfactory provision and the timely undertaking of the final stages of the approved archaeological mitigation strategy.

6.

A copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within one year of commencement of the archaeological programme of work or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan and place the results of the archaeological mitigation strategy in the public domain in a timely fashion within an agreed timetable.

7.

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses;

- potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with paragraph 170 of the National Planning Policy Framework.

8.

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in conformity with paragraph 170 of the National Planning Policy Framework.

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.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (2 March 2021/ PB9772-RHD-ZZ-XX-RP-Z-0005 / Royal Haskoning DHV): in particular, a flood warning and evacuation plan shall be put in place prior to first use of the site (Part A). Finished floor levels for the two office buildings hereby permitted shall be set no lower than 990m above existing ground level, as shown in approved drawing NWPU-2014-PA-106-0, 'Offices Elevation Plan'.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

11.

The development hereby permitted shall be carried out in strict accordance with the Outline Construction Environmental Management Plan (OCEMP) reference PB9772-RHD-ZZ-XX-RP-Z-0001 dated March 2021. The construction and site clearance working hours shall be limited to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and at no time on Sundays and public/bank holidays.

Reason

To define the terms of the permission and to ensure the development is undertaken in accordance with the environmental measures outlined in the document.

12.

Within six months of the commencement of development, the applicant or their successor in title shall submit a landscape and biodiversity management plan to the local planning authority for approval in writing. The management plan shall include:

- details of measures required to provide more than 10% biodiversity net gain (or a lesser net gain to agreed in writing with the local planning authority) in accordance with the Defra biodiversity metric 2.0 compared to the baseline assessment described in the submitted "C.RO Ports Killingholme - Additional Vehicle Storage: Ecological Impact Assessment Report";
- details of landscape enhancements required in terms of the South Humber Bank Landscape Initiative;
- prescriptions for the creation of a 15 metre wide neutral grassland buffer along the northern boundary of Chase Hill Wood and Fox Covert;
- prescriptions for the creation and management of ditch, pond, scrub and neutral grassland habitats;
- details of nesting sites to be installed to support a variety of bird species;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- prescriptions for the retention, planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- appropriate phasing mechanisms to ensure that significant areas of habitat are created and are becoming properly established before each phase of construction;
- procedures for monitoring and ongoing management of created habitats;
- measures to avoid light, noise and water pollution, fly-tipping and other factors that would harm habitats and species;
- proposed timings for the above works in relation to the operation of the car storage area.

Biodiversity units should be delivered on site, within the red and blue line boundaries shown on submitted Location Plan number 6608_007_A. Those that cannot viably be delivered on site should be delivered locally, according to a local plan or strategy.

Reason

To conserve and enhance landscape and biodiversity in accordance with saved policy LC20 of the North Lincolnshire Local Plan, policies CS5 and CS17 of the North Lincolnshire Core Strategy, and paragraphs 170, 174 and 175 of the National Planning Policy Framework.

13.

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 commencement of operation of the car storage area 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 landscape and biodiversity in accordance with saved policy LC20 of the North Lincolnshire Local Plan, policies CS5 and CS17 of the North Lincolnshire Core Strategy, and paragraphs 170, 174 and 175 of the National Planning Policy Framework.

14.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, reference: PB9772-RHD-ZZ-XX-RP-Z-0005, status: 01, dated: 02 March 2021.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change), which should be based on the current national guidance, will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and

off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

15.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 14 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

Informative 1

We recommend that the future operator(s)/occupants of the site fully sign up to Floodline Warnings Direct. This can be done online at <https://www.gov.uk/sign-up-for-flood-warnings> or by phoning Floodline Warnings Direct on 0345 988 1188.

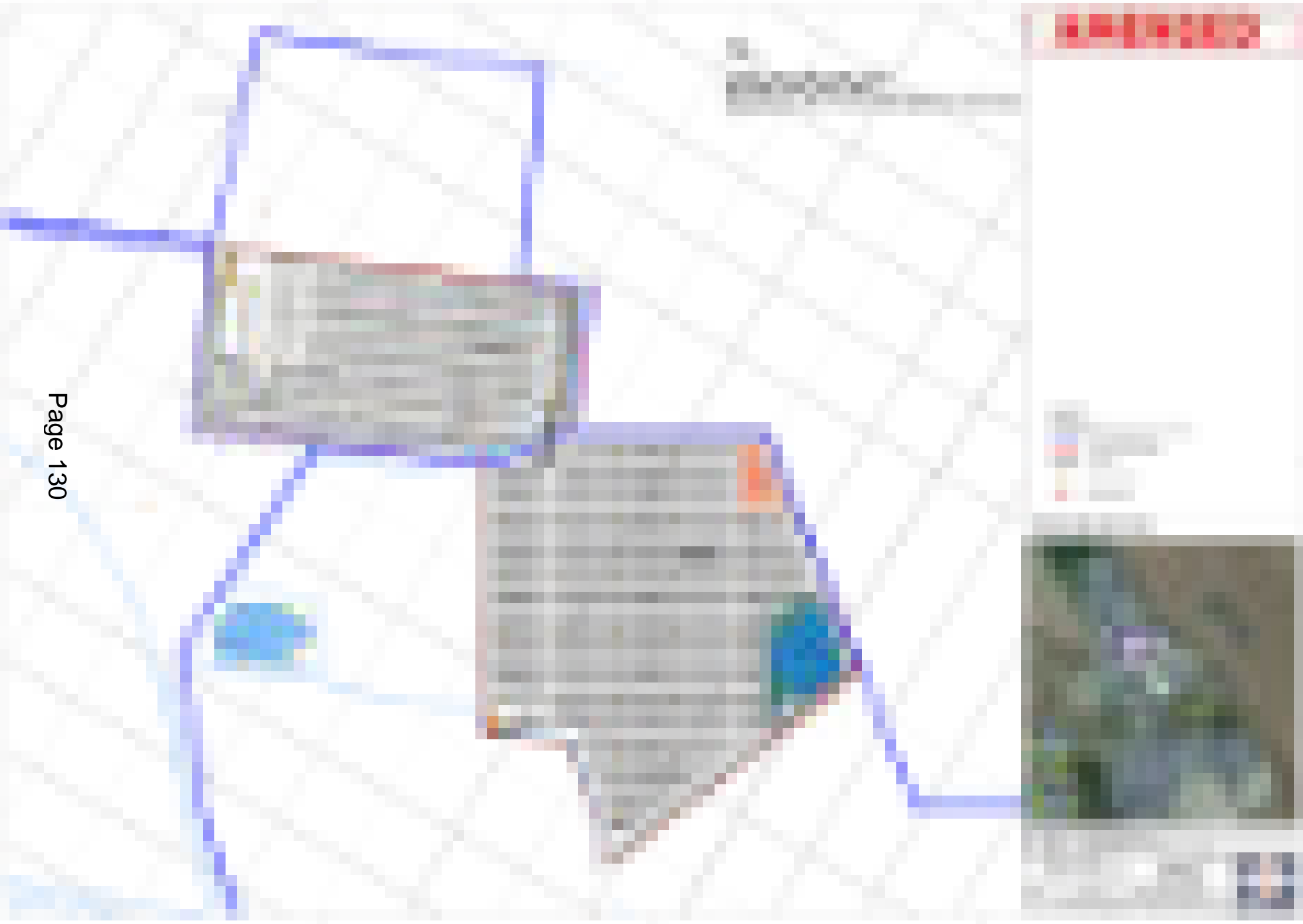
Informative 2

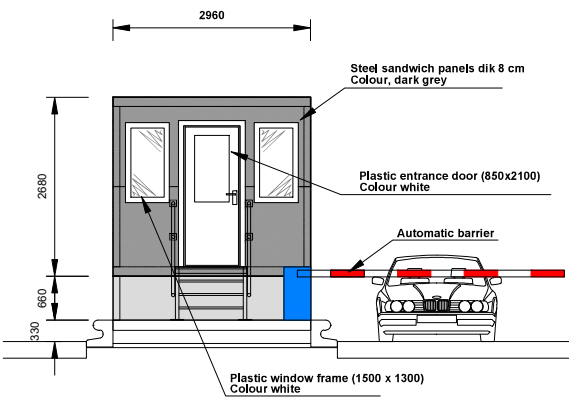
Advice to the applicant – pollution prevention:

- Site surfacing – we would expect no vehicles to be parked on permeable surfaces (made ground, soil, etc.).
- Surface water drainage should be through appropriate oil interceptors.
- Kerbing should be in place around the site perimeter to contain pollutants.
- Sufficient spill response kits would need to be kept on site.
- Foul drainage should be directed to the Anglian Water foul sewer, if possible. If connection to mains sewer is not viable, the provision of toilet and washing facilities, e.g. portaloos would need to be sufficient and these would need to be checked/emptied on a daily basis.

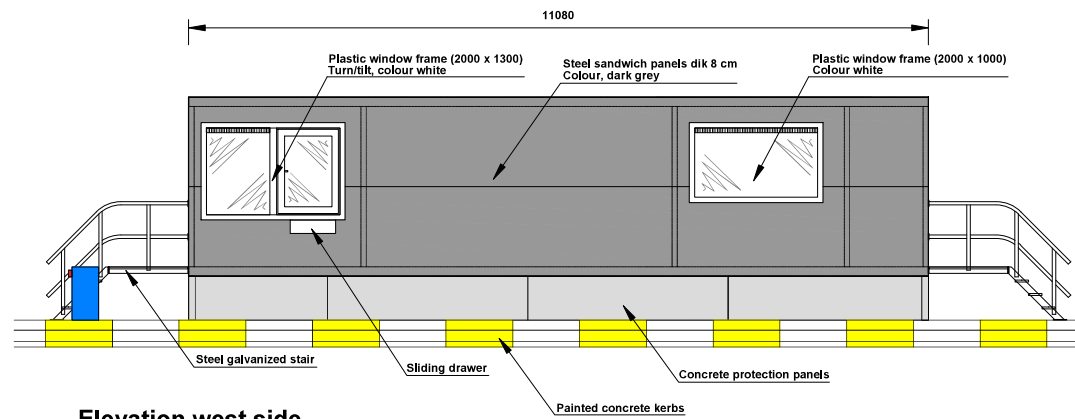
Informative 3

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.

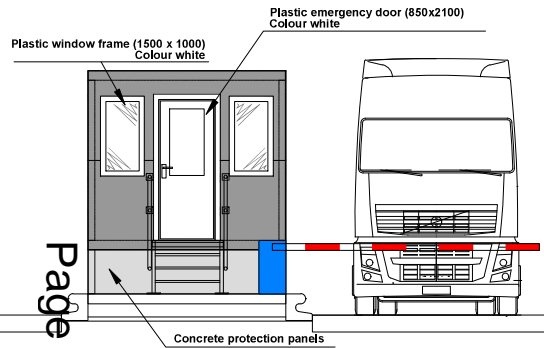




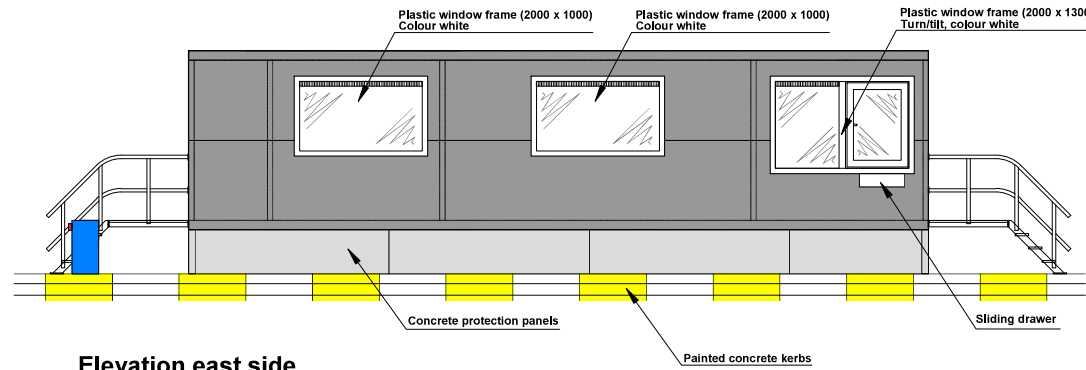
Elevation north side
Scale 1:40



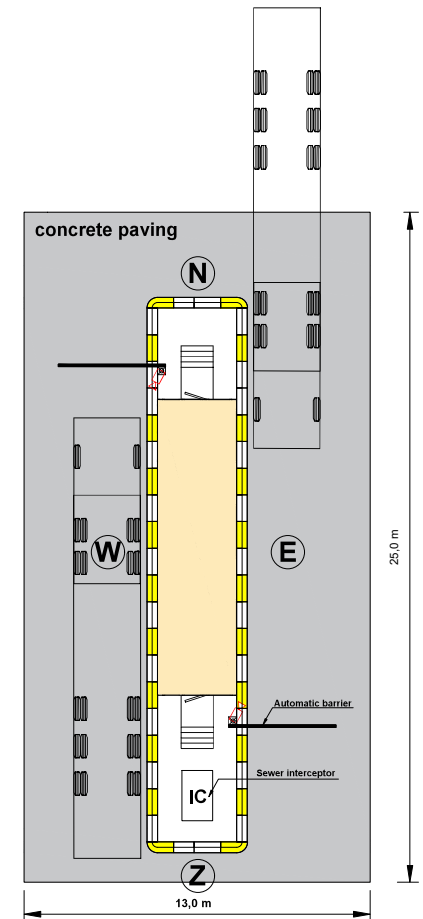
Elevation west side
Scale 1:40



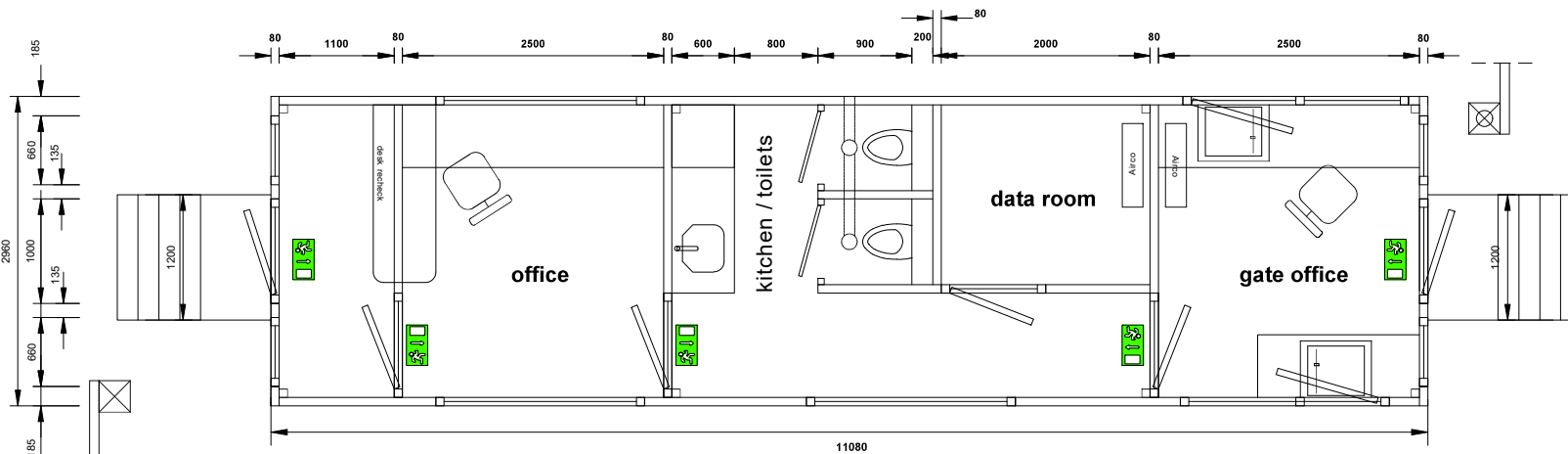
Elevation south side
Scale 1:40



Elevation east side
Scale 1:40



Plan view gate unit area
Scale 1:100



Top view entrance / exit gate unit
Scale 1:25

General Planview



Title: C,RO Ports Killingholme-Additional Vehicle Storage Office Buildings Elevation Plan		C,RO Ports Killingholme Ltd Cough Lane North Killingholme North Lincolnshire DN40 3JP (UK) Phone: +44 1 708 86 5522 www.linports.com		:C,RO_official_06.jpg
Drawn: JWW	Scale: 1:40, 1:25 (if A1)	Checked: RFE	Date: 02/03/2020	
Status: Permit application	Dr. No.: NWPU-2016/PA-1050			
Project: C,RO Ports Killingholme - Additional Vehicle Storage				



Page 132



APPLICATION NO	PA/2021/1210
APPLICANT	Mr Bryn Iwanyckyj, Albemarle Homes Ltd
DEVELOPMENT	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/1716 dated 06/02/2020 for up to 48 residential dwellings
LOCATION	B1207 Station Road, Hibaldstow
PARISH	Hibaldstow
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant approval subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Significant public interest

POLICIES

National Planning Policy Framework:

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 56 – 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 130 – 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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.

North Lincolnshire Local Plan: DS1, DS7, DS11, RD2, H5, T2, T19

North Lincolnshire Core Strategy: CS5, CS17, CS18

CONSULTATIONS

Environmental Protection: No comments to make.

Refuse Collection: Offers generic advice on the dimensions required for service vehicles to negotiate adopted and unadopted roads, and on highway construction requirements.

Drainage (Lead Local Flood Authority): No objections to the proposed layout, however the developer needs to be mindful that the carrying out of further tests (groundwater monitoring wells) and assessments of groundwater seasonal fluctuations and proposed outfalls may necessitate a review of viable surface water drainage solutions which may affect the proposed layout.

We await this information at discharge of conditions stage.

Highways: No objections subject to conditions.

Anglian Water: Desktop analysis has suggested that the proposed development would lead to an unacceptable risk of flooding downstream. It is highly recommended that the developer engages with Anglian Water at their earliest convenience to develop a feasible drainage strategy.

If they have not done so already, they should submit a pre-planning enquiry to Anglian Water so that they can work with the developer towards a feasible mitigation solution.

If a foul or surface water condition is applied by the local planning authority to any decision granted, they require the following information prior to recommending discharging the condition:

- a feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - development size;
 - proposed discharge rate (should a pumped connection be required, the minimum pumped discharge rate is 3.8l/s);

- connecting manhole discharge location (no connections can be made into a public rising main);
- notification of intention to connect to the public sewer under S106 of the Water industry Act; and
- a feasible mitigation strategy in agreement with Anglian Water (if required).

PARISH COUNCIL

No objection, but supports residents' comments.

The application is outside the development boundary of the parish. The parish council asks that the application is carried out in full accordance with the conditions set out in the decision document.

It is hoped that the comments received from the developer in June are followed through:

“We do, however, value the views of the parish council and residents and will try and incorporate appropriate comments within the proposals during the reserved matters planning application determination period. As you will know, the scheme will naturally continue to evolve throughout this process.”

PUBLICITY

Advertised by site and press notices. Twelve objections have been received, the material points of which are summarised below:

- flooding and drainage
- scale of properties to the rear of Trafford's Way
- development poorly served by paths
- few amenities to support and public transport serving the village is inadequate
- out of character
- impact upon sense of plan (tranquillity frequently mentioned)
- inadequate green space
- air quality
- doctors and schools cannot cope
- not in accordance with the indicative plans submitted as part of the outline
- impact upon residential amenity
- impacts during construction
- effect on wildlife.

STATEMENT OF COMMUNITY INVOLVEMENT

Not as part of the reserved matters.

ASSESSMENT

Relevant planning history

PA/2018/1716: Outline planning permission with all matters reserved for the erection of up to 48 dwellings – approved 06/02/2020.

Site characteristics

The site abuts Station Road to the east and Manton Lane to the north, and is outside the development boundary for Hibaldstow as identified by the Housing and Employment Land Allocations DPD 2016. The perimeter of the site is lined by hedging making views from Station Road improbable; the planting is less dense along Manton Lane.

A route of overhead lines runs diagonally across the site. The site also abuts the settlement boundary (it effectively bisects it) both to the north and to the south. The site is located across the road from playing fields and an LC11 allocated area.

Proposal

Outline planning permission has been granted for the erection of up to 48 dwellings. **This outline permission is part of the justification that North Lincolnshire Council can demonstrate a five-year land supply at present.**

Subsequently, these are the outstanding reserved matters that follow on from that permission and have been submitted within the conditional time frame set out by it. This application puts forward a scheme of 48 dwellings with a single vehicular access point from Station Road. The scheme also includes landscaping.

Highways (access and road/footway layout)

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

Highways have not objected and put forward a list of conditions to be attached to any approval. However, comparing these conditions to those put forward and attached as part of the outline permission, it is clear that nearly all of the mitigation sought under this application has already been applied at outline stage. It would be both unnecessary and unreasonable to reattach such conditions at this stage.

One exception is a proposed compliance condition requiring the applicant to complete the footway across the whole site frontage prior to occupation. This will duly be attached.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Scale, layout and appearance

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here 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 of the local plan, which is concerned with new housing development, is also considered relevant (although parts 'i' & 'ii' are superseded by policy CS1 of the Core Strategy, the remainder of the policy is intact).

Paragraph 130 of the NPPF states, '...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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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.'

The applicant has submitted a design justification document to support the proposal. Amended layout plans and an additional house type have also been submitted to overcome existing residents' concerns in relation to amenity impacts.

A single access point is proposed from Station Road and continues westerly where it terminates at plots 11 and 8. It is made up to adoptable standards halfway along its route. The adopted road turns 90 degrees northward and ultimately ends in two bell mouths from where private drives emanate serving the remaining dwellings within the scheme. Dwellings reinforce this route, most presenting their principal elevation to the street scene, with some exceptions on corner plots. Due to this layout, rear amenity spaces display a high level of defensible space characteristics. This point is reaffirmed by an appropriate selection of boundary treatments across the development consisting of a mix of walling, planting and solid timber.

In residential amenity terms many objections relate to impact upon the dwellings on Trafford's Way. However, the separation distances, with the exception of plot 1 (with 61 Station Road), which is side to side with the nearest property, are all over 20 metres rear elevation to rear elevation. This distance is considered sufficient to offset any unacceptable levels of visual intrusion as well as overshadowing/overbearing issues.

At a wider spatial scale it is of material importance that this development sits north of Trafford's Way. The impact upon the dwellings fronting Manton Lane is also acceptable: the existing hedgerow is to be retained and the road width (as well as dwellings on this boundary being set in) would prevent any unacceptable impact upon the amenity of existing residents close to the site.

Internally the proposed separation distances are sufficient, and the positioning of openings (house types next to compatible house types) is also designed in a sensitive manner. Private amenity space is also proportionate: larger amounts of garden are naturally given over to larger dwellings. Most plots have garage access.

In terms of character a key vista is Station Road, where nine dwellings are presented to the street scene. Along this row the main access, as well as the surface water basin, provide respite from urban form. Furthermore, the existing hedgerow is to remain between access points, and this further softens the development presence along Station Road. Again the hedge is retained along Manton Road, trees are to be planted and the dwellings are set back into the development. These features are an acknowledgement of the semi-rural setting within which the scheme is located. Clearly, looking eastward from the A15, there would be an urbanising impact given the amount of form that is located on the arable field; however, these views already experienced the settlement as a backdrop and so are not wholly unacceptable. The applicant also proposes to soften the boundary with a native hedgerow and again the planting of trees.

The dwellings themselves provide a sufficient mix of house types; many exude a Georgian-esque aesthetic with the faux window at first floor and flat-roof door canopy, though this proposal holistically is not strict to that era, with other dwellings presenting gable features to the street scene. The dwellings collaborate well together with some side facing and a mix of double and single garages all adding interest to the roofscape. Dwellings are also detailed around the eaves and headers above windows with sills below.

In terms of materials the applicant has stated within the design justification that these are to be agreed with the local planning authority during the course of the application. However, an agreement has not yet been made and a condition has been accepted (this is in part due to availability). The existing dwellings in the area are of a darker brick, those further north of the site are 1950's semi-detached and are of red brick (though one or two have been rendered cream), and to the south the dwellings are again of a darker brick, some modified

on lower floors with render. Whilst buff or light brick might not be appropriate, the applicant has scope to introduce a broad palette. Darker red brick would, on the surface, relate to existing properties, but a uniform scheme would perhaps not be absorbed as well, reflecting the ongoing aesthetic morphology that occurs in residential areas. It is fair to say that if some properties came forward as a render option (in and amongst darker brick properties) this would link more successfully to the existing urban grain. However, at this stage, given that sufficient information is not present with the application, materials will be controlled by condition.

Therefore, subject to the control of materials, the proposal is considered to align with policies RD2, LC7 and H5 of the North Lincolnshire Local Plan, policy CS5 of the Core strategy and the aforementioned paragraphs of the NPPF.

Landscaping

Policy CS5 is in part concerned with landscaping; it states, ‘...Incorporate appropriate landscaping and planting which enhances biodiversity or geological features whilst contributing to the creation of a network of linked greenspaces across the area. Tree planting and landscaping schemes can also assist in minimising the impacts of carbon emissions upon the environment.’

Paragraph 131 of the NPPF states, ‘...Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.’

Paragraph 135 of the NPPF states, ‘...Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’

Paragraph 174 (b) of the NPPF states [decisions should contribute by] ‘...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.’

The applicant proposes to retain the hedgerows along the northern, southern and eastern boundaries whilst a native hedgerow is proposed to the west. There is a mix of planting throughout the scheme with trees planted along northern and western boundaries and many dotted around the layout as well as the infiltration basin. Conditions are proposed to ensure that the landscaping scheme has a good chance of survivability.

The proposals are considered appropriate and would work well in assimilating the scheme into its semi-rural setting. The trees and hedgerows on the northern and western boundaries soften the screen from the outside and would go some way towards allowing the development to be more easily absorbed into the locality.

Other matters

The LLFA has objected stating that there is insufficient information in relation to surface water to assess whether the layout is appropriate. The thought process from the LLFA is correct and the drainage should be designed first, the layout after. However, just because the reserved matters are in front of the local planning authority before the drainage strategy doesn't mean the applicant has not considered it and it has not informed the plans being assessed now. Conditions on the outline permission required a drainage scheme to be submitted to and agreed in writing with the local planning authority and this prevents any development from occurring. Should this layout be inappropriate and not allow for an acceptable surface water drainage strategy then the applicant will need to resubmit the scheme in order to suit. The risk is on the applicant at this stage and due to the strength of an already imposed drainage condition there is no planning reason to resist the development on drainage grounds.

Conclusion

The detailed design of this scheme is considered fully acceptable; only conditions controlling materials and those to ensure the landscaping can become established and rooted will be applied.

RECOMMENDATION Grant approval subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan 20120 01 Rev G

Planting Plan 3832 (1 of 2) 201

Planting Plan 3832 (2 of 2) 202 (NOTWITHSTANDING PLOTS 7 AND 8)

Bungalow 2B4P Detached – DWG: 20120_HT_03

Type B Elevations and Floor Plans 3B5P - DWG: 20120_HT_03

Type A Elevations 2B4P Semi-Detached – DWG: 20120_HT_02

Type A Floor Plans 2B4P Semi-Detached – DWG: 20120_HT_01

Type Q Elevations 3B6P – DWG: 20120_HT_10

Type N Elevations and Floor Plans 4B8P – DWG: 20120_HT_08

Type L Elevations and Floor Plans 3B5P – DWG: 20120_HT_07

Type C1 Elevations and Floor Plans 3B5P – DWG: 20120_HT_04

Double Garage DWG 20120_HT_13

Single Garage DWG 20120_HT_11

Landscape Master Plan 3832 101 Rev B (NOTWITHSTANDING PLOTS 7 AND 8)

Boundary Treatment Details 20120 DWG 04

Boundary Treatment Layout 20120 03

Type K Elevations and Floor Plans 4B8P – DWG: 20120_HT_06

Type E-SA Elevations and Floor Plans 4B7P – DWG: 20120_HT_05

Type Q Floor Plans 3B6P – DWG: 20120_HT_09

Twin Garage Floor Plans and Elevations DWG: 20120_HT_12

Reason

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

2.

The proposed dwelling(s) shall not be occupied until the footway has been provided across the whole of the site frontage in accordance with the approved details.

Reason

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

3.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

In the interest of character, trees and bio diversity and to accord with policies LC12 of the Local Plan, CS5 and CS17 of the Core Strategy.

4.

Prior to any above-ground works, details of all external materials shall be submitted to and agreed in writing with the local planning authority. They shall be retained thereafter.

Reason

In the interest of character and to accord with policy CS5 of the North Lincolnshire Core Strategy.

5.

Prior to occupation, details relating to landscaping on plots 7 and 8 shall be submitted to and agreed in writing by the local planning authority. The landscaping shall be retained thereafter.

Reason

In the interest of character to accord with policy CS5 of the North Lincolnshire Core Strategy

6.

Prior to any above-ground works details of finished floor levels of all dwellings shall be submitted to and agreed in writing by the local planning authority. The scheme shall thereafter be built out in accordance with those agreed details.

Reason

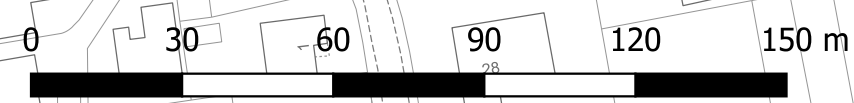
To protect amenity and accord with policy DS1 of the North Lincolnshire Local Plan.

Informative 1

This planning permission does not supersede nor override the requirements or consenting process for work involving overhead lines.

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.



Page 143

 Development Boundary

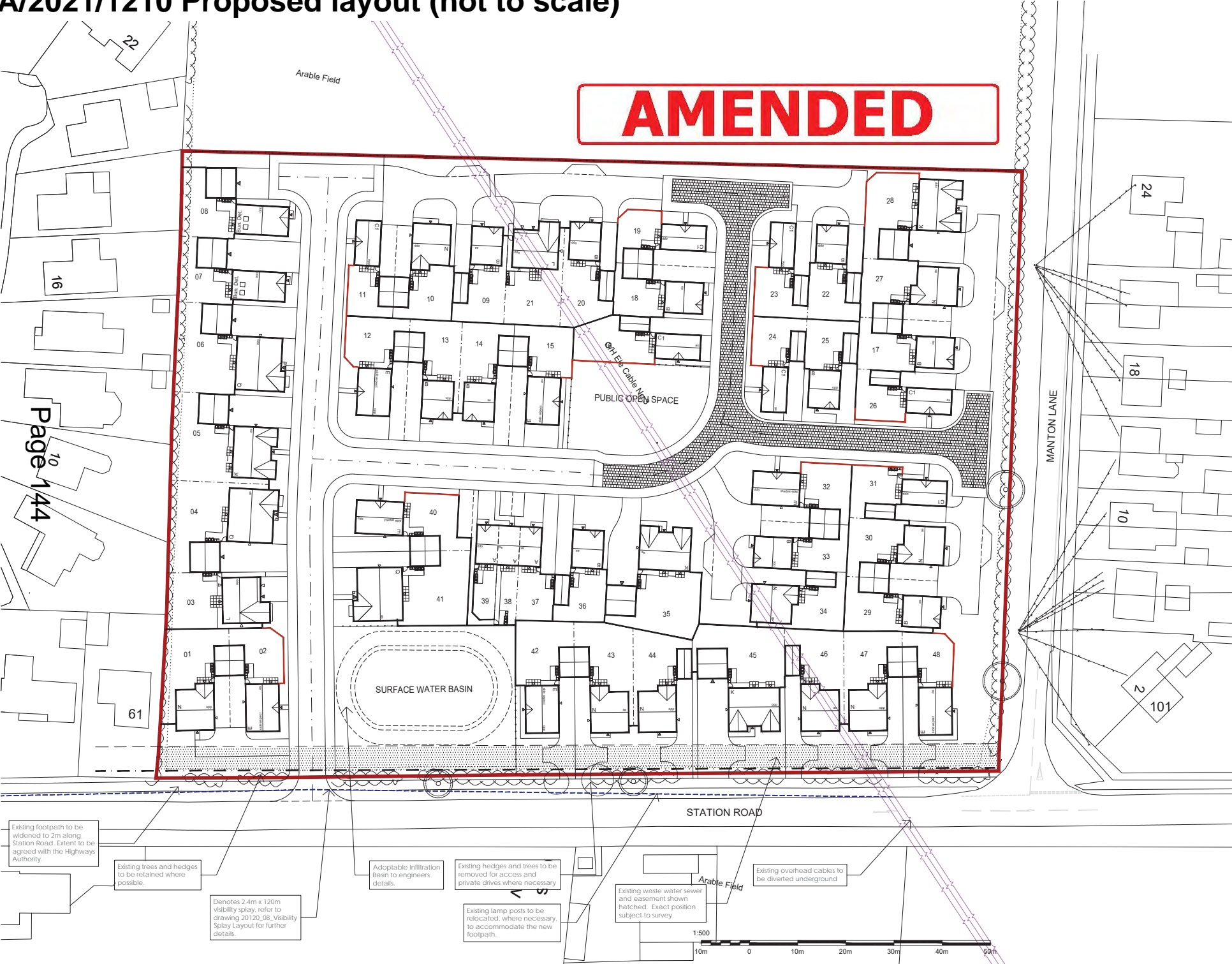
PA/2021/1210

Recreation Ground

**North
Lincolnshire
Council**

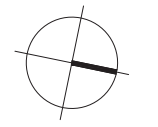
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Page 10
144



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Note: Layout to be read in conjunction with the engineers drawings and landscape layout.



- BOUNDARY TREATMENTS**
- Denotes 1.8m high close-boarded fence.
 - Denotes 1.8m high divisional fence.
 - Denotes 1.8m high wall.
 - Denotes 0.6m high knee rail.
 - Denotes access gates to private gardens.
- SURFACE FINISHES**
- Denotes block paving to secondary access streets.
 - Denotes shared access drives and private driveways.
- LANDSCAPING**
- Denotes existing trees to be retained (scalloped line denotes root protection area).
 - Denotes existing trees to be removed.
 - Denotes hedge planting to be retained.
 - Denotes proposed landscaping.
- GENERAL**
- Denotes access to properties.
 - Denotes hard standing surface for waste and recycling bin storage.

Rev.	Date	Description	By	Check
01	03.08.21	Plan 7 & 8 amended to be burglar free	AC	AB
02	07.08.21	Type O footpath update	AC	AB
03	16.03.21	Public Open Space moved to front of site	AC	AB
04	22.07.21	Plan amended to reflect clients comments	AC	AB
05	08.07.21	Revised to incorporate increased aspect	AC	AB

ALBEMARLE
RESIDENTS

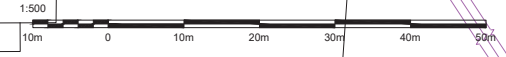
Drawing Title: **PROPOSED SITE LAYOUT**

Project: **Proposed Residential Development Station Road, Hibaldstow.**

Job No.	City No.	Drawn	Rev.
20120	01	CSW	G

Scale: 1:500 @ A2 Date: JULY 2021 FOR PLANNING

mps planning & design ltd
10 West Gate, Hibaldstow Park, Cleethorpe Avenue, Hibaldstow, East Yorkshire YO21 2JQ
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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about planning applications and other associated matters falling within its terms of reference which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 References to standard time limit conditions and standard outline conditions mean the conditions automatically applied by sections 91 and 92 of the Town and Country Planning Act 1990.
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Reference: CB/JMC/Planning committee 17 November 2021.docx

Date: 8 November 2021

Background papers used in the preparation of this report:

1. The applications including accompanying plans and ancillary correspondence.
2. Statutory and non-statutory consultation letters and responses.
3. Responses from parish and town councils.
4. Representations from other bodies or individuals.
5. Relevant planning policy documents.
6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

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APPLICATION NO	PA/2021/37
APPLICANT	RJE Planning & Developments Ltd
DEVELOPMENT	Application for permission in principle to erect up to three dwellings (including demolition of existing garages)
LOCATION	The Bay Horse, Shore Road, Garthorpe, DN17 4AD
PARISH	Garthorpe and Fockerby
WARD	Axholme North
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission in principle
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr John Briggs – significant public interest)

POLICIES

National Planning Policy Framework:

Paragraph 7 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 162 – The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

Paragraph 164 – The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Paragraph 185 is concerned with pollution and in part noise. It states, '...Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- (b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Paragraph 187 – Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

North Lincolnshire Local Plan:

Policy T1 (Location of Development)

Policy DS11 (Polluting Activities)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering more Sustainable Development)

Policy CS3 (Development Limits)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS19 (Flood Risk)

Housing and Employment Land Allocations

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): No objections subject to surface water drainage conditions.

Environmental Protection: No objections subject to conformity with the noise survey.

PARISH COUNCIL

No comments received.

PUBLICITY

Advertised by site notice. Six comments have been received, many expressing concerns regarding noise, amenity, flooding, highway safety and parking.

ASSESSMENT

Planning history

2/1983/0045: Outline planning permission to erect two dwellings – approved 14/04/1983

2/1976/0188: Planning permission to make internal alterations and demolish outbuildings – approved 07/05/1976

PA/2014/0764: Planning permission to demolish an existing public house, erect two four-bedroom semi-detached houses, rebuild existing public house to provide a

bar, restaurant, B&B rooms, landlord accommodation, two-bedroom flat, car parking spaces and associated landscaping – refused 14/01/2015

PA/2021/313: Planning permission for a condensed public house with takeaway, new commercial unit (Use Class E), two additional residential units with retention of existing landlord accommodation, and associated works – not yet determined

Site constraints

Flood Zone 2/3a

Site characteristics

The site comprises part of the wider site of the former Bay Horse Public House on Shore Road, Garthorpe. The application site comprises the garages and amenity land associated with the vacant pub. There is an area of hardstanding in front of the garages which is set for parking.

Permission in principle

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle; and the second (technical details consent) stage is when the detailed development proposals are assessed.

A decision on whether to grant permission in principle on a site following a valid application must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework (NPPF) and national guidance, which indicate otherwise.

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.

Planning Practice Guidance states that ‘...It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development. Local planning authorities can inform applicants about what they expect to see at the technical details consent stage.’

Proposed development

The only consideration relevant to the determination of this application is whether the principle of development is acceptable with respect to the location, land use and amount of development proposed.

Given the site constraints, **matters in principle that are focused upon in this assessment are:**

- **in accordance with the Planning Policy Framework**
- **noise**
- **flood risk.**

Planning policy framework

Policy CS1 of the Core Strategy sets out a spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement. Garthorpe is designated in the Core Strategy as a rural settlement.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high-quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development. Policy CS2 also sets out the sustainability principles which are there to guide all developments and assessments made of.

The proposal is located wholly within the settlement boundary for Garthorpe and therefore aligns with the aims of policy CS1 'c'. Furthermore, the proposal would represent development on previously developed land in line with policy CS2 'point 3' which suggests that development should be focused on small-scale developments within the defined development limits of rural settlements to meet identified local needs. In respect of the local planning policy framework the proposal is therefore considered acceptable in principle.

Noise

Policy DS11 of the local plan is concerned with polluting activities. It states, '...Planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas.'

Paragraph 185 of the NPPF is concerned with pollution and in part noise. It states, '...Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- (b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Paragraph 187 of the NPPF considers how new development should be absorbed into a location, it states, 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'

The Environmental Protection team requested an acoustic survey. Subsequently the following document was submitted:

'Environmental Noise Solutions Limited, Noise Impact Assessment For A Proposed Change Of Use And New Development, The Bay Horse, Shore Road, Garthorpe, DN17 4AD Dated 3 June 2021 Report reference NIA/9753/21/9724/v1/ The Bay Horse'.

Their response was relevant to planning application PA/2021/313, which is still pending. The response, however, is favourable, recommending the imposition of a condition linking to these agreed details. PA/2021/313 also contains a mix of commercial and residential uses. As conditions cannot be attached under a 'permission in principle', this document would be expected to be submitted alongside any technical details application. The information has demonstrated, however, that in noise terms the proposal is acceptable in principle.

Flood risk

Policy CS19 is concerned with flood risk. It is relevant to this assessment given the site is washed over by flood zone 2/3a. The policy states:

'The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood. Development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.

3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.'

Paragraph 162 of the NPPF is concerned with sequential flood testing. It states, 'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding''

Paragraph 164 is concerned with the exceptions test and states, '...the application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'

The applicant has provided a sequential test that states as the whole of the settlement is located within flood zone 2/3a then there are no other more preferable sites. This approach of allowing the geographical area of search to be directed to the said settlement is acknowledged practice and due to this the test is passed.

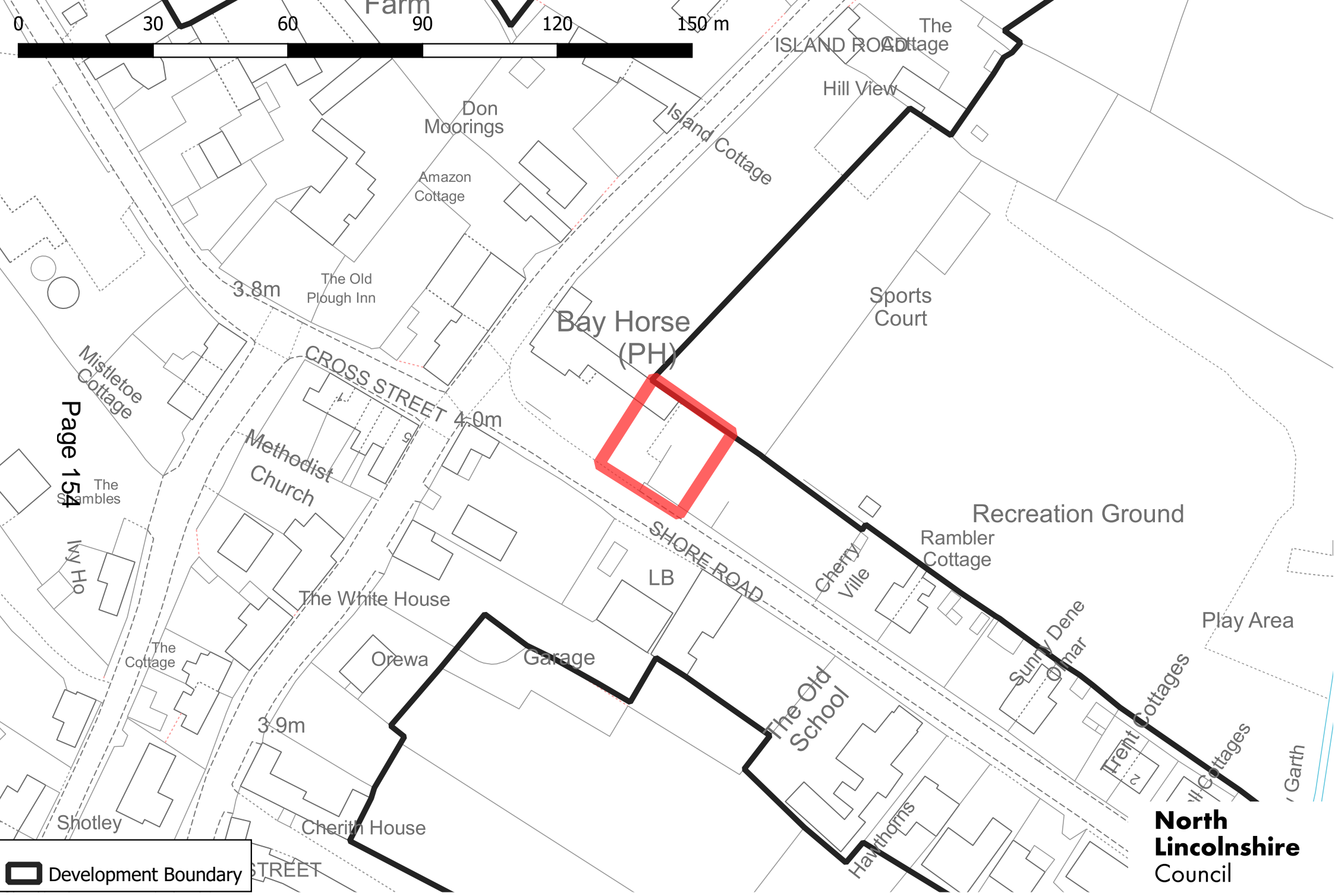
In terms of flooding the LLFA have no objections subject to the imposition of surface water conditions. The proposal would introduce much needed housing and improve a blighted site. As this is the case it is considered that the benefits of the development outweigh the risk from flooding; the exceptions test is therefore passed.

Conclusion

Permission in principle can only be considered on grounds of location, land use and amount of development. Matters such as visual amenity, residential amenity, highway safety etc. cannot be considered at this stage and will be considered as part of any future application for technical details consent.

The proposed development would have social and economic benefits by providing up to three new dwellings. Furthermore, the proposal aligns with the development plan, has demonstrated that there are no alternative sites within flood zone 1 and that, in terms of noise, sufficient mitigation can be achieved at the detailed consent stage.

RECOMMENDATION Grant permission in principle.



Bay Horse (PH)

3.8m

4.0m

3.9m

Page 154

Development Boundary

PA/2021/37

North Lincolnshire Council

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APPLICATION NO	PA/2021/391
APPLICANT	Mr & Mrs Nick Webster-Henwood
DEVELOPMENT	Planning permission to erect single-storey extensions to existing dwelling (dormer storey to one wing)
LOCATION	The Game Farm, rear of 28 West End Road, Epworth, DN9 1LB
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Brian McParland
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Support by Epworth Parish Council

POLICIES

National Planning Policy Framework: Section 12

Paragraph 192: In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 200: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

North Lincolnshire Local Plan: DS1, RD2, RD10, LC7 and LC14

North Lincolnshire Core Strategy: CS1, CS2, CS5 and CS6

CONSULTATIONS

Highways: No objection.

Drainage (Lead Local Flood Authority): No objection.

Environmental Protection: No objection.

Archelogy: 'The application adversely affects the Area of Special Historic Landscape Interest of the Isle of Axholme (Local Plan Policy LC14) and lies outside the Development Boundary.

- This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle.
- The application site is located in a well-preserved area of the historic landscape adjacent to the Ancient Open Strip Field character area of Ellers Field.
- The scale and design of the proposed house site would be highly visible and dominant in the historic landscape.
- The effect of the proposed dwelling on the historic landscape is not justified; the proposed development would be an unacceptable extension and intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility.
- The Historic Environment Record recommends REFUSAL of planning permission as the development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy Policies CS5 and CS6 and Local Plan policies LC14, LC7, RD2, DS1.'

PARISH COUNCIL

Supports the application.

PUBLICITY

Advertised by site and press notice. Two responses have been received, one in support and one objecting on grounds of backland development.

ASSESSMENT

The site

The application site is within the open countryside and is occupied by a dwelling known as 'Game Farm', which is a conventional single-storey dwelling with a pitched roof and a conservatory. The site was also previously occupied by a number of outbuildings, however these appear to have been removed.

The application site is within SFRA flood zone 1 (low), is not within a conservation area, does not relate to any listed buildings and there are no tree preservation orders (TPOs) within the vicinity. It is acknowledged that the site lies within policy LC14 land which is an Area of Special Historic Landscape Interest (The Isle of Axholme).

The proposal

Planning permission is sought to erect single-storey extensions to the existing dwelling (dormer storey to one wing).

The main issues to be considered are whether adequate justification can be demonstrated regarding the proposal's principle of development, impact on the character of the area and design, and impact on the amenity of neighbours.

Principle of development

Policy RD2 (Development in the Open Countryside) is considered relevant which states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:

'(vii) for the replacement, alteration or extension of an existing dwelling.'

Provisions (a) – (f) are also listed.

The proposed extension would relate to an existing dwelling; therefore, the proposal would fall within the scope of policy RD2, section (vii). Considering this, policy RD10 (Replacement, Alterations and Extension to Dwellings in the Open Countryside) is also relevant which states proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

'(ii) the volume of the proposed extension or alteration does not exceed that of the original dwelling by 20%, exclusive of the normal permitted development rights, and the original dwelling forms the dominant visual feature of the dwelling as extended.'

The proposed extensions (including the car port), by way of their design, would appear as the dominant visual features of the dwelling which would visually compete with the original dwelling. As such, the proposal would be in conflict with policy RD10 section (ii) of the local plan.

Impact on the character of the area and design

Policies DS1, RD10 and RD2 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on character, policy DS1 states that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area. Policy LC14 states that development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features.

The council's archaeologist has provided the following comment:

'The application site lies outside the Development Boundary for Epworth in the open countryside within the ASHLI (Area of Special Historic Landscape Interest of the Isle of Axholme) covered by LC14 policy area and the applicant has not adequately justified how the siting, scale and design of the proposal would accord with the requirements of Local Plan policy LC14.

The application site lies on the edge of the Ancient Open Strip Field known as Eller's Field, one of the best-preserved areas of the core historic landscape character in the Isle. The application site is bounded to the east by the track that leads into the southwestern part of the field from West End Road.

The houses to the west of the site fronting West End Road are within the Early Enclosed Land that buffers Ellers Field and forms the setting of the AOSF (Ancient Open Strip Fields). The long narrow gardens extend to the public footpath along their north boundary and preserve the form of plots enclosed from the open field. The differences between these two character zones are clearly legible in the landscape around the application site.

The removal of the former game farm outbuildings has opened up the site around the bungalow allowing views from the access lane across the EEL (The Early Enclosed Land) to the rear of the dwellings along West End Road and improving the legibility of the historic character of the landscape adjacent to the AOSF at the entrance to Ellers Field.

The current bungalow is a simple single-storey structure less than 5 metres high. No. 28 West End Road, at the southern end of the plot containing the application site is a relatively modest dormer bungalow fronting the road. The bungalow to the rear is barely visible from the road behind no. 28 or from field access track alongside. The scale of the existing bungalow and the north elevation with two small windows is not overly intrusive when viewed from within Ellers Field.

The proposed dwelling is considerably larger than the existing bungalow, nearly tripling the footprint of the domestic accommodation area, the ridge height rising to 5.5m. The single-storey wing along the western boundary is approximately 12m long providing additional domestic accommodation and a carport for four cars facing onto a large courtyard. The proposed rear elevation facing onto the AOSF is increased from 7.5m to over 20m in length with a considerable expanse of roof and glazing overlooking the historic landscape to the rear.

The much-extended dwelling would be clearly visible behind no. 28 West End Road and from the field access track alongside. It would be highly visible from within the surrounding historic landscape in both the AOSF and EEL character areas, appearing intrusive and dominant in the view. Furthermore, it will detract from the settlement form of the EEL character as roadside dwellings within long narrow plots preserving the legibility of the AOSF.

The visual intrusion of the proposed dwelling into the historic plot that lies on the edge of the EEL zone surrounding Ellers Field AOSF would result in a loss of the legibility of the historic landscape at this location. In an appeal decision for a site just 150m east of the current application site, the Inspector noted that the change in character between the early enclosed land and the AOSF of Ellers Field was highly legible to public appreciation and as such the appeal site made an important contribution to the historic setting. The appeal was dismissed on the grounds of unacceptable harm to the Special Historic Landscape Interest (Appeal Ref: APP/Y2003/W/18/3211573).

The proposed dwelling would introduce further mass of the built form into the historic landscape setting and would increase the potential for the introduction of other domestic elements into the setting such as additional outbuildings, garden structures, hard paving, boundary fencing, external lighting, and other permitted development. The scale of the proposed carport for four cars may be considered excessive given the property has extensive external space for parking. Because of this the proposed dwelling is an over-development of a backland plot that would adversely affect the existing character of both the AOSF and the EEL, eroding the character and setting and the legibility of the of the character zones as well as the setting of the traditional settlement form that together form part of the nationally important historic landscape in this location. As such, the proposed

dwelling would be an unacceptable encroachment into the Area of Special Historic Landscape.

I would be concerned that granting permission for such an incursion in the LC14 zone will make other applications in this location more difficult to resist and result in further degradation of this nationally significant historic landscape character type and specifically Ellers Field`.

In light of the above, the proposed development, by way of its design, would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance, and specifically the character of the Early Enclosed Land and the setting of the core historic landscape of Ellers Field Ancient Open Strip Field, as well as the historic settlement form, that contribute to the character, setting and legibility of the historic landscape. Furthermore, the proposal fails to make a positive contribution to local character and distinctiveness and would detract from the significance of the historic landscape at this location. The application fails the key objective of the NPPF to conserve the historic environment for this and future generations. As such, the proposal would conflict with paragraphs 192 and 200 of the NPPF, local plan policies RD2, RD10, LC14, LC7 and DS1, and Core Strategy policies CS5 and CS6.

Impact on the amenity of neighbours

Policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and amenity. In respect of impact on amenity, policy DS1 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.

The application site is sufficiently set back from the plots serving the neighbouring properties along West End Road which would mitigate amenity impacts. There are no properties adjacent to the application site.

It is considered that the proposal would not prejudice neighbouring amenity. As such, the development would be in accordance with policies DS1, RD10, RD2 and CS5.

Conclusion

The proposed extensions would be a departure from the local plan and would prejudice the historic landscape.

RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed extensions (including the car port), by way of their design, would appear as the dominant visual features of the dwelling which would visually compete with the original dwelling. As such, the proposal would be in conflict with policy RD10 section (ii) of the North Lincolnshire Local Plan.

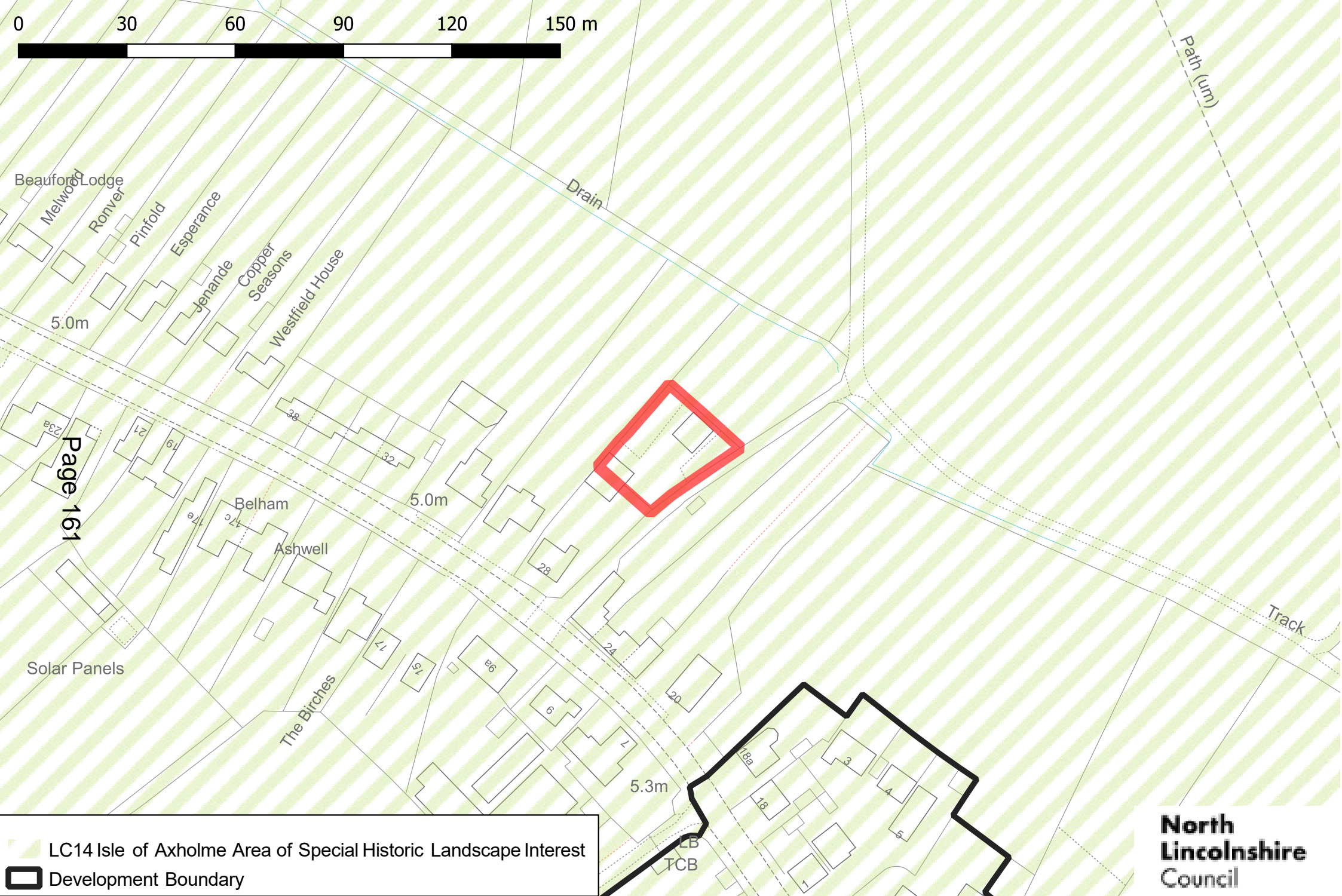
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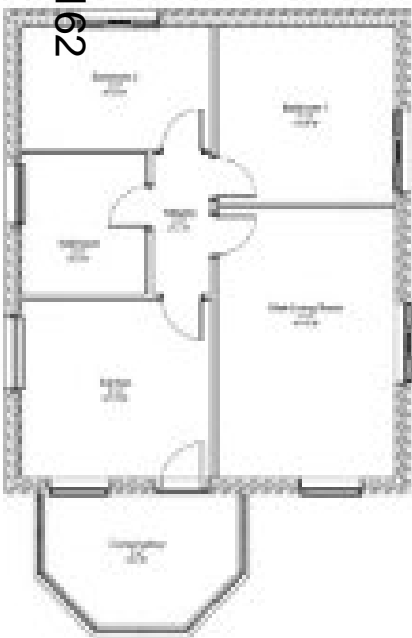
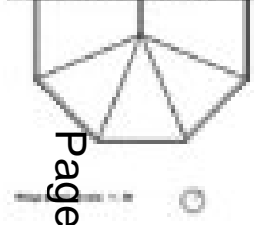
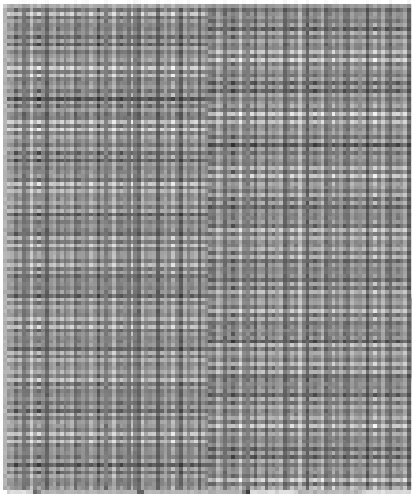
The proposed extensions, by way of their design, would adversely affect the historic landscape of the Isle of Axholme, a heritage asset of national significance, and specifically the character of the Early Enclosed Land and the setting of the core historic landscape of Ellers Field Ancient Open Strip Field, as well as the historic settlement form, that contribute

to the character, setting and legibility of the historic landscape. Furthermore, the proposal fails to make a positive contribution to local character and distinctiveness and would detract from the significance of the historic landscape at this location. The application fails the key objective of the NPPF to conserve the historic environment for this and future generations. As such, the proposal would conflict with paragraphs 192 and 200 of the NPPF, policies RD2, RD10, LC14, LC7 and DS1 of the North Lincolnshire Local Plan, and policies CS5 and CS6 of the Core Strategy.

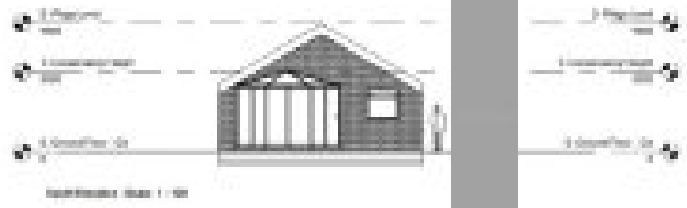
Informative

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.

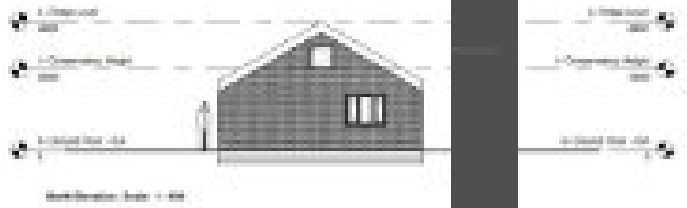




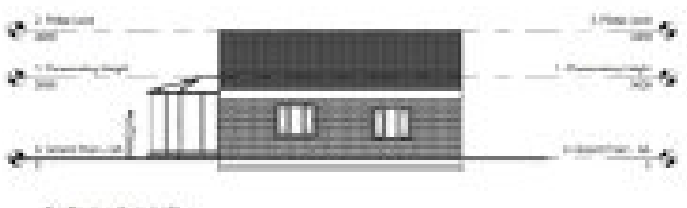
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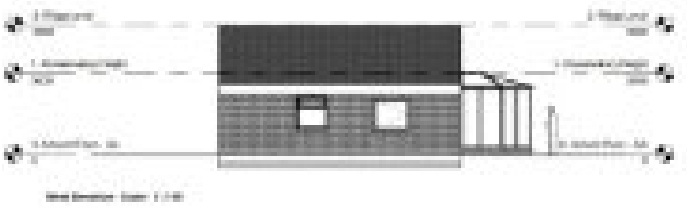
Architectural drawing label below the first elevation.



Architectural drawing label below the second elevation.



Architectural drawing label below the third elevation.



Architectural drawing label below the fourth elevation.

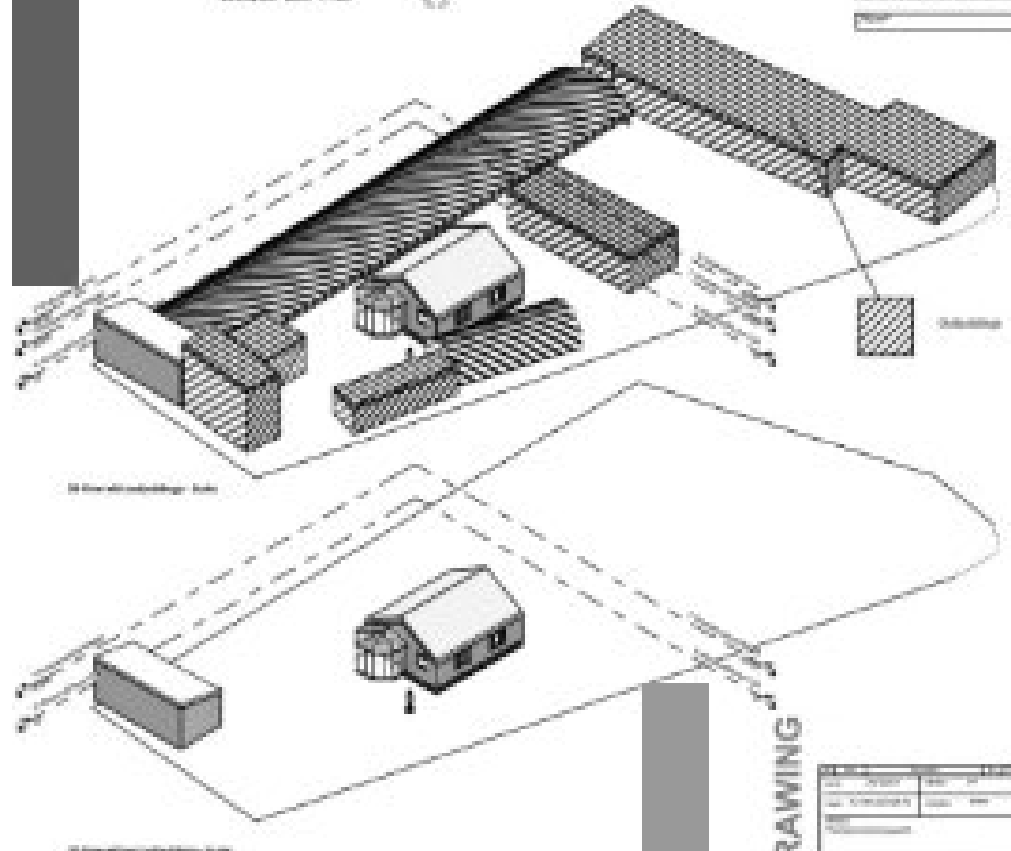


Architectural drawing label below the site plan.

Architectural drawing text in the top right corner, including a title and descriptive notes.

Scale Conversion			
Scale	Ratio	Scale	Ratio
1:100	1/100	1:200	1/200
1:500	1/500	1:1000	1/1000
1:1000	1/1000	1:2000	1/2000
1:5000	1/5000	1:10000	1/10000
1:20000	1/20000	1:50000	1/50000
1:100000	1/100000	1:200000	1/200000

Architectural drawing text in the middle right corner, possibly a legend or title.



Architectural drawing label below the 3D rendering.

Architectural drawing label below the 3D rendering.

SURVEY DRAWING

Architectural drawing title block containing project information, a logo for 'architectecture', and a logo for 'SINT'.



General Note:
Drawing based on the client provided and survey data, namely:
Site survey drawing - 2005-12-12

Date: March 2021
Project: Old Water plan
Drawing scale: 1:250 @ A4
The Game Farm, West End Road, Epworth, North Lincoln



2019-ID-37-PL003

PLANNING DRAWING

No. 12 High Road, Epworth, North Lincoln
LN25 9JF
Tel: 01507 828811 or 01507 871288
E: info@sleDesign.co.uk
2017 Planning Accreditation No. 11388



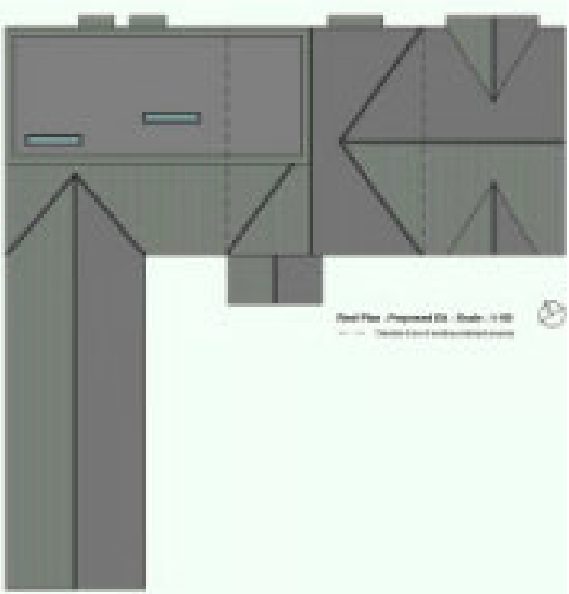
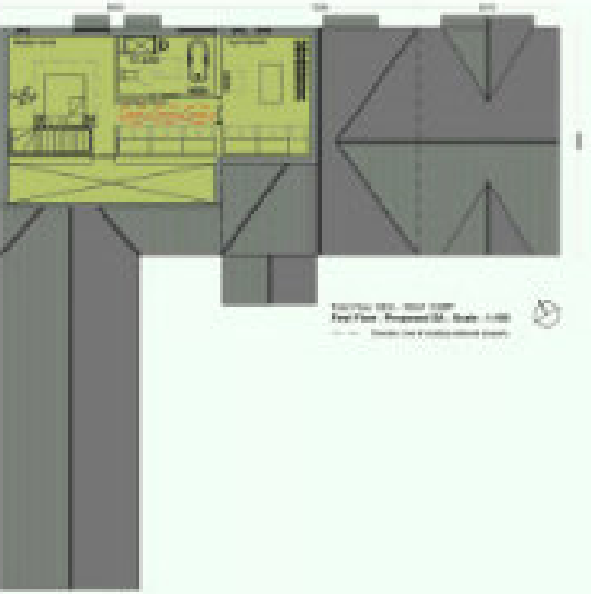
- Material Key**
-  Standing seam copper cladding - natural finish
 -  Standing seam pre-coated metal cladding - Anthracite Grey
 -  Charcoal vertical 'lap' cladding
 -  Aluminum windows - RAL 9005 'Jet Black'
 -  Facing Brickwork

Issue March 2021
 Proposed Scope of Elevations
 Drawing scale 1:100 @ A2
 The Game Farm, West End Road, Epworth, North Lincolnshire
2019-ID-37-PL002



PLANNING DRAWING

No. 12 High Road, Epworth, North Lincolnshire
 LN20 7JH
 Tel: 01507 858811 Fax: 01507 871288
 E: info@sleDesign.com
 100% Planning Permission No. 11/000



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APPLICATION NO	PA/2021/479
APPLICANT	Mr Liam Dexter
DEVELOPMENT	Outline planning permission for residential development with all matters reserved for subsequent consideration
LOCATION	Land off Chesswick Crescent, Keadby, DN17 3DQ
PARISH	Keadby with Althorpe
WARD	Axholme North
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Departure from development plan Support by Keadby with Althorpe Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

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 CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Policy CS25 (Promoting Sustainable Transport)

CONSULTATIONS

Highways: No objection; recommend conditions.

Environmental Protection: No objection, recommend conditions in respect of contaminated land investigation, a noise mitigation scheme and Construction Environmental Management Plan.

Historic Environment Record: The proposal does not adversely affect any heritage assets of archaeological interest or their settings, nor is it located within a sensitive historic landscape character area. No further recommendations for archaeology and heritage.

Ecology: Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek a net gain in biodiversity in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 3.0.

Environment Agency: No objection; recommend a condition in respect of the development taking place in accordance with the flood risk assessment and comments made in relation to the application of the sequential test, flood warning and evacuation.

Isle of Axholme and North Nottinghamshire Water Level Management Board: There are no board-maintained watercourses in close proximity to the site. Comments made in respect of surface water disposal, suitability of soakaways, drainage and the applicant is likely to have a riparian responsibility to maintain the proper flow of water in any riparian watercourse.

Network Rail: No objection in principle to the proposed development subject to a list of requirements relating to drainage, wayleaves and/or easements for underline drainage assets, protection of existing railway drainage assets within a clearance area, fail safe use of crane and plat, excavations/earthworks, security of mutual boundary, fencing, method statements for working, scaffolding, encroachment, noise, trees and landscaping, lighting and access to the railway.

Drainage (Lead Local Flood Authority): No objection; recommend conditions.

Spatial Planning: *[Comments made as of 13 May 2021]* This proposal for residential development is in the open countryside and contrary to the council's adopted development plans. As the council cannot demonstrate a five-year housing land supply, paragraph 11 of the NPPF applies and the application should consider any adverse impacts of granting permission when assessed against the policies within this framework taken as a whole or specific policies indicate development should be restricted. The applicant will need to demonstrate why the development meets the three dimensions of sustainable development.

Waste Services: Comments made in relation to the site layout and that roads are capable of accommodating refuse vehicles, highway construction, unadopted roads and areas for bin collection and storage.

Humberside Police (Community Safety): No objection; advisory points made in relation to the site layout, boundary treatments, secure cycle storage and landscaping to ensure it is Secure by Design.

PARISH COUNCIL

Support the proposal with the following conditions:

That the five houses are spread over the whole site, not just in one area, and that this is the maximum allowed on this site. The only access road is narrow and would not support any future development.

Due to the poor sewerage pump system, especially in this part of the village, the increased number of houses would put a strain on an already overburdened system. The parish council proposes that the new dwellings have their own septic tanks to prevent 'overloading' the existing system.

PUBLICITY

A site notice has been displayed. No comments have been received.

ASSESSMENT

The site is located adjacent to, but outside the defined settlement boundary for Keadby, in the open countryside within Housing and Employment Land Allocations DPD 2016. The site is also within flood zone 2/3a in accordance with the North Lincolnshire SFRA 2011. The site is located to the rear of Chesswick Crescent within a plot of land between the built form of Keadby and the Three Rivers. The closest dwellings within the settlement are made up rows of two-storey terraces, with many varying appearances. The proposed access point is off Chesswick Crescent at the point where the road becomes Queens Crescent. The railway line runs to the west of the site and an unmade track runs to the rear of properties along the eastern edge of the site.

Outline planning permission is sought for residential development with all matters reserved for subsequent consideration.

The main issues in the determination of this application are the principle of residential development (incorporating landscape impact), flood risk, impact on residential amenity and highway issues.

Principle

The application site is located outside of any defined settlement boundary and the proposal would represent a departure from the development plan. In determining whether the principle of residential development outside the settlement boundary is acceptable in this instance, it is necessary to consider whether the proposed development is sustainable in planning policy terms.

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011) (CS), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit for Keadby. There are no allocated housing sites within Keadby.

LP saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside

defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above). Policy RD2 of the North Lincolnshire Local Plan sets out the type of development that is appropriate in the open countryside and the criteria against which all applications in the countryside will be assessed. Policy RD2 only supports residential development in the countryside where it is to meet some essential countryside need, such as farm workers' dwellings. Policy CS3 of the Core Strategy also restricts development in the countryside to that which is essential to the functioning of the countryside.

Although some justification has been put forward to substantiate the development in terms of its countryside location, it is considered that the development does not constitute dwellings for specific circumstances associated with this countryside location; it is for market housing. Based on the supporting information, the proposed development is contrary to policies RD2 and CS3 as it is for market housing not considered essential to the functioning of the countryside, or any rural business. The applicant's case is set out in the design and access statement submitted with the planning application, this document states the site is in a sustainable location, the scale of new development will reflect local needs and will make the best use of existing land. In addition, it states the location would discourage residents using pollutant fuel vehicles and the proposal could support local services and amenities.

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is entirely outside the defined development boundary for Keadby and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan.

Recently North Lincolnshire Council has published an update statement on the five-year housing land supply. The document concludes that:

'...North Lincolnshire Council can demonstrate a 5.64-year supply between 1 April 2021 to the 31 March 2026...'

In response to the issue of this five-year housing land supply statement the applicant's agent has submitted no additional information in support of the application.

Given this update to the housing land supply figure and that the site is within the open countryside, it is considered that the proposal, when considered in its entirety, is unacceptable in principle and contrary to planning policies CS2, CS3 and CS8 of the Core Strategy and RD2, H5 and DS1 of the local plan.

Given the position of the application site outside the defined settlement boundary for Keadby (in the open countryside), that the local planning authority can demonstrate a five-year housing supply of deliverable sites, and that policies relating to a sequential approach to development are considered up-to-date in the context of this application, it is considered that the proposal is contrary to policies CS2 and CS8 of the adopted Core Strategy in that development is not focused in Scunthorpe or the Market Towns in North Lincolnshire and does not represent small-scale infill development.

In terms of the impact of the development on the rural landscape, the proposal, whilst in outline form, would alter the character and appearance of the countryside, particularly given the size of the site (0.38 hectares/3800 square metres) and its potential to be developed for more than the five dwellings shown indicatively on the site plan. In addition, the applicant owns a more substantial piece of land to the south which is shown to be indicatively linked to this site (via a road access) and which has previously been refused planning permission (PA/2019/981) and dismissed at appeal (PA/2018/1307).

An important consideration is that the site is located within flood zone 2/3a and how this constraint dictates the design of the future scheme. Given that only a layout plan has been submitted as indicative, the character impacts cannot be assessed without knowing the scale of the proposed dwellings. It is considered, however, that the proposed layout does not reflect the existing settlement pattern in this part of Keadby and would result in dwelling types that are not in keeping with the immediate built environment. Any future application should consider how the development would be absorbed into the locality without it being either dominating or unsympathetic to the existing built environment. For example, one consideration is scale and how this impacts upon the height of dwellings, especially given the finished floor levels at ground that any application would have to conform to (see conditions proposed by the Environment Agency). It is considered that the scale of the dwellings would therefore likely be three storeys, which is considered out of keeping, resulting in a visually prominent form of built development in the rural landscape.

Policy CS5 of the adopted CS seeks a contextual approach to every design solution and the applicant has submitted a design and access statement. Though subjective, it is difficult to see how the indicative layout (as well as the pressure to build three storeys) would relate to the existing urban environment, and this site could easily accommodate more than five dwellings. Furthermore, the proposal is on land in the open countryside, to the rear of existing modest properties, and it is considered that the applicant has not demonstrated how the proposal would be sympathetic and unchallenging to its environment.

Based on the above, it is considered that the proposed development is not acceptable in principle as it is contrary to policies RD2 of the North Lincolnshire Local Plan and CS2, CS3 and CS8 of the adopted Core Strategy in that the site is located outside of a defined settlement boundary and is not for specific purposes associated with a rural location which include agriculture, forestry or to meet a special need associated with the countryside. As the detail associated with a full planning application is absent (this being an outline with all matters reserved) the character impacts of the proposal cannot be fully assessed, therefore the proposal is considered harmful to the character and appearance of the open countryside in this case.

Flood risk

The site is located within Flood Zone 2/3a of the North Lincolnshire Strategic Flood Risk Assessment; this is the highest level of flood risk. The proposal is for 'more vulnerable' development, and as such there is a requirement for the sequential and exceptions tests to be applied and passed. A flood risk assessment (FRA) has been submitted with the application, together with an assessment of the sequential and exceptions tests. The FRA has been reviewed by the Environment Agency and no objections have been raised, subject to the development taking place in strict accordance with the mitigation measures contained therein and subject to the sequential test being appropriately applied by the local planning authority.

As noted in the paragraph above, the applicant has submitted a supporting document which assesses the sequential and exceptions tests. In respect of the sequential test the applicant has put forward 31 sites in North Lincolnshire which are either within or outside the development boundary of several settlements. These sites have been individually discounted; however, it is contended by the local planning authority that a number of these sites (for example the sites in Goxhill (Site 23) and Crowle (Sites 11 and 29)) are comparative in size to the application site, are available and are at lower risk of flooding. The sequential test is therefore not considered to be passed in this case.

Regarding drainage matters, LLFA Drainage has been consulted on the application and has no objections to the proposal subject to the imposition of conditions. The proposal is for a residential scheme and SuDS is proposed to be achieved on site. It is considered that sufficient information has been submitted for the LLFA to consider the use of conditions as appropriate mitigation. The proposal therefore aligns with policies CS19 and DS14.

Residential amenity

The proposal seeks outline planning permission with all matters reserved for subsequent consideration through the submission of a reserved matters application. Matters relating to the position and heights of windows, orientation of the dwellings, external appearance and scale of the dwellings 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. In addition, it is considered that a number of dwellings could reasonably be accommodated on a site extending to 0.38 hectares/3800 square metres with associated gardens and parking areas, allowing for sufficient separation distances from existing properties to the east to be achieved.

Highway safety

Policy T2 of the North Lincolnshire Local Plan 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 indicative plan shows the site to be developed for five dwellings and Highways have considered the proposal on that basis. However, the description of development states the proposal is for residential development and the site extends to 0.38 hectares in area, which means a number of additional dwellings could feasibly be accommodated on the site. In addition, it is considered the proposal constitutes piecemeal development in that the site location plan clearly shows a larger site to the south within the same ownership of the applicant, and which has already been subject to two refusals of planning permission for 13 dwellings (PA/2019/981) and 15 dwellings respectively (PA/2018/1307 which was dismissed at appeal). In terms of the adequacy of the site access the planning inspector, in considering PA/2018/1307, made the following observations:

'Notwithstanding this, by reason of the constrained width of the access which prohibits two vehicles from passing simultaneously, together with an absence of any passing place and pedestrian footway, it is far from clear that safe and suitable access to the appeal site would be achieved.'

and,

'The appellant suggests that the proposal could be amended to suit the requirements of the Highway Authority, however, no detailed amendments are before me to consider and more

particularly, given that the access is constrained by neighbouring dwellings, I cannot conclude that an acceptable access can be achieved. Thus, I conclude that there would be significant harm to highway safety.'

It is therefore considered reasonable by the local planning authority that this access point could be used by a greater number of vehicles serving the five dwellings stated on the application form and the intensification of the use of this access, without any improvements and visible constraints in the shape of existing built form to its northern and southern sides, would result in harm to highway safety. In addition, the proposal, by virtue of the access arrangement and its proximity to existing dwellings, would have an unacceptable impact upon the residential amenity of those dwellings by the intensification of the use of the access and nuisance caused by vehicular movements.

Other issues

Environmental Health has stated that there are no objections to the proposal subject to conditions relating to construction hours and the submission of a construction environmental management plan. The site is located close to the railway line and Environmental Health considers that an acoustic survey is required in terms of mitigation. The applicant has submitted a sound measurement report and Environmental Health is satisfied that noise affecting the development site can be adequately mitigated. Therefore, subject to condition, this is considered acceptable. Given the above mitigation, it is considered that the proposal would accord with policy DS11 of the North Lincolnshire Local Plan.

Conclusion

In conclusion, it is considered that the proposed development is contrary to policies RD2 of the North Lincolnshire Local Plan and CS2, CS3 and CS8 of the adopted Core Strategy in that the site is located outside of a defined settlement boundary and is not for specific purposes associated with a rural location which include agriculture, forestry or to meet a special need associated with the countryside. In addition, given the location and size of the site and the likely flood risk mitigation which will raise the height of the proposed dwellings, the proposed development would be detrimental the character and appearance of the open countryside. It has not been satisfactorily demonstrated that there are sites at lower risk of flooding than the application site (therefore the sequential test has not been passed) and the intensification of the use of the vehicular access would give rise to loss of residential amenity. The application is therefore recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

The proposal is located within the open countryside and is unacceptable in principle. The proposed development would therefore be harmful to the character, appearance and intrinsic value of the open countryside by the introduction of urban form as well as representing a departure from the strategic policies of the council's local development framework and local plan. The proposal is contrary to Core Strategy policies CS1, CS2, CS3 and CS8, and H5 and RD2 of the North Lincolnshire Local Plan.

2.

The proposed residential development is classified as 'more vulnerable' in terms of flood risk vulnerability and the site is located in flood zones 2/3a as defined in the North

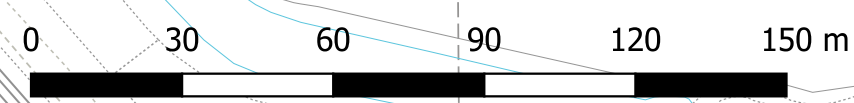
Lincolnshire Strategic Flood Risk Assessment. The Planning Practice Guidance states that development should only be allowed where it passes the sequential and exceptions test. The applicant has not provided satisfactory evidence to demonstrate whether there are any sites that are available and which are at lower risk of flooding; the proposal therefore fails the sequential test. The proposal is therefore contrary to policies DS16 of the North Lincolnshire Local Plan, CS19 of the North Lincolnshire Core Strategy and the guidance within the National Planning Policy Framework.

3.

The proposal, by virtue of the access arrangement and its proximity to existing dwellings, and the unspecified number of dwellings to be erected on the site, would have an unacceptable impact upon the residential amenity of those dwellings by the intensification of the access and nuisance caused by vehicular movements. The proposal is therefore contrary to policies H7 and H5 of the North Lincolnshire Local Plan. In addition, the proposal constitutes piecemeal development (with the applicant owning the adjacent site) and the use of the proposed vehicular access could intensify to an extent whereby the improvements to it cannot be undertaken (due to the existing constraints) and the potential for loss of residential amenity would increase still further.

Informative

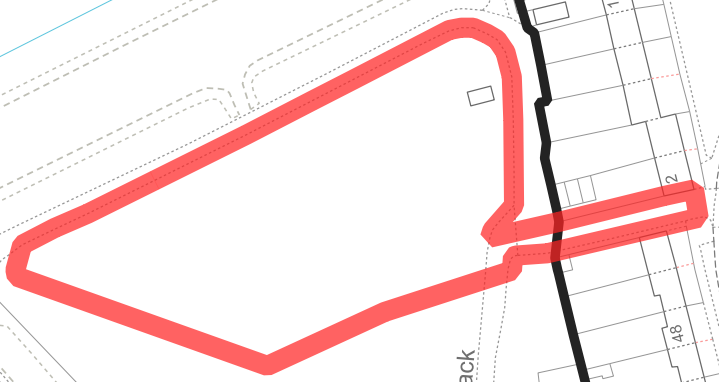
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Three Rivers

FB

Page 176



Sewage Works

Track

MP 0.75

Pumping Station

QUEENS

CRESCENT

DAY CLOSE

The Lounge

Day Close

Sub Sta

Surgery

CHESWICK CRESCENT

North Lincolnshire Council

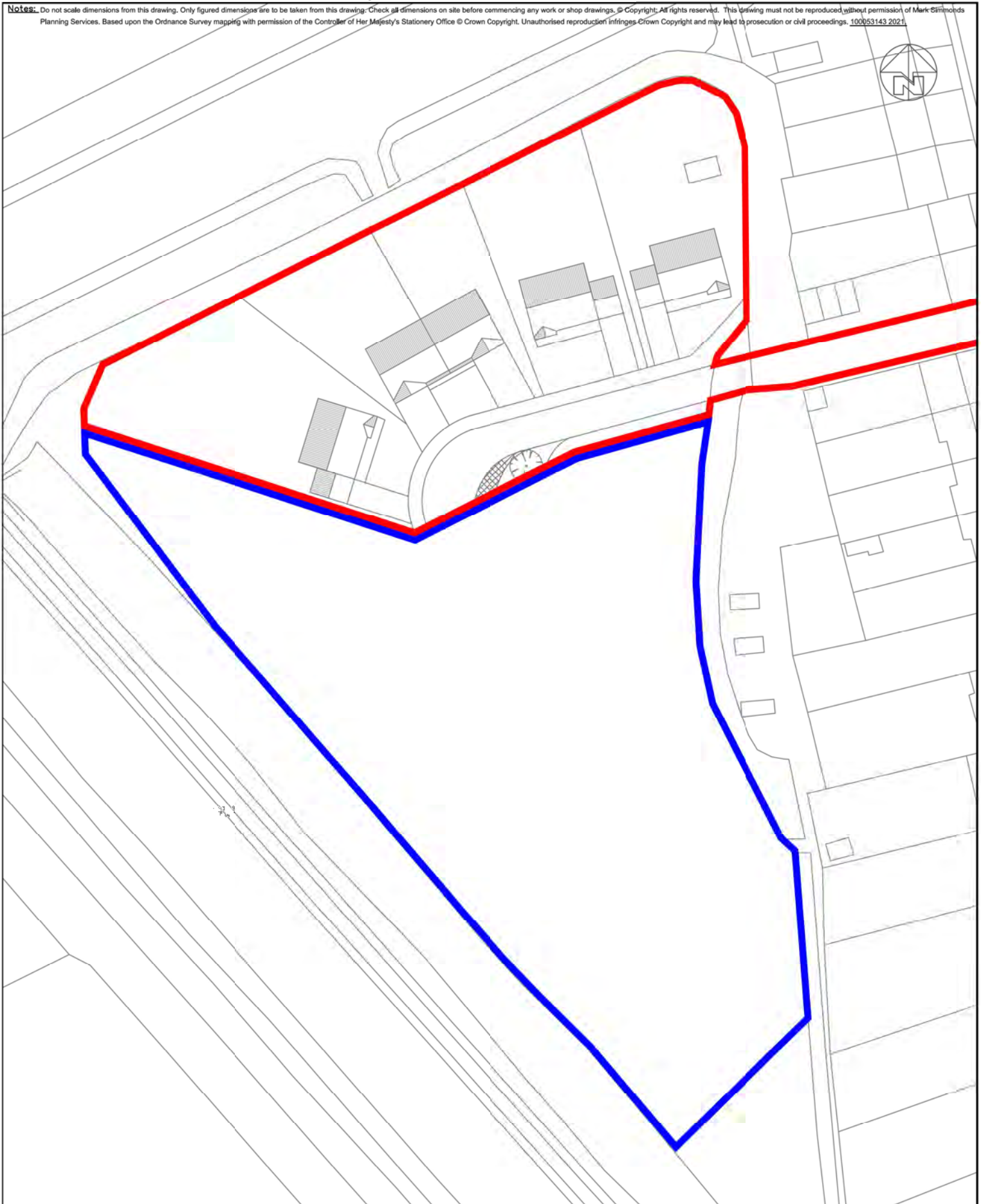
Development Boundary

PA/2021/479

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PA/2021/479 Indicative layout (not to scale)

Notes: Do not scale dimensions from this drawing. Only figured dimensions are to be taken from this drawing. Check all dimensions on site before commencing any work or shop drawings. © Copyright: All rights reserved. This drawing must not be reproduced without permission of Mark Simmonds Planning Services. Based upon the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. 100053143 2021



Drawing Title

PROPOSED SITE PLAN
CHESSWICK CRESENT
KEADBY

Page 177

Ref:

LIKC 010

Scale @ A3

1:500

Date

JAN/21

 **Mark Simmonds**
PLANNING SERVICES

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Mark Simmonds

Director

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Mercury House

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Gainsborough

DN21 1DY

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APPLICATION NO	PA/2021/1006
APPLICANT	Dr Patricia Frankish, PF & AJ Holdings
DEVELOPMENT	Planning permission to erect three specialist housing units and a detached specialist activity space, including parking provision
LOCATION	Land to the west of the Tudors, Moor Road, Bottesford, DN17 2BS
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Kevin Robinson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework: Taken as a whole, however the following sections are considered to be of particular interest for this proposal type:

Paragraph 7 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and

pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’

Paragraph 9 states, ‘Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.’ It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, ‘Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.’

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 109: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 130 states that 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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 174 states: '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 196: Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 197: In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

North Lincolnshire Local Plan: DS1, DS7, RD2, C3, T2, T19, LC7

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS17, CS18, CS22, CS24

Lincolnshire Lakes Area Action Plan: SS4, G1, T12, SSA3

CONSULTATIONS

Highways: No objections. Request a condition requiring parking to be provided before the properties are occupied.

Tree Officer: No objection. Advise conditions to protect the trees along the outer boundary and requiring a landscaping scheme.

Environment Agency: No objection. Advise that the site is considered to be within flood zone 1.

Drainage (Lead Local Flood Authority): No objection. Conditions are requested requiring details of the drainage proposed.

Ancholme Internal Drainage Board: No objection. Request a condition and informative to any approval granted.

Historic Environment Record: No objections.

Recycling: Advise on the access requirements for refuse vehicles.

TOWN COUNCIL

No objections. Request a condition requiring the properties to be occupied by vulnerable adults only. Also note that highway junction improvements are planned which may affect the proposal.

PUBLICITY

Advertised by site notice. One response has been received raising objections on grounds of highway safety concerns at the junction, noting that there have been accidents at the site.

ASSESSMENT

Site characteristics

The site is located to the south-western edge of Yaddlethorpe outside the defined development limits. The site comprises the existing bungalow abutting the junction of Moor Road and Scotter Road and its paddock field to the west facing onto Moor Road.

Permission is sought to provide three specialist residential properties within the application site along with a specialist activity space. The proposal is for accommodation under Use Class C2 (Residential Institutions) rather than market housing.

Principle of development

The site falls within the area covered by the Lincolnshire Lakes Area Action Plan (LLAAP), however the land is not allocated for development within one of the villages and is in the open countryside. The site is identified as green infrastructure and covered by policy G1, which seeks to provide natural and semi-natural greenspace on the edge of new village development boundaries. As this site is private land in the ownership of the applicant it is not open land covered under policy G1. Furthermore, it will result in a minimal incursion into the G1 area and therefore it is not considered that there would be an in principle objection against the proposal against the aims and requirements of the LLAAP.

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit.

Local plan saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains part of the development plan, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policy CS3 referenced above).

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the HELA DPD. The application site is entirely outside the defined development boundary and is therefore in breach of policies CS3 of the Core Strategy and RD2 of the North Lincolnshire Local Plan.

However, it must be noted that there is no directly applicable policy within the Core Strategy or local plan relating to the particular type of development proposed, with policy CS24 relating to primary care provision and local plan policies not being directly applicable. The NPPF, at Section 8, advises that policies and decisions should aim to achieve healthy, inclusive and safe places. In this regard the proposal is for specialist health care accommodation. The location is in close proximity to the main urban area in the borough and is noted within the supporting information from the applicant as being particularly suitable to provide accommodation for those individuals that find it difficult to live in busier areas. The locality is a mixture of commercial and residential with the street on which the proposal is sited running out to the rural area to the south and west.

Given the specialist type of accommodation sought and the protection afforded by the Use Class the development would fall within, there is no objection in principle to the development as proposed.

The following considerations are relevant to this proposal:

- residential amenity
- appearance
- highway safety
- flood risk and drainage.

Residential amenity

Policy DS1 of the local plan requires, amongst other points, that there would be no unacceptable loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing. In this regard the proposal is for residential accommodation with the additional support necessary for the occupants. The proposal is not considered to pose significant impacts from its size, scale, massing or use upon other neighbouring occupiers and would not be subjected to any significant adverse impacts from the existing mixture of uses in the area.

It is therefore considered that the proposal would not carry any significant impacts that would be detrimental to the residential amenity of adjoining neighbours and aligns with policy DS1.

Appearance

Policies DS1 of the local plan and CS5 of the Core Strategy are both concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials.

The site is seen within the context of the hinterland between the main urban area within the development limits and the wider open countryside. The proposed properties are a three-bedroom two-storey property and two one-bedroom bungalow properties. The addition of built form into this rural location would have a degree of harm. However, given the proximity of the existing built form and that the site would be seen in this context, that harm would be lower than in a more sensitive location and, subject to the requested condition from the Trees and Landscape Officer, could be suitably mitigated visually. Given the type of development proposed and its particular social and health benefit to the wider North Lincolnshire area, it is considered, on balance, that the proposal is acceptable in this regard and aligns with policies DS1 and CS5.

Highway safety

Policy T2 requires all development to be provided with a satisfactory access. In larger developments it should be served adequately by:

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or

- (iii) additions or extensions to such services linked directly to the development; and
- (iv) the existing highway network.

The comments in relation to the location, the adjacent road junction and highway safety are noted. The Highways Officer has been consulted on the proposal and has not raised concerns over the location of the access or wider highway safety. A condition requiring the provision of the access and the parking provision to be in place prior to occupation of the dwellings is requested. Policy T12 of the LLAAP supports the upgrade of the adjacent junction through the wider Lincolnshire Lakes scheme, but will not be required for this proposal. Subject to such a condition it is considered that the proposal is acceptable in highway safety terms in accordance with policy T2.

Flooding and drainage

Policy CS19 of the Core Strategy is concerned with flood risk. It states that development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.

The site is located within Flood Zone 1. The drainage officer, the IDB and the Environment Agency have been consulted on the application and, subject to conditions to control the drainage details, are satisfied that there would not be a significant impact upon the drainage of the site.

Conclusion

The proposal is for development outside the defined development limits and therefore classed as being within the open countryside. However, it is considered that the benefits of the proposal, in terms of the specialist accommodation provided and the health, welfare and social benefits that brings, are sufficient to outweigh any objection in principle to the development type. There are other harms in the introduction of additional built form, however, given the location and the ability to screen the development, it is not considered that this harm weighs heavily against the development. There are no other identified harms from the proposal and, subject to conditions to control the proposal in terms of the provision of access and parking, tree protection measures, drainage and landscaping, it is recommended for approval.

Pre-commencement conditions

The pre-commencement conditions included in the recommendation have been agreed with the applicant/agent.

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:

Proposed Site Plan - ref J1760-PL-02 A01

Floor Plans Plot 1 - ref J1760-PL-03 A01

Elevations Plot 1 - ref J1760-PL-04 A01

Plans and Elevations Plot 2 - ref J1760-PL-05 A01

Plans and Elevations Plot 3 - ref J1760-PL-06 A01

Plans and Elevations Specialist Activity Space - J1760-PL-07 A01.

Reason

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

3.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change), which should be based on the current national guidance, will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

5.

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.

6.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

7.

All the approved landscaping shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

Informative 1

Our records indicate that the proposed development site is bounded by a watercourse on the southern boundary. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership'. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

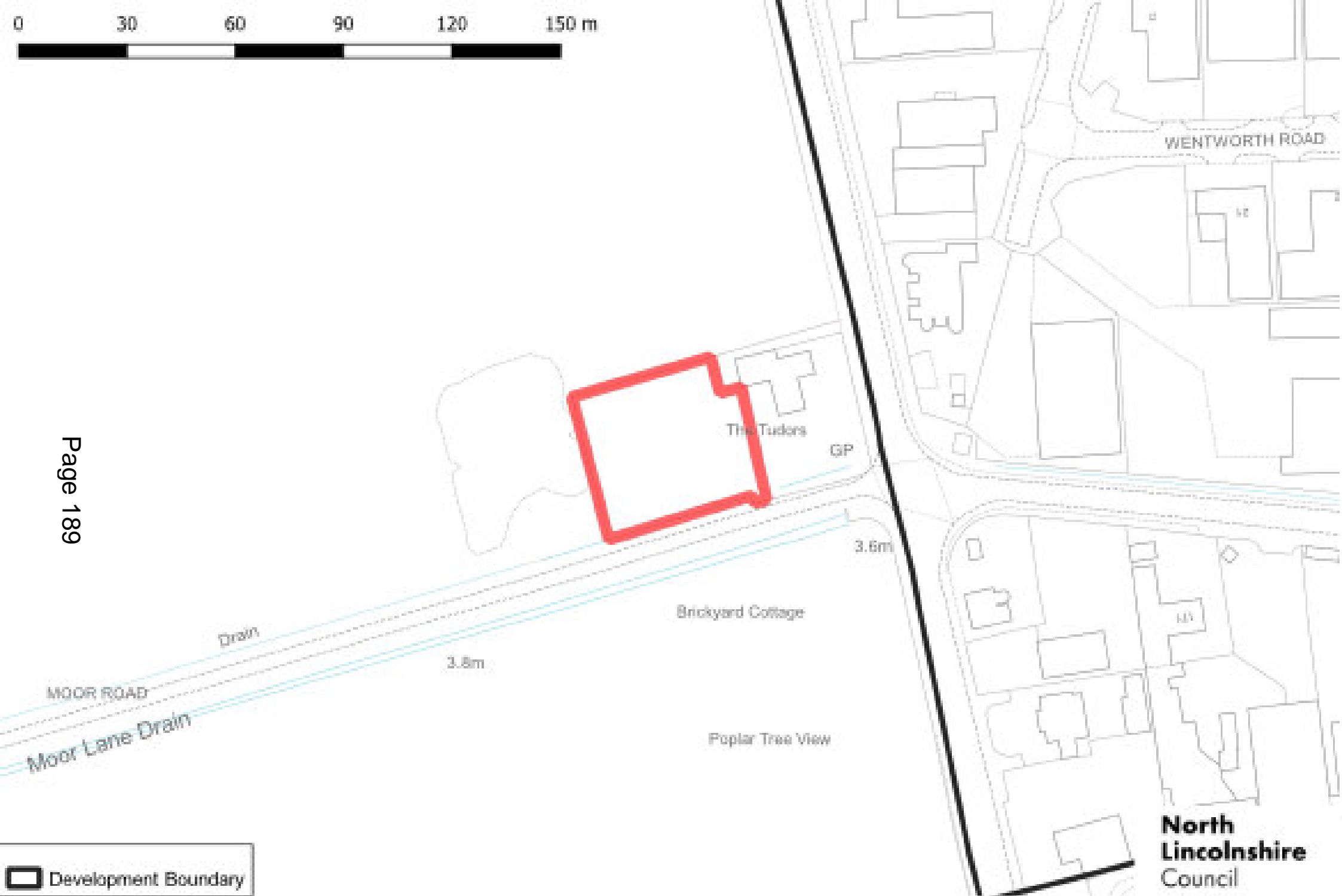
The proposals indicate a new connection will be made into this watercourse. This must be consented by Scunthorpe & Gainsborough Water Management Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

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.



Page 189



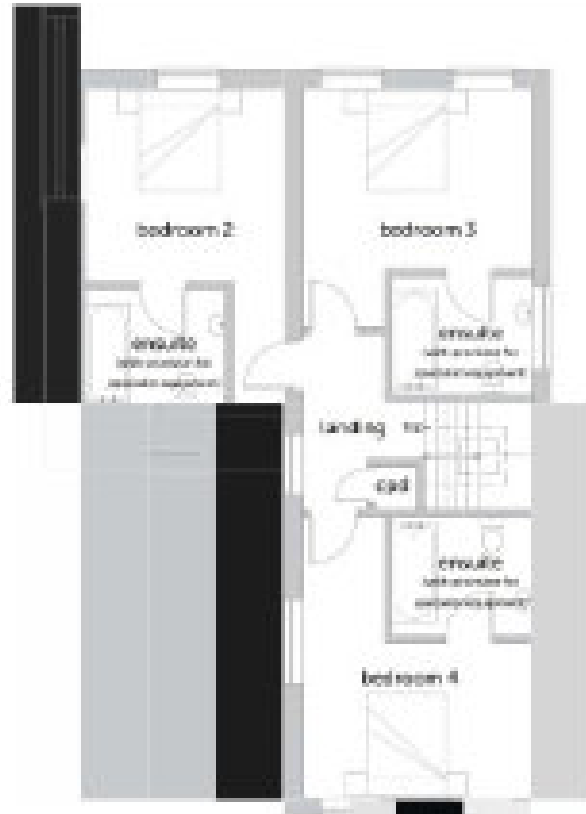
 Development Boundary

PA/2021/1006

**North
Lincolnshire
Council**



PLOT 2: GROUND FLOOR PLAN



PLOT 1: FIRST FLOOR PLAN



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Plot 1
 1400 sq ft
 4 bedrooms
 3 bathrooms
 1400 sq ft

Plot 2
 1300 sq ft
 3 bedrooms
 1 bathroom
 1300 sq ft

Plot 1: 1400 sq ft
 4 bedrooms
 3 bathrooms
 1400 sq ft

Plot 2: 1300 sq ft
 3 bedrooms
 1 bathroom
 1300 sq ft

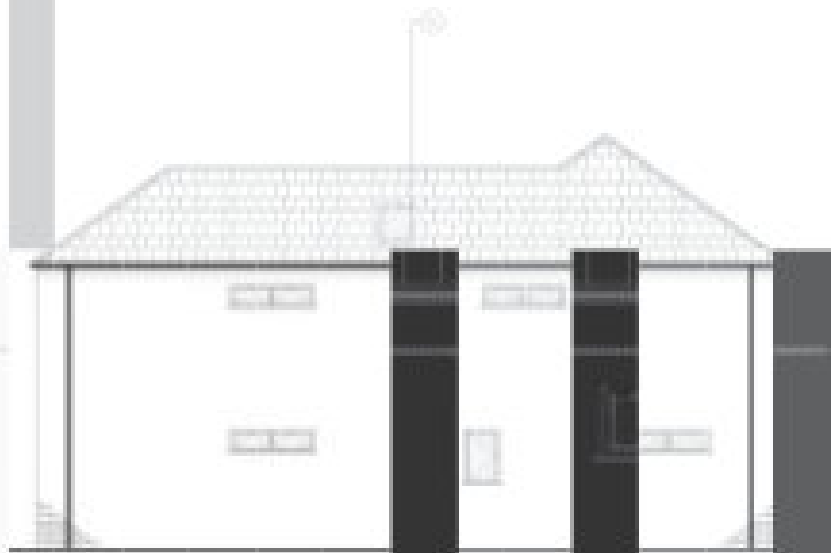


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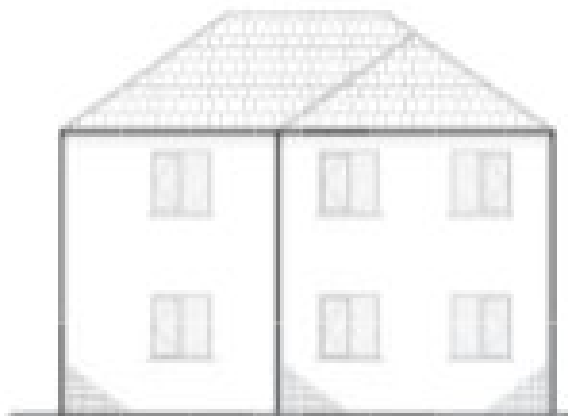




PLOT 1 - PROPOSED NORTH ELEVATION



PLOT 1 - PROPOSED EAST ELEVATION



PLOT 1 - PROPOSED SOUTH ELEVATION



PLOT 1 - PROPOSED WEST ELEVATION

Notes:
1. All elevations are shown in perspective.
2. All elevations are shown in perspective.
3. All elevations are shown in perspective.
4. All elevations are shown in perspective.
5. All elevations are shown in perspective.

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APPLICATION NO	PA/2021/1033
APPLICANT	Mr J Oates Smith
DEVELOPMENT	Planning permission for change of use of garage/outbuilding to restaurant/café (Use Class A3) [now Class E (Commercial, business and service)] and associated works
LOCATION	Garage/outbuilding at 2 Westgate Road, Westgate, Belton, DN9 1QG
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Tim Mitchell – significant public interest)

POLICIES

National Planning Policy Framework:

Chapter 6: Building a strong, competitive economy

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider development opportunities. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

North Lincolnshire Local Plan:

Policy RD2: Development in the Open Countryside

Policy DS1: General Requirements

Policy DS4: Changes of Use in Residential Areas

Policy DS11: Polluting Activities

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy S9: Restaurants and Hot Food Takeaway Establishments

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 CS14: Retail Development

Policy CS19: Flood Risk

CONSULTATIONS

Environmental Protection: No objection subject to conditions relating to noise, and extraction or filtration.

Historic Environment Record: No objection.

Drainage Team (Lead Local Flood Authority): No objections or comments.

Highways: No objection subject to conditions.

Trees and Landscape: The line of trees along the frontage of the site are council-owned highway trees and as such need to be retained. The applicant must not undertake any works to compromise these trees as they are not within their ownership. [An informative will be applied to the decision notice if permission is granted.]

PARISH COUNCIL

Belton Parish Council has no objection to the application but recommends the owner makes enough parking available for the number of people expected and ensures it is as unobtrusive as possible with deliveries, noise and concerns over school drop-off and pick-up times where the road is busy.

PUBLICITY

A site notice has been posted. Fourteen responses have been received raising the following concerns:

- the property boundary
- parking spaces
- pedestrian safety at the access
- the café would take away business from similar food outlets in the area

- noise nuisance
- increased traffic
- drainage systems
- flooding.

ASSESSMENT

Members will recall that this application was reported to Planning Committee on 22 September 2021. During the discussion Members raised a number of concerns about a new plan produced by the applicant on the site visit detailing five existing spaces to be retained (unmarked in front of the bungalow) in addition to the three additional spaces. It was advised that the plan could not be accepted at such a late stage and that the application may need to be re-consulted upon if an amended plan is accepted and an updated report presented to a future meeting. This report addresses the above issues.

The site is outside the development boundary for Belton along Westgate Road. The site contains a detached dwelling and outbuildings set in a large garden. The dwelling is sufficiently set back from the road and has existing access to the site taken from Westgate Road.

The site is bounded by Westgate Road to the south, the A161 to the east, 8 Westgate Road to the west and a field to the north screened by mature trees and high growing vegetation. It currently has permission to increase the height of the existing single-storey detached dwelling to form a two-storey dwelling.

This proposal seeks permission for a change of use of the existing garage to a restaurant or café. The proposed other works relate to internal alterations, which would be limited to forming a new accessible/unisex WC and infrastructure works associated with the disposal of wastewater. Other alterations to facilitate a change of use from a garage/outbuilding to a café include the installation of new windows to the principal (east) elevation and an air conditioning system and a cooking extract vent.

The café area would accommodate 25 seats and contain a counter or servery area. There would be a new accessible unisex toilet, commercial kitchen provision for separate food preparation, cooking and service/washing and a storage area separate from the kitchen area. Parking was originally to be provided for three vehicles (including one accessible parking space), however the amended plans detail five existing spaces are to be retained (unmarked in front of the bungalow) in addition to the three additional spaces.

The main issues to be considered in the determination of this application are:

- the principle of the development;
- whether the change of use of the existing garage to a restaurant or café would harm the character and appearance of the dwelling;
- whether the loss of the garage would negatively impact existing domestic parking spaces;

- whether the change of use of the existing garage to a restaurant or café would raise issues of traffic safety;
- whether the change of use of the existing garage to a restaurant or café would harm the street scene; and
- whether a change of use of the existing garage to a restaurant or café would impact the amenities of adjacent properties.

The principle of the development

Chapter 6 of the NPPF (Building a strong, competitive economy) requires that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider development opportunities. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Policy RD2 of the North Lincolnshire Local Plan (Development in the Open Countryside) requires development in the open countryside to be strictly controlled. This policy sets out the council's overall development control policy for development within the open countryside. It aims to balance the needs and benefits of economic activity with maintaining and/or enhancing the quality of the countryside. It promotes the positive benefits of rural diversification by ensuring the long-term social and economic vitality of rural areas. It states that planning permission will only be granted for certain types of development, including the re-use and adaptation of existing rural buildings, provided that 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, and the development would not be detrimental to a residential amenity or highway safety.

Policy DS4 (Changes of Use in Residential Areas) of the local plan states that within residential areas, favourable consideration will be given to proposals for a change of use from residential to other uses, provided that the development will not adversely affect the appearance and character of a residential area or residential amenity by noise, vibration, traffic generation, reduction in road safety, odorous emissions (by way of dust, smell, fumes, smoke, soot, ash or grit) or other adverse environmental conditions. The purpose of this policy is to help encourage the growth and development of small businesses but to maintain control over the impact that business activity, carried out at home, can have on the surrounding area.

Policy S9 (Restaurants and Hot Food Takeaway Establishments) states that proposals for restaurant and hot food takeaway establishments will be permitted in town, district and local centres subject to the following criteria:

- (a) the premises are not located where individually or cumulatively they would harm the occupiers of nearby residential properties because of noise and disturbance, litter or on-street parking;

- (b) the development must not create a road safety hazard or create traffic congestion, due to it being located on a bend, junction, hill or any other restriction on the public highway;
- (c) suitable off or on-street parking is available on or near the premises to avoid detriment to road safety or residential amenity;
- (d) a suitable fume extraction system and refuse storage area is installed to ensure that the amenity of nearby residents is protected from the emission of smells and fumes;
- (e) when planning permission is granted for restaurants and hot food takeaway establishments, the council will consider whether it is desirable to impose conditions, including limiting the hours that the premises may remain open, to avoid possible loss of amenity to nearby residents resulting from noise and disturbance.

In this case, while the site is outside the development boundary, it is located at the edge of the settlement boundary, which is a residential area and not visually detached from the town. It is also worth noting that there is no defined town centre and there is a fish and chip takeaway nearby.

The planning authority believes that while policy S9 is limited to town, district and local centres a case can be made for this proposal given the unique position of the site. Regarding sustainability, the North Lincolnshire Local Plan primarily seeks to ensure that development provides jobs; improves shopping, leisure, transport and education facilities; increases economic prosperity; and provides for the needs of all residents whilst at the same time protecting and improving the natural and built environment. On balance, the proposal would provide a useful service to shoppers and local residents and improve the quality of life by providing jobs, which would contribute to the economy of the village and make the village a better place for all residents.

In general, the principle of development is acceptable.

Layout, siting and design

Policy CS5 (Delivering Quality Design in North Lincolnshire) of the Core Strategy sets out the key design principles for all new development in North Lincolnshire. It aims to ensure that development supports the creation of a high-quality built environment that is attractive to residents, investors and visitors.

Policy DS1 of the local plan states that a high standard of design is expected in all developments in both built-up areas and the countryside, and proposals for poorly designed development will be refused. All proposals will be considered against the quality of design, amenity impact, conservation, resources and utilities and services.

Concerning the quality of design, the site is an existing domestic garage, and the proposal would be limited to internal and minor external changes. Furthermore, the development would not increase the footprint of the existing garage. Consequently, the quality of the design of the existing garage would not significantly be altered and would therefore not significantly affect the appearance and character of the residential property or the area.

Impact on neighbouring residential amenity

In terms of impact on neighbouring residential amenities, Policy DS11 (Polluting Activities) states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas. This policy is designed to control pollution and to limit and reduce nuisances such as noise, smells and dirt.

Criteria d) of Policy S9 is also relevant and states “a suitable fume extraction system and refuse storage area is installed to ensure that the amenity of nearby residents is protected from the emission of smells and fumes...” In this case, the main concerns relate to smoke, fumes, smell and noise. Having considered smoke, fumes and smell, the applicant has shown extraction vents would be fitted. While details have not been provided, it is likely an extraction filter hood would be installed to filter cooking fumes before releasing them through a vent in an outside wall. It is believed this would be an effective form of filtration that would remove grease, odours and excess moisture from the air in the cooking environment. It is worth noting that no concerns have been raised by Environmental Protection in this regard. In terms of noise, the building has enclosures that would reduce the amount of noise emitted. Furthermore, the proposal would have a minimal detrimental impact on the amenity of neighbouring property by the noise/disturbance that could potentially be created by customers, particularly vehicles, arriving at the site.

There would be a suitable refuse storage area to ensure the amenity of nearby residents is protected from the emission of smells and fumes.

Overall, the Environmental Protection team has no objection to the proposal but has indicated that the change of use to Use Class A3 (restaurants and cafés) [replaced by Class E (Commercial, business and service) in the amended Use Classes Order, September 2020] has the potential to introduce new noise sources to the area such as the coming and going of patrons, and noise from plant and extraction. With this in mind, the department has recommended the inclusion of conditions to minimise any potential noise impact if planning permission is granted. From the above, it is concluded that the proposal would not lead to a significant noise nuisance to the detriment of the amenities of neighbouring properties.

Highways

Policy T2 of the local plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provision. Policy S9 criteria b) states “the development must not create a road safety hazard or create traffic congestion, due to it being located on a bend, junction, hill or any other restriction on the public highway”; and c) suitable off or on-street parking is available on or near the premises to avoid detriment to road safety or residential amenity...”

Concerning car parking space, a revised plan and amended planning statement have been submitted. The plan shows eight car parking spaces (resident and customer parking). Highways have reviewed the amended plan including the parking spaces and have no further comments to make; however, all previous comments do still apply (i.e. that the

proposed new unit shall not be brought into use until the parking spaces serving it have been completed in accordance with the approved details and once completed the parking spaces shall be retained). A condition would be applied to any permission requiring the same.

Accordingly, the change of use of the garage/outbuilding to Class A3 (restaurants and cafés) [now Class E (Commercial, business and service)] and associated works would comply with policies T2, T19 and S9.

Flood zone

The application site is within SFRA Flood Zone 1, which has a low probability of flooding. Also, the garage is existing and has a drainage infrastructure for surface water. The Drainage team has no objections or comments to the proposed development. Accordingly, it is unlikely that the proposed change of use of the existing garage to a restaurant or café would raise an issue of surface water flooding that would warrant refusal of the proposal.

Public comments

In response to comments received from the public with regard to concerns about the property boundary, the planning authority does not engage in property boundary litigation. It is also important to note that the applicant has signed the self-certification certificate of ownership (Certificate A). With regard to parking spaces, pedestrian safety and traffic, Highways has not raised any issues and it is therefore judged that the proposal is acceptable in this regard. Further clarification is at the Highways section of this report. Concerns about drainage and flooding have been addressed in the flood zone section of this report, and concerns about noise under the section on impact on neighbouring residential amenities.

Conclusion

In conclusion, the principle of the change of use of the existing garage to a restaurant or café is acceptable and given there would not be significant alterations to the exterior of the building, it would not have any negative impact on the character of the dwelling or the character of the area.

It is also judged that the proposed change of use of the existing garage to a restaurant or café would not result in a significant adverse impact on neighbouring amenities in terms of noise nuisance, considering the conditions recommended relating to opening times.

It is believed that this proposal would provide a job and a welcoming environment for residents to meet for teas and coffees during the day. Satisfactory parking provision and vehicular access can be afforded off Westgate Road and the proposal would not be detrimental to highway safety. The proposal would therefore comply with the NPPF.

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: Dwg. No. 114-A4-01 B, Dwg. No. 114-A3-03 B, Dwg. No. 114-A2-05 P02, Dwg. No. 114-A2-04 P02, Dwg. No. 114-A3-04 B, and Dwg. No. 114-A3-02 B.

Reason

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

3.

The hours of operation of the restaurant or café shall be restricted to:

- 10am to 6pm Monday to Friday; and

- 10am to 4pm on Saturdays, Sundays and bank/public holidays.

Reason

To minimise the potential of noise nuisance and prevent loss of amenity to nearby residential properties in accordance with policies DS1 and DS4 of the North Lincolnshire Local Plan.

4.

No plant for extraction or filtration shall be installed until details have been submitted to and approved in writing by the local planning authority. The details shall include a scheme for the extraction and filtration of cooking odours and should identify the final discharge point of cooking odours from the extraction and filtration system. The details shall also include an assessment of the likely noise impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plants shall be installed and maintained in accordance with the details approved by the local planning authority.

Reason

To minimise the potential for noise nuisance and prevent loss of amenity to nearby residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The proposed restaurant/café shall not be brought into use until the parking spaces serving it has been completed in accordance with the approved details and once completed the parking spaces shall be retained.

Reason

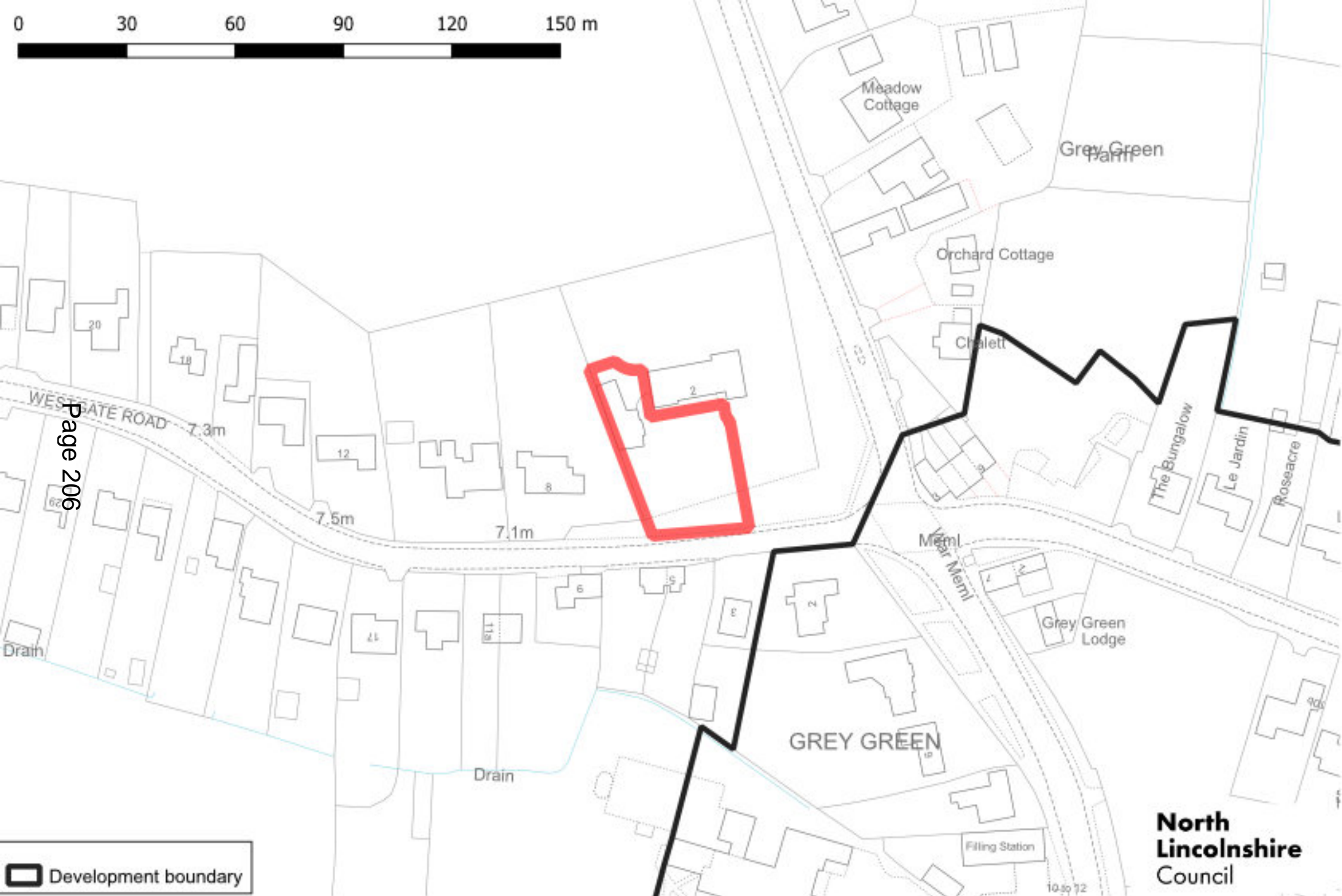
In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

Informative 1

The applicant is advised that the line of trees along the frontage of the site are council-owned highway trees and as such need to be retained. The applicant must not undertake any works to compromise these trees as they are not within their ownership.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.



Page 206

 Development boundary

PA/2021/1033

**North
Lincolnshire
Council**

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AMENDED



Page 207

Change of use of Existing Outbuildings to A3 (Restaurants and Cafes)
Including Car Parking at 2 Westgate Road, Belton.

Proposed Site Plan

LincDesign
2 West Gate
Messingham
North Lincolnshire
DN17 3JZ
T: 01754 782800
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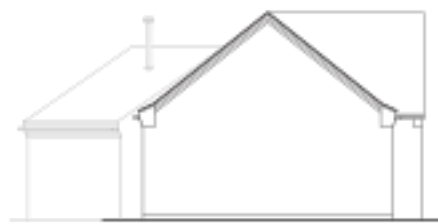
- D 2 no-Private parking spaces identified L.R. 28.10.21
- C 5 no-Car parking spaces identified L.R. 10.06.21
- B Revised & Resubmitted for Planning Approval L.R. 01.07.21
- A Issued for Planning Approval L.R. 28.05.21

Scale	Date	Status
1:200 @ A3	28.05.21	Approval
114-A3-04		D

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PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION
(As Existing)



PROPOSED EAST ELEVATION
(Existing)



PROPOSED SOUTH ELEVATION
(As Existing)

Page 208



PROPOSED FLOOR PLAN

Room Layouts are Indicative Only
Client to confirm location of appliances

Rev	Description	By	Date
P02	Revised & Resubmitted for Planning Approval	LR	01.07.21
P01	Issued for Planning Approval	LR	28.05.21

lincDesign
2 West Green
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client Mr J Gates Smith 2 Westgate Road, Belton.		
drawing title Change of use of Existing Outbuildings to A3 (Restaurants and Cafes) including Car Parking at 2 Westgate Road, Belton.		
Proposed Elevations & Floor Plan		
drawn by	date	scale
LR	21.05.21	1:100 @ A2
status	drawn	checked
Approval		
drawing number	114-A2-05	
	P02	

APPLICATION NO	PA/2021/1110
APPLICANT	Robert Borrill, A M Borrill & Sons
DEVELOPMENT	Planning permission for a temporary change of use for the storage of prefabricated units
LOCATION	Slate House Farm, Redbourne Road, Hibaldstow, DN20 9NN
PARISH	Hibaldstow; Redbourne
WARD	Ridge
CASE OFFICER	Brian McParland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Redbourne Parish Council

POLICIES

National Planning Policy Framework: Section 12

North Lincolnshire Local Plan: DS1, DS7, RD2, RD7, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5

CONSULTATIONS

Highways: No objection.

Ecology: No objection, but recommend a condition in relation to the hedgerow.

Drainage (Lead Local Flood Authority): No objection, but recommend conditions relating to the submission of a surface water drainage scheme.

Environmental Protection: No objection, but recommend a condition in relation to delivery times.

PARISH COUNCIL

Redbourne Parish Council objects to this application on the following grounds:

‘This application represents the continual erosion of the rural landscape and rural areas over industrialisation. Hibaldstow Airfield is increasingly becoming an industrial estate, and with each application for industrial use or development it is moving further away from its original use as an agricultural storage facility.

Serious concerns have been raised around the proposed route for these abnormal loads. Previous movements of this nature have caused chaos within the village of Redbourne which is totally unsuitable for such large vehicles. It should be noted that during

a previous movement of one such vehicle, the vehicle became stuck at Redbourne Mere, resulting in the section of road being completely impassable for some hours. There are serious concerns from residents that emergency services would be unable to access or be severely delayed in accessing the village during these abnormal load movements.

Concerns have also been raised about the proximity of the site to Redbourne village, and the potential use of security cameras to secure the storage facility that will potentially invade the privacy of nearby homes.'

PUBLICITY

Advertised by site and press notice. Five responses have been received objecting to the proposal on grounds of impact on traffic and the character of the area.

ASSESSMENT

The site

The application site is on the east side of Redbourne Road and is a former airfield. It is surrounded by arable farmland with various commercial activity in close proximity, with caravan storage, duck rearing and a biomass plant all being within the perimeter of the airfield. Skydive Hibaldstow is also located in close proximity, approximately 700m north of the application site. The part of the site which is the subject of this application is part of the existing hardstanding which was formally a runway.

The application site is within the open countryside, falls within SFRA flood zone 1 (low risk), is not within a conservation area, does not relate to any listed buildings and there are no tree preservation orders on site or in the nearby vicinity.

Proposal

Planning permission is sought for a temporary change of use for the storage of prefabricated units for a period of three years.

The main issues to be considered are whether adequate justification can be demonstrated with regard to the principle of development, neighbouring amenity, drainage and highways.

Principle of development

Policy RD2 (Development in the Open Countryside) applies and states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:

'vi) for diversification of an established agricultural business.'

Provisions (a) – (f) are also listed.

The applicant's main enterprise is agricultural, based out of the adjacent Slate House Farm to the north. The applicant also operates the caravan storage to the north-east which is considered diversification from the agriculture use. The proposed storage of prefabricated units would relate to Slate House Farm which would represent further diversification of the

existing agricultural enterprise and so would fall under the scope of policy RD2 (vi). The proposal would also satisfy provisions (a) – (f).

Notwithstanding the above, the application site is considered a brownfield site within the open countryside, is in the proximity of other commercial uses, has good transport links and is not protected land. Importantly, the temporary nature of the proposed change of use (three years) and the fact that no physical building works are to be undertaken would ensure there would be no permanent or everlasting impact on the character of the open countryside. Although each application is considered on its own individual merits it is considered the principle of development would be acceptable, subject to the considerations below.

Impact on the locality

In terms of impact on the locality, policies DS1, RD2 and RD7 are considered relevant.

The proposal is for the storage of 60 10m x 5m prefabricated units situated on an existing concrete base which served as a runway for the airfield. Photos of the units have been provided.

The proposed storage of prefabricated units would make use of existing hardstanding and so would not conflict with the operational requirements of the agricultural enterprise. The site is not considered high quality agricultural land, no new buildings are proposed, the access is existing, and the parking/storage of the units would not be visually intrusive given the units (most western unit) would be set back approximately 100m from the most prevalent highway of Redbourne Road. Additionally, Redbourne Road is bounded by a hedgerow which partly screens the site and would visually mitigate. A condition is recommended to maintain this hedgerow at least 2m in height.

The proposal would therefore accord with the NPPF, policies CS1, CS2, CS5, CS7 and CS8 of the Core Strategy, and policies DS1, RD7 and RD2 of the North Lincolnshire Local Plan.

Impact on residential amenity

In terms of impact on residential amenity, policies DS1, RD2 and RD7 are considered relevant.

There are no immediately adjacent neighbouring properties.

The proposal would therefore accord with the NPPF, policies CS1, CS2, CS5, CS7 and CS8 of the Core Strategy, and policies DS1, RD7 and RD2 of the North Lincolnshire Local Plan.

Highways

In terms of access, this would be existing and from Redbourne Road. The applicant has also provided the information below regarding highway and travel movements.

'... the units will be transported to and from the site by truck and semi low loader trailer. As the units are 5m wide they are classed as abnormal loads which require a Ministry of Transport approved movement order from the Police abnormal loads dept of each county passed through, stating which route they wish to send the vehicle. The vehicle movements

will be via the A15, through Redbourne and then direct onto the site. Once the units are on site in situ there will be no daily movements within the site and once removal of units start, they will all likely go out within two weeks of the first movement.

Storage is sporadic depending on sites becoming available, however production must continue hence the need for storage. As soon as the sites are ready to receive then all the units go out generally within one to two weeks. The units are released as sites are identified, cleared with all services put in and ready to receive the units to form a housing estate...'

Highways have raised no objections to the proposal. The proposal would therefore accord with policies T2 and T19 of the North Lincolnshire Local Plan.

Drainage

With regard to the comments from the Drainage team, the hardstanding is existing, there is arable land adjacent, and the site is within a low-risk flood zone. As such, a drainage scheme will not be necessary.

Land quality

Policy DS7 of the local plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The application site is not considered, known, or strongly suspected as being contaminated. It is acknowledged the hardstanding is existing in which the units would rest. In addition, the council's Environmental Protection team have been consulted and have not provided a comment in relation to land quality. As such, a contaminated land condition is not recommended in this instance.

Conclusion

Whilst the proposal is within the open countryside, it would not conflict with the policies of the local plan and is considered an acceptable form of development.

Pre-commencement conditions

These conditions have been agreed with agent/applicant.

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: 034524 01 A Location Plan; 034524 02 A Block Plan; Planning Supporting Statement.

Reason

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

3.

Within three months of the commencement of development, the applicant or their successor in title shall submit a hedgerow management plan to the local planning authority for approval in writing. The plan shall cover hedgerow alongside Redbourne Road within the blue line boundary of the submitted location plan and shall set out prescriptions for the management of the hedgerows to maintain a height of at least 2 metres. Thereafter, the hedgerow shall be managed in accordance with the hedgerow management plan for the duration of the change of use.

Reason

To conserve landscape and biodiversity in accordance with policies CS5 and CS17 of the Core Strategy, and LC7 and LC12 of the North Lincolnshire Local Plan.

4.

The prefabricated units shall be removed in their entirety and the land reinstated as a cleared site on or before 24 November 2024 unless otherwise agreed in writing by the local planning authority.

Reason

To protect the character of the open countryside.

5.

Deliveries to the proposed site shall be limited to:

- 8am to 6pm Monday to Friday.

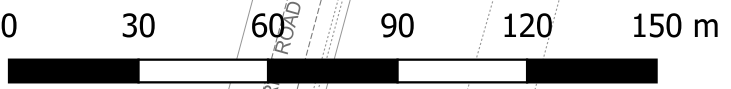
No deliveries shall be made to the proposed site outside of these hours.

Reason

To protect residential amenity in accordance with policy DS1 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.



REDBOURNE ROAD



Hibaldstow

El Sub Sta



El Sub Sta

Def

Page 214

14.5

Redbourne



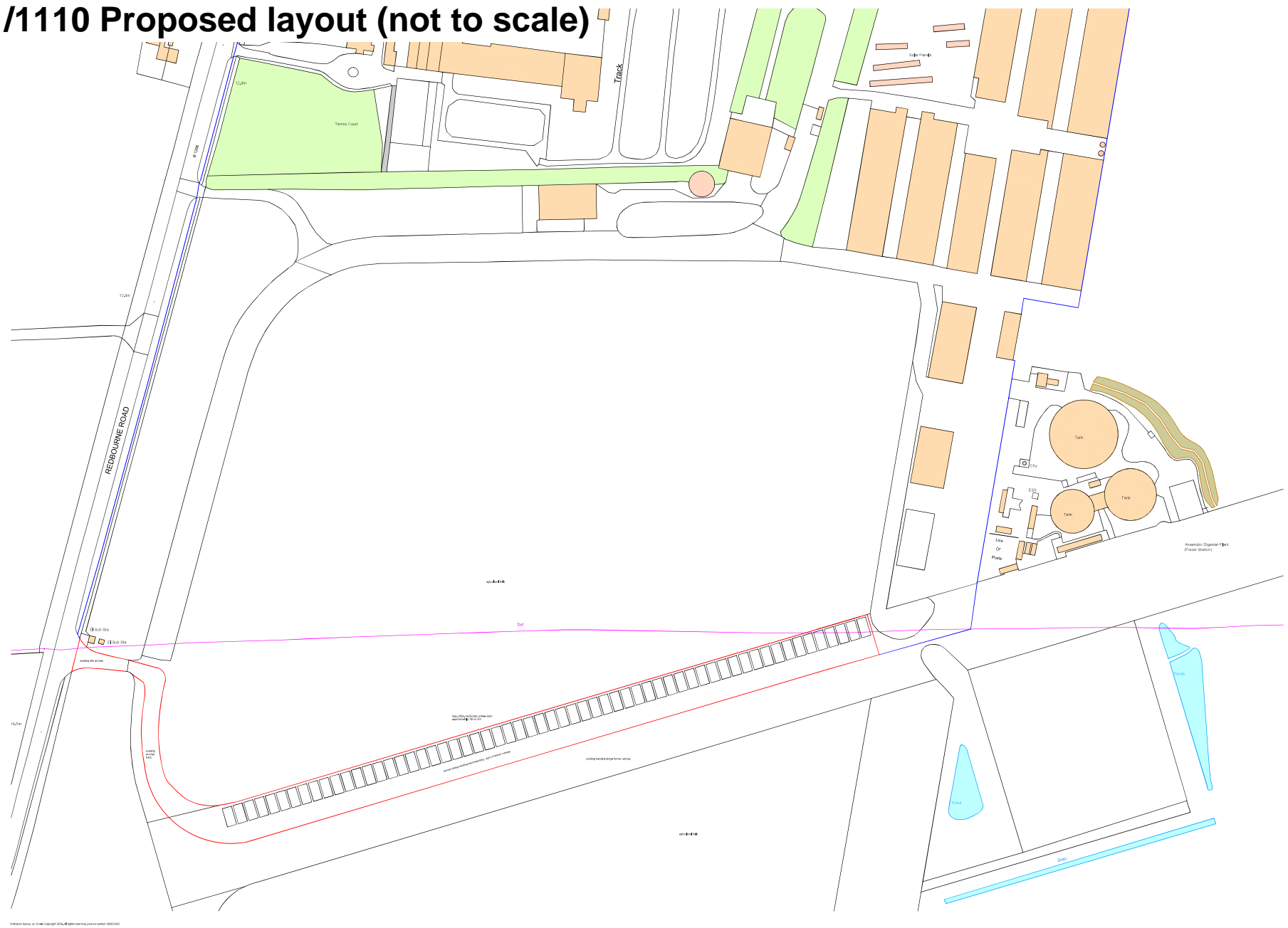
Pond

North
Lincolnshire
Council

PA/2021/1110 Proposed layout (not to scale)



Page 215



Revisions:
 A (09.06.2021) red line extents slightly amended and unit dimensions revised.

AM Borrill and Son	
Slate House Farm, Hibalstow	
Temporary Storage	
Block Plan	
£ 06,06,21	1:1000 @ A1
£ SK	

BROWN & CO
 ARCHITECTURE & PLANNING
 11, 12 & 13, Market Street, York YO1 1JF, UK
 01904 478900
 2021 | 034524 | 02 | A

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APPLICATION NO	PA/2021/1197
APPLICANT	Mr Ian Tonge
DEVELOPMENT	Planning application to remove conditions 3 and 12 of PA/2009/1081 to allow for the unrestricted occupancy of two cottages
LOCATION	Holiday Cottages, Don Farm, Common Middle Road, Crowle, DN17 4EZ
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Kevin Robinson

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Crowle Town Council

POLICIES

National Planning Policy Framework

Paragraph 11: Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or

- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12: The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 34: Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.

Paragraph 38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 47: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

North Lincolnshire Local Plan: DS1, DS7, RD2, , T2, T19, LC7.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS17, CS18.

CONSULTATIONS

Highways: No objections.

Drainage (Lead Local Flood Authority): No objections.

Environmental Protection: No comments to make.

TOWN COUNCIL

Objects on the grounds that the request deviates from the intention of the original use.

PUBLICITY

Advertised by site notice – no comments received.

Relevant planning history

PA/2009/1081: Planning permission to convert hayloft/stables into two holiday cottages, was approved on 28/01/2010 subject to a number of conditions. The relevant conditions to this submission are 3 and 12 which restrict the dwellings approved to occupation as holiday lets only.

ASSESSMENT

Paragraph 38 of the National Planning Practice Guidance (NPPG) states, 'In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application.'

Paragraph 35 of the NPPG explains that the original planning permission will continue to exist whatever the outcome of the application under section 73. Decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

In granting permission under section 73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier planning permission.

This application seeks to remove conditions 3 and 12 of planning permission PA/2009/1081 to allow for unrestricted occupancy of the two cottages. Approval was granted under reference PA/2009/1081 for the conversion of the hayloft/stables to provide two dwellings. The occupation of those approved dwellings was restricted to holiday occupation by the two conditions. Condition 3 restricted occupancy to holiday let and for no other purposes and condition 12 stipulated that no one stay should exceed 28 days within a year.

As noted, conditions 3 and 12 relate to restricting the use of the two properties to holiday accommodation only. Therefore, **the key issue in consideration of this application is whether the use as permanent dwellings poses any harm in planning terms over the existing use as holiday lets.**

In principle the re-use of existing agricultural buildings for dwellings is supported by both the NPPF and local plan policy RD2. **The key issues in considering the detail of such proposals are then:**

- **impacts upon the character of the area;**
- **impacts upon residential amenity;**
- **highway safety;**

- **drainage; and**
- **ecology.**

Impacts upon the character of the area

Policy DS1 states that a ‘high standard of design is expected’ and that proposals will be considered against two criteria, these being:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect and where possible retain and/or enhance the existing landform of the site.

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy firstly sets out in principle those development types that are acceptable and secondly a criteria based approach to assessing those developments. The second part is of interest here 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 of the local plan, which is concerned with new housing development, and paragraph 127 of the NPPF are also relevant.

In this regard there would be only very minor changes in the character of the area with the parking and amenity/garden areas to each property being defined. Given the enclosed nature of the properties, with mature boundary planting, it is not considered that such divisions would pose any appreciable impacts upon the character of the area. The proposal is therefore considered to be acceptable in this regard and in line with the requirements of the development plan.

Impacts upon residential amenity

Policy DS1 of the local plan outlines requirements to ensure that proposals do not adversely impact upon the amenity of their locality.

The properties are laid out in close proximity as reflected by the original outbuilding use to the two properties in question. Notwithstanding this the dwellings would have their own garden/amenity area and would provide suitable levels of amenity for future occupiers. As such, the proposal is acceptable in this regard against policy DS1.

Highway safety

Policy T2 of the local plan states that:

All development must be provided with a satisfactory access. Larger developments should be served adequately by:

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or
- (iii) additions or extensions to such services linked directly to the development; and
- (iv) the existing highway network.

In this regard the proposal has parking provision for the properties. The council's highways officers have been consulted and have raised no objections. As such, it is acceptable in this regard in line with policy T2.

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk. It states that development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere, by integrating water management methods into development.

The site is located within Flood Zone 2/3a within the North Lincolnshire SFRA 2011.

The council's drainage officer has been consulted and, subject to conditions to control the drainage details, is satisfied that there would not be a significant impact upon the drainage of the site. Given the proposal is to remove a restrictive condition, it considered that a sequential test search would be restricted to the site itself and that there are benefits in bringing the properties into use as dwellings. As such the proposal is acceptable in terms of flood risk and drainage considerations.

Ecology

Policy CS17 of the Core Strategy and paragraph 170 of the NPPF relate to biodiversity. Paragraph 170 states in part that a net gain for biodiversity should be achieved.

The site is not designated for any known ecological interest and would not require any significant building works given the existing position as holiday lets and the proposal as dwellings. The proposal is therefore considered to be acceptable in this regard and in line with the aims of policy CS17.

Conclusion and conditions

The removal of conditions 3 and 12 is considered acceptable in regard to the requirements of the development and is therefore recommended for approval. As outlined above, under a section 73 application to vary or remove a condition the local authority has the power to consider all other conditions attached to the extant permission and amend/remove other conditions as deemed necessary. In this regard the time limit condition is not considered relevant and the plans list is not considered necessary given the built form is already in place. The flood risk condition is also not considered necessary subject to the removal of permitted development rights as outlined below. The ecological mitigation measures condition has served its purpose for the construction activity and as such should not be re-attached. Schedules for the repair work and land contamination mitigation as part of the conversion, likewise, do not need to be re-attached.

Further conditions considered necessary/good practice for the proposal are:

- a condition outlining the approved plans to establish the extent of the approval; and
- given the constrained nature of the site, a condition removing permitted development rights for any extensions or outbuildings to the resulting dwellings.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plan: Site Plan – ref 136-A4-01 Rev A dated 23.08.21.

Reason

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

2.

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), no extensions, alterations or outbuildings shall be made to the dwellings.

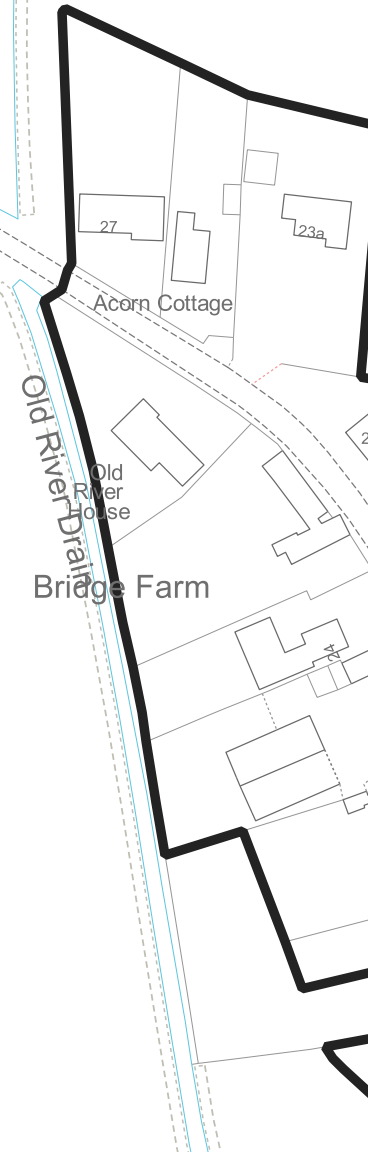
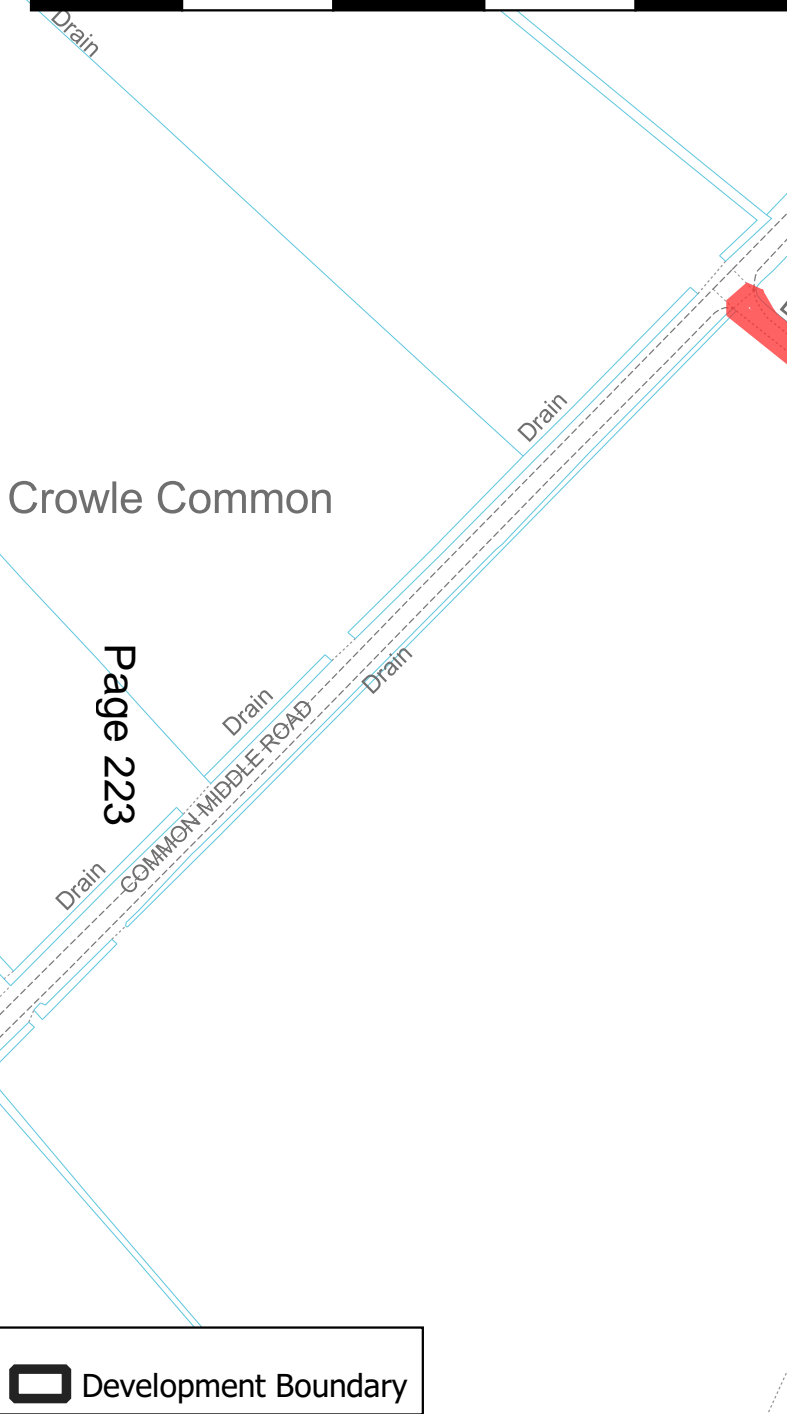
Reason

In the interest of residential amenity in accordance with policy DS1 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.

0 30 60 90 120 150 m



 Development Boundary

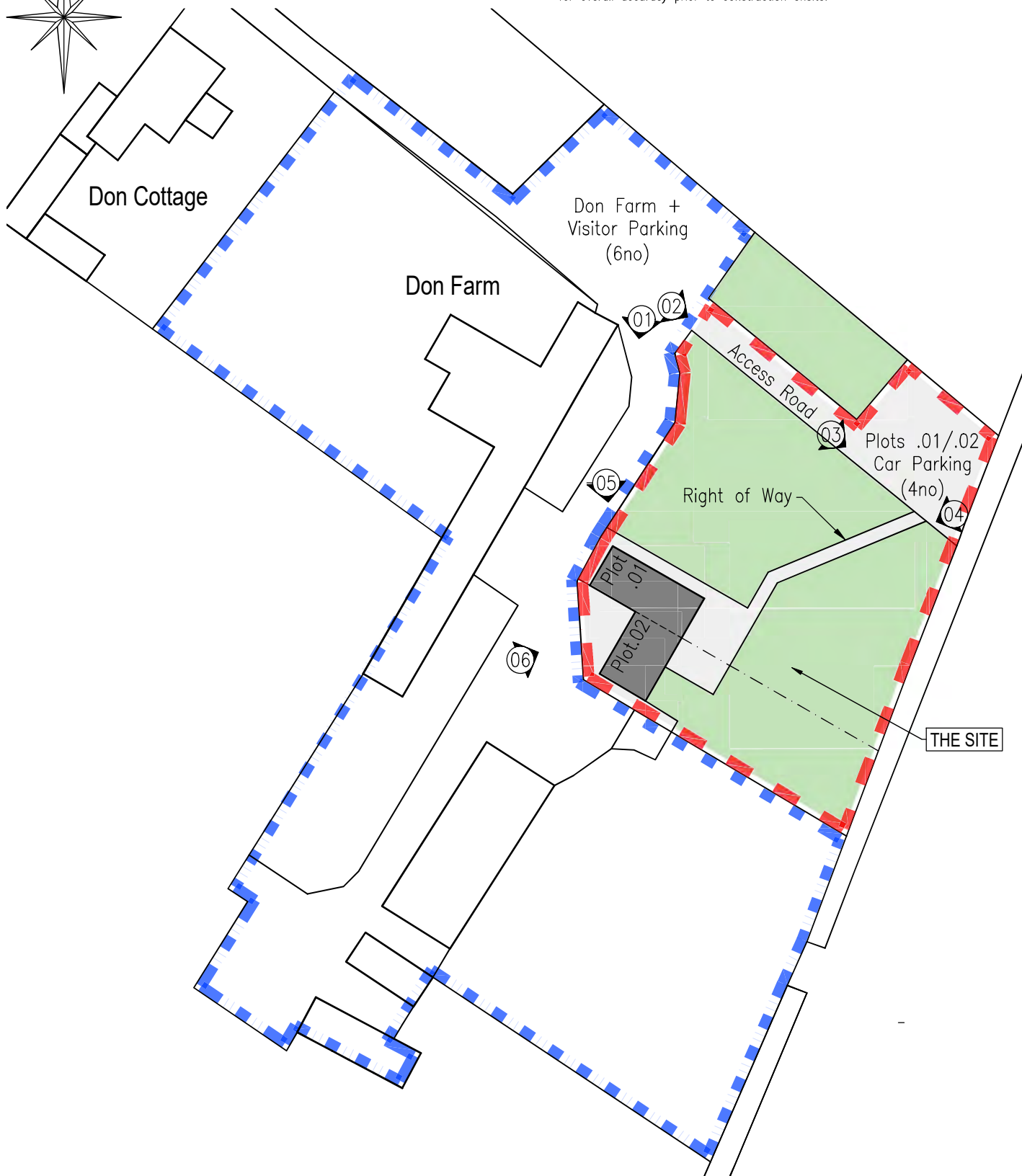
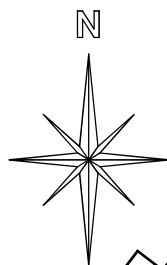
**North
Lincolnshire
Council**

PA/2021/1197

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PA/2021/1197 Layout and photos (not to scale)

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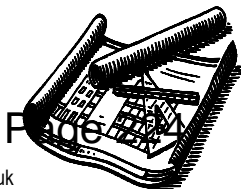
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Mr I. Tonge, 2 Cottages at Don Farm,
Common Middle Road, Crowle

A Issued for L.A. Planning Approval. LR 23.08.21

SITE PLAN

LincDesign
2 West Green
Messingham
North Lincolnshire
DN17 3QT
T: 01724 762809
M: 07912 556545
E: info@lincdesign.co.uk



Scale 1:500.	Date 23.08.21	Status Approval
136-A4-01		A



Photos of the Application Site, 2 Cottages at Don Farm, Common Middle Road, Crowle



Image .01 – View of the application site looking South West.



Image .02 – View of the application site looking South East.



Image .03 – View from within the site looking South East.



Image .04 – View from within the site looking West.



Image .05 – View from within the site looking South.

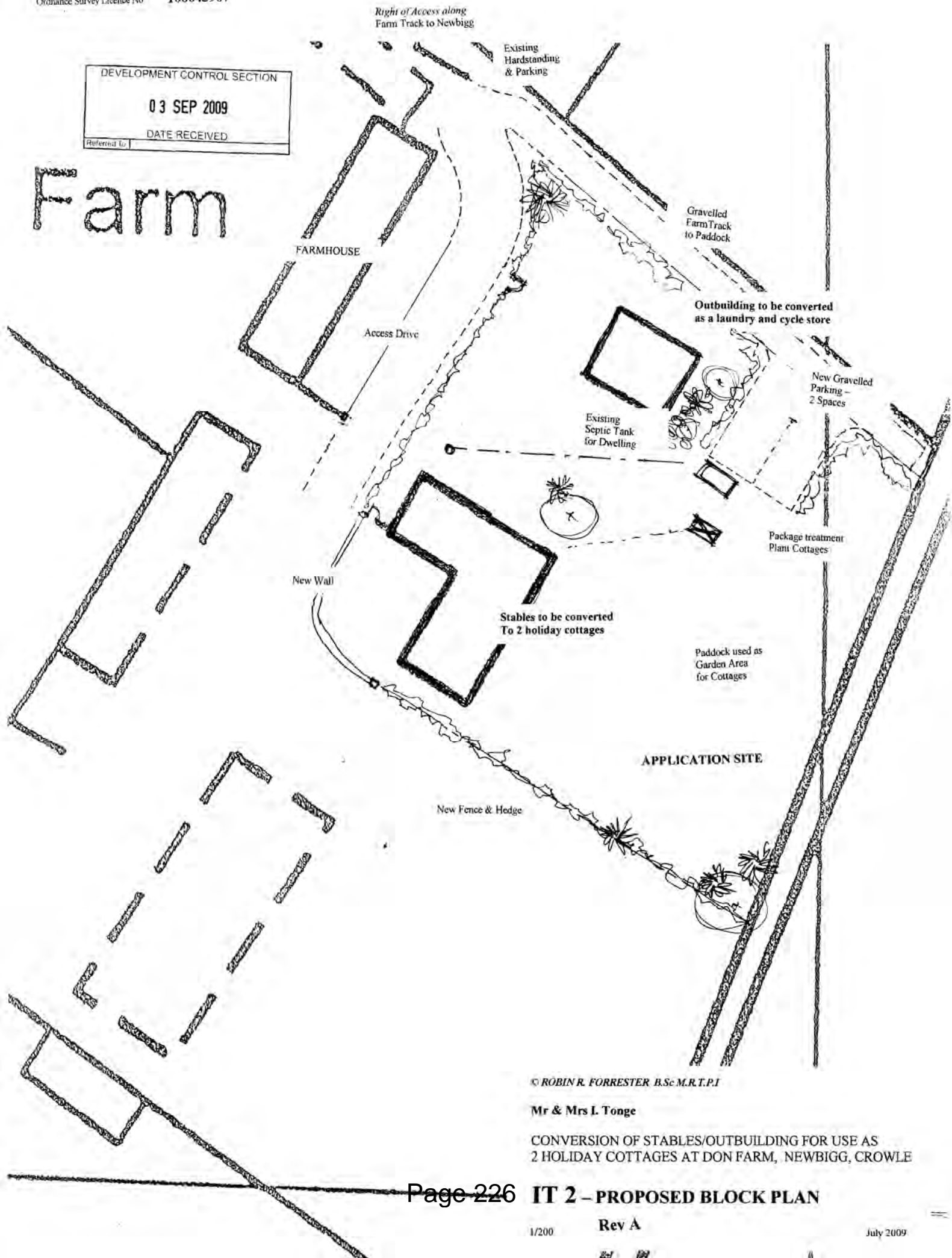


Image .06 – View from within the site looking East.

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DEVELOPMENT CONTROL SECTION
03 SEP 2009
DATE RECEIVED
Referred to:

Farm



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Mr & Mrs I. Tonge

CONVERSION OF STABLES/OUTBUILDING FOR USE AS
2 HOLIDAY COTTAGES AT DON FARM, NEWBIGG, CROWLE

APPLICATION NO	PA/2021/1287
APPLICANT	Mrs Pauline Antcliff
DEVELOPMENT	Planning permission to retain change of use of garage to home hairdressing salon
LOCATION	46 High Leys Road, Bottesford, DN17 2QA
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Kevin Robinson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Janet Longcake – significant public interest)

POLICIES

National Planning Policy Framework: Section 12

North Lincolnshire Local Plan: DS1, DS4, DS5, T2 and T19

North Lincolnshire Core Strategy: CS1, CS2 and CS5

CONSULTATIONS

Highways: No comments or objections.

Drainage (Lead Local Flood Authority): No objections.

Environmental Protection: No objections subject to a condition restricting hours of operation. The request initially set the hours as 9am to 6pm Monday to Friday and 9am to 4pm on Saturdays, with the hairdressing salon to remain closed on Sundays and public/bank holidays. Further to a request for opening until 7pm on weekdays the Environmental Protection Officers have confirmed that 9am to 7pm Monday to Friday would be acceptable with Saturdays to remain 9am to 4pm.

TOWN COUNCIL

Objects to the proposal on the grounds that it would be a retail business operating in a residential area. Advise they have received a number of complaints about the operations. Question whether building regulations have been breached and that the proposal is a danger to the occupants at number 44.

PUBLICITY

Advertised by site notice. Objections have been received from a neighbouring property on the following grounds:

- visual impacts of the works to the garage roof
- fire hazard from electrical equipment, chemicals stored and use – question whether appropriate fire breaks have been installed
- impacts of noise to adjoining neighbour – use of hairdryers and conversations
- hours of use from early morning to early evening
- impact of clients arriving on views into neighbouring property
- application advises works undertaken was initially for elderly care
- impact on property prices
- is this the start of the next parade of shops?

One letter of support has been received from a neighbour advising that the proposal has not caused any highway impacts to them and that they have not been disturbed by the activities.

ASSESSMENT

The site is located at 46 High Leys Road in Bottesford. The property in question is a linked detached dwelling connected to number 44 by garages to each property. Retrospective planning permission is sought to retain the change of use of the garage, converted initially to provide living accommodation, for use as a hairdresser's (Use Class E).

The locality comprises a variety of residential properties with a primary school to the north-east and a local park to the west of the property.

Comments received relating to the use as a hairdresser's occurring straight from the garage use are noted. However, in planning terms, there is no material change of use from a garage to habitable accommodation. These comments can therefore be given no material weight in considering the proposal as made.

The applicant has advised that the intention is to operate as an individual hairdresser and that the operation would run on an appointments only basis.

Policy DS4 of the local plan (Changes of use in residential areas) allows for changes of use subject to consideration of its impacts. **The key issues in considering this proposal are therefore considered to be:**

- **the impacts upon the character of the area;**
- **the impacts upon residential amenity;**
- **highway safety; and**
- **other considerations.**

Impacts upon the character of the area

In respect of character, policy DS4 is relevant and states that within residential areas favourable consideration will be given to proposals for a change of use from residential to other uses, provided that the development will not adversely affect the appearance and character of a residential area... Policy CS5 of the Core Strategy is also concerned with visual amenity.

In this regard the proposal is noted as a change of use from residential. Notwithstanding this the garage has been altered as part of the works for its conversion to provide additional habitable accommodation to the dwelling. The resulting garage is stepped up approximately 300mm at the front weatherboard. The frontage of the property has also been laid to hardstanding. The alterations are not considered to significantly alter the appearance of the property as a residential dwelling or to be in material conflict with the character of the wider locality. As such the proposal is not considered to be contrary in this regard with the requirements of policies DS4 and CS5.

Impacts upon residential amenity

With regard to amenity, policy DS4 is again relevant and states that within residential areas favourable consideration will be given to proposals for a change of use from residential to other uses, provided that the development will not adversely affect the...residential amenity by virtue of noise, vibration, traffic generation, reduction in road safety, odorous emissions (by way of dust, smell, fumes, smoke, soot, ash or grit) or other adverse environmental conditions.

In this regard the proposal is for a hairdresser's operating as a single practitioner running on appointments only. Comments received from the neighbour regarding the use operating from the early morning to evening are noted, as are those relating to the use of electrical equipment. It is considered that the condition requested by the Environmental Protection Officer to control hours of operation would serve to ensure that there would not be significant effects. Comments regarding the access to the hairdresser's being adjacent to the side living room window of the neighbouring property are noted. It is considered that a condition requiring a close-boarded fence to a height of 1.8m from adjacent ground level, running to level with the front (principal) elevation of the dwelling, would serve to preclude impacts of such instances. Such a fence would fall within permitted development limits and can be controlled to be retained for the lifetime of the development.

Subject to these conditions it is not considered that there would be a significant impact upon the amenity of the neighbouring property to warrant resistance of the proposal on these grounds. The proposal is therefore considered to be in accordance in this regard with policies DS4 and DS1.

Highway safety

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant, as is policy DS4.

The council's highways team has reviewed the application and has no objection. It is considered, subject to conditions, that the proposal would be in accordance with policies T2, T19 and DS4.

Other considerations

Comments have been raised relating to fire safety and the requirement for building regulations approval. The control of these elements falls within the building regulations process and is not a planning consideration.

RECOMMENDATION Grant permission subject to the following conditions:

1.
Hours of operation shall be limited to:

- 9am to 7pm Monday to Friday; and
- 9am to 4pm on Saturdays.

The hairdressing salon shall remain closed on Sundays and public/bank holidays.

No electrical equipment shall be operated or deliveries received outside of the operating hours outlined above.

Reason

To regulate and control the use on the site, which is located in a residential area, to protect the amenity of neighbours in accordance with policy DS1 of the North Lincolnshire Local Plan.

2.

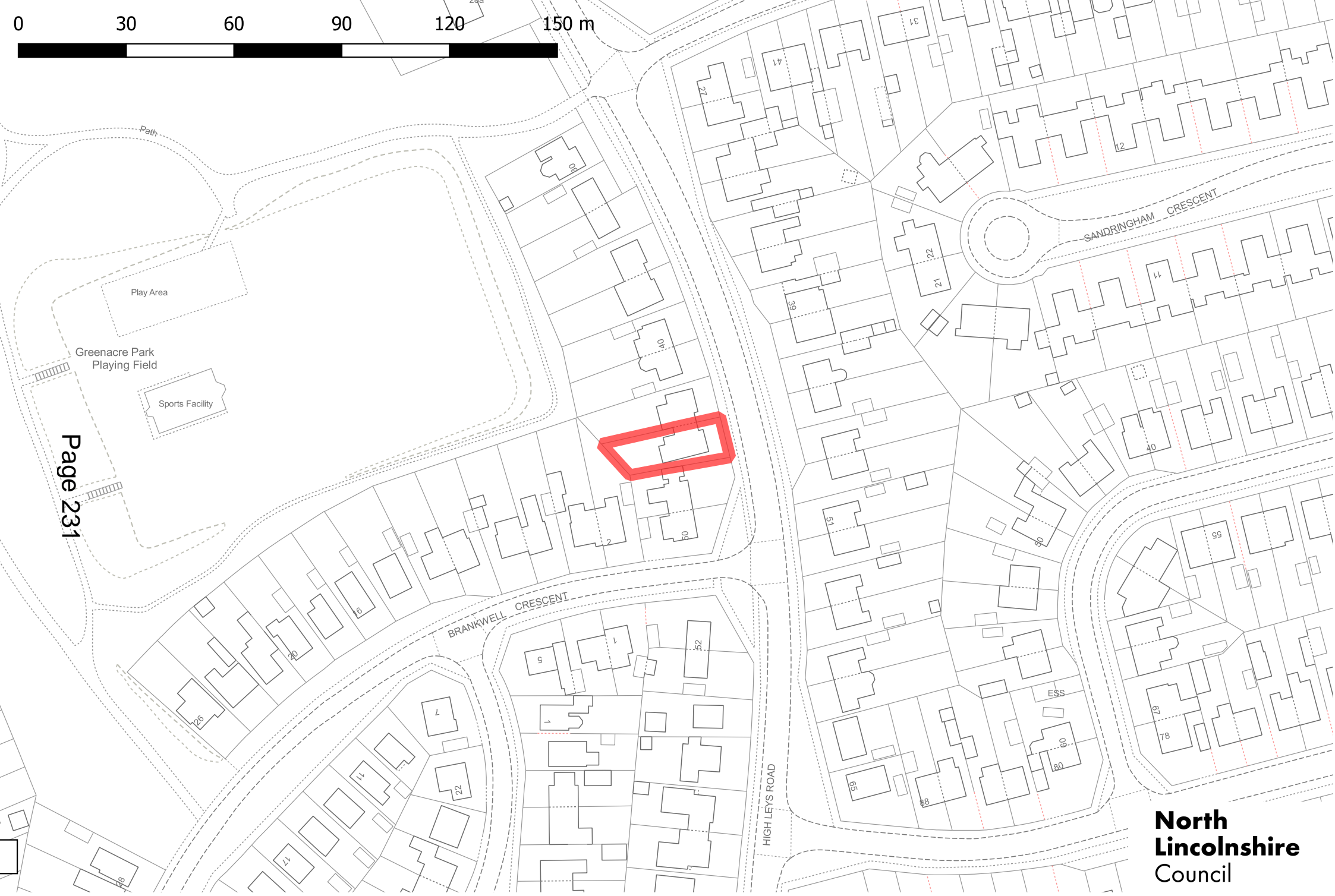
Within two months of the date of this permission, a close-boarded fence to a height of 1.8m from the adjacent ground level shall be erected from the front of the converted garage/hairdresser's to level with the principal elevation of the dwellings. Once erected, the fence shall be maintained and retained for the life of the development hereby approved.

Reason

In the interest of residential amenity in accordance with policy DS4 of the North Lincolnshire Local Plan.

Informative

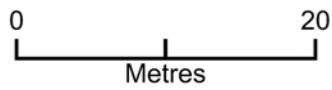
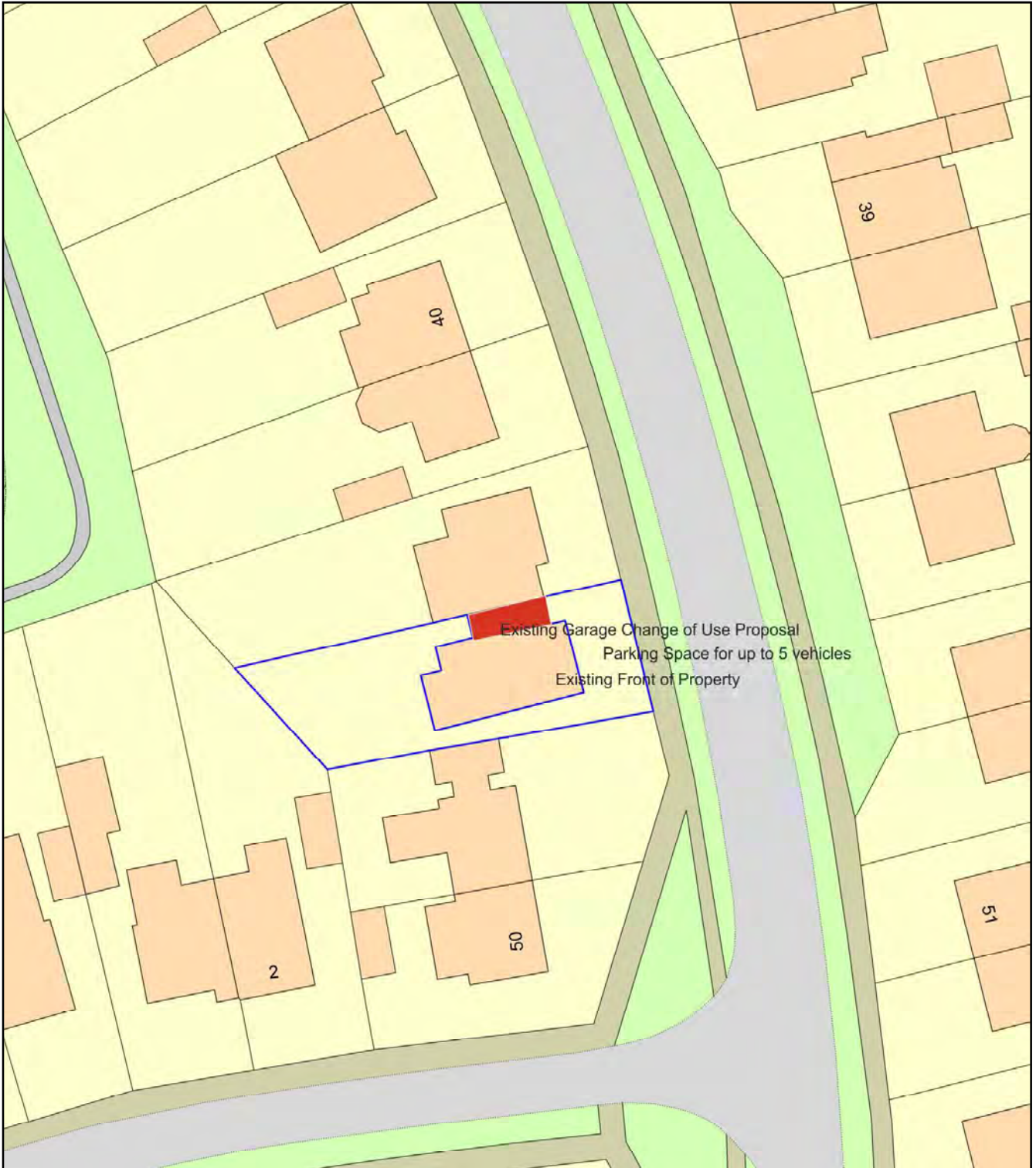
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Page 231

**North
Lincolnshire
Council**

Site/Block Plan - Antcliff, 46 High Leys Road



Plan Produced for: Pauline Atnciff

Date Produced: 10 Jul 2021

Plan Reference Number: TQRQM21191120755342

Scale: 1:500 @ A4

Page 232

Antcliff, 46 High Leys Road – House Photos



Former garage and intended room to use for home hairdressing

Access and Parking – 4-5 vehicles possible at any one time

Further drive access already in situ

Future intention to request curb drop which will not affect bus stop location – this intention is in line with residential use not change of use proposal

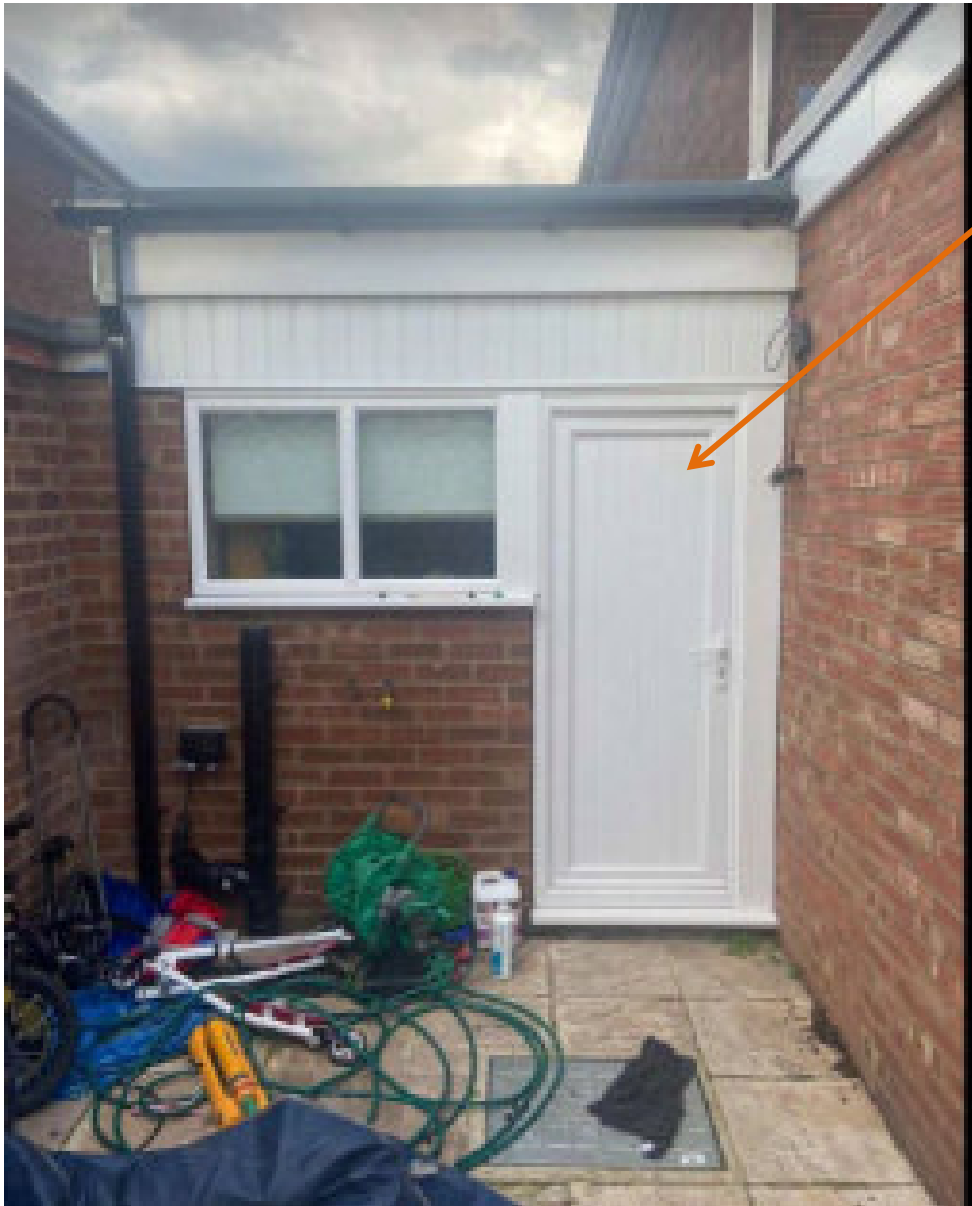
Existing living room within house

Neighbour garage – used as garage/storage

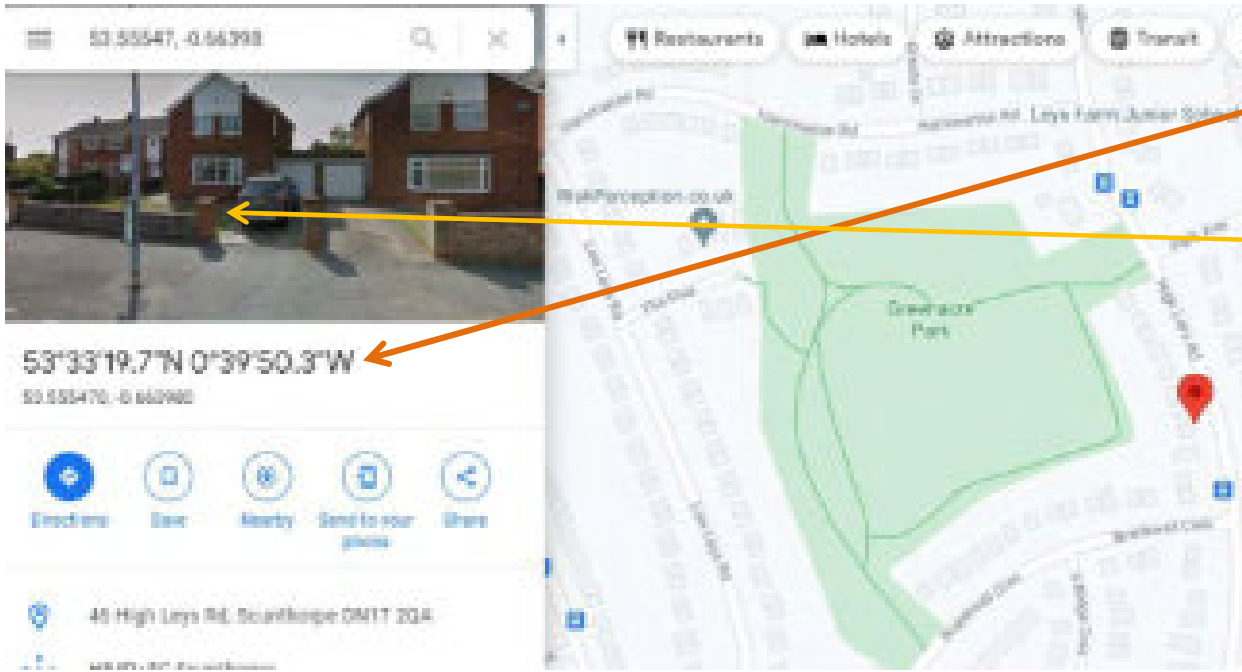


Former garagewith room conversion
– intend to useto support with home
hairdressingto support continuation
of living and caring arrangement for
elderly dementia relative.

Frontage in keeping with properties,
no plans to change.

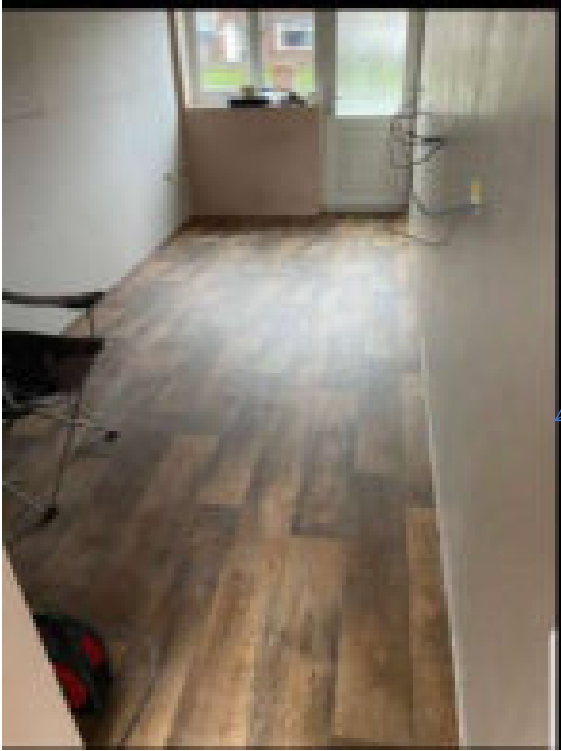


Rear of former garage, picture shows part of backyard of property. Garage adjoins to house but there is no through access. Also adjoins to neighbour's garage. Room fully insulated and sound proofed as part of conversion in line with building regulations advised on inspections. Building Regulation Ref: PR51009040



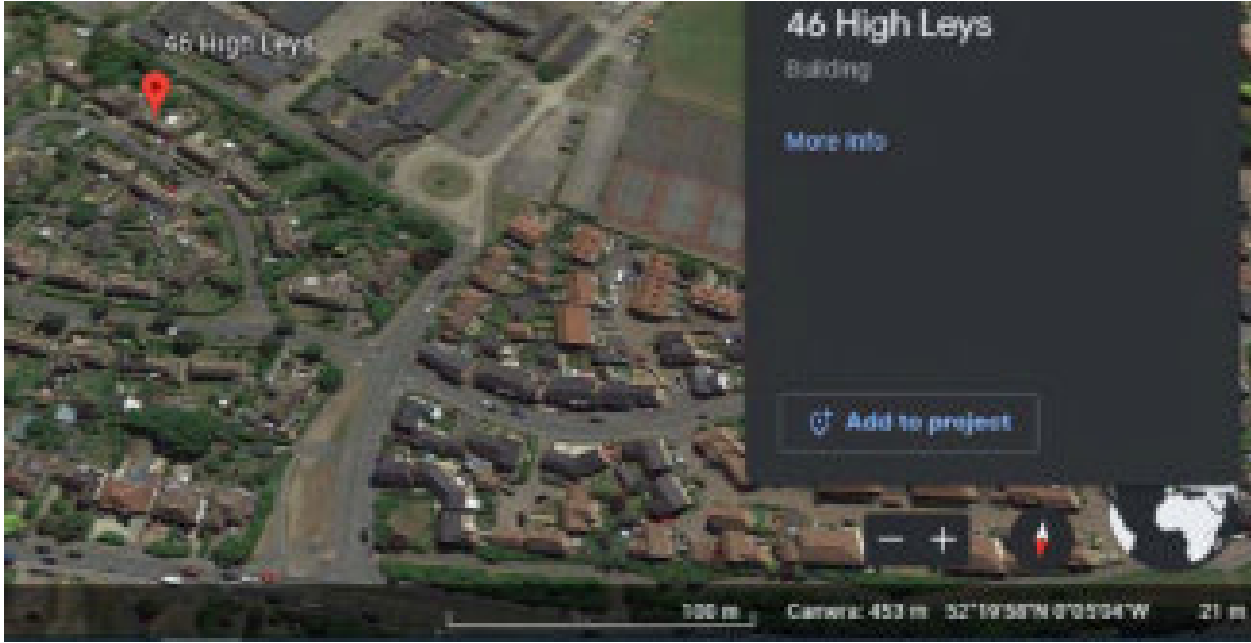
Google maps co-ordinates for 46 High Leys Road, Scunthorpe, DN172QA

Previous drive – now tar mac and wall removed to enable up to 4/5 parking spaces at any one time



Internal picture of former garage converted for additional living space.

Initially intended to use for additional room for children/adults after taking on full time caring for elderly relative.



NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING THE GRANT OF OUTLINE PERMISSION FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about applications for approval of reserved matters which are ready for determination.

2. BACKGROUND

- 2.1 This committee is required under its terms of reference to exercise the functions of the council as local planning authority for the purposes of the control of development, including the determination of applications for planning permission and other applications under the Town and Country Planning Acts, General Development Orders, and any Orders or Regulations made thereunder, and in accordance with the council's planning policies.
- 2.2 In exercising these functions the committee is required to have regard to the National Planning Policy Framework, the development plan for the area and any other material considerations. It will also take account of the duty imposed by section 17 of the Crime and Disorder Act 1998 and the requirements of the Human Rights Act 1998.

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 Outline planning permission has already been granted and the development is therefore agreed in principle. Consideration is required of the layout, scale, external appearance, means of access and landscaping of the development (excluding any of these matters which were expressly approved at the time outline planning permission was granted).
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

4. RESOURCE IMPLICATIONS

- 4.1 There are no staffing or financial implications arising from this report.
- 4.2 Environmental considerations are of major importance when considering planning applications and are set out in the individual reports.

5. RECOMMENDATION

- 5.1 That the applications be determined in accordance with the recommendations contained in the schedule.

DEVELOPMENT MANAGEMENT LEAD

Church Square House
30–40 High Street
SCUNTHORPE
DN15 6NL

Ref: CB/JMC/Planning committee 17 November 2021.docx

Date: 8 November 2021

Background papers used in the preparation of this report:

- 1. The applications including accompanying plans and ancillary correspondence.
- 2. Statutory and non-statutory consultation letters and responses.
- 3. Responses from parish and town councils.
- 4. Representations from other bodies or individuals.
- 5. Relevant planning policy documents.
- 6. Previous relevant planning decisions.

(Pursuant to section 100D of the Local Government Act 1972 any document containing 'exempt information' is excluded from this list.)

Statement of publication's purpose

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APPLICATION NO	PA/2021/1034
APPLICANT	A E and D M Swaby
DEVELOPMENT	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2017/392 dated 15/06/2018 for six four-bedroomed detached dwellings and integral garages
LOCATION	Land north of Thistle Downe, Scotter Road, Messingham, DN17 3QE
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant approval subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection from Messingham Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 127 states that 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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.

North Lincolnshire Core Strategy:

CS2 (Delivering More Sustainable Development)

CS5 (Design)

CS19 (Flood Risk)

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No objection subject to conditions regarding access provision and final design, and requiring a construction phase traffic management plan to be agreed prior to development.

Recycling: General informative advice provided on the requirements for waste management.

Drainage (Lead Local Flood Authority):

First response: Objects to this reserved matters application. The proposed layout makes no reference or provides no mitigation to safeguard the existing riparian watercourse located on the southern boundary, in very close proximity to plots 3 and 4. This was previously referenced in our correspondence for PA/2017/392. The applicant must consider diversion of this feature and into the new road network for the development.

Second Response: Following discussions, the LLFA Drainage Team are prepared to remove their objection. The developer should be aware of the drainage requirements to successfully discharge existing drainage conditions.

Humberside Police – Designing Out Crime: Concerns over the low-level fencing to the rear of plots 1–3 which back onto a road. Could result in increased risk of theft as the rear of these dwellings would be exposed and easily accessible.

Ecology: Ecological surveys and revised proposals are required in order to deliver biodiversity enhancements in accordance with the NPPF, policy CS17 and condition 8 of PA/2017/392.

PARISH COUNCIL

Objects to the application, noting that it does not address the following:

- *Surface water management* – concerns that there is no mitigation to address the present ineffective and overloaded system with regular presence of foul water in the currently overgrown and inadequately maintained open drain.
- *Foul water drainage system* – no proposals to address the increased pressure on the already overloaded system or to address the existing issues which are exacerbated during heavy rain, causing overflowing inspection covers and toilets on the adjacent development.
- On planning application PA/2017/392 Severn Trent stated the need to investigate the effectiveness of the current foul sewerage system and implementation of the resulting improvements. There is a lack of evidence to indicate that these conditions have been met.
- *Attenuation pond* – documentation submitted by the same applicant for planning application PA/2019/164 on adjacent plot included an attenuation pond but has not been referenced in this application.
- Concerns that the proposed development is not in keeping with the neighbouring street scene as three of the proposed properties back onto the A159.

PUBLICITY

Advertised by site and press notice. Three responses have been received objecting to the proposal raising the following concerns:

- effect of the development on the existing drainage network and the potential for flooding in the local area
- the current proposal has been amended substantially from that originally submitted
- the rear of dwellings facing the road could encourage crime
- lack of information – various reports
- lack of privacy to the rear gardens of the new dwellings
- the access is dangerous
- noise impacts from traffic on existing residents

- overshadowing and loss of light
- overlooking
- loss of outlook
- the access road could facilitate further future development
- loss of wildlife habitats on the site.

ASSESSMENT

Site description

The application site is part of an existing field, set between existing residential development formed of properties on Gelder Beck Road and Scotter Road. It fronts onto Scotter Road. The site lies within Zone 1 of the North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA) November 2011. It is mostly within the development limits of Messingham as per the Housing and Employment Land Allocations Development Plan Document, with the exception of a small section to the northwest corner. A ditch runs along the front boundary.

The application site has outline planning permission (as of June 2018) for six detached dwellings (PA/2017/392). PA/2019/164 granted outline planning permission for up to 25 dwellings on land to the west of the site.

Proposal

This reserved matters application seeks approval for the submitted details in relation to the outline permission referenced above. All matters are reserved and this application will therefore consider access, appearance, scale, layout and landscaping, along with any other relevant material considerations.

The proposed six dwellings are laid out in a linear fashion with two rows of three, all facing into the centre of the site. The rear of three of the dwellings will back on to Scotter Road. The dwellings are all of the same house type, featuring pitched roofs, single-storey front porches and rear lean-to elements. Each dwelling would have a built-in garage with living accommodation above, set down from the main ridge and behind the front elevation. The dwellings are shown to be constructed in red brick with clay tiling.

Post and rail fencing is proposed to the Scotter Road (east) boundary of the site, with timber fencing and brick walling elsewhere.

Each of the dwellings would have parking to the frontage accessed from a private shared drive in the centre of the site, which itself would connect to the adopted access road to the northern boundary, providing vehicle and pedestrian access to and from the highway.

The principle of six dwellings on this site has been deemed acceptable via outline planning permission PA/2017/392.

The main considerations in the determination of this reserved matters application are:

- **layout, scale and appearance;**
- **access;**
- **landscaping;**
- **drainage;**
- **residential amenity; and**
- **Ecology.**

Appearance, scale and layout

The NPPF attaches great importance to the design of the built environment. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policies H5 and DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and visual amenity. In respect of impact on character, policy DS1 states that the design and external appearance of a proposal should reflect or enhance the character, appearance and setting of the immediate area.

Layout

In terms of the visual impact of the proposed layout, the site has previously been identified as being large enough to accommodate six detached dwellings, as it has outline planning permission and is proposed here. The site layout provides access to the north with a driveway dividing the three western dwellings and three eastern dwellings, all of which are arranged in a broadly linear manner parallel to Scotter Road.

The layout as proposed would ensure that adequate separation distances would be achieved between the dwellings to avoid loss of amenity, and to neighbouring dwellings to the north and south – this matter will be further discussed later in this report. Furthermore, adequate private amenity areas would be ensured which are commensurate with the scale of the dwellings proposed, with rear gardens of an acceptable scale.

The layout of the site is designed with the rear elevations of Plots 1–3 facing Scotter Road. The building line of the street will be largely followed, with a set back of the buildings from the highway by over 10 metres. Whilst plots 1–3 would not front onto the road, the dwellings to the north at Gelder Beck Road are aligned perpendicular to the road, and the single dwellings to the south of the site vary in terms of appearance and scale. It is not considered that the proposed layout would break with any uniform layout along the street scene. The use of appropriate boundary treatment is proposed through the use of low impact post and rail fencing. Planting shall be secured to provide privacy and further reduce the visual impact.

Scale

The scale of the proposed two-storey dwellings is appropriate. The dwellings would not be excessively high or cover large footprints and would have a similar scale to the dwellings at Gelder Beck Road to the immediate north, as well as Thistle Down to the south. Plots 1–3 would sit slightly higher (less than 1 metre) at ground level than plots 4–6, which would limit the impact of the latter when viewed from the highway.

Appearance

Further to the above considerations regarding the visual impact of the layout and scale of the proposal, the overall design of the dwellings is considered. The use of red brick and clay tiling would tie the dwellings in well with those to the north and south, and would be appropriate for this semi-rural location, reflecting the local rural vernacular. Samples of materials are required by condition 5 of the outline permission, and this remains extant. The porch features and the set down design of the garage end of the dwellings would provide a degree of visual interest to the houses themselves and reduce the overall massing.

The proposed timber and post and rail fencing would be appropriate for the site, and the use of spacious front gardens and brick walling to the north bounding the access road would also be appropriate. Planting to the eastern boundary will reduce the overall visual impact of the development and provide a greater degree of visual interest to the street scene, softening the impact of the built development.

It is considered that the overall appearance of the site as proposed is appropriate to the street scene and character of the wider area and would ensure good quality design within the site. The proposal is of an appropriate density and scale for its location on the southern edge of Messingham. In this regard, the proposal accords with policies DS1 and H5 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

Highways, access and parking

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety. Both policies are considered relevant. Outline planning permission has been granted for this site, and the sustainability of the travel options to and from the site, or impact on existing highway capacity, is not a determining factor in the assessment of the reserved matters.

The application proposes direct access from Scotter Road to the east. An adopted road would run alongside the northern boundary of the site, with a private driveway running from north to south through the site and providing private driveways to garages on each plot. It is considered that the proposed layout plan shows adequate private parking for each of the six plots. A pedestrian footpath is proposed to link with the existing on the opposite (east) side of the main road.

The Highway authority has been consulted and has no objection to the proposal subject to the provision of adequate parking as shown, prior to occupation. As most of the recommended conditions are attached to the outline permission, it is not necessary to add them to the reserved matters approval. An additional condition relating to the retention of good visibility splays will be added, as will a detailed condition on the construction of the proposed private driveway.

Subject to the above, it is not considered that there are any issues in relation to access or parking.

Landscaping

The proposed layout drawing shows shrub planting to the east and west boundaries of the site, which would provide a degree of security, in addition to soft screening between the dwellings and the road to the east in particular. The planting of 13 trees throughout the site,

including along the external boundaries and along the shared driveway between the six plots, would provide a degree of visual interest and design benefit. The revised NPPF calls for the use of tree-lined streets and beauty in design. The use of trees, at a proportion of more than two per dwelling, would contribute towards the enhancement of the development.

Hedging to the southern boundary would be retained, which would provide screening between the existing dwellings and the new development. The use of timber fencing and walling throughout would provide privacy to the dwellings without harming the overall appearance of the area. The mix of post and rail fencing and planting to the boundary with Scotter Road and the existing drainage dyke would provide a low impact boundary treatment which would be appropriate for the site location on the edge of Messingham.

The use of lawned gardens to the frontages of the six plots in addition to brick paved driveways would provide a further degree of visual interest to the site and contribute positively to its overall appearance. Overall, the proposed landscaping, hard surfacing and boundary treatments would be acceptable.

Drainage

As with the outline stage, concern has been raised about the drainage system in the area. The LLFA Drainage team have been consulted on the proposals and whilst they initially objected, this objection was removed after clarification over the scope of the current reserved matters application and the retention of conditions on the outline permission. Condition 10 on the outline permission for this site requires details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway to be submitted to and approved in writing by the local planning authority. This condition remains in place and must be discharged prior to the commencement of development. Similarly, the drainage scheme and details for the whole site must be submitted and agreed prior to the occupation of any building on the site.

These conditions are in place to ensure adequate on-site drainage is in place prior to the dwellings being occupied, and to ensure that surface and foul water is appropriately managed. The reserved matters layout plan indicates that works in connection with the existing dyke are to be agreed with the local authority. The LLFA Drainage team have made clear that an appropriate method of drainage for the site must be agreed for the above conditions to be discharged, and the drainage scheme must ensure that existing dwellings are not adversely affected.

These conditions, as retained, would ensure that any risk of localised or surface flooding within the site or to immediate neighbours is mitigated, in accordance with policies CS19 of the Core Strategy and DS16 of the North Lincolnshire Local Plan.

Residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It 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.

The proposed dwellings would each be no closer than approximately 9 metres from any of the existing dwellings to the north or south (Thistle Down). Plots 1–3 would generally be in excess of 15 metres from plots 4–6. The new dwellings would not be positioned in such a

manner as to result in any unacceptable loss of sunlight or outlook to either new or existing dwellings. There would be a loss of view from the rear of the properties to the north, however this is not a material planning consideration and sufficiently open outlook would be retained across the proposed access road.

In terms of privacy and overlooking, the dwellings would have primary windows facing either into open land to the west (plots 4–6) or Scotter Road (plots 1–3). The respective front elevation windows on each of the proposed dwellings would be between 15 and 20 metres apart and would not result in unacceptable levels of overlooking. Planting to the eastern boundary of the site will ensure a good degree of privacy to the rear ground floor windows and rear gardens of plots 1–3. Given the layout of the site, there would be no direct views from any habitable room window into corresponding windows at Thistle Down or the Gelder Beck Road properties.

Concerns have been raised regarding the impact of noise from traffic using the access road on the rear gardens of the three dwellings adjoining it to the north. It is not considered, given the proposed 1.8 metre timber fencing and the scale of the current proposal (six dwellings), that there would be an unacceptable level of activity which would be over and above that expected from a housing development. The access road will be constructed from bound material which will limit any road noise; furthermore, vehicles are likely to be travelling at lower speed, given the nature of the road, compared to the busier Scotter Road to the east.

General noise from the dwellings is unlikely to exceed that present in the existing developments to the north, or levels which would be abnormal for an urban area, particularly given the relatively modest scale and density of the proposal.

It is not considered that there would be any unacceptable impact on residential amenity of neighbouring dwellings nearby, particularly those to the north and south. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan in this regard.

Ecology

The issue of ecology has been raised in letters of objection. The site at present is fairly nondescript open land and is not considered likely to provide a substantial wildlife habitat; also, some wildlife is likely to be present as with all undeveloped land of this nature. The loss of the grassed area is considered likely to be offset by the provision of trees and planting within the site. The cherry trees would attract pollinators and provide fruits for birds. The rowans (*Sorbus*) would also provide similar opportunities. Other planting proposed would provide biodiversity benefits to birds and insects.

Condition 8 of the outline permission, requiring ecological surveys etc, remains extant and must still be discharged. The current proposed landscaping is acceptable for its ecological and design benefit to the site; nevertheless, the developer should be aware that additional planting maybe required to provide adequate biodiversity net gain on the site at the discharge of condition stage.

Other matters

With regard to the lack of a number of surveys and reports as indicated in one objection, the case officer considers that sufficient information has been provided to make an accurate recommendation on this proposal.

The concern regarding the rear of plots 1–3 facing the road and the potential for increased crime are noted. As with any new development, adequate security provision is recommended. The police (Designing Out Crime team) have been consulted on the proposal and suggest improved security measures via screening and planting to the eastern boundary of the site with the main road. The application has since been amended to add thorny shrubs to the rear boundaries of plots 1–3 to deter intrusion and provide an additional degree of security.

Outline planning permission has been granted for up to 25 dwellings on the land to the west of the site (PA/2019/164). This would likely be served by the same access road as the current proposal site, as indicated on the submitted site layout plan. Nevertheless, no concerns have been raised by Highways in this regard, and only the current reserved matters application can be assessed at this stage. Any matters relating to further development to the west need to be addressed via future application where it will also be assessed on its own merits.

Conclusion

In summary, this reserved matters application is considered to be in accordance with relevant policy in relation to access, appearance, landscaping, layout and scale. Matters relating to drainage have been adequately addressed and the application is therefore recommended for approval subject to conditions.

RECOMMENDATION Grant approval subject to the following conditions:

1.

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.

2.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

which have been agreed in writing by the local planning authority. Once constructed the private driveway shall be retained.

Reason

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

3.

The planting shown on approved drawing 1360.03 shall be implemented prior to first occupation of the first dwelling on the site, and shall be retained thereafter unless otherwise agreed in writing by the local planning authority. Any tree or planting which becomes diseased, dies or is removed within the first five years of completion of the development shall be replaced with a similar species during the next available planting season.

Reason

In the interest of the ecology and appearance of the site in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans:

1360.03 Layout

1360.02 Proposed dwellings.

Reason

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

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.

AMENDED

DO NOT SCALE FROM THIS DRAWING

NOTES
In certain circumstances additional information regarding the details and construction of the proposed works may be required. This information should be provided by the client or the relevant authority. The client is responsible for ensuring that the proposed works are in accordance with the relevant planning and building regulations. The client is also responsible for ensuring that the proposed works are in accordance with the relevant health and safety regulations. The client is also responsible for ensuring that the proposed works are in accordance with the relevant environmental regulations.

NOTE - this drawing is to be used in conjunction with drawing reference 1685/001 prepared by Shore Surveys



Vehicular crossover to details to be agreed with the Local Authority

SCOTTER ROAD

Works in connection with existing dyke to be agreed with the Local Authority.

1500 Plans
4.02.20

4.27.20

Notes

- LANDSCAPING SCHEDULE**
- T01 - Sorbus 'Vilmorini' Vilmorin's Rowan Trees
 - T02 - Prunus 'Aristata' Flowering Cherry Tree
 - T03 - Prunus 'Ukon' Japanese Flowering Cherry Tree
 - T04 - Prunus 'Pendula' Flowering Cherry Tree
 - T05 - Sorbus 'Joseph Rock' Tree
 - Yellow Barked Mountain Ash

- SITE FRONTAGE PLANTING -**
- Berberis Stuepifolia
 - San Aquilinum 'Yinka Argentea'
 - Mahonia Media 'Winter Sun'
 - Pyracantha Orange Glow.

Proposed Site Layout

Proposed Housing Development
Land off Scotter Road, Wessingham
North Lincolnshire

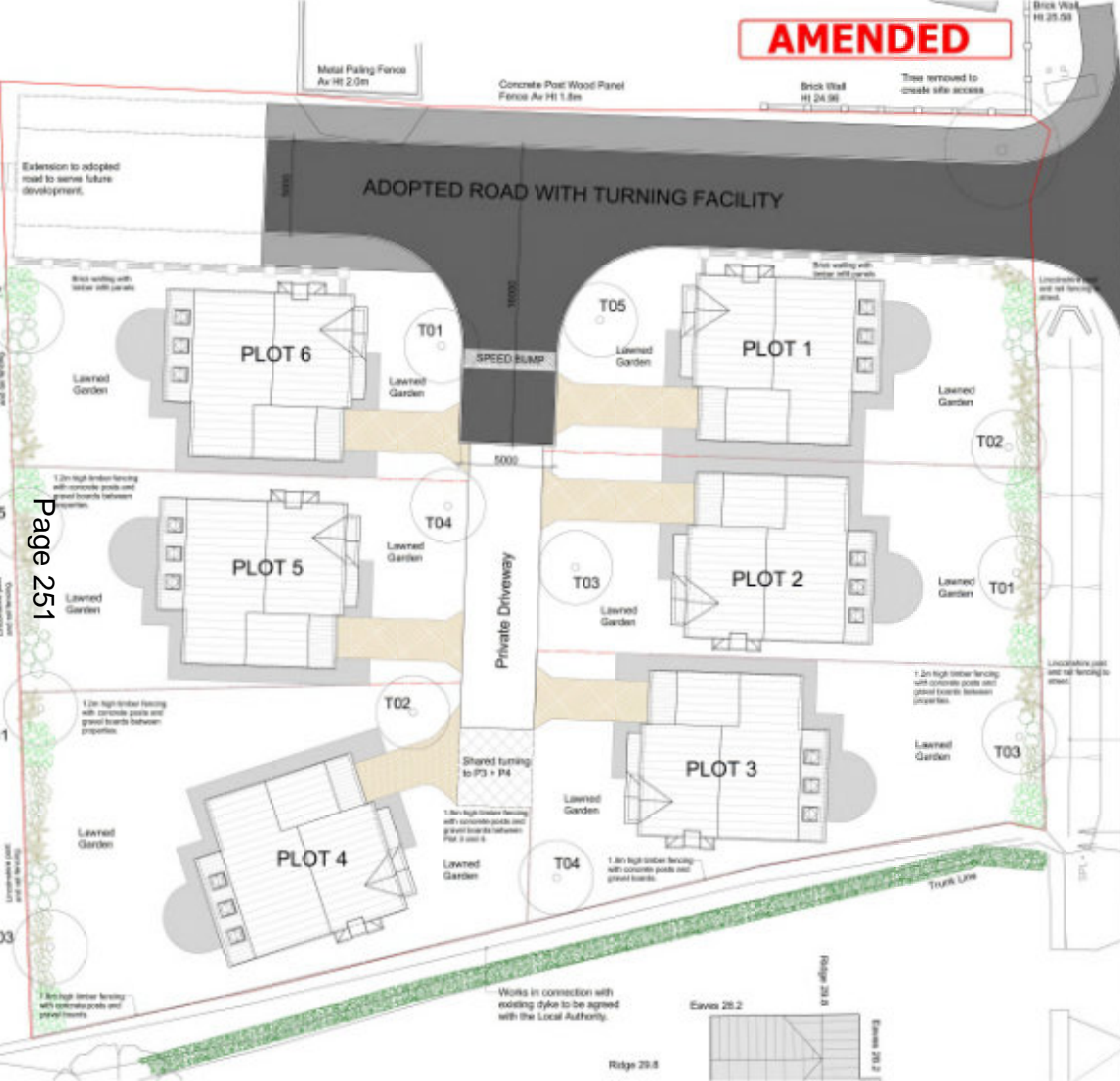
Drawn by
Mr. A.E. Swaby and Mr. D.M. Swaby

ADS Architectural Design Services (Scarborough) Ltd

1000 Plans
4.02.20

4.27.20

1360.03



Page 251

NOTES

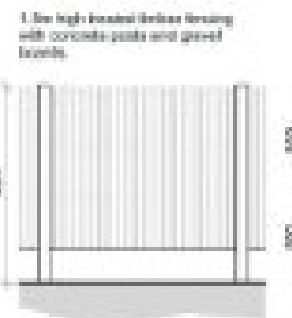
1. ALL WORKS SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

2. THE PROPOSED DWELLINGS SHALL BE BUILT TO A STANDARD WHICH WILL EXCEED THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

3. THE PROPOSED DWELLINGS SHALL BE BUILT TO A STANDARD WHICH WILL EXCEED THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

4. THE PROPOSED DWELLINGS SHALL BE BUILT TO A STANDARD WHICH WILL EXCEED THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.

5. THE PROPOSED DWELLINGS SHALL BE BUILT TO A STANDARD WHICH WILL EXCEED THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.



BOUNDARY FENCING and WALLING DETAILS



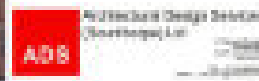
Floor Plans indicate Plots 1 and 4, Plots 2, 3, 5 and 6 handed



Proposed Dwellings

The Proposed Dwelling Development is located off Scotter Road, Messingham, North Lincolnshire.

Prepared by Mr. A.L. Emery and Mr. G.H. Emery



1980/02



PA 12017/392

DEVELOPMENT CONTROL SECTION

09 MAR 2017

DATE RECEIVED

Referred To

JEM MANAGEMENT SERVICES

45 Oswald Road
Scunthorpe
North Lincolnshire
DN15 7PN

client:
Mr A.E. & Mr D.M. Swaby
Land West of Scotter Road (A159), Messingham

project:
Proposed Residential Development

drawing title:
Proposed Block Plan

drawn by: NwP	date: 03.03.2017	scale: 1 / 500
drawing No: SW / 17 / 03	rev:	

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APPLICATION NO	PA/2021/1240
APPLICANT	Mrs Melanie Thompson
DEVELOPMENT	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/792 dated 06/08/2018 for six dwellings
LOCATION	Carr Lane, Redbourne, DN21 4QZ
PARISH	Redbourne
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant approval subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Objection by Redbourne Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 130 – 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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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.

North Lincolnshire Local Plan: DS1, DS7, DS11, RD2, H5, T2, T19, DS3

North Lincolnshire Core Strategy: CS5, CS17, CS18

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): Object to this reserved matters application. The outline application provided no surface water flood risk proposals and this application provides no details also. We cannot approve the layout without this information.

Archaeology: The proposal does not adversely affect any heritage assets of archaeological interest or their settings.

PARISH COUNCIL

The parish council has raised the following concerns regarding this application.

The level of detail on the application is insufficient to make a decision:

- There are no details of the make, type and colour of all external facing materials for the development – red brick is the only indication on the application form.
- There is no detail of the provision for disposal of surface water on the site.

Due to the proximity to the conservation area, the proposed buildings should be in keeping in terms of height, visual impact and landscaping.

There are concerns around the impact of additional traffic at an already busy junction.

It should be noted that although outline planning permission has been obtained, policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit for Redbourne. There are no allocated housing sites within Redbourne.

In addition, it should be noted that in recent months PA/2020/1363 and PA/2020/565 have been refused/dismissed at appeal in part on the grounds of the developments being outside the settlement boundary of Redbourne.

PUBLICITY

Advertised by site and press notices. Six objections have been received which express concerns in relation to character, amenity, flood risk and drainage, ecology, impact upon the historic environment and highway safety.

ASSESSMENT

Planning history

PA/1999/1438: Planning permission to erect seven detached houses and garages – refused 21/02/2000

PA/2001/0062: Outline planning permission to erect three dwellings (means of access not reserved for subsequent approval) – refused 27/04/2001

PA/2018/792: Outline planning permission for residential development with all matters reserved – approved 06/08/2018

Site constraints

Area of Amenity Importance

Close to Redbourne Conservation Area

Small Area of south- east corner in FZ 2/3a.

Site characteristics

The site is located to the north of Redbourne and is accessed from Carr Lane. It comprises grassland in the middle of residential form. To the west are dwellings fronting the High Street, to the east is St Andrew's Close, which is a cul-de-sac, and beyond Little Redbourne, whilst to the south are dwellings that front School Lane.

Redbourne conservation area is to the south of the site. Whilst some of the curtilage area of house 4 is washed over by flood zone 2/3a. The whole area is allocated as an area of amenity importance (LC11) in accordance with the local plan.

Proposal

The applicant has submitted information relating to all outstanding reserved matters pursuant to outline planning permission PA/2018/792. These matters relate to access, layout, scale, appearance and landscaping. The outline application was approved on 6 August 2018 and the reserved matters have been submitted within the three-year time frame (received in July 2021) as required by condition.

The principle of residential development has already been established through the outline permission when 'residential development' was approved. No numbers of dwellings were agreed nor indicative plans submitted as part of the outline application.

The relevant assessment of this application, therefore, is whether or not matters relating to access, layout, scale, appearance and landscaping are appropriate for this site.

Scale, layout and appearance

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here 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 of the local plan, which is concerned with new housing development, is also considered relevant (although parts ‘i’ and ‘ii’ are superseded by CS1, the remainder of the policy is intact).

Policy HE2 is concerned with development in conservation areas it states, ‘...all development proposals in, or which affect the setting of, conservation areas should preserve or enhance the character and appearance of the area and its setting.’

Paragraph 130 of the NPPF states, ‘...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;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, 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.

In support of this proposal the applicant has submitted the following documents:

- Heritage Statement
- Planning Statement
- Plans and elevations.

The area along Carr Lane is characterised by pairs of red brick semi-detached dwellings with plain concrete tiles, side drives, and front and rear curtilage areas. To the east St Andrew’s Close is a cul-de-sac with a series of bungalows made up of brown facing brick and interlocking concrete roof tiles. The housing mix broadens along the High Street where

there are a mix of bungalows and larger two-storey detached dwellings. For the most part a mix of facing brick and tile inform this area.

The layout of the scheme is reflective of the cul-de-sac St Andrew's Close and all dwellings present into the street. Policy CS7 sets out density requirements but caveats that site constraints should dictate; this scheme on plan responds well to the site area. Sufficient separation distances are created, and proportionate private amenity areas provided.

The land slopes from west to east and the applicant has provided a topographical survey, though no information on finished floor levels is provided. The bungalow properties could be subject to an amount of overshadowing, the level of which is determined by the finished floor levels (FFLs) of the proposed dwellings. On plan form, should the dwellings be set at a similar level to those already existing in the area, then the impact would be at an acceptable level given the separation distance. It is therefore considered that sufficient justification exists under this application to impose a condition that FFLs would be agreed prior to any above-ground works.

On the theme of residential amenity, whilst the position of the dwellings and their separation distance from all other dwellings mitigate unacceptable levels of overshadowing and overbearing impact, the position of openings is also sensitive. In terms of impact upon existing properties the separation distance from rear elevation to rear elevation is sufficient to ensure unacceptable levels of visual intrusion do not exist. Inwardly the scheme works well and whilst there are a series of side openings they are set against other dwellings with blank elevations.

In terms of appearance the dwellings are mostly of two-storey construction with chimneys and intersecting single and 1.5-storey form extending from the main body of the dwelling. This use of shape and a chopping up of massing results in the appearance of less built form and something that is typical of the open countryside. Whilst the form is appropriate, the detail on external materials is not. The applicant states that 'red brick' and 'concrete interlocking tiles' will dress the facades and roof and more information is required to give an understanding of the appearance of these dwellings. There is also a mix of cladding dotted about on some dwellings and no information has been provided in terms of the framing of openings or rainwater goods (which should always be black in such a location). Despite this, and as the built form is appropriate, a condition controlling all external materials would be attached should approval be granted. This information should include opening frames and rainwater goods, as well as facing brick and roof tile.

It is therefore considered that the proposal would fairly reflect the site constraints providing an interesting mix of architectural forms. However, the palette of materials is not presented in a sufficiently detailed way to understand if they are acceptable. Control of this will be retained through conditions.

Highways (access and road/footway layout)

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Both policies are considered relevant.

Highways have not objected and put forward a list of conditions to be attached to any approval. However, comparing these conditions to those put forward and attached as part of the outline permission, it is clear that all of the mitigation sought under this application

has already been applied at outline stage. It would be both unnecessary and unreasonable to reattach conditions at this stage.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Landscaping

Policy CS5 is in part concerned with landscaping. It states, ‘...Incorporate appropriate landscaping and planting which enhances biodiversity or geological features whilst contributing to the creation of a network of linked greenspaces across the area. Tree planting and landscaping schemes can also assist in minimising the impacts of carbon emissions upon the environment.’

Paragraph 131 of the NPPF states, ‘...Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.’

Paragraph 135 of the NPPF states, ‘...Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).’

Paragraph 174 (b) of the NPPF states that [decisions should contribute by] ‘... 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.’

Policy LC11 of the local plan is concerned with areas of amenity importance. It states, ‘...Within important amenity areas, development will only be permitted where it would not adversely affect their open character, visual amenity or wildlife value or compromise the gap between conflicting land uses. Where development is permitted, measures shall be taken to minimise their impact or, where necessary, make a positive contribution to such areas.’

The applicant has shown some planting, including hedging and trees. The hard landscaping relates to the road network and the driveways serving it. The mix of both hard and soft landscaping is considered appropriate. Rear gardens and block-paved drives would represent a suitable and in-keeping scheme and the mix of hedges and trees would work to soften the impact of the development.

One point of note is that the applicant proposes a 1.8m high boarded fence fronting the new road; this is poor design in that it creates a harsh interface in a countryside location as well as having implications upon natural surveillance. Therefore, in order to ensure the scheme is not let down by such instances, a condition controlling boundary treatments will be applied to any approval.

Other matters

The LLFA has objected stating that there is insufficient information in relation to surface water to assess whether the layout is appropriate. The thought process from the LLFA is correct and the drainage should be designed first, the layout after. However, just because the reserved matters are in front of the local planning authority before the drainage strategy is doesn't mean the applicant has not considered it and it has not informed the plans being assessed now. Condition 21 of the outline permission required a drainage scheme to be submitted to and agreed in writing with the local planning authority and this prevents any development from occurring. Should this layout be inappropriate and not allow for an acceptable surface water drainage strategy then the applicant will need to resubmit the scheme in order to suit. The risk is on the applicant at this stage and due to the strength of an already imposed drainage condition there is no planning reason to resist the development on drainage grounds.

RECOMMENDATION **Grant approval subject to the following conditions:**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Layout 033471 02

Plot 1 033471 03

Plot 2 033471 04

Plot 3 033471 05

Plot 4 033471 06

Plot 5 033471 07

Plot 6 033471 08

Reason

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

2.

Prior to any above-ground works, a plan showing the finished floor levels of all dwellings shall be submitted to and agreed in writing with the local planning authority.

Reason

In the interest of amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

3.

Prior to any above-ground works, details of all external materials, including opening frames and rainwater goods, shall be submitted to and agreed in writing with the local planning authority. Only the agreed materials shall be used and retained thereafter.

Reason

In the interest of character and to accord with policy CS5 of the Core Strategy.

4.

Prior to any above-ground works, a scheme of boundary treatments shall be submitted to and agreed in writing with the local planning authority. Only the agreed scheme shall be implemented and retained thereafter.

Reason

In the interest of character and crime prevention, and to accord with policies CS5 of the Core Strategy and DS3 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.



Page 263



Development Boundary

PA/2021/1240

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North Lincolnshire Council

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

ADOPTION OF WORLABY PARISH NEIGHBOURHOOD PLAN

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Planning Committee that the Worlabby Parish Neighbourhood Plan meets the requirements of the Planning and Compulsory Purchase Act 2004 and should, therefore, be adopted by North Lincolnshire Council.
- 1.2 That Planning Committee recommends the Worlabby Parish Neighbourhood Plan for adoption by Council, in due course.

2. BACKGROUND INFORMATION

- 2.1 Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because a Neighbourhood Plan attains the same legal status as a local plan and other documents that form part of the statutory development plan once it has been approved at a referendum. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 The Worlabby Parish Neighbourhood Plan Final Plan (attached at Appendix 1) has been developed by a core of Working Group members led by the Parish Council. The local community was engaged throughout the process during a number of consultation events, questionnaires, surveys and Visioning Day. Following submission of the final Draft Neighbourhood Plan to North Lincolnshire Council it was advertised and published for a six week consultation and subsequently submitted for examination.
- 2.3 In his Report on the Neighbourhood Plan the Examiner states that the Plan and supporting material is the result of a great deal of work on the part of the local community led by the Working Group and the Parish Council. The Plan is a clear, concise, and professional document which will provide an effective guide to future development within the Parish. Worlabby is to be congratulated for the collaborative approach to

working with North Lincolnshire Council and the effective manner in which the local community has been encouraged to express its aspirations and concerns about the future of the village.

- 2.4 The Examiner made recommendations to modify policies and text to ensure the Plan meets legal requirements. He concluded that, once modified, the Plan should proceed to referendum. The Plan was duly modified and taken to referendum where local people were asked to vote on whether they agreed with the following statement: "Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?". The referendum met the requirements of the Localism Act 2011.
- 2.5 At the referendum more than 50 per cent of those who voted were in favour of the Plan being used by the Council to decide planning applications in the Plan area. As such, and in accordance with the Planning and Compulsory Purchase Act 2004, the Council must 'make' (formally adopt) the Neighbourhood Plan.
- 2.6 Although a Neighbourhood Plan comes into force as part of the statutory development plan once it has been approved at referendum, an Order must be made by the local authority before it has effect. However, Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post examination draft Neighbourhood Plan, so far as material to a planning application.
- 2.7 North Lincolnshire Council has produced 'Worlaby Parish Neighbourhood Plan Final Decision Statement' This document (attached at Appendix 2) explains the Neighbourhood Plan process for Worlaby Parish and the decision and reasoning behind the recommendation for the Plan to be adopted by North Lincolnshire Council.

3. OPTIONS FOR CONSIDERATION

- 3.1 **Option 1** – Planning Committee recommends the Worlaby Parish Neighbourhood Plan for adoption by Council in due course, in line with the Final Decision Statement.
- 3.2 **Option 2** – Planning Committee does not recommend the Worlaby Parish Neighbourhood Plan for adoption by Council in due course, in line with the Final Decision Statement.
- 3.3 In any case, as the Neighbourhood Plan has been through examination and was approved at referendum it is a material consideration when planning applications in Worlaby Parish are considered by the Council.

4. ANALYSIS OF OPTIONS

- 4.1 **Option 1** would ensure that the Council would meet its duties under the Localism Act and the Planning and Compulsory Purchase Act 2004 which states that the Council must make a Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.
- 4.2 **Option 2** would mean that the Council would not meet its duties under the Localism Act and the Planning and Compulsory Purchase Act 2004 to make a Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS, etc.)

- 5.1 The Council can submit bids to central Government for funding assistance. This is intended to cover its costs in terms of some aspects of neighbourhood planning including providing advice and assistance to local communities. Local planning authorities can claim £20,000 once they have set a date for a referendum following a successful examination.
- 5.2 The 201822 Neighbourhood Planning Support Programme aims to continue delivering support to communities who are interested in creating a Neighbourhood Plan. Financial assistance is available to all groups in the form of a basic grant of up to £10,000 to help them with their costs. In addition, groups in certain priority areas are eligible to apply for a further £8,000 grant funding and technical support packages.
- 5.3 Officers in Legal and Democratic Services organised and administered the referendum that determined whether the Worlaby Parish Neighbourhood Plan should form part of the development plan.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK, etc.)

- 6.1 A Strategic Environmental Assessment (SEA) Scoping Report was prepared by North Lincolnshire Council. An SEA was required under European legislation for all plans that could have a significant effect on the environment. The Report concludes that none of the policies in the Plan would have a negative impact on the Parish. The most common outcome of the assessment is that the Plan would have a strongly positive impact on the Parish.
- 6.2 Through consultation, engagement and involvement neighbourhood planning offers all sections of the community the chance to shape how their area grows and develops in the future. The council has a duty to assist communities who wish to embark on a Neighbourhood Plan, and duly supported the Worlaby Parish community throughout the process.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment has been completed and no issues of concern are apparent.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The Neighbourhood Plan was published for both informal and formal periods of consultation. All representations were considered and helped to shape the Plan, where appropriate.

8.2 The Place Planning and Housing team actively supported Worlaby Parish Council and members of the local community throughout the neighbourhood planning process as part of the Council's duty to support local communities as they develop a Neighbourhood Plan. This involved guiding, assisting, and participating in meetings, consultation events, questionnaires, surveys, and the Visioning Day.

9. RECOMMENDATIONS

9.1 That Planning Committee notes the contents of this report.

9.2 That Planning Committee recommends Worlaby Parish Neighbourhood Plan for adoption by Council, in due course.

DIRECTOR OF BUSINESS DEVELOPMENT

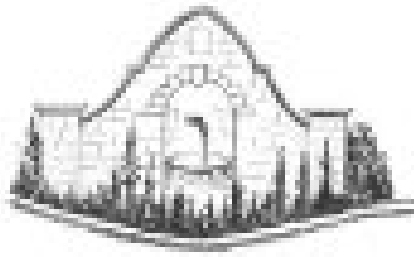
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Author: Dave Lofts
Date: 5 November 2021

Background Papers used in the preparation of this report

- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- Localism Act 2011

- The Neighbourhood Planning (General) Regulations 2012 (Amended)
- Statutory Instrument 2016 No. 873- The Neighbourhood Planning (General) (Amendment) Regulations 2016
- Neighbourhood Planning Act 2017
- Examiner Report on Worlabby Parish Neighbourhood Plan 2016-2038
- Worlabby Parish Neighbourhood Plan 2016-38 Final Plan
- Worlabby Parish Neighbourhood Plan Final Decision Statement



Worlaby Parish Neighbourhood Plan 2016-2038

Final Plan



September 2021

Worlaby Parish Neighbourhood Plan 2016-2038

Final Plan September 2021

Contents

Foreword		3	
1. Introduction and Background		5	
2. The Local Area		7	
3. Planning Policy Context		12	
4. Community Views on Planning Issues		15	
5. Vision and Objectives		18	
6. Policies		20	
	WNP1	A Spatial Plan for the Parish	22
	WNP2	Small Scale Housing Sites	23
	WNP3	Larger Housing Sites	25
	WNP4	Design	27
	WNP5	Green Infrastructure	32
	WNP6	Local Employment	33
	WNP7	Communications Infrastructure	34
	WNP8	Landscapes and Gateways	35
7. Monitoring & Implementation		37	
8. Appendices			
	Appendix A	Policies Map	39
	Appendix B	Local Green Space	40
	Appendix C	Heritage Assets	41
	Appendix D	Local Building Styles	42
	Appendix E	Census Data	44
	Appendix F	Evidence Base	46
	Appendix G	Abbreviations & Glossary	47

Foreword

From the Worlaby Parish Neighbourhood Plan Working Group

Dear Residents,

The purpose of a Neighbourhood Plan is to improve the planning process by making the Planning Authority aware of local people's views on the future of their area.

Neighbourhood Plans were introduced in the Localism Act 2011. Prior to this the Local Planning Authority, in our case North Lincolnshire Council, would make decisions based on national and local policy guidance. Now we are able to add details of our community and our area to the planning process to influence planning decisions.

A Neighbourhood Plan provides information on land use in the plan area. Land use may include housing and other development but can also include recreation, amenity, community use, access to the countryside, environmental protection, business and others.

Matters that do not involve land use such as litter and anti-social behaviour can be considered by the Parish Council but cannot be included in the main part of a Neighbourhood Plan.

We have publicised the plan as it developed and consulted local residents on their views as to how the area might develop in the future. The Neighbourhood Plan is based on evidence of community views.

Our first questionnaire was distributed in July 2015 and the results showed that residents valued green open space, access to countryside and the good community spirit found in the village. A shop/café or other meeting place was the most desired addition.

These views were confirmed and expanded by surveys and consultations in 2015, 2016 and 2017, including a memorable evening in 2016 when a survey was combined with a wine appreciation session (the survey was completed first). In 2017 a 21-page questionnaire delivered to all households was completed by over 50% of recipients. Further feedback was obtained at a presentation of the Plan in the village hall in December 2019.

The formal consultation required under regulation 14 took place between 8 March and 19 April 2020. A full colour A2 folded leaflet was distributed to all premises and open days held in village hall on 15 and 16 March. Due to the impact of Covid 19 the period for comments to be received by email or post was extended to 19 May.

The results showed a clear desire to protect the rural nature of Worlaby and control development to a level that provides for the needs of the Parish without intruding on the environment and tranquil nature of the village.

Our consultations indicated that residents support new housing where a need is shown for smaller houses and support for rural business opportunities where this can be accommodated without undermining the quality of life for local people.

Policies in the Neighbourhood Plan encourage planning applications to meet the needs of the local community. Policies comply with current planning guidance and are clearly written so they can be easily applied when considering planning applications.

This is the Submission version of the Plan. North Lincolnshire Council will arrange a further consultation before the contents of this Plan are considered by an Independent Examiner to determine if it can be put to a referendum of local residents and stakeholders.

Provided at least 50% of those voting in the referendum are in favour of the Plan, North Lincolnshire Council will adopt it as part of the North Lincolnshire Local Plan. Our Neighbourhood Plan must then be considered whenever a planning application for Worlaby is considered.

In May 2020 the Government amended the rules covering referendums in light of the coronavirus situation. As a result, a referendum will not now take place before May 2021. However, provided the Neighbourhood Plan passes examination it can immediately be considered when planning proposals are considered within Worlaby Parish.

This Plan contains links to documents on the internet. If required, they can be viewed and download directly from the Parish Council website www.worlabyparishcouncil.gov.uk without using the links. Copies of the Submission Plan, consultation response forms and other relevant documents be obtained from the Parish Council website and copies are available from the Parish Council clerk on 07842 201877.

Many people have spent time and energy to bring the Neighbourhood Plan to this point, not least residents who have responded to our surveys, attended our consultations and helped with events. We are also grateful to North Lincolnshire Council for their support throughout the process, in particular for the advice and encouragement given by Dave Lofts.

This is your plan. It will influence planners when considering development in the parish, but it is not a plan just for planners; it is a plan for Worlaby, its people and its future.

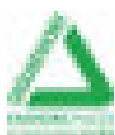
Worlaby Parish Neighbourhood Plan Working Group

Peter Jones (Chair)

Christine Fletcher

Don Barker

Stewart Davidson

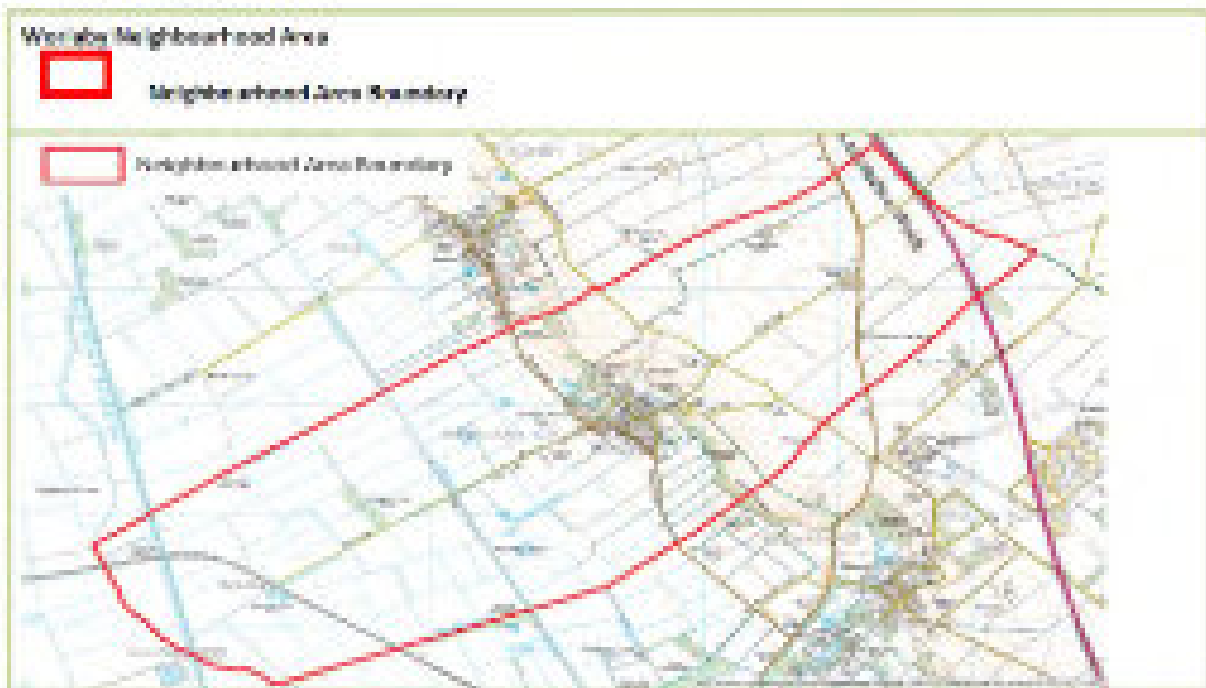


Funding for the production of this plan has been received from Department of Communities and Local Government through Groundworks resulting in no cost to residents of the community.

1. Introduction and Background

The Designated Neighbourhood Area

- 1.1 The area to be covered by the Worlaby Parish Neighbourhood Plan, the Neighbourhood Area, was officially designated by North Lincolnshire Council (NLC) on 4th August 2014. The boundary of the Neighbourhood Area coincides with the parish boundary. A map of the Neighbourhood Area is shown in Plan 1 below.



Plan 1: The Designated Worlaby Parish Neighbourhood Area

The Neighbourhood Plan

- 1.2 The purpose of the Worlaby Parish Neighbourhood Plan (WPNP) is to make planning policies that can be used in determining planning applications in the area, alongside other relevant policies in the North Lincolnshire 'development plan'. Currently, the development plan incorporates the 'saved policies' carried over from the LPA's adopted Local Plan, the Core Strategy and Housing and Employment Land Allocations Development Plan Documents (DPDs) and the Lincolnshire Lakes Area Action Plan. North Lincolnshire Council is preparing a new Local Plan which, once adopted, will form the 'development plan' alongside the WPNP. The aim of the WPNP policies is to protect the special character of the Parish and encourage development proposals that benefit the local community.
- 1.3 Neighbourhood Plans provide local communities with the chance to shape the future development of their area. If successful at referendum, a Neighbourhood Plan comes into force as part of the Local Plan for the area and must be considered alongside the development plan. Local planning authorities and planning inspectors considering planning applications or appeals must make their decisions in accordance with the policies of the development plan, unless material considerations indicate otherwise.
- 1.4 This means that Neighbourhood Plans may contain only planning policies that can be included in the Local Development Plan. Consequently, there are many issues of concern to the local

community that cannot be addressed in a Neighbourhood Plan but can be dealt with by the Parish Council working closely with the Local Authority.

1.5 Although there is considerable scope for the local community to decide on its planning policies, a Neighbourhood Plan must meet some basic conditions. It must:

- be consistent with national planning policy.
- promote the principles of sustainable development.
- be consistent with local planning policy.
- be compatible with EU obligations.

In addition the Parish Council must be able to show that it has properly consulted local people and other relevant organisations during the process of making the Neighbourhood Plan, that it has followed the Neighbourhood Planning Regulations, and that the policies in the Plan are evidence based.

1.6 These requirements will be tested by an independent examiner once the Neighbourhood Plan is finalised. If satisfied, the examiner will recommend that the plan goes to a referendum of the local electorate. If a majority of the votes cast support the Plan, then it becomes part of the formal planning policy for the area.

Preparation of the Plan

1.7 The plan preparation process has been carried out by the Neighbourhood Plan Working Group overseen by Worlabby Parish Council, as the 'relevant body' under the Regulations.

1.8 The following documents are included in submissions to North Lincolnshire Council under regulation 15 of the Neighbourhood Planning Regulations 2012. They are available for download from the Neighbourhood Plan link on the parish Council website:
www.worlabbyparishcouncil.gov.uk :

- Pre-Submission Plan – the draft version of the Plan of March 2020 including the vision, objectives, land use policies and implementation proposals
- Consultation Statement summarising the evidence on which the Plan is based
- Submission Plan – this final version of the Plan which takes into account the representations received during the public consultation period and has been amended as necessary
- Basic Conditions Statement – setting out how the conditions set out in paragraph 1.5 above have been met
- Strategic Environmental Assessment (SEA) - required under European legislation for all plans that may have a significant effect on the environment.

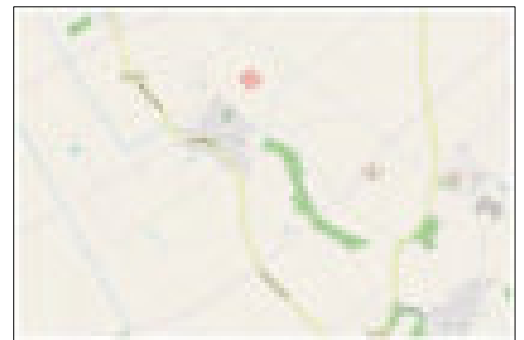
1.9 WPC requested a screening from NLC to determine the need for a Strategic Environment Assessment (SEA) under the EU directives 42/2001 and the 2004 Environmental Assessment of Plans and Programmes Regulations. The screening concluded that, although the Neighbourhood Plan did not intend to allocate land for housing, the contents of the Plan were likely to lead to significant environmental effects and therefore an SEA was required. The SEA was produced by NLC in May 2020 and concluded that the benefits of implementing the policies within the plan will far outweigh the effect of not having a neighbourhood plan for Worlabby Parish.

The Next Steps

- 1.10 This final version of the Plan has been submitted to North Lincolnshire Council, who will check that it has followed the proper legal process. The local authority is then responsible for publicising the plan, arranging for the independent examination and arranging for the referendum to take place. The publicity gives people another opportunity to make representations that will be passed to the independent examiner.

2. The Local Area

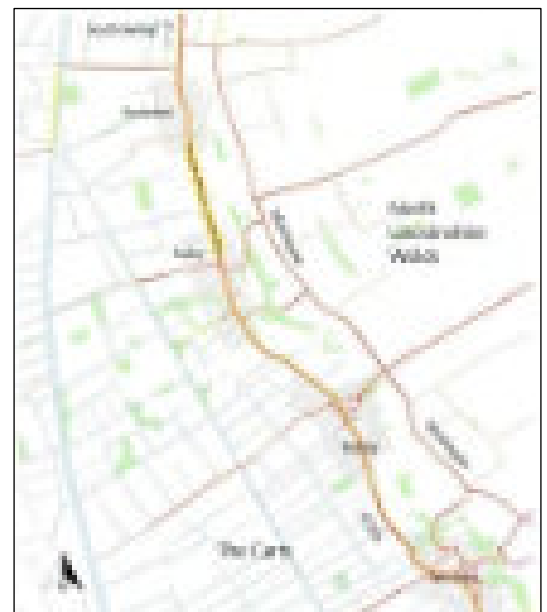
- 2.1 The Parish of Worlaby is located in the eastern portion of North Lincolnshire District. The parish covers an area of some 1354 hectares (3346 acres) consisting of the flat, artificially drained carr land of the Ancholme Valley to the west and upland chalk hills of the Lincolnshire Wolds rising to a height of 92m to the east.
- 2.2 There is the site of a Roman villa on the hillside above the church, and close to it is the site of an early Anglo-Saxon cemetery with twelve cremations and one burial.*
- 2.3 The village of Worlaby developed on a slightly rising strip of land between the reedswamp in the Ancholme Valley and the foot of the steep scarp slope of the Wolds where natural springs provided a reliable source of water and the valley and the higher pasture were plentiful sources of food.
- 2.4 The line of the B1204 follows the edge of the historic reedswamp and connects five similar villages that also lie at the foot of the scarp slope of the Wolds. Worlaby is the southernmost of these villages which are collectively known as the 'Low Villages'.
- 2.5 A pre-Roman ridgeway, known by its Viking name of Middlegate, runs along the top of the Wolds scarp and is connected by steep, narrow roads to each of the villages. Today this is a narrow metalled road with little traffic used by walkers, cyclists and horse riders. The wide views and ease of access make it a valuable recreational resource in the area.



Location of the Roman Villa Site NE of Worlaby Church
(Historic England List Entry Number: 1005233)



Middlegate Lane, Worlaby, North Lincolnshire



Plan 2: The Low Villages along the Wolds scarp

** The Pre-Burial Origins of Anglo-Saxon Cremation Urns - Gareth John Perry, University of Sheffield, March 2013. Accessed June 2020

2.6 The Parish is sparsely populated having a population of just 547 (0.4 people per ha) and 228 households (2011 census). A number of businesses are located in the Parish. However, these are based on farming or self-employment providing little by way of employment opportunities.

Worlaby Village

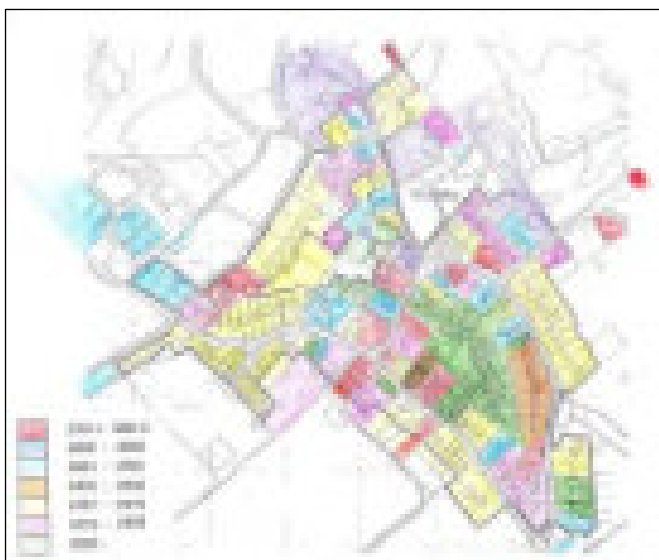
2.7 After many years of neglect, the Worlaby Estate was taken over by John Dugdale Astley of Elsham Estates in 1868. He rebuilt the church, erected the school and added a blacksmith's shop and pairs of cottages each with a smallholding, pigsty and cowshed. The fountain, still a landmark in Worlaby, was built with stone remaining from the church restoration. However, almost as soon as the new buildings were completed, changes in agriculture meant that there was insufficient income from the estate to maintain the investment and the village began to decline.

2.8 The Worlaby we see today grew from the run-down remains of a failed experiment by the economist John Maynard Keynes. Kings College Cambridge purchased the Elsham and Worlaby estates in 1925 only to sell them for a song in 1956. During this period nothing was done to improve the village so that when modern development began in 1960 the village still had the layout of a 19th century settlement with its widely spaced cottages and interconnecting tracks and paths.

2.9 These tracks and paths have largely been preserved and form the basis of a highly walkable network of roads, public footpaths and tracks which add significantly to the strength of the community. Maintaining walkability through and beyond the village is very important to the continued health of the community and is central to this Plan.

2.10 The population of Worlaby has risen consistently between 1961 and 2011 from 295 to 547 but it has yet to reach its maximum level of 582 seen in 1881. Census data from 1801 to 2011 is shown in Appendix E.

2.11 This growth has been accommodated by infill development. The prevalence of cottages with attached smallholdings and older buildings that could be renovated allowed local builders and self-builders to meet the demand for housing without going beyond the original village envelope. Attempts to introduce larger developments in the 1980s consistently failed.



2.12 Historically, the wide availability of infill sites in Worlaby has resulted in a patchwork of mixed house types, prices, tenure and style. Approximately 50% of houses were built before 1900 and 45% after 1956 (12 council houses were built 1937-1947).

Plan 3: Distribution of houses by age

Community

- 2.13 Two generations ago Worlaby hosted barn dances, arranged flower festivals, organised open days, held machinery exhibitions and boasted the best football pitch in the area and (almost) the best football team. Competition between villages was fierce and whole populations were involved. Residents who recall these days do so with nostalgia.
- 2.14 The demise of the Worlaby Estate in the 1960s saw the decline of most of these activities which had been organised by the estate managers and the shared heritage on which they were based was diluted by an influx of residents with differing backgrounds and social aspirations.
- 2.15 Since then the community has rediscovered its roots and, led by the Parish Council, now organises social clubs, musical events, keep fit sessions, a range of evening classes in the new village hall opened in 2010. The hall attracts outside organisations and is a venue for wedding receptions and children's parties. A Christmas Fair, a Family Fun Day in August and a May Day celebration have become annual events. In July the village hosts a nationally recognised 'downhill' event organised by Applehead Gravity Sports.
- 2.16 In 2016 a secure children's play area and a multi-use games area for football, basketball and tennis was opened on the recreation ground. Outdoor gym equipment was added in 2018.
- 2.17 There are several areas of open land with public access close to the village, but perhaps the most significant resource is the surrounding countryside itself with safe, easy access, wide views and a choice of circular walking routes leading back to the village. Many of these routes are also used by cyclists and horse riders.



Worlaby May Day celebration 2017

- 2.18 Worlaby has limited community facilities. The Parish Church, which has facilities such as a drop-in and support centre, is on the Lincolnshire Heritage Trail and the large village hall is set on a 4 acre recreation ground which is well used. A shop in the adjacent village of Bonby 1.5 miles away is easily reached on foot or by cycle on a newly constructed pavement.

Natural Environment

- 2.19 The variety of habitats available across the Parish includes wetland, farmland, wooded slopes, drier open chalk upland and large, isolated copses. Deer, badger and fox are commonly sighted; woodpeckers can be heard in the woodland; the hedgerows along the quiet lanes support large flocks of resident and migrant birds; the higher open fields are a feeding ground for a large population of geese in the winter. The slow flowing River Ancholme and the many drainage dykes that criss-cross the carr land form an important habitat for ground nesting and water birds and small mammals that attract owl, kestrel and an expanding population of buzzard.
- 2.20 A disused chalk quarry, 'The Hollows', at the edge of the village has been managed as calcareous grassland to Local Wildlife Site standard and an adjoining area, the Woodland Glade, has been upgraded as managed woodland by the Parish Council. Both have public access and together connect the village to the higher ground.

Tourism

- 2.21 The Wolds, which form the highest point in North Lincolnshire, are widely visible from the west. For walkers and cyclists, as well as horse riders, the Wolds offer excellent routes with challenging gradients, good views and quiet roads, rarely available elsewhere. Being situated at the southernmost end of this section of the Wolds makes Worlaby a natural gateway to the area. There is significant potential for tourist related businesses.
- 2.22 North Lincolnshire Council has almost completed the 'Ancholme Way', an 8 mile cycle/walkway running south-north along the bank of the Ancholme River between Brigg and South Ferriby. This will parallel the B1204 and Middlegate creating a network of circular and linear routes along the valley that will doubtless attract more people to visit the Low Villages.

Transport

- 2.23 Worlaby is not well connected to major destinations nationally. At first sight this might not appear so; the village is 4 miles from the main line railway station in Barnetby, 6 miles from the regional airport at Kirmington and 8 miles from the bus and rail interchange in Barton. These are not large distances, but public transport is very limited and is not timed to provide an effective connection to any of these destinations. By contrast connection to the motorway network is a mere 3 miles away for those wishing to travel by car.
- 2.24 The local centre is Brigg some 5 miles away where there is a full range of retail and other services. There is a limited bus service and the vast majority of journeys are by car since car ownership is a necessity for other journeys. There is no direct bus service to Scunthorpe.
- 2.25 A demand-responsive bus service, Call Connect, is provided by North Lincolnshire Council in cooperation with Lincolnshire County Council. This is a fully flexible pre-booked service targeted on those with limited mobility covering any destination in the area.
- 2.26 The prevalence of car ownership leads to significant congestion and parking issues within the village and forms one aspect of some residents' objections to further housing development. The advent of electric vehicles, whilst not resolving any of these issues, is nevertheless welcomed on environmental grounds.

3. Planning Policy Context






- 3.1 The Parish lies within the unitary authority of North Lincolnshire Council (NLC). Until 1996 the Parish was part of Glanford Borough Council in the County of Humberside.
- 3.2 The National Planning Policy Framework (NPPF) published by the Government in July 2021 guides the preparation of development plans and Neighbourhood Plans. The Worlaby Parish Neighbourhood Plan has been produced to be consistent with the provisions of the NPPF. The following paragraphs of the NPPF are considered especially relevant:
- Achieving sustainable development (paragraph 8)
 - Identifying land for homes (paragraphs 69,70)
 - Supporting a prosperous rural economy (paragraphs 84,85)
 - Achieving well-designed places (paragraphs 127,129,130)
 - Promoting healthy and safe communities (paragraphs 92,100)
 - Designating Local Green Spaces (paragraphs 101,102)
 - Promoting sustainable transport (paragraphs 104,107)
 - Planning for climate change (paragraph 154)
 - Conserving and enhancing the natural environment (paragraph 174)
 - Conserving and enhancing the historic environment (paragraph 197,203)
- 3.3 Government Planning Policy Guidance (PPG) revised in May 2019 is used to address the issue of monitoring and amendment of the Neighbourhood Plan.
- 3.4 The North Lincolnshire development plan includes strategic policies that help to shape the future of the area. The Neighbourhood Plan must be in general conformity with the strategic policies of the development plan as required by the 2012 Neighbourhood Planning Regulations.

The North Lincolnshire Development Plan includes:

- North Lincolnshire Local Plan (2003) saved policies 2007
 - Core Strategy Development Plan Document 2011
 - Housing and Employment Land Allocations Development Plan Document 2016
- 3.5 The Core Strategy of the North Lincolnshire Local Development Framework was adopted in June 2011. It sets out the long-term vision for North Lincolnshire and provides a blueprint for managing growth and development in the area up to 2026.
- 3.6 The policies below are considered the most relevant to this Plan:
- Policy CS1 – Spatial Strategy for North Lincolnshire
 - Policy CS2 – Delivering more Sustainable Development
 - Policy CS3 – Development Limits
 - Policy CS5 – Delivering Quality Design in North Lincolnshire
 - Policy CS6 – Historic Environment
 - Policy CS8 – Spatial Distribution of Housing Sites
 - Policy CS9 – Affordable Housing
 - Policy CS15 – Culture and Tourism
 - Policy CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape
 - Policy CS17 – Biodiversity

- 3.7 Plan 4 shows the development limit as set by Core Strategy Policy CS3 and depicted in the Housing and Employment Land Allocations DPD 2016. The nature of the development boundary severely restricts the allocation of sites. Nevertheless, infill development is a regular occurrence and the availability of land close to the development boundary makes windfall sites a possibility. Development limits referred to in this Plan relate to those shown in Plan 4.
- 3.8 Plan 5 below shows the proposed development limit for the village in the emerging North Lincolnshire Council Local Plan. Once agreed (formally adopted), it will replace the current North Lincolnshire Local Plan, the Core Strategy and Housing and Employment Land Allocations Development Plan Documents (DPDs), and the Lincolnshire Lakes Area Action Plan.
- 3.9 The emerging Local Plan for North Lincolnshire will set out planning strategy for the years up to 2038. Accordingly this Neighbourhood Plan has adopted the same time frame. The current Core Strategy was finalised before Neighbourhood Plans were formally introduced in 2011 and, therefore, does not reference them. Any reference to Neighbourhood Plans in the emerging Local Plan will need to be taken into consideration.
- 3.10 The Core Strategy classifies Worlaby as a ‘Rural Settlement’ (para 5.47) where development *“will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility...”* (Policy CS1(c)). The emerging Local Plan classifies Worlaby as a ‘Smaller Rural Settlement’ which will ‘accommodate small-scale development of a limited nature, within their defined settlement developments, that supports their vitality and viability.’ All development should ‘give due consideration to the availability and capacity of infrastructure to support its growth.’ Small sites will have a role to play.
- 3.11 The emerging Local Plan has completed regulation 18 Preferred Options. No new housing allocations are proposed for Worlaby.



KEY	
	Development Limit
	Site of Importance for Nature Conservation
	Area of Amenity Importance
	Playing Field
	Listed Building

Plan 4: Inset map for Worlaby – North Lincolnshire Housing and Employment Land Allocations DPD 2016

- 3.12 The proposed development limit in the Preferred Options version of the emerging North Lincolnshire Local Plan is shown in Plan 5 below. Draft Policy SS2: Spatial Strategy for North

Lincolnshire in the emerging Local Plan seeks to deliver a more balanced approach to the location of new development in North Lincolnshire.



Plan 5: Inset map for Worlaby – North Lincolnshire Local Plan, Preferred Options 2020

- 3.13 NPPF Paragraph 64 states that provision of affordable housing should not be sought for residential sites that are not major developments, which means that contributions can only be sought on sites for 10+ dwellings. In Worlaby, opportunities for such developments within the settlement are very limited whilst there is significant potential for exceptional development close to or adjoining the development boundary.
- 3.14 The Worlaby Parish Neighbourhood Plan has been drawn up with full regard to the need to support the economic, social and environmental health of the community, the settlement and the surrounding area in line with NPPF paragraph 8 and the requirements of NLC policy CS2.

4. Community Views on Planning Issues

- 4.1 During the period 2012 to 2015, a co-ordinating group, the Low Villages Forum (LVF), looked at the options for Neighbourhood Plans across the Low Villages. The LVF arranged for each parish to have individual Neighbourhood Areas registered in 2014 and agreed a publicity programme to launch them in the summer of 2015.
- 4.2 On 18 May 2015 Worlaby Parish Council set up a Working Group (NPWG) to look into the development of a Neighbourhood Plan. The NPWG first met on 27 May when it was agreed to begin the process of consulting residents not only on their views but also to assess the level of support for a Neighbourhood Plan.

- 4.3 **Initial Questionnaire:** To coincide with an article on the front page of the local Low Villages Newsletter in July 2015 (shown right), the NPWG issued a simple questionnaire to all households, backed by posters, with a promotional stand at the annual Family Fun Day in early August. The intention at this stage was as much to spread the word as to elicit opinions. Whilst few, if any, residents appeared to be aware of what a Neighbourhood Plan involved, nevertheless there was considerable interest in what it could do. 34 responses (7% of households) were received. The results of this questionnaire were confirmed by every subsequent consultation.



Full results can be found here [Questionnaire July 2015](#)

- 4.4 **Community Profile :** The North Lincolnshire Local Plan requires few, if any, houses to be built in Worlaby. Consequently, housing was not a major factor in most residents' minds at this time. (A proposal to build on a site outside the development limit for the village was later to change this). As a result the NPWG concentrated on the community and the natural environment as those areas most valued by residents. Producing a Community Profile gave the NPWG an insight into how the village has developed in the past and what effect future changes might have on various important aspects of the community. An awareness of the history of the community proved helpful in communicating the role of the Neighbourhood Plan to residents.
- 4.5 **Parish Council Meetings:** To ensure good oversight NPWG meetings took place a few days before each Parish Council meeting allowing consistent reporting. Additional NPWG meetings were arranged as required.
- 4.6 **Action Plan:** In response to issues and priorities identified in the questionnaire and discussions with parish councillors and other residents, an Action Plan was drawn up to consider appropriate responses. These, in turn, were graded to identify which items were suitable for inclusion in a Neighbourhood Plan and how they may be actioned. This analysis was undertaken with the support of a representative from North Lincolnshire Council. A link to the Action Plan on the Parish Council website is here [Action Plan](#) .
- 4.7 **Step Back in Time' Event:** By this time it was clear that a Neighbourhood Plan would be possible and the Working Group decided to raise public awareness. Past residents who had left the village were invited to bring memorabilia to a public meeting in the Church in August 2016. Over 60 people attended including ex-residents from as far afield as Lancashire and Kent. This served to highlight the continuity of the community and to publicise the

Neighbourhood Plan. The outcome of the event underlined the strong links between the essentially unchanged physical environment of the village and the social life of the community. Residents born or brought up in Worlabby shared the same sense of community as newer residents and related to the village in the same way. The main change to the character of the village has been the sources of employment.

4.8 **Consultation Evening:** A further public consultation in November 2016 was held in the village hall in conjunction with a wine appreciation event aimed at the Christmas period. This took the form of question sheets completed by all who attended. Questions were designed to find out what residents would like to see in the future in areas identified by the Action Plan. Completed question sheets represented about 10% of the households in the parish. [Summary](#) and [Full Results](#) are available on the Parish Council website.



Consultation Evening, November 2016

4.9 **Key Findings of the Consultation Evening**

- Community buildings, smaller homes and smaller developments were preferred.
- The village is considered attractive and new development should not change this.
- The most important factors in the village environment are green spaces and trees.
- Public footpaths are central to the quality of life in the village.

4.10 **Policy Areas:** Based on the results of consultations done so far, four policy areas were proposed with suggested policy intentions for each. The four areas are: Settlement Character; The Village Environment; Access to the Countryside; Community and Commercial Facilities.

4.11 **Household Survey:** A 21 page survey was produced and distributed to all households in February 2017 with the aim of determining if residents supported the intended policy areas and to gain further detailed views on specific issues. A postage pre-paid envelope was included and a free prize draw held for returned forms. Over 50% were returned. Link to: [Summary of Results](#) ; [Full Results with Comments](#) .

4.12 **Visioning Day:** Several alternative versions of a Vision were considered with two being adopted, one long version and one shorter. These, along with ten proposed objectives were included in the consultation as part of a Visioning Day in the village hall in July 2017 which attracted 12% of the adults in the village. The shorter Vision was preferred. The Visioning Day displays were based on post-it note responses which encouraged free expression. Particularly, this allowed residents to read and respond to each other's comments. 139 comments were recorded, they are available here: [Visioning Day Comments Received](#).



Visioning Day July 2018



- 4.13 **First Confirmation Leaflet:** In November 2017 a leaflet was delivered to all households to test support for the policy areas and issues identified by previous consultation. There was a 24% response with 91% of respondents showing full support. Comments received with NPWG/PC responses are available here: [Nov 2017 Comments and responses](#) .
- 4.14 **Second Confirmation Leaflet:** In January 2018 a leaflet was delivered to all households to test support for the Vision and Objectives. There was a 23% response with 85% of respondents showing full support and 94% having no objections. Details are here: [Jan 2018 Results](#)
- 4.15 **Plan Presentation.** In December 2019 an initial draft of the pre-submission Plan was presented in the village hall. Visitors were invited to read the Plan and the associated displays before completing a feedback form. Over 50 people attended and 28 forms were received and comments were largely supportive. Suggested changes will be appended to those received during the formal pre-submission consultation period. Details are available [here](#) on the Parish Council website_ and in the Consultation Statement issued alongside this Plan.
- 4.16 **Residents' Views:** The overwhelming view of local people is that Worlaby has the 'feel' of a rural village; the surrounding countryside is highly valued⁽¹⁾. There is a strong sense that expansion or change in the built environment is at the expense of the rural nature of the settlement. This attitude is not to be interpreted as entirely anti-development. When asked to comment on future development many more people expressed definite views on what should be built than said there should be no building at all.

The consultations indicate that the key aspects of the parish valued by residents are:

- Good community spirit – 'friendly'
- Quiet
- Easy access to the countryside
- Green open spaces within and around the village
- Local building style
- Low traffic levels
- Compact, clearly defined settlement of limited size

The Neighbourhood Plan aims to ensure that as far as possible these qualities are retained, preferably enhanced, by any new development.

⁽¹⁾ 95% 'Important' or 'Very important' in March 2017 household survey

5. Vision and Objectives

Vision



5.1 The vision for Worlaby Parish in 2038 is:

“Worlaby will have retained its character as a rural village with an active, integrated community with strong links to the Lincolnshire Wolds and the Ancholme Valley”

5.2 Ideas for Vision and Objectives put forward by the Working Group in 2017 were tested in the household survey in February 2017 and options presented at the Vision Day in July. Vision and Objectives were agreed by the Parish Council in December 2017 and further tested in a confirmation leaflet distributed to residents in January 2018.

5.3 The vision gives rise to four general aims. The Village will:

- a) continue to feel ‘compact’ and accessible to all
- b) continue to have a close relationship with the open countryside around it
- c) remain attractive to residents and visitors
- d) provide suitable facilities for the wellbeing of residents and for businesses.

Objectives

- 5.4 To achieve the vision a number of key objectives have been identified and confirmed by consultation with residents: ⁽²⁾
1. To protect the character and identity of the landscape setting of the village and to maintain a visual and spatial distinction between adjoining settlements.
 2. New houses to be sympathetic to the scale and character of the village and not cause a detrimental impact on the setting.
 3. New housing to meet local needs, in particular for young families and those wishing to downsize whilst remaining in the village.
 4. To increase public access to the surrounding countryside as a recreation and leisure amenity with particular emphasis on Middlegate and Carr Lane.
 5. To improve and extend pedestrian access within the village with emphasis on connecting new and existing housing areas, having regard to desire-line routes and local amenities.
 6. To support additional community amenities to meet a wider range of Parish needs and reinforce a shared identity and purpose.
 7. To protect and encourage rural businesses and increase opportunities for the growth of rural employment within the parish.
 8. To protect and expand green infrastructure within the parish for amenity and recreation and to support biodiversity.
 9. To ensure new roads are integrated into existing routes to minimise traffic issues.
 10. To include renewable energy sources in new development wherever appropriate.

⁽²⁾ Household survey January 2018: [Results on Parish Council website](#)

6. Policies

Land Use Planning Policies



Annual ploughing match, Worlaby

- 6.1 At present this Neighbourhood Plan does not propose any sites for housing development. This is in line with the North Lincolnshire Core Strategy CS1 that classifies Worlaby as a Rural Settlement where new development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. At present no such needs have been identified by North Lincolnshire Council⁽³⁾. However this Plan does recognise that development may occur, therefore criteria are included to ensure that any new housing is well integrated into the existing settlement in line with CS1(c) and CS8 of the NLC Core Strategy and NPPF paragraph 92.
- 6.2 This Plan deliberately avoids repeating existing national or local planning policies. The proposed policies therefore focus on a relatively small number of key development issues in the area. For all other planning matters, the national and local policies of other planning documents, The National Planning Policy Framework and the North Lincolnshire Development Plan, will continue to be used.
- 6.3 Set out below are the proposed policies of the Plan. Each policy has a number and title and the policy itself is written in bold italics for ease of reference. There is also relevant background information and a statement explaining the intention of the policy. A Policies Map is given at Appendix A
- 6.4 The people of Worlaby are very conscious of their history and how a successful community has grown from it. Small things matter when small communities thrive; policies in this plan seek to highlight how, with attention to detail, new development can contribute to the ongoing health of the community and the well-being of those who live, work and visit the village.

⁽³⁾ NLC Rural Housing Needs Assessment 2009

A Spatial Plan for the Parish

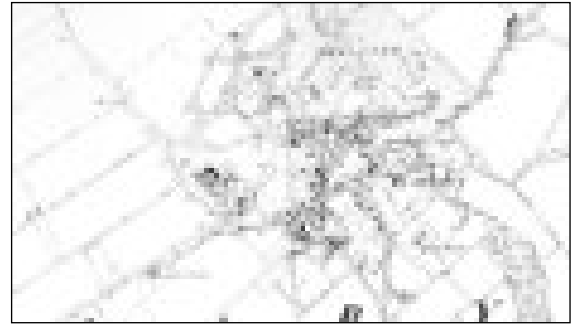
- 6.5 Worlabby is a nucleated village with a high concentration of access routes within the settlement leading to four routes out of the settlement. Middlegate runs parallel to the B1204 giving an alternative north-south route more suitable for walking and cycling.
- 6.6 The pattern of roads and paths in and around the settlement form a series of loops creating circular routes and multiple options when moving around the village. This reduces pedestrian/traffic conflict and encourages walking and cycling.
- 6.7 The high level of connectivity is central to the way residents relate to the village and the surrounding countryside. A full household survey in 2017 showed this feature to be 'important' or 'very important' for 95% of respondents (50% of households).
- 6.8 The network of roads and paths is used regularly by residents and attracts walkers and cyclists from further afield.
- 6.9 Policies in this plan seek to ensure that future development is integrated into this access pattern in order to:
- Protect and strengthen the existing community
 - Support the integration of new residents into the community
 - Encourage a healthy and active lifestyle for residents and visitors.

in line with the National Model Design Code (NMDC) section M.1. i



Plan 6: Access routes and wooded areas in Worlabby

6.10 Areas of green space with various levels of protection surround the village on three sides as shown indicatively in Plan 6. These are of long standing, appearing on the map of 1886 and are regarded locally as natural settlement limits. Policies in this plan seek to increase the level of protection afforded to these areas and to encourage habitat improvement and enhanced recreational value wherever possible.



1886 Map of Worlaby

6.11 Housing development in Bonby, to the north west of Worlaby, stretches to the boundary of the two parishes; the area of separation is therefore entirely within the parish of Worlaby. This Plan seeks to ensure that it is protected from development by an adherence to the limits specified in this policy.

6.12 The line of the B1204 marks the historic limit of the Ancholme Valley reedswamp. After drainage was completed in the 19th century the Carr land created was worked as agricultural land with cottages and farm buildings spaced out along Carr Lane. Today only one farmhouse on the outskirts of the village remains on the Carr land.

6.13 The Carr land dominates the vista to the west of the village and allows wide views from the B1204 creating a sense of openness which is characteristic of the area. Being no more than 5m above sea level, it also ensures that the village and the Wolds are visible over a wide area. This Plan regards the B1204 as a natural limit to the village protecting the Carr land from intrusive development.

6.14 The above objectives are in line with North Lincolnshire Core Strategy policy CS16.

Policy WNP1: A Spatial Plan for the Parish

Development proposals will be expected to:

- a. be located within the settlement development limit shown on the Policies Map except for development essential to the functioning of the countryside;***
- b. demonstrate how the proposed layout is well integrated into the existing network of roads and paths that serve the village;***
- c. have a layout that reflects the 'closed loop' road structure of roads and paths in the village to enhance connectivity; and***
- d. be of high quality design and meet all relevant requirements in other policies in the Neighbourhood Plan and take account of the advice in the National Design Guide and the National Model Design Code.***

6.15 In the rest of the parish beyond the village of Worlaby there are a total of 5 dwellings. Development in this area will be in line with the NLC Core Strategy and Local Plan policies relating to development in the open countryside.

Small Scale Housing Sites

- 6.16 An infill site is considered to be one located within the development limit and surrounded on at least two sides by existing development.
- 6.17 Despite having doubled in size since 1960, Worlaby has expanded almost entirely by local builders developing the many infill plots provided by smallholdings associated with older estate cottages. This approach is encouraged in line with NPPF paragraphs 69 and 70.
- 6.18 The development boundary around Worlaby is tightly drawn in line with NLC Core Strategy policy CS3; there is little scope for infill development other than in gaps between existing buildings and possibly some backland development. Consequently any infill development will impact directly on the setting of existing buildings and on the appearance of the village as a whole. This policy and policy WNP4 seek to protect this aspect of the settlement.

Policy WNP2: Small Scale Housing Sites

Infill housing developments within the settlement development limit will be supported where the proposal:

- a. is for a total of no more than 3 houses at a density of 30-35 dwellings per hectare;***
- b. does not form part of a larger development proposal either extant or planned;***
- c. is in keeping with the character of its surroundings with particular reference to the space and openness between buildings, boundary treatment, and depth of frontage. In particular, where gardens are unenclosed, new development should seek to replicate this openness;***
- d. does not impact unacceptably upon the amenity of nearby properties;***
- e. ensures pedestrians and cyclists have an unimpeded route through the development ;***
- f. takes account of the significance of any heritage asset and does not lead to substantial harm to a designated asset; and***
- g. references the requirements of Policy WNP4: Design in this Plan and takes into account the guidance contained in the National Design Guide and the National Model Design Code.***

- 6.19 Private roads and culs-de-sac are rare in Worlaby, there being one of each, both created since 2000. Other roads follow historical routes determined by people who walked everywhere. Consequently, before 2000, all roads in Worlaby connected to destinations beyond the village and all dwellings overlooked a road with significant pedestrian traffic. This aspect of the village encourages walking and cycling, improves a sense of security and, by initiating contact between residents, increases community cohesion. This plan seeks to maintain and enhance these aspects of village life by requiring new development to avoid the creation of culs-de-sac wherever possible in line with the NMDC section M.1 'A Connected Network'.
- 6.20 Proposals for greater than 3 new homes will be subject to policy WNP3. The preference is for small sites to be distributed across the Parish and over the full plan period. This will enable the impacts of development on the local environment and on the local roads to be manageable whilst meeting local housing needs in line with NLC policy CS8.
- 6.21 New development in the heart of a community will necessarily impact on the quality of the environment in which people live. This policy seeks to ensure that, wherever possible, this impact is positive for existing residents and the environment, to the advantage of new residents and the community as a whole.

Larger Housing Sites

- 6.22 The existing Local Plan provides few opportunities for housing development due to the nature of the development boundary and the limitations imposed on the village as a rural settlement in Spatial Strategy Policies CS1 and CS2. Nevertheless, residents made it clear in the 2017 parish survey that they remain concerned that larger developments would constitute a threat to the rural quality of the village and impact negatively on the strength of the community. Accordingly, this policy, alongside policy WNP4, seeks to protect the rural feel of Worlaby and its setting in the countryside.
- 6.23 A central aim of this plan is to avoid isolated areas of development which experience has shown to hinder the integration of new residents into the community. To this end, in addition to the measures in policy WNP1 regarding wider access, this plan includes policies to maintain permeability within the village by discouraging the inclusion of culs-de-sac in new development. This policy is in line with NPPF paragraph 92.
- 6.24 It is important that homes are delivered to meet the needs of residents in the parish, subject to NLC Local Plan policies, so that the level of housing need throughout the plan period is met. This applies to the style and size of homes as well as their affordability.
- 6.25 Worlaby has ten recognised heritage assets which this policy and policy WNP3 seek to protect in line with NPPF paragraphs 197,203 and NLC Core Strategy policy CS6. Recognised heritage assets are detailed in appendix C.
- 6.26 Where market housing is included in a proposal in order to render it financially viable, a Viability Assessment will be provided and made available to the Parish Council in line with NPPF paragraph 58.
- 6.27 Throughout the consultation period residents have emphasised the value of being able to walk and cycle safely through and beyond the village. This policy seeks to ensure that the

design of new housing development prioritises walking and cycling and enhances the permeability of the existing access network. This is in lined with chapter 4 of the Manual for Streets 2007.

- 6.28 In all cases, the policy requires proposals to reflect the key characteristics and setting of the parish. It also requires that the design of the layout and landscape schemes of proposals do not undermine the visual, physical or ecological integrity of the green areas identified in Policy WNP5 but rather improve these aspects of the green areas, wherever possible.
- 6.29 A significant factor visually connecting the built area of Worlaby to its surroundings is the presence of trees throughout the village. New development design will be expected to recognise the value of retaining existing trees and additional plantings that blend in with the wider surroundings, in line with section 12 of the NPPF, in particular paragraphs 131, 134.

Policy WNP3: Larger Housing Sites

Applications for more than 3 dwellings will be supported in order to meet locally identified housing need subject to the proposal being well designed and meeting all relevant requirements in other policies in the Neighbourhood Plan, and where such development:

- a. reflects and complements the essential open character of the village;***
- b. is appropriate in scale, design and character to the immediate locality and the size of the proposed development site;***
- c. avoids the creation of isolated areas of housing remote from through pedestrian routes;***
- d. provides a range of house types and tenures based on housing needs set out in the most up to date NLC Housing Needs Assessment. Proposals for smaller 2/3 bedroomed properties will be particularly supported where they contribute towards the achievement of a sustainable neighbourhood;***
- e. does not adversely impact upon the amenity of nearby properties or community facilities;***
- f. takes account of the significance of any heritage asset which may be included in the proposed development site and does not lead to substantial harm to a designated asset;***
- g. provides safe, accessible, attractive pedestrian and cycle routes that are rationally linked to existing routes;***
- h. is well connected to local amenities and public open spaces for pedestrians and those with limited mobility;***
- i. preserves existing mature trees and includes landscaping to mirror the rural feel of the village; and***
- j. does not have an adverse impact on important landscapes and gateways, as set out in policy WNP8 Landscapes and Gateways in this Plan.***

- 6.30 The policy seeks to protect community facilities and heritage assets from adverse impact in line with NLC Core Strategy policies CS6, CS22 and NPPF paragraphs 194, 195.
- 6.31 The approach is to plan positively for modest proposals that can be satisfactorily accommodated without undermining the character of the parish nor the quality of life for local people. The policy expects Local Plan and NPPF policies to continue to apply significant constraints on new development in Worlaby.

Design

- 6.32 The strength of the community depends, in part, on residents having a pride in their surroundings. Most have chosen to live in Worlaby because the natural and built environment suits them. Protecting and preserving the character of Worlaby was identified as the highest priority (97%) in the Neighbourhood Plan survey of November 2017.
- 6.33 In line with the NMDC and NPPF paragraphs 127,130 this policy seeks to present a guide to the design elements regarded as most significant for new development in Worlaby and to encourage development proposals that fully take them into account. This policy should be read alongside the NMDC 2021.
- 6.34 In all consultations, residents' view is that, wherever possible, new development should conform to and enhance the existing character of the village. Residents identified the preponderance of well-spaced smaller houses with gardens and unobtrusive boundary treatment as both typical of the village and a positive contribution to local character.
- 6.35 Development design is key in helping to create sustainable communities and successful places. It is also important in projecting the image of the area and creating a sense of place which is vital in, for example, attracting people, businesses and visitors to the Parish. Appendix D 'Building Styles' provides examples of contrasting house styles in Worlaby emphasising that no single style dominates the village. Indeed, the road layout in the settlement creates small, visually isolated areas.
- 6.36 The village is dominated by terraced and semi-detached cottages dating from the 19th century and individual houses built on infill sites from 1960. The majority of these are bungalows or 1½ storey cottages with low-pitched roofs. At the 2011 census two thirds of all houses in Worlaby had no more than 3 bedrooms. This policy seeks to encourage similar house types unless circumstances dictate otherwise, in line with NMDC section C.1.ii.
- 6.37 Roads within the village are narrow with frequent bends. Pavements are also narrow or non-existent. The parking of cars on public roads is a major concern. Not only does this create a hazard for pedestrians and other drivers, the problem is exacerbated by the movement of agricultural vehicles which are becoming larger by the year. This plan seeks to emphasise the need for sufficient off-road parking facilities to avoid such issues in new development. Wherever possible, road layout in new development should seek to mitigate existing issues of traffic congestion. This policy is in line with NPPF para.107.
- 6.38 In line with NPPF paragraphs 157,158, this policy requires housing proposals to demonstrate that full account has been taken of the need to minimise nett energy consumption with

particular emphasis on heat sources, landscape and orientation where the rural location offers suitable opportunities.

- 6.39 The fact that rural communities such as Worlaby rely heavily on car use provides an opportunity to significantly reduce carbon emissions by encouraging electric car ownership. Indeed, car ownership in the settlement is likely to be higher than NLC Guidelines⁽⁴⁾. The provision of charging points is key to this, particularly at destinations where people are likely to park their cars for some time. This policy seeks to ensure that new development in Worlaby provides charging points wherever possible in line with NPPF paragraph 107(e) and follows the guidance in the NMDC, specifically part 2 section 13.

Policy WNP4: Design

The scale, density, massing, height, landscape design, layout and materials of all development proposals will be required to reflect the character and scale of the village and be appropriate to the size of the plot.

Development proposals will be expected to demonstrate that they:

- a. reinforce local character and distinctiveness by complementing and interpreting the character and materials of the existing housing;***
- b. contribute towards and reinforce a sustainable community;***
- c. retain existing mature trees and hedges and include appropriate landscaping to reflect the general appearance of the settlement;***
- d. provide off-road car parking facilities for each dwelling that are adequate for the size of the property and the anticipated level of car ownership in a rural settlement;***
- e. locate and design car parking to have minimal impact on the street scene;***
- f. incorporate the highest standards of energy efficiency and incorporate suitable methods of energy generation, where appropriate;***
- g. include suitable electric charging points on business premises where vehicles are parked for a significant period (e.g. a working day); and***
- h. include infrastructure to allow for the fitting of 'fibre to premises' broadband in all dwellings and business premises and provide such a connection where possible.***

6.40 The ability to attract businesses and support the quality of life of residents depends on good digital infrastructure. This is especially true of rural communities. Currently Worlabby has an acceptable level of internet connectivity (Max 80Mbps FTTC). However, much faster FTTP broadband will be necessary in the future to support the continued health of the community. This policy expects new development to be designed to minimise the need for groundworks when installing FTTP broadband in line with NPPF paragraph 114 and NLC policy CS2.

6.41 There are many examples in the village of good design where newer development blends well with older buildings. Key aspects are likely to be eaves and ridge height, low roof pitch, gables, and the style of doors and windows. Some examples are shown below.

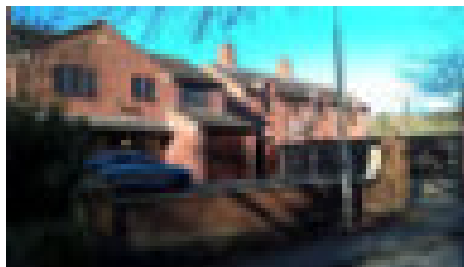
(4) <https://www.northlincs.gov.uk/transport-and-streets/roads-highways-and-pavements/highway-documents/design-guides-for-new-road-developments/>

6.42 The various house styles and their dates are set out in Appendix D.

Examples of careful design:



Main Street

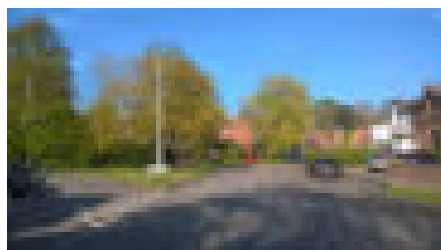


Top Road

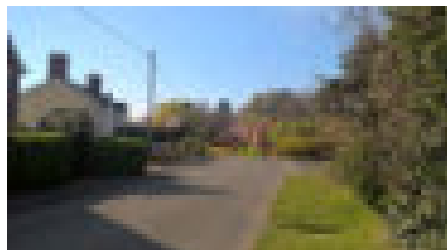


Top Road

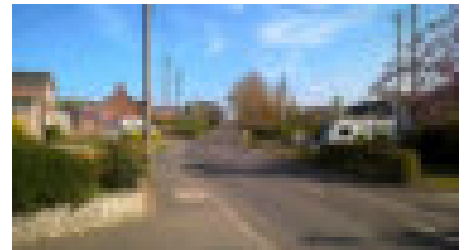
Examples of Streetscape:



Village centre, Main Street



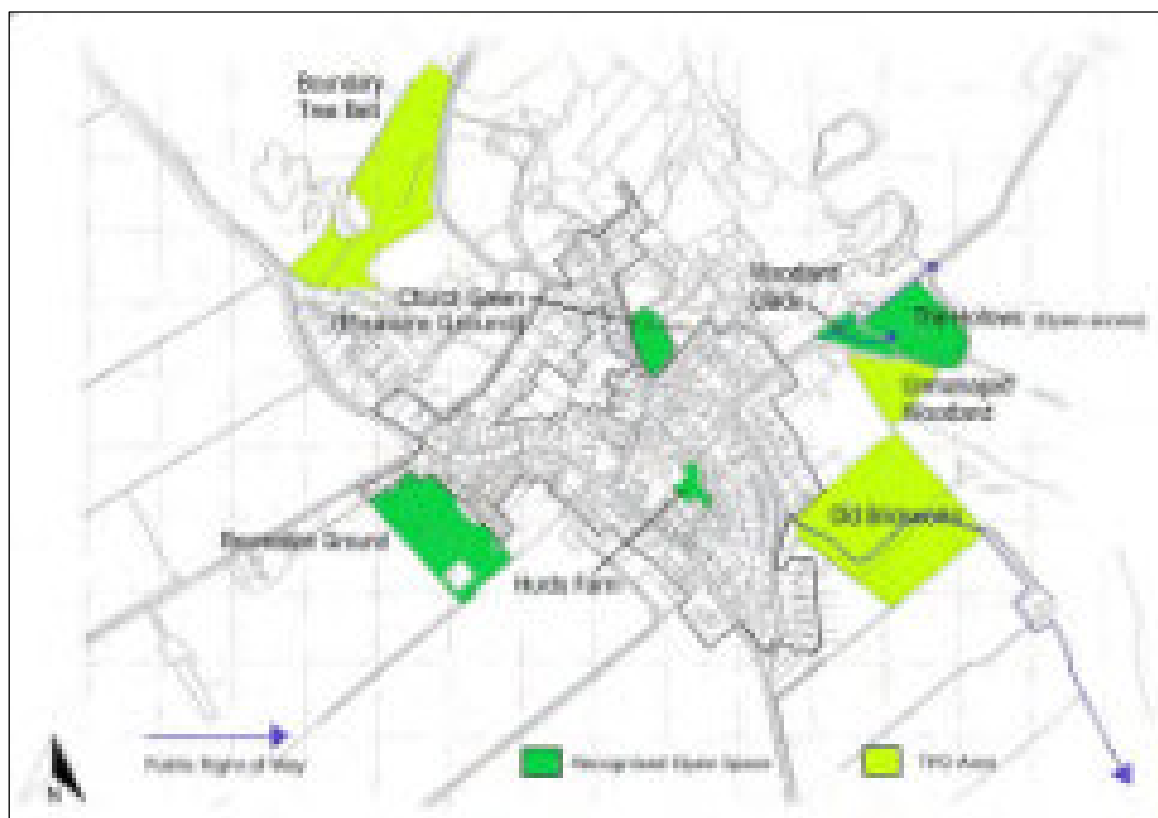
Top Road



B1204 Low Road

Boundaries are predominantly hedges, low walls or fences. Trees are a significant feature of the streetscape.

Green Infrastructure



Plan 7: Areas of green open space

- 6.43 Green Infrastructure (GI) is a network of multifunctional green and blue spaces and the connections between them in both urban and rural areas. It is capable of delivering a range of environmental, economic, health and quality of life benefits for local communities. The GI network may comprise of spaces in public or private ownership, with or without public access.
- 6.44 Plan 7 indicates areas of green space within and around the village that are currently recognised as providing visual and recreational amenity and supporting wildlife. The presence of green spaces was highlighted by residents as important from the first consultation in 2016. These particular areas were identified by residents in the consultation meeting in November 2016 as key contributors to the wellbeing of the community.

Local Amenity Areas

- 6.45 The Parish Council currently manages four of these areas as areas of local amenity (The Recreation Ground, the Church Green, the Woodland Glade and the Hollows), and has a long term policy of encouraging improvement to green areas for the benefit of residents and visitors and for the protection of wildlife.
- 6.46 Details of each of the Local amenity areas are given below.

Hurds Farm. This is public open space created when the Hurds Farm estate was built in 2004. North Lincolnshire Council is in discussion with the current owners, Vistry Group, with a view to NLC acquiring the land. It inherits LC11 classification (Area of Amenity Importance) from the land on which the estate was built. It is of moderate size but is crucial to the sense of space

associated with this development. This plan seeks to increase the protection given to this area by having it registered as Local Green Space.

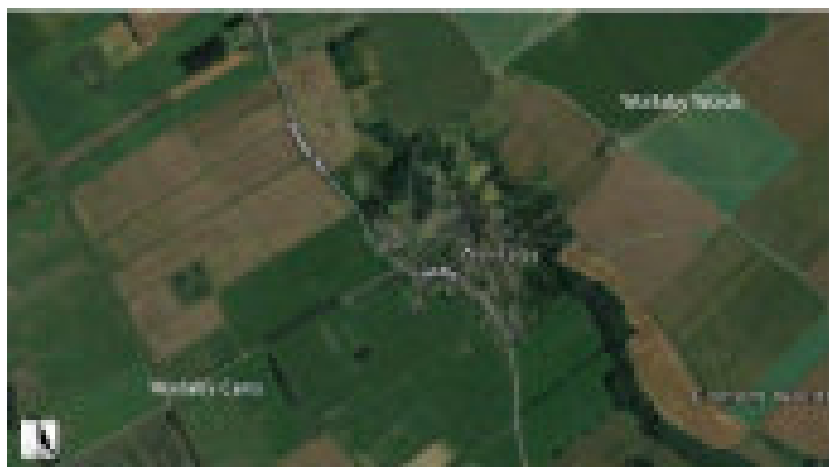
The Church Green, also known as the Pleasure Ground, is owned by the Parish Council and has formed the central green area of the village since the early 20th century. It is located in front of the churchyard, providing an attractive approach to the church. There is an enclosed play area for younger children. Currently it has LC11 classification in the Local Plan. The Green is absolutely central to the life of the village and this plan proposes that it is registered as Local Green Space.

The 'Woodland Glade' is an area of woodland open to the public and is owned and managed by the Parish Council. It is covered by an area TPO but has no other land classification. This is probably the most frequently used area of green space in the parish, being located at the edge of the village with a permissive footpath linking the village to The Hollows and thence to a road which leads to Middlegate and the wider countryside. This plan proposes that it is registered as Local Green Space.

The recreation Ground is a 1.6 Ha (4 acre) field with sports facilities owned by the Parish Council and is currently classified as R1 land in the 2003 NLC Local Plan. R1 is considered to provide sufficient protection for this area, therefore no change is proposed here. The Parish Council would wish to see this classification continued or strengthened in the future.

Wildlife areas

- 6.47 Worlaby lies at the base of the north-south scarp slope of the Lincolnshire Wolds which rises to 90m along the north east side of the village. The scarp is generally wooded with springs on its lower slopes, creating a rich variety of habitats and a natural recreation resource. It is visible from a considerable distance to the west.
- 6.48 Woodland along the scarp slope forms a wildlife corridor running south east/north west whilst more open grassland, hedgerows and drainage channels provide wildlife links to the Carr land of the Ancholme Valley to the west.



*Location of Worlaby village between the low lying Ancholme Valley Carr land and the hills of the North Lincolnshire Wolds
Google Maps 2019*

- 6.49 Areas included in WNP5 Green Infrastructure para. (c) are located between the B1204 Low Road and the managed woodland/grassland areas of the Woodland Glade and the Hollows. This Plan encourages management of the areas to enhance their value as part of the wildlife corridors linking the Carr land to the Wolds Scarp.

out of the village. The Hollows currently meets Local Wildlife Site standards*, but the status is yet to be finalised.

Boundary Tree Belt is a privately owned, well-established belt of trees at the northern edge of the village providing a visual barrier to the north west of the village and effectively marking the edge of the open countryside between Worlabby and Bonby. Whilst it provides a wildlife link to the Wolds scarp, it is covered by an area TPO but no other protection.

6.51 The Parish Council is willing to cooperate with NLC in the management of the Old Brickyard, the Unmanaged Woodland area and the Hollows to meet Local Wildlife Site or other suitable standard in support of the Lincolnshire Biodiversity Action Plan.

6.52 To maximise the amenity value of the Old Brickworks area and the Unmanaged Woodland, the Parish Council would seek, in the longer term, to introduce public access to these areas, creating a new walking route from the village to the Hollows and beyond.

* *Local Wildlife Sites (LWSs) are wildlife-rich sites selected for their local nature conservation value that meet local selection criteria. Protection comes via the planning system.*

Policy WNP5: Green Infrastructure

a. The open character of green spaces identified in the Policies Map will be protected from development other than that which enhances their recreational, natural or environmental value.

b. The following areas, identified in plan 7, are designated by this Plan as Local Green Space in line with NPPF paragraphs 101, 102, 103:

i Hurds Farm Green

ii The Church Green

iii The Woodland Glade

c. The management of development within a Local Green Space will be consistent with the Green Belt policy in section 13 of the NPPF. Development will not be permitted on Local Green Space other than in very special circumstances.

d. Designation of the following areas, identified in plan 7, as Local Wildlife Sites will be supported to improve biodiversity in line with the Lincolnshire Biodiversity Action Plan or any subsequent local strategy:**

i Unmanaged woodland

ii The Old Brickworks

iii The Hollows

**** It is expected that the Lincolnshire Biodiversity Action Plan will soon be updated by the Greater Lincolnshire Nature Strategy**

6.53 This policy is in line with North Lincolnshire Core Strategy policies CS16, CS17, North Lincolnshire Local Plan policy R5 and NPPF paragraph 174. An area designated as Local Green Space shall be maintained in line with section 13 of the NPPF, particularly paragraph 145. A LGS assessment of sites table is given in Appendix B.

Local Employment

6.54 The village includes a good social and age mix with 59% of the population being of working age (2011 census). Currently premises suitable for business are limited to farm buildings and the school. There are four working farms which between them account for all the farmland in the parish. Modern farming methods provide few opportunities for local employment.

6.55 Residents have expressed a wish for a shop or café which could be supported by the increasing number of walkers and cyclists passing through the village. There is significant potential for growth in tourism, rural businesses and working from home.

6.56 This policy seeks to stimulate opportunities for employment and business where possible whilst protecting the area from harmful intrusion. Proposals will be assessed for community contributions as set out in paragraphs 7.7 and 7.8 of this Plan.

6.57 This policy is in line with NPPF paragraphs 80, 84, 85 and is in general conformity with NLC Core Strategy Policies CS2 and CS15.

Policy WNP6: Local Employment

The provision of live-work units and small-scale business units will be supported provided:

- a. they contribute to local employment or improve local facilities and comply with all other relevant policies in this plan;***
- b. they avoid unacceptable impacts upon the amenity of nearby properties or community facilities;***
- c. they protect and enhance the significance of any heritage asset which may be included in the proposed development site;***
- d. any car parking is adequate for the proposed use of the site and is positioned and designed to have minimal impact on the street scene; and***
- e. they encourage or support tourism and/or there is a demonstrable contribution to the local community.***

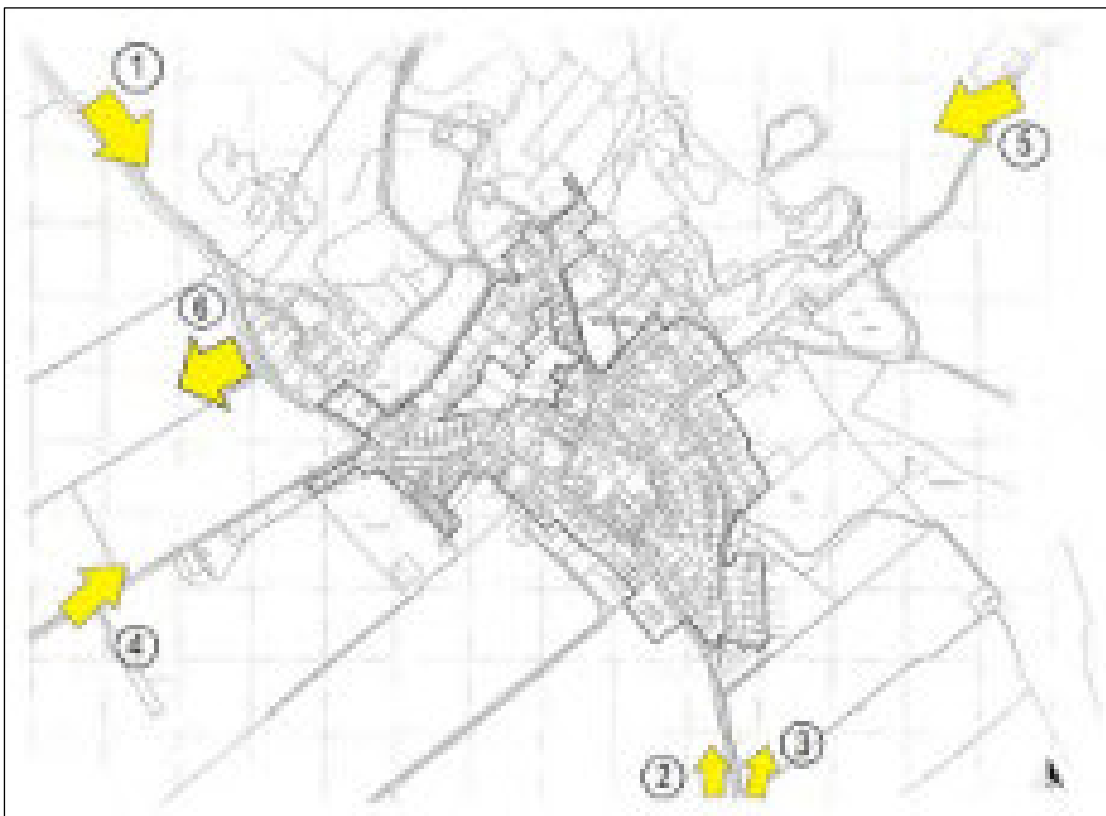
Communications Infrastructure

- 6.58 Currently Worlabby suffers from an extremely poor mobile telephone connection that has remained unimproved for many years. The quality of life of the community, the efficiency of local businesses and the ability to attract new residents depends on good digital infrastructure and this is likely to become more critical as time goes by.
- 6.59 This policy supports the improvement of the mobile telephone network across the parish and is supportive of above-ground installations requiring planning consent provided they are sited and designed with great care in line with NPPF paragraph 114 and NLC policy CS2.

Policy WNP7: Communications Infrastructure

Development that improves the performance of the public communication network, in particular the mobile phone network, will be supported provided unacceptable impacts upon the amenity of nearby properties are avoided.

Landscapes and Gateways



Plan 8: Important Landscapes and Gateways. Width of arrows indicates breadth of view.

- 6.60 Approaches to the village are important. They can play a significant part in creating a sense of shared identity which contributes to the strength of the community. Equally, vistas that include the village seen from local viewpoints provide a sense of connection with the environment that is central to a wider sense of belonging.
- 6.61 Each of the landscapes and gateways makes a unique contribution to the experience of living in or passing through Worlaby and all of them rely on the protection given to visual elements in the immediate environment of the village.
- 6.62 The constraint implied by protecting these gateway views and landscapes is likely to be limited. The landscapes and gateways are ranged around the village perimeter and will have only limited effect on infill development. Larger development will be subject to other planning constraints that may well achieve the same objective. This policy serves to highlight those landscapes and gateways valued by residents.
- 6.63 This policy is in line with NPPF paragraph 127 and North Lincolnshire Local Plan policy LC7 referencing the North Lincolnshire Countryside Design Summary 1999 section 9.15

Policy WNP8: Landscapes and Gateways

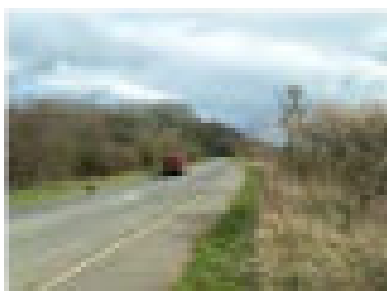
Development that does not detract from the positive impact of the landscapes and gateways marked on the Policies Map will be supported provided it complies with all other relevant policies in this Plan.

- 6.64 Descriptions of Gateways and Landscapes are given below:

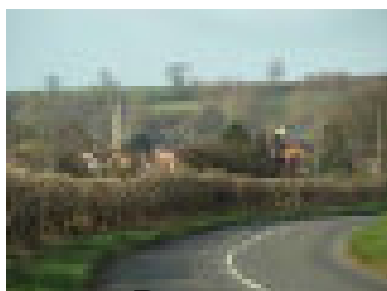
Gateway 1. The approach to the village from the north along the B1204 is masked by the Boundary Tree Belt shown on Plan 7 enhancing the sense of separation from Bonby to the north and reducing the appearance of a 'chain' of settlements as one travels through the Low Villages.

Gateway 2 - This is by far the view most frequently seen by residents on approaching the village when returning home. The Wolds form a backdrop to the church tower seen beyond the village, emphasising the low profile of the houses and the prevalence of trees. Since Worlaby is the southernmost of the Low Village, this view, and Gateway 3, can be regarded as a gateway to the Low Villages as a whole and worthy of protection.

Gateway 3 - Looking right on the south approach shows Wold scarp seen across the Old Brickyard area next to the house in the centre; all the trees in this view are protected.



Gateway 1–north approach



Gateway 2–south approach



Gateway 3–south approach 2

Gateway 4 is of Worlabby House Farm, a non-registered heritage asset dating from 1879, as seen from the Carr Lane. The building frontage is in a style unique to Elsham Estates in the 1870s. Seen from a distance, this view forms part of the scarp of the Wolds that dominate the landscape to the east of the Ancholme Valley.

Landscape 5, seen from the top of Wold Road near Middlegate, includes a view of the church spire with the Carrs beyond. It is on a popular circular walk from the village and is widely recognised as a 'signature' view of Worlabby. In practice the land here is very unlikely to be subject to a development proposal due to its value as agricultural land and its visually sensitive location in the wider landscape. However, this view of the village setting is locally significant and should be recognised.

Landscape 6 is from Low Road and Carr Lane looking west from the village. The Scunthorpe ridge in the distance is 4 miles away across the Carrs. This sense of expansiveness is heightened when the valley is viewed from Middlegate and its full extent to the north and south can be seen. What little development there is on the Carrs is often masked by trees.



Gateway 4-Worlabby House Farm Carr Lane



Landscape 5-From Middlegate



Landscape 6-The Carrs from Low Road

7. Monitoring and Implementation

- 7.1 The Parish Council will use this Neighbourhood Plan when framing their representations on submitted planning applications and will monitor the results of such representations as a guide to the effectiveness of the policies.
- 7.2 Should the Parish Council or North Lincolnshire Council uncover errors in the Plan, or if non-material updates are considered desirable by the Parish Council, such changes will be implemented by discussion between the two councils in line with PPG (September 2018) paragraphs 085 and 087. Changes of this nature are likely to be matters of interpretation.
- 7.3 More substantial updates will require the Plan to be subject to consultation with residents prior to submission to the Local Authority and possibly an examination and referendum in line with PPG (September 2018) paragraphs 085 and 086.
- 7.4 The use of section 106 agreements and planning conditions by North Lincolnshire Council will be expected to assist in delivering some of the objectives of this Plan, in particular those in policy WNP5.
- 7.5 The impact of the Neighbourhood Plan Policies on the shape and direction of development in the parish will be monitored by the Parish Council in the light of the Objectives set out in this Plan. If it is apparent that any policy in this Plan has unintended consequences, is ineffective, or has become outdated it will be reviewed and proposed changes undertaken as outlined in paragraphs 7.2 and 7.3 above.
- 7.6 The Parish Council will work towards a full review of the Neighbourhood Plan on a five-year cycle or to coincide with the development and review of the North Lincolnshire Local Plan if this cycle is different.

Infrastructure

- 7.7 The Parish Council will wish to see sufficient infrastructure payments made by developers, where justified, to fund local schools, health and utility services as a matter of course. However, should section 106 agreements permit it, the Parish Council expects contributions to be made to the local community including:
 - a. provision of a shop/café;
 - b. installation of play/exercise equipment on the recreation ground suitable for young people;
 - c. Improvement to public rights of way including those referred to in policy WNP5 in this Plan;
 - d. Maintenance and improvement of village hall and the recreation ground;
 - d. Improving community transport links; and
 - e. Improvements to off street parking provision within the Parish.
- 7.8 The prioritisation and timing of these projects will be assessed by the Parish Council based on community need, viability and affordability at the time.

Planning Proposals

- 7.9 When considering planning proposals the Parish Council relies on planning applications and other documents provided by North Lincolnshire Council, both on paper and on the planning website. Experience has shown that residents often misread or misunderstand these documents leading to excessive or unnecessary objections that occupy the resources of both the Parish Council and the Planning Authority.
- 7.10 This is likely to be a result of changes in the way information is published, particularly the use of the planning website which allows such documents to be directly accessed by members of the public with little or no experience of the planning process and who are unfamiliar with documents of this type.
- 7.11 In order to obtain the maximum benefit from the use of the Neighbourhood Plan, the parish council is willing to work with North Lincolnshire Council to examine ways in which information on planning proposals can be made more accessible to the general public.

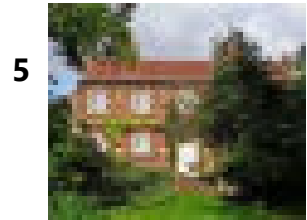
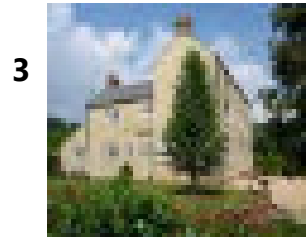
Appendix B - WNP5 Local Green Space

Local Green Space Assessment Table

Site	Hurds Farm	Church Green	Woodland Glade
Approximate area (Ha)	2.1	2.8	1.7
Distance from nearest point of settlement	In the centre of the development	In the centre of the settlement	100m
Is the site demonstrably special from an aesthetic perspective?	No	Yes. Situated in front of the church and contiguous with the churchyard.	Yes. Provides a backdrop to the north of the village.
Is the site publicly accessible?	Yes. Contiguous with public road.	Yes. Contiguous with public road.	Yes. A permissive footpath passes through the site leading to the Hollows open access area and to a PROW leading to Middlegate and the wider countryside.
Is the site demonstrably special from a recreational perspective?	Yes. It is green open space situated in the centre of a housing development.	No	Yes. Probably the most used area of green space in the parish along with the Hollows.
Is the site demonstrably special from a biodiversity perspective?	No	No	Yes. The site is contiguous with managed and unmanaged green space providing a wildlife corridor linking several habitat areas.

Appendix C – Heritage Assets

Heritage Assets in Worlaby



1	Drinking Fountain	Grade 2
2	St Clement's Church	Grade 2*
3	Worlaby Hall	Grade 2
4	Gate Piers to Worlaby Hall	Grade 2 (no photograph)
5	The Almshouses	Grade 2*
6	Hillfoot Farm Cottage	Grade 2
7	The White House	Grade 2
8	Worlaby Grange	Grade 2
9	Worlaby House	Grade 2
10	Worlaby House Farm	Non designated Local Heritage Asset*

*Reference NLC HER response to PA/2018/440 17/4/2018

Appendix D – Local Building Styles

Examples of house styles in Worlaby

		<p>Terraced cottages circa 1803. There are several examples in the village.</p>
		<p>'Cow Cottages' – a large number were built in 1874. 14 pairs remain, most have been substantially altered. Regarded as a 'typical' style and widely copied.</p>
		<p>Chalet Style 1960's Usually built on individual plots.</p>
		<p>Bungalows, mainly 1960's & 70's. Also early 2000's</p>
		<p>Larger 2 storey houses, 1980's onwards. Usually built on individual infill sites, occasionally in groups of up to 3.</p>
		<p>Hurd's Farm estate 2004. 20 houses built on a large infill site.</p>

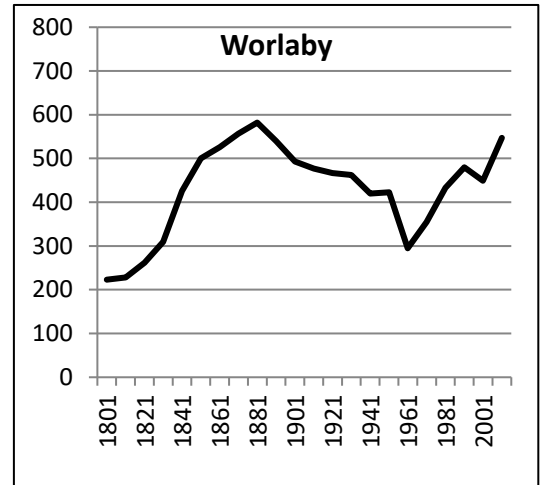
Examples of contrasting house styles

	<p>Pair of Cow Cottages 1874 (extended) 1970's bungalow 1960's house.</p> <p>Viewed from Top Road.</p>	<p>No one style dominates the village. The road layout creates small, visually isolated areas. This is Fountain Corner</p>
	<p>5 bed house 1999 Cow Cottages 1874 (extended)</p> <p>North end of Top Road</p>	<p>The new house in the foreground and the extension to the Cow Cottages beyond were built by the same local builder.</p>
	<p>Cow Cottages 1874 Pair of houses 2013</p> <p>Viewed from Top Road</p>	<p>Careful design of roof pitch, eaves height, windows and materials. The larger floor space of the new houses is achieved by increased depth.</p>
	<p>Dormer bungalow 2006 Cow Cottages 1874 Large Farmhouse 1700's</p> <p>View from Low Road</p>	<p>Spacing, materials, colour and scale can produce an effect that was not necessarily planned for.</p>
	<p>1980's house alongside a pair of cow cottages built in 1874 opposite the Church Green.</p>	<p>Careful spacing, eaves height, and roof pitch produces a pleasing effect despite different window and door designs. Chimneys aid the effect.</p>

Appendix E – Census Data

Low Villages Population Figures 1801 to 2011

	Elsham	Worlaby	Bonby	Saxby	Horkstow	South Ferriby
1801	310	223	178	215	144	280
1811	347	228	268	216	157	420
1821	383	262	275	233	200	453
1831	471	309	339	260	240	500
1841	458	426	386	287	228	542
1851	448	500	454	278	251	580
1861	409	526	471	293	245	573
1871	443	557	413	286	250	721
1881	502	582	406	327	274	733
1891	457	540	341	302	243	638
1901	434	493	313	298	193	738
1911	424	477	322	274	207	725
1921	421	467	305	278	196	736
1931	358	462	312	257	198	701
1941	554	420	327	240	195	698
1951	554	423	341	222	192	696
1961	257	295	298	192	158	663
1971	275	355	346	236	117	607
1981	313	433	348	210	100	619
1991	380	480	447	218	90	614
2001	378	449	481	226	94	660
2011	400	547	532	268	117	651

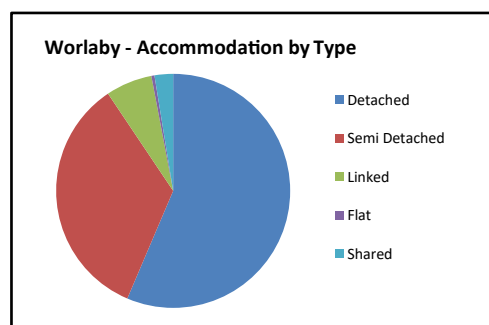


Census Population Data 1801 to 2011 for the Low Villages

Low Villages Accommodation Type

Household Types	Accommodation Type						
	Detached	Semi Detached	Linked	Flats	Shared	Business	Caravan
Elsham	114	31	17	0	0	4	0
Worlaby	132	80	15	1	6	0	0
Bonby	135	68	24	1	0	1	0
Saxby All Saints	100	62	7	0	1	0	1
South Ferriby	108	130	67	1	6	3	3

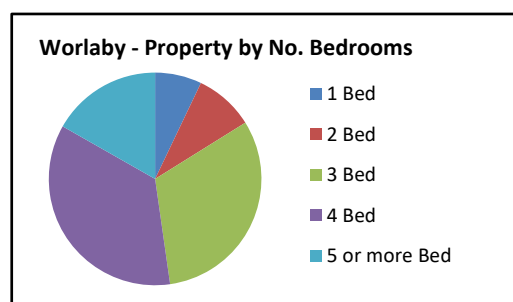
Source: Census 2011



Low Villages Accommodation – No. Bedrooms

	Number of Bedrooms				
	1 Bed	2 Bed	3 Bed	4 Bed	5 or more Bed
Elsham	11	14	49	55	26
Worlaby	3	40	108	59	17
Bonby	3	58	93	52	18
Saxby All Saints	2	35	70	35	23
South Ferriby	28	101	119	44	8

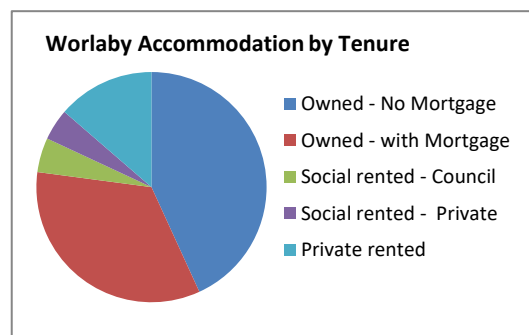
Source: Census 2011



Low Villages Accommodation – Tenure

	Tenure						
	Owned no mortgage	Owned with mortgage	Part Owned/ Rented	Social rented - Council	Social rented - Private	Private rented	Rent free
Elsham	60	48	0	5	10	28	6
Worlaby	98	77	0	11	10	31	0
Bonby	85	78	2	3	29	17	10
Saxby All Saints	52	45	0	6	10	49	3
South Ferriby	118	102	1	12	25	40	3

Source: Census 2011



Appendix F – Evidence Base

The list below contains documents created for or used in the process of preparing the Neighbourhood Plan. Consultation documents are available to view on the Worlaby Parish Council website: www.worlabyparishcouncil.gov.uk
Consultation Documents
Parish Questionnaire 2015
Action Plan June 2016
Consultation Evening Nov 2016 results
Household Survey Feb 2017
Visioning Day July 2017 results
Confirmation leaflet – policy areas & issues Nov 2017
Confirmation leaflet – Vision & Objectives Jan 2018
Other Documents (produced by the NP Working Group)
Worlaby: A Community Profile
External Documents reference
NLC Landscape Assessment 1999
North Lincolnshire Countryside Design Summary 1999
NLC Local Plan 2003 (Saved policies 2007)
NLC Rural Housing Needs Assessment 2009
NLC Core Strategy DPD 2011
NLC HELA DPD 2016
NLC NLLP Preferred Options 2020
PPG May 2019
PPG May 2020
NPPF July 2021
Manual for Streets DCLG, DfT March 2007
National Model Design Code 2021
North Lincolnshire Habit Opportunities Mapping June 2019
Lincolnshire Biodiversity Action Plan
How to shape where you live – a guide to Neighbourhood Planning (NALC)

Appendix G – Abbreviations & Glossary

Abbreviations used in this Neighbourhood Plan

CS	Core Strategy Development Plan Document (2011) – sets out the long-term vision and provides a blueprint for managing growth and development up to 2026
HELA	Housing and Employment Land Allocations Development Plan Document (2016) – sets out which sites the council has allocated for future housing and employment development; also defines settlement development limits
LWS	Local Wildlife Site
NLC	North Lincolnshire Council
NLLP	North Lincolnshire Local Plan (2003) – the saved policies (2007) provide guidance for development within the whole of the area; a new single Local Plan is being prepared and, once adopted, it will replace the current Local Plan, the Core Strategy and the Housing and Employment Land Allocations Development Plan Documents (DPDs)
NMDC	National Model Design Code – sets out government’s guidance on design for new development
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework - sets out government's planning policies for England and how these are expected to be applied
NPWG	Neighbourhood Plan Working Group
PPG	Planning Practice Guidance – a web-based resource which brings together planning guidance on various topics into one place
SPD	Supplementary Planning Document
WPNP	Worlaby Parish Neighbourhood Plan

Glossary

Affordable housing: There is a wide range of types of affordable housing. Those likely to be relevant to a Neighbourhood Plan include: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which falls into one or more of the following categories as defined in the NPPF.

- a) **Starter homes:**
- b) **Discounted market sales housing**
- c) **Affordable housing for rent**
- d) **Other affordable routes to home ownership**

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Blue Space: visible water such as harbour fronts, rivers, ponds, lakes, canals, fountains. This may be natural or man made.

Brownfield land: See previously developed land.

Climate change mitigation: Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

CroW Act: The Countryside and Rights of Way Act, passed in 2000, that provides for the creation of 'Open Access Land'. Also referred to as the 'Right to Roam' Act.

Design code: A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Development plan: Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, Neighbourhood Plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood Plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the Neighbourhood Plan should not be made.

Environmental impact assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Gateway View: A view or vista seen on approach to an area that clearly identifies the location.

Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Habitats site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Important View: A view or vista that enhances the visual amenity of an area. The view may be of the area seen from outside, or of the surroundings seen from within the area.

Local housing need: the number of homes identified as being needed through the application of the standard method set out in national planning guidance, or a justified alternative approach.

Local planning authority: The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority,

the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

Local plan: A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Local Wildlife Site: Local Wildlife Sites (LWSs) are wildlife-rich sites selected for their local nature conservation value. Their designation is non-statutory and their protection comes via the planning system. Any site that meets local selection criteria can be designated as an LWS. In many parts of the UK they are the principal wildlife resource. Many are in private ownership.

Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more. In National Parks, AONB and similar areas alternative criteria can be used.

National trails: Long distance routes for walking, cycling and horse riding.

Neighbourhood Plan: A plan prepared by a parish council or Neighbourhood Forum for a designated Neighbourhood Area. In law this is described as a Neighbourhood Development Plan in the Planning and Compulsory Purchase Act 2004.

Non-strategic policies: Policies contained in a Neighbourhood Plan, or those policies in a local plan that are not strategic policies.

North Lincolnshire Local Plan: see Local Plan.

Older people: People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

Open Access Land: An area of land designated under the Countryside and Rights of Way Act 2000 on which the public are free to walk wherever they wish and to carry out a limited range of activities.

Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Playing field: The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Previously developed land: (Also known as **Brownfield Sites**). Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed

surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Section 106 payment: A payment made by the developer to the Planning Authority under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal. See **Planning obligation**.

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Strategic environmental assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Strategic policies: Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.

Supplementary planning documents (SPD): Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

Wildlife corridor: Areas of habitat connecting wildlife populations.

Windfall sites: Sites not specifically identified in the development plan.

Worlaby Parish Neighbourhood Plan - Final Decision Statement

Friday 5 November 2021

Summary

In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012¹, North Lincolnshire Council has produced this 'Decision Statement' in relation to the Worlaby Parish Neighbourhood Plan submitted to them by Worlaby Parish Council.

Following a positive referendum result on Thursday 4 November 2021, North Lincolnshire Council is publicising its decision to 'make' the Worlaby Parish Neighbourhood Plan part of the North Lincolnshire Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012².

Background

On 4 August 2014 North Lincolnshire Council resolved to designate the whole of the Parish of Worlaby as a Neighbourhood Plan Area in accordance with the Section 61G of Town and Country Planning Act 1990 (as amended by the Localism Act 2011)³.

Designation of a Neighbourhood Area is one of the statutory requirements needed to be in place to enable a Neighbourhood Plan to be adopted and formally become a part of the Development Plan and be used in the determination of planning applications.

A draft Worlaby Parish Neighbourhood Plan was then developed by a core of Working Group members led by the Parish Council. The local community was engaged in the process following several consultation events, questionnaires, surveys, and a Visioning Day. The draft Plan was then submitted to North Lincolnshire Council.

Regulation 16 of the Neighbourhood Planning (General) Regulations 2012⁴ relates to publicising a Plan proposal. The Cabinet Member for Place Shaping agreed to advertise and publish the Worlaby Parish Submission Draft Neighbourhood Plan for a six-week consultation and subsequently submit the Plan for examination. The Submission draft Plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 31 May 2021.

Following the Regulation 16 consultation, North Lincolnshire Council appointed an independent Examiner, Mr Patrick Whitehead DipTP (Nott) MRTPI of Intelligent Plans and Examinations (IPe) Ltd, to review whether the Plan met the basic conditions required by legislation and whether it should proceed to referendum.

From his examination of the Worlaby Parish Neighbourhood Plan and its supporting documentation, including the representations made, the Examiner made recommendations to modify policies and text. This was to ensure the Plan met the 'Basic Conditions' laid down in paragraph 8(1) of Schedule 4B of the Town & Country Planning Act 1990⁵ and other legal requirements. He recommended that the Plan, once modified, should proceed to referendum.

Decision & Reasoning

With the Examiner's proposed modifications, the Neighbourhood Plan is considered to have met the basic conditions. It is compatible with EU obligations (under retained EU law) and the Human Rights Convention and complies with the relevant provisions made by or under Sections 38A⁶ and 38B⁷ of the Planning and Compulsory Purchase Act 2004, as amended.

Residents on the electoral register in Worlaby parish were eligible to vote in the referendum that was held on Thursday 4 November 2021 in Worlaby Parish. The referendum met the requirements of the Localism Act 2011, and the count took place immediately after the close of poll. There are 439 people in the electorate, 120 ballot papers were issued, and the turnout was 27.3 per cent.

In the referendum, 92.5 per cent (111 people) voted in favour of the Plan whilst 7.5 per cent (9 people) voted against the Plan. The referendum met the requirements of the Localism Act 2011.

More than 50 per cent of those who voted were in favour of the Plan being used to help decide planning applications in the Plan area. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004⁶ as amended requires that the Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan.

The result of the votes cast in the Worlaby Parish Neighbourhood Plan Referendum is as follows:

<u>Question:</u>		
Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a 'Yes'	111	92.5
Number cast in favour of a 'No'	9	7.5
Total	120	100.0

¹ Publication of the examiner's report and plan proposal decisions

² Decision on a plan proposal

³ Meaning of neighbourhood area

⁴ Publicising a plan proposal

⁵ Basic Conditions

⁶ Meaning of neighbourhood development plan

⁷ provision that may be made by neighbourhood development plans

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