

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

8 June 2022

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).
3. To take the minutes of the meetings held on 4 May 2022 as a correct record and authorise the chairman to sign (to follow).
4. Major Planning Applications. (Pages 1 - 2)
 - (a) PA/2021/2151 Outline Planning Permission for a residential development of up to 390 dwellings with associated infrastructure, and with appearance, landscaping, layout and scale reserved for subsequent consideration at land west of Brigg Road and south of Horkstow Road, Barton upon Humber (Pages 3 - 36)
 - (b) PA/2021/2168 Planning Permission to change the use of a paddock to residential curtilage, form a driveway, erect entrance gates and install children's play equipment, with associated works at Fox Farm, Cadney Road, Howsham, LN7 6LA (Pages 37 - 48)
5. Planning and other applications for determination by the committee. (Pages 49 - 50)
 - (a) PA/2021/538 Planning Permission to erect a single-storey side extension, a two-storey rear extension with a porch to the rear, and an extension to the garage at The Lilacs, 51 Main Street, Saxby all Saints, DN20 0QF (Pages 51 - 58)

- (b) PA/2021/1634 Outline Planning Permission to erect up to four dwellings with access (layout, scale, appearance and landscaping reserved for subsequent consideration) at Stanmore Lodge, Belton Road, Sandtoft, DN8 5SX (Pages 59 - 88)
 - (c) PA/2021/1870 Planning Permission to erect a single-storey extension to an existing annexe to provide a separate dwelling, including the creation of a new vehicular access to Daffodil Farmhouse at Daffodil Farmhouse and Annexe, West End Road, Epworth, DN9 1LA (Pages 89 - 100)
 - (d) PA/2021/2061 Planning Permission to remove condition 13 of PA/2019/930 relating to ecology and biodiversity at Tetley House, land south of Tetley, Crowle, DN17 4HY (Pages 101 - 106)
 - (e) PA/2021/2169 Listed Building Consent to erect a lodge and wall, create a pond and swimming pool within the grounds and refurbish an existing tennis court including lighting and a storage shelter at Fox Farm, Cadney Road, Howsham, LN7 6LA (Pages 107 - 116)
 - (f) PA/2022/271 Planning Permission for a minor material amendment to PA/2020/443 to retain external staircase at Rosabelle Manor, Derrythorpe Road, Belton, DN9 1NB (Pages 117 - 126)
 - (g) PA/2022/392 Outline Planning Permission to erect two dwellings with access (appearance, landscaping, layout and scale reserved for subsequent consideration) at land adjacent to 18-22 West Street, Winterton, DN15 9QF (Pages 127 - 144)
 - (h) PA/2022/469 Planning Permission to replace the existing single glazed wooden framed windows with double glazed UPVC window units to ground and first floor at 34 King Street, Winterton, DN15 9TP (Pages 145 - 150)
 - (i) PA/2022/525 Planning Permission to erect a two-storey extension including demolition of existing outbuilding at Lilac Cottage, Uppertorpe Road, Westwoodside, DN9 2AH (Pages 151 - 160)
 - (j) PA/2022/658 Planning Permission to erect a bungalow and an attached garage, with associated access works at land to the rear of The Gables, Willow Lane, Goxhill, DN19 7JP (Pages 161 - 170)
6. 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.

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 08 June 2022.docx
Date: 26 May 2022

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/2021/2151
APPLICANT	Banks Property Ltd
DEVELOPMENT	Outline planning permission for a residential development of up to 390 dwellings with associated infrastructure, and with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	Land west of Brigg Road and south of Horkstow Road, Barton upon Humber
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in (Cllr Paul Vickers – significant public interest) Significant public interest

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

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

Chapter 16 – Conserving and Enhancing the Historic 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 LC1 (Special Protection Areas, Special Areas of Conservation and Ramsar Sites)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC7 (Landscape Protection)

Policy HE2 (Development in Conservation Areas)

Policy HE5 (Development affecting Listed Buildings)

Policy HE9 (Archaeological Excavation)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

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 CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS23 (Sport, Recreation and Open Space)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

Supplementary Planning Guidance

Countryside Design Summary

Landscape Character Assessment and Guidelines

CONSULTATIONS

Highways: No objection subject to conditions relating to the submission of a phasing plan for the development, junction improvement works, reducing the speed limit on Brigg Road, Tofts Road improvement works, access, splays, footways, internal layouts, driveways and surfacing materials, along with others to mitigate construction and those related to sustainable transport. A section 106 agreement is required for a traffic regulation order to extend the speed limit to 30mph on Horkstow Road.

Sustainable Transport: No objections subject to an S106 for contributions towards bus services, bus tickets and travel packs.

National Highways: Originally recommended that planning permission not be granted for a specified period:

- for the applicant to undertake a comparison applying appropriate TEMPro growth factors to historic traffic data to confirm that the traffic data used is representative, considering yearly growth;
- with regard to policy EC1 of the NLC draft allocated employment sites record, we require confirmation that the M180 junction will operate appropriately considering the cumulative impacts of both the proposed lorry park/service station and the proposed residential development; therefore, a cumulative capacity assessment should be undertaken at the M180 junction in accordance with the requirements set out in Circular 02/2013;

- we note that there is no assessment of merge/diverge operation presented within the Transport Assessment, and require this assessment to confirm the safe operation of the M180 junction;
- there is a history of accidents of similar circumstance on the A15/M180/Barnetby Lane Link Road Gyratory. Considering the impact of the proposed development, the applicant should undertake a detailed assessment of the Barnetby Interchange junction and explore safety increasing measures at the junction approaches to reduce the frequency of 'driver error' incidents to ensure that the observed high frequency of collisions is not exacerbated as a consequence of increased traffic and turning movements; and
- considering the available information, it is our view that the addition of the proposed development could have a significant impact on the Barnetby Interchange junction. The Transport Assessment should determine the impact of the development relative to Circular 02/2013 and NPPF.

Response to additional information submitted by the applicant to address National Highways' original comments:

No objection. The Jacobs SYSTRA Joint Venture [JSJV] has reviewed Technical Notes, including 'Highways Technical Note – Response to Highways Comments from National Highways', considering items raised by JSJV's initial response and a separate TN in response to comments received from NLC Highways, as prepared by AMA. These documents have been reviewed in combination with the original Transport Assessment [AMA ref: 21007-001], submitted in December 2021. National Highways confirm that, considering the additional material presented, there are no outstanding matters to be agreed and that the proposed development is not expected to materially impact the strategic road network.

PROW officer: No objection. No paths, commons, greens or other statutory open access are affected, and the indicative site layout appears to include walkways through green spaces already.

Environment Agency: The information available to us indicates that the Barton upon Humber Water Recycling Centre (WRC) would currently only be able to accommodate a portion of the expected foul sewage from this proposed development. This is supported by the consultation response to you from Anglian Water, which states: 'The foul drainage from this development is in the catchment of Barton on Humber Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.' Anglian Water also advised the developer of this in their pre-planning assessment report. Barton is proposed as a focus for growth in the emerging North Lincolnshire Local Plan; the Plan (5.61, 5.67) notes that Anglian Water has stated the sewage treatment works has limited capacity and infrastructure improvements are required. We are not aware whether any options are yet being considered to deliver improvements. It is essential that no dwellings are occupied until capacity has been provided/confirmed to treat the foul sewage from those dwellings. Should you be minded to approve the application we therefore request the inclusion of a planning condition to ensure that for each phase of the development hereby approved, no dwellings shall be occupied until it has been confirmed in writing by the sewerage undertaker to the local planning authority that sufficient sewage capacity exists at

Barton upon Humber Water Recycling Centre to accommodate the foul water drainage from those dwellings, and that any necessary works to ensure this capacity have been completed.

Drainage (Lead Local Flood Authority): No objection subject to the imposition of conditions relating to the submission of a scheme for surface water disposal on the site, and to prevent surface water run-off onto the highway and from the highway onto the developed site.

Anglian Water:

Waste Water Treatment: The foul drainage from this development is in the catchment of Barton on Humber Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

Used Water Network: This response has been based on the following submitted documents: Appendix 6 – Flood Risk Assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Recycling: General advice in relation to building design for new properties to include adequate storage areas for waste management facilities and good access for collection crew.

Environmental Protection:

Contamination: The site is currently used as agricultural land and covers an area of approximately 25ha. The desktop study has identified the site as being agricultural fields which has seen very little change throughout the historical maps used. However, there are some small changes such as an increase in field size and a small quarry in the south of the site which is marked on the 1933 edition map. The 1970 edition map shows the deletion of the mapped quarry and the removal of a number of field divisions creating the present-day field layout. During the site walkover the area of the quarry appears to be infilled and a stone track leading to it was noted within the site boundary. It was noted during the site walkover that no olfactory or visual evidence of significant contamination was identified. The initial preliminary risk assessment based on a residential end use determines the risk to future site users and the environment from potential contamination located at the site to be low. However, the desktop study has recommended that an intrusive ground investigation is undertaken at the site to confirm the findings in the initial preliminary risk assessment. Recommend a condition relating to contamination.

Air Quality and Construction: An assessment of the potential air quality impacts during the construction phase has been undertaken in accordance with the IAQM Guidance on the

assessment of dust from demolition and construction (2014). The assessment concludes that 'With site specific mitigation measures in place, the significance of dust and fine particulate matter effects from earthworks, construction and trackout is considered to be not significant.' Recommend conditions relating to the submission of a CEMP. A condition restricting construction hours is also proposed as the site is located in close proximity to residential properties.

Air quality and Operational Phase: A quantitative assessment of the potential air quality impacts using dispersion modelling has also been undertaken. This is to establish the impact of the development on eight existing sensitive receptors in proximity to the site and the suitability of the site for residential development in terms of air quality. The assessment has considered the pollutants NO₂, PM₁₀ and PM_{2.5}. The assessment concludes that: 'The development will have a negligible impact on concentrations of NO₂, PM₁₀ and PM_{2.5} at all eight existing sensitive receptors considered in 2026. Pollutant concentrations are predicted to be below the air quality objectives in all scenarios considered. The effect of the proposed development on human receptors is therefore considered to be not significant.' Predicted NO₂, PM₁₀ and PM_{2.5} concentrations are below the annual mean air quality objective and limit value concentrations, for 2026, at the proposed sensitive receptors considered. Air quality effects within the site are, therefore, considered to be not significant. The impact of the proposed development is predicted to be not significant. However, mitigation measures will assist in reducing any potential impact and general best practice measures in relation to air quality should therefore be implemented. Recommend a condition requiring the submission of a scheme for the provision for electric vehicle charging points.

Noise: No objection subject to conditions relating to the submission of a noise mitigation scheme, the provision of an earth bund on the boundary adjacent to the A15 and the provision of an acoustic barrier for properties to be located closest to Brigg Road and the A15 on the site.

Historic Environment Record: No objections subject to conditions. Following the initial response, the applicant has now commissioned a programme of archaeological trial trenching to complete the archaeological field evaluation and inform the assessment of archaeological significance. The archaeological site work comprised the excavation of over 80 trial trenches and was completed very recently. The written report of the results, including specialist assessments, is awaited. Until the full report is received and can be considered I can only offer provisional advice based on my observations from on-site monitoring visits during the trial trenching. At this stage therefore I can advise the following:

The trial trenching was satisfactorily carried out on site in accordance with the programme of work agreed with the applicant prior to commencement. The trial trenching has established the extent of the archaeological interest within the application site. The Romano-British occupation has been shown to extend beyond the enclosures previously identified in the geophysical survey; human remains were encountered in features outside the proposed Archaeological Core Area. No other features of significance were encountered across the rest of the application site. Groundworks associated with the proposed development would destroy archaeological evidence associated with the Romano-British site. The archaeology does not meet the criteria for national importance but is of potential regional and/or local importance. Detailed archaeological mitigation and management strategies would be required to avoid or offset harm within the application area in accordance with the NPPF and local planning policy.

Conservation: No objection subject to conditions. The application has the potential to impact on the setting of the Barton Conservation Area. The application site is situated just outside the conservation area on its south-western aspect. The part of the conservation area closest to the application site is Baysgarth Park. However, views from the parkland to the site are screened by planting and intervening buildings. In a similar fashion views from the site into the conservation area are screened by planting and intervening buildings. This mitigates the impact of the development on how the conservation area is seen and experienced and as such there is no objection to the proposal. However, considering its proximity to the conservation area and to protect the local character and distinctiveness of Barton, I recommend a traditional palette of materials is used for the construction of the buildings and this should be secured by condition.

Historic England: Do not wish to offer any comments.

Ecology: Recommend refusal. Taking together the results of the wintering birds surveys and the records centre search, there is no evidence that the application site is functionally-linked land supporting waterbirds associated with the Humber Estuary SPA or Ramsar site. Natural England advises that we should not adopt the applicant's shadow Habitats Regulations Assessment (sHRA). Natural England requires the Suitable Alternative Natural Green Space (SANG) to be managed in perpetuity. This may not be possible without a conservation covenant. Such covenants are not yet available. Natural England requires a Strategic Access Monitoring and Management scheme into which developers can contribute. North Lincolnshire Council does not yet have such a scheme.

Natural England: There is insufficient information to confirm that the application will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA): appropriate assessment alone and in combination effects on loss of functionally linked land, the application will lead to additional recreational pressure on the SPA arising from new dwellings; the proposed Suitable Alternative Natural Green Space (SANG) mitigation measure is of a suitable scale and location; the management and maintenance arrangements for the SANG mitigation measure are not shown to be secured in perpetuity; confirmation of Strategic Access Monitoring and Management (SAMM) that is appropriate to secure the necessary avoidance and mitigation measures and have been secured for a duration proportionate to the timescale of the developments effects (in perpetuity). As submitted, the application could have potential significant effects on the Humber Estuary SPA. The Humber Estuary is also a designated SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation so that we can advise the authority accordingly. In the absence of this information, Natural England objects to the proposal.

In terms of biodiversity net gain (BNG) Natural England notes the development proposal has potential to achieve significant biodiversity net gain as demonstrated in the Ecological Impact Assessment (EclA) para 5.13.2, which is in line with emerging policy as part of the environment bill, local policy in the adopted North Lincolnshire Core Strategy (CS17 paragraph 5) and paragraph 174 (d) of the NPPF. BNG on SANGs is only attributable to habitat creation or enhancement that proves measurable additionality to the minimum requirements of the SANG. This needs to be demonstrated through use of the relevant Biodiversity metric (or as stipulated by the consenting body). For BNG to be delivered within a SANG, the SANG should achieve nature conservation outcomes that demonstrably exceed existing obligations under the SANG Guidance.

Soils and Agricultural Land Quality – From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20ha ‘best and most versatile’ (BMV) agricultural land. For this reason, we do not propose to make any detailed comments in relation to agricultural land quality and soils, although sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through appropriate site design/masterplan/Green Infrastructure. Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of soil resource information in line with the Defra guidance.

Tree officer: The arboricultural report on this application appears to give accurate information as to the location, size, species and condition of trees and hedgerows on the site and the root protection areas required around them. There is some concern over the loss of agricultural hedgerow here if the proposal were to go ahead. Further information about landscaping and future replacement and mitigation green infrastructure would be required at the appropriate time within the planning process to enable proper consideration. Most of the trees within or adjacent to the site are around the edge and this allows for retention of them, even if the development were to go ahead. If consent was given, there would be some loss of hedgerow presently delineating field boundaries. Mitigation planting can be incorporated within the larger green areas being suggested around the site. Overall the development would have little impact on the trees/hedges present and there is the opportunity to increase the greening that presently exists.

Leisure: The Core Strategy of the North Lincolnshire Local Development Framework, policy CS23 states that developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for recreation facilities arising from their development proposals. The occupiers of new development, especially residential, will generate demand for recreation provision. There are elements of existing provision within this area which will not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Sports facility calculators have been developed by Sport England for planning obligation purposes associated with leisure facilities. These calculators are used to determine the value of contribution required as a consequence of the development to support improvements at the catchment leisure facility as on site development of leisure facilities is both inappropriate and impractical. Across North Lincolnshire as a whole, the average occupancy per new household is calculated using an average figure of 2.36. Applying this to the calculation forecasts an additional population of 31.

Outdoor natural grass pitches: The evidence base for outdoor recreation is identified in the North Lincolnshire Playing Pitches Strategy (PPS). There is a clearly identified need in the newly adopted PPS and the local football facilities plan (LFFP) to provide improved ancillary facilities/changing facilities to better meet the needs of a growing population in sub area 7. The enhancements of these facilities has particularly been noted in the PPS in reference to sub area 7 and more specifically Pasture Road Field. Added to this it is noted that Pasture Road playing field is overplayed, with poor natural drainage. Investment is needed to support the additional demand.

Sports facility: The evidence base for recreation within the swimming pool facility shows within the sub area 7 catchment at Barton community Hub is at capacity. Baysgarth Community Hub has one of the smallest pools in North Lincolnshire with a single offer that is 20m x 8m consisting of four lanes. Barton upon Humber is an area of high demand for

swimming and investment is required to improve the facility, including the poolside, changing village and sports hall facilities. Developer contributions would be used towards meeting these costs.

Indoor bowls: Indoor bowling centres are a very important facility type for people aged 60+. Participation in indoor bowling is highest in the five-year age bands from 65–80+ for both genders and is highest in the 80+ age band for males and the 75–79 age band for females. This importance is recognised by North Lincolnshire Council with the initial provision of the Scunthorpe IBC, continuing investment in the centre with upgraded rink lighting, and replacement of the carpets. The evidence base for the indoor bowling centre demonstrates that the facility serves the whole of the North Lincolnshire population and is the only provision of this type. Capital investment to address sufficiency, quality and access is required. Developer contributions would be used towards meeting these costs.

Developer contributions: It is therefore appropriate that leisure provision should be added to the planning requirements for developer contributions based on the following allocation:

A total contribution of £300,796 is required if this application is successful.

Broken down as follows:

- £63,145 for improvements towards natural turf pitches within sub area 7
- £102,408 for improving the ancillary/changing facilities infrastructure, specifically towards supporting the existing football infrastructure
- £130,719 for improvements towards swimming pools within sub area 7
- £4,524 for improvements towards the Indoor Bowls facility.

Sport England: Originally objected as the proposal will generate demand for sporting provision and this is not addressed in the current planning application.

Further comments: Sport England's comments are to provide evidence of sporting need to assist the council in negotiations with the applicant in assessing the contributions towards sport in the local area. We are not necessarily prescriptive on the exact amount of money nor where it is spent. We would expect any figure to be based on local evidence and intelligence. We note the council's leisure services are requesting a contribution of £300,796 for different leisure contributions which are evidenced. Sport England would be willing to support the contributions proposed by leisure services. Sport England's default position is to maintain its objection to this planning application until a Section 106 agreement or other mechanism has been delivered to secure the contributions towards sports facilities. Sport England can confirm that once a Section 106 agreement or other mechanism has been signed and completed Sport England will withdraw its objection to this planning application.

Education: Contributions for both primary and secondary school places are requested.

Humberside Fire and Rescue: General comments in relation to adequate access for fire-fighting being provided to all buildings or extensions to buildings, and adequate provision of water supplies for fire-fighting appropriate to the proposed risk. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities.

Humberside Police: No objection. Provides general advice in relation to any reserved matters application to be submitted. Comments about road safety and the proposed site entrance/exit at Brigg Road as there is potential for collisions due to high speeds along Brigg roads and limited visibility. The junction needs to be designed appropriately to prevent this. Consideration should be given to extend the 30mph speed limit out into the rural area.

TOWN COUNCIL

Objects on the grounds of:

- the impact and pressure on the roads with increased traffic
- the application is outside the allocated development area in the North Lincolnshire Local Plan.
- there is no evidence that there is a need for this development
- this development would increase pressure on the town infrastructure, including healthcare services
- there would be increased pressure on the current sewage system and water pressure.

PUBLICITY

Advertised by site and press notice. Over 240 letters of objection have been received, 5 letters of no objection and 29 letters of support. The letters of objections raise the following issues:

- loss of agricultural land
- increased burden on amenities
- loss of/impact on historic value of Barton
- loss of habitat
- access is dangerous to highway users
- the site is in the open countryside
- increased traffic and objection
- a bypass should be built
- cumulative impact with other developments in the town
- the site not located close to the town centre
- need for additional infrastructure
- flooding
- lack of parking in the town

- not an allocated housing site
- drainage and sewage issues in Barton
- no need for this development
- loss of gateway to the town
- the roundabout at Holydyke and Brigg Road needs upgrading
- impact on air quality and climate change and increase in emissions
- loss of trees and hedgerows
- other brownfield sites are available.

The letters of support raise the following issues:

- support for retail and employment
- increase in homes
- improved biodiversity
- improved bus service
- enables business growth
- provision of allotments
- contributions to services.

STATEMENT OF COMMUNITY INVOLVEMENT

The applicant has submitted details of the community engagement that has taken place in relation to the application. These took place during the Covid 19 pandemic. This involved a virtual community consultation event, presentation to the town council and two separate sessions that took place in August 2021 (public engagement exhibition) and October 2021 (Design workshop – 2nd exhibition event). Other undertakings included a leaflet drop, a dedicated micro site (online), press releases, personal visits to residents on Horkstow Road, virtual meeting with the business manager at the Central Surgery medical centre, individual letters to residents, virtual exhibition. Engagement also took place with local schools, doctor's surgery and a number of community groups. The online and exhibition events were well attended. Sixty-three people attended the exhibition events with over 1,781 visits to the Barton upon Humber webpage during July to November 2021. Documents associated with the community engagement have been submitted with the planning application.

The main issues raised during the consultation event related to no further development in Barton until the relief road has been delivered, design matters, access and highway issues, flooding, drainage, bungalows and affordable housing and four-bedroom dwellings are required, more facilities should be provided on the site, over-development, loss of ecology,

brownfield land should be developed, lack of capacity for schools and health facilities, inadequate infrastructure.

In terms of design preference, the design workshop comprised master planning the site. The indicative site layout has taken into account comments that the development should be of a similar scale and density to existing housing in the local area and that it should be a high-quality development that includes affordable homes. Open space provides the main focus for the development and responds to the local desire to provide space for recreation through a network of footpaths. A wide range of different types of open space have been provided within the indicative masterplan.

In response to residents' comments, bungalows have been included within the site to meet local needs. With regard to concerns raised over speeding vehicles and highway safety on Brigg Road, appropriate visibility splays have been included within the proposals and a gateway feature is proposed in this location to reduce vehicle speeds as they enter the settlement. Residents complained about the lack of a footpath on the central section of Horkstow Road. This has influenced the proposal to include a footpath to the north side of Horkstow Road that provides a paved footpath for the entirety of this road. The developer contributions package proposed includes contributions for sustainable transport which will be used to provide a bus route that would service the existing residents of the Tofts Road estate, in addition to the new housing.

ASSESSMENT

The site

The site is approximately 26.3 hectares and is outside the development boundary of Barton upon Humber. Barton is identified as a market town in the Core Strategy. The site is bounded by Horkstow Road to the north, Brigg Road to the east, hedgerow to the south and the A15 to the west. Hedging and trees surround part of the site boundaries. The site comprises agricultural land which is currently in active production. There is an existing farm access into the site from Horkstow Road. The site is not flat: the land generally falls from the south with the lowest part of the site in the centre and a more gradual rise towards Horkstow Road. The site lies in Flood Zone 1 of the council's SFRA and is therefore at low risk of flooding. The town centre is approximately 1km to the north. The site lies within close proximity of the Humber Estuary SPA/SAC/SSSI/Ramsar site. The site lies adjacent to the Barton conservation area. The nearest listed building to the site is Baysgarth Museum to the north. A public footpath (PROW 37) runs through agricultural land to the east. North Lincolnshire Council has submitted a boundary variation to Natural England for the Lincolnshire Wolds AONB which would bring the boundary closer to Barton and potentially cover the site/part of the application site if approved.

The proposal

The proposal is for up to 390 dwellings with associated infrastructure. The proposal is an outline application with all matters reserved for subsequent consideration, apart from access. Detailed approval is sought at this stage for two points of access: from Brigg Road and from Horkstow Road. The proposed site access on Brigg Road is via a new ghost island right-turn priority T-junction. A priority crossroads is proposed at the junction with Horkstow Road and Tofts Road. The site access junction has been designed to give priority to the north-south movement. The two arms of Horkstow Road will be the minor arms giving way to the site access and Tofts Road.

Indicative masterplans have been submitted as part of the application. The applicant has provided an indicative housing mix for the scheme which is a mix of one, two, three and four-bedroom properties and has specified within the submitted planning statement that the development will provide 20% affordable housing. The applicant has submitted a multifunctional landscape and open space strategy, with the application outlining details of open space (formal and informal recreational spaces) proposed for the site, the open space comprising 13.7 hectares. A rationale for the design and masterplan has been submitted. In essence, the applicant's vision for the site is for 'a new sustainable urban extension accompanied by a strong landscape-led masterplan framework. New and existing residents will have access to a significant amount of new and usable outdoor space inclusive of food-production opportunities, areas that encourage community cohesion and space to play and exercise. Character will be inspired by local materials, forms and spaces and by respecting and responding positively to views of the Humber Bridge and the existing Barton upon Humber settlement which visually connect the new community to the existing.'

Planning history

There is no relevant planning history for the site.

Material considerations

The main issues in the determination of this application are the principle of development, highway safety, flood risk, drainage, character, appearance and landscape, loss of agricultural land, ecology and biodiversity, trees and hedgerows, impact on the conservation area and listed buildings, archaeology, noise, air quality, contamination and residential amenity.

Principle

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) and the North Lincolnshire Core Strategy (NLCS). 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).

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing that seek to restrict housing outside settlements should not be considered up to date if a five-year supply cannot be demonstrated. The presumption in favour of sustainable development means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits of the application when assessed against the policies of the NPPF.

The North Lincolnshire Five Year Housing Land Supply Statement states that North Lincolnshire can demonstrate a 5.64-year supply between 1 April 2021 to 31 March 2026. Accordingly, the local planning authority has demonstrated a five-year supply of housing and housing applications should be considered in the context of the local development plan.

The application site is outside of a defined development boundary and is therefore classed as open countryside for the purposes of planning. The main issue is whether the principle of developing this site for residential purposes is acceptable in policy terms.

Policy CS2 Delivering More Sustainable Development sets out how the principle elements of policy CS1 that make up the overall spatial strategy will be implemented using a sequential approach to the location of future development that is based on the settlement hierarchy and taking into account other sustainability criteria. Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.

All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport; it should be compliant with public transport accessibility criteria as set out in the Regional Spatial Strategy
- be located where it can make the best use of existing transport infrastructure and capacity, as well as taking account of capacity constraints and deliverable transport improvements particularly in relation to junctions on the Strategic Road Network
- where large freight movements are involved the use of rail and water transport should be maximised
- contribute towards the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development, but where appropriate it is to be recognised that a phased approach may not be required on small scale development proposals.

Policy CS3 provides that outside development boundaries, the development will be restricted to that which is essential to the functioning of the countryside. In local planning terms, the site is outside the development boundary of Barton and within the open countryside. As indicated earlier, development outside the defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture, forestry or other uses which require a countryside location or that which will contribute to the sustainable development of the tourist industry. To summarise, the application site is located within the open countryside and is strictly contrary to local planning policy which seeks to protect such areas from inappropriate uses and unsustainable development.

Policy CS8 of the Core Strategy 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. About 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 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.

The proposed development is contrary to these policies as it is primarily for market housing not essential to the functioning of the countryside, or any rural business, nor does it meet any special need associated with the open countryside. Given the siting, the proposed development would be outside the defined development boundary for Barton upon Humber and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan.

It should be noted that the council are able to demonstrate a five-year housing land supply.

Since the proposal conflicts with policy RD2 of the North Lincolnshire Local Plan and policies CS2, CS3 and CS8 of the Core Strategy, a full assessment of the proposal and supporting documents should be carried out to establish if they are of sufficient weight to merit departing from the development plan. Paragraph 2 of the NPPF (2021) states that, 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise'. The technical impacts of the proposal are assessed below.

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 and general highway safety. Both policies are considered relevant. Policy CS25 of the Core Strategy is also relevant and seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

In terms of highway matters there are two access points for the development: on Horkstow Road and Brigg Road. The applicant has submitted a transport assessment (TA) with the application, additional information in relation to National Highways' and NLC Highways' original comments on the application, provided plans of the proposed accesses, submitted details of walking routes, bus routes and bus stops and a travel framework plan.

It is noted that the majority of the objections raise highway issues. National Highways and Highways have been consulted on the proposals and are raising no objections. In terms of National Highways it is considered that the proposed development is not expected to materially impact the strategic road network.

In terms of NLC Highways, a through assessment of the proposal based on the submitted information and the council's evidence base has been carried out. The trip generation for the proposed development has been assessed and it is concluded that the proposal will have a minimal impact on the A1077, particularly on the Hungate mini-roundabout as the location of the application site can be accessed from various directions, thus dispersing the

impact of development traffic on the existing highway network. From the modelling information contained within the transport assessment submitted with the application, it is extremely unlikely that pm peak development trips would be travelling along the A1077 to Hungate mini-roundabout and Highways are satisfied that that the proposed development would not have an adverse impact on the roundabout.

In terms of the impact on Horkstow Road, the TA states that Horkstow Road is unlikely to be significantly affected by development traffic as the proposed layout of the site is designed such to make the use of Horkstow Road unattractive. After assessing the evidence, Highways agree with this statement and are requesting footway improvements along Horkstow Road to provide pedestrian enhancements. There is sufficient space within the adopted highway to provide these, and these works can be conditioned. Highways are also recommending an S106 contribution to extend the speed limit to 30 mph westwards on Horkstow Road.

In terms of Tofts Road, this will experience a significant increase in traffic flows as a result of the proposed development. Whilst the majority of Tofts Road could accommodate this increase in traffic from the development, there is a short section of single track carriageway, just to the north of Horkstow Road, which cannot accommodate any increase in vehicular traffic. As a result, localised widening works would be required, including the provision of footways to this section of the carriageway. There is sufficient space within the adopted highway to accommodate these works and these can be carried by an S278 (highway) agreement. Subject to these works and planning conditions, the impact the development will have on Tofts Road is acceptable.

In terms of Brigg Road, a site access is proposed. There is a 30mph speed limit which terminates close to the proposed site access. The existing 30mph speed limit would need extending southwards and the submitted TA also suggests a gateway feature at this point. A footway on Brigg Road along the site frontage will need to be provided, which connects into the existing facility to the north. These matters could be conditioned and it is worth noting that Environment Health are also recommending a speed limit of 30mh on Brigg Road, adjacent to the site, to reduce road traffic noise.

Junction capacity assessments have been carried out on a number of junctions on/adjacent to the site. These assessments/modelling have revealed that all junctions operate with spare capacity in the baseline year; therefore, there are no existing capacity issues at these junctions. Accident data has been analysed and does not indicate any road safety concerns, which would be exacerbated by the proposed development.

The council has proposals for a relief road around Barton to reduce traffic flows and congestion at peak times on the A1077 through the town centre. The applicant has considered the proposed relief road within the submitted TA, with the TA prepared on the presumption that the link road is not in situ. It is not envisaged that the proposals would prejudice the delivery of the link road. The timescales for the relief road are currently unknown, however it is unlikely to be completed by the future year assessment period used in the TA.

Highways are proposing an S106 contribution of £3,000 to extend the speed limit to 30 mph westwards on Horkstow Road. Highways are also recommending a series of conditions which include the submission of a phasing plan, details of the junction improvement works within the adopted highway (including the site accesses for Brigg Road and Horkstow Road), details of bus stop infrastructure, cycle facilities, footways, lighting, proposed

improvements to Tofts Road (including details of carriageway widening, drainage, street lighting and footways, lighting and lining arrangements), the reduction in the speed limit on Brigg Road to 30mph, and a series of conditions relating to adequate car parking on the site, access, visibility and travel plans.

In terms of sustainable transport, following discussions with the developer, public transport are requesting S106 contributions towards a bus service which extends the existing services that already serve Barton to go through the proposed site on a half hourly basis, funding of bus tickets and Stagecoach welcome packs. These contributions will improve the sustainability of the scheme and allow for greater access to more sustainable transport modes for occupiers of the development.

The proposal is considered to be acceptable in highway terms and, subject to the proposed S106 contributions and planning conditions, aligns with the NPPF, policy CS25 of the Core Strategy, and policies T1, T2 and T19 of the North Lincolnshire Local Plan.

Flood risk

Policy CS19 of the Core Strategy and policy DS16 of the NLLP are concerned with flood risk. A flood risk assessment FRA has been submitted with the application. The application site is within flood zone 1 and therefore is a preferred place for development in terms of flood risk. The sequential and exceptions test are not required to be undertaken for this development as it lies in flood zone 1. The Environment Agency has been consulted on the proposal and raise no objections in terms of flood risk. The proposal is therefore considered to be acceptable in terms of flood risk and aligns with the NPPF, policy CS19 of the Core strategy and policy DS16 of the NLLP.

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk and policy CS18 of the Core Strategy is concerned with sustainable resource use and climate change, whilst policy DS14 of the NLLP is concerned with foul sewage and surface water drainage.

The applicant has submitted a drainage strategy with the application. The use of infiltration on the site has been discounted due to the site constraints. Surface water is proposed to drain into the ditch in the north-eastern corner of the site adjacent to Horkstow Road. It is proposed that the existing A15 culvert through the site be replaced with a central swale running through the site. Attenuation ponds are also proposed for the storage of the site as part of the drainage strategy

The EA, LLFA and Anglian Water have been consulted on the proposals and are not raising any objection in terms of drainage. In terms of surface water drainage, whilst the LLFA consider there are some fundamental design issues to resolve, they are requesting conditions relating to a scheme for the provision of surface water drainage for the site to be submitted to and approved in writing by the local planning authority, which will need to include a number of criteria specified by the LLFA, and also conditions relating to preventing surface water run-off from the site onto the highway and vice versa. Subject to these conditions, the proposal would align with the NPPF, policies CS18 and CS19 of the CS, and DS14 of the NLLP.

In terms of foul water drainage, the EA have commented that the Barton upon Humber Water Recycling Centre (WRC) would currently only be able to accommodate a portion of the expected foul sewage from this proposed development. Anglian Water have also

confirmed in their consultation response that the Barton-on-Humber Water Recycling Centre currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the local planning authority grant permission. In light of this, the EA are requesting a condition to ensure that no dwellings are occupied until capacity has been provided/confirmed to treat the foul sewage from those dwellings. Anglian Water are not recommending any conditions, but are recommending informatives relating to connection to public sewer and building near a public sewer. Subject to the planning condition recommended by the EA to ensure there is capacity for the additional foul sewage the development will create and conditions relating to details of the foul drainage for the site to be submitted for approval by the local planning authority, the development is considered to be acceptable in terms of drainage. The proposal will therefore align with the NPPF, policies CS18 and CS19 of the CS, and DS14 of the NLLP.

Impact on the character and appearance of the area and on the landscape

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 Core Strategy is relevant and 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.' Policies H5 and H8 the local plan, which are concerned with new housing development, and paragraph 130 of the NPPF, are relevant, though the criteria-based nature of policy H5 lends itself better to the assessment of any subsequent reserved matters application.

Policy LC7 of the local plan is relevant and states, 'Where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.'

Policy LC12 of the local plan is relevant and states, 'Proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows. Particular regard will be given to the protection of these features within the setting of settlements.'

The applicant has submitted a landscape and visual appraisal for the site (LVA) and an open space and landscape framework with the application. The submitted LVA concludes that the site and the immediate landscape is of medium landscape value and that 'overall, it is considered that the proposed residential development of the site, following an appropriate and well-considered layout, has the potential to be successfully integrated into the local

surroundings and would not give rise to unacceptable harm to the landscape and visual receptors.'

The local planning authority has carefully assessed all the submitted information, the relevant policies and the council's Countryside Design Summary (CDS) and Landscape Character Assessment and Guidelines. It is acknowledged that the site has no formal landscape designation, but is it a valued landscape comprising agricultural land (some of which is the BMV) and hedgerows. Furthermore, there is a proposal to extend the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) to include this site. The site falls within the 'Lincolnshire Wolds' Character Area within North Lincolnshire Landscape Character Assessment and Guidelines and within the 'Open Rolling High Farmland' Local Landscape Type. The site is a large open area of rolling open agricultural land which makes a positive contribution to the landscape on this settlement edge of Barton. The site is not level: it rises and falls as per the character type set out in the CDS. The proposal would be visible from a number of vantage points, including Brigg Road, Horkstow Road, from the A15, from the conservation area and from the PROW located to the east of the application site. The proposal will extend the settlement edge south, bringing the settlement onto higher ground, breaking the skyline from some directions and potentially impacting the view of the Humber Bridge (Grade 1 listed building).

Whilst the details of the scheme, including landscaping, would be reserved matters, the development of the large area of agricultural land would result in an encroachment of built form within this transitional landscape and would, in effect, create an urban extension to Barton due to the sheer scale and size of the development proposed. The erosion of this transitional landscape would result in harm to its character and appearance and its wider setting. The development would detract from the positive contribution the application site makes to the landscape type and character. Some hedgerows will be lost to facilitate the access. The hedgerows surrounding and within the site provide context for the local landscape type and this context would be lost if the site were to be developed for this residential scheme. In addition, the area could be included in the proposed extension to the AONB and therefore would become a nationally designated area.

There would be significant harm to the character and appearance of the area. In this regard, the proposal would conflict with the requirements of policies CS2 and CS8 of the Core Strategy and RD2 of the local plan. These policies state that planning permission will only be granted for development provided that it would not be detrimental to the character or appearance of the open countryside or a nearby settlement. These policies accord with paragraph 130 of the Framework which requires developments to be sympathetic to local character, and the surrounding built environment and landscape setting. In this regard, the proposal would conflict with the relevant provisions of the Framework. Overall, the proposed development is not considered to be acceptable in terms of its impact on the character and appearance of the area and as such the proposals would be contrary to policies H5, RD2, LC7, LC12 and DS1 of the local plan and CS5 of the Core Strategy.

Loss of agricultural land

The proposal will result in the loss of approximately 23.6 hectares of agricultural land. Planning records indicate that this is Grade 2 agricultural land (very good quality). The best and most versatile land is defined as Grades 1, 2 and 3a. The site is currently in agricultural production and was ploughed at the time of the case officer's site visit. Paragraph 174 b) of the NPPF states that, 'planning policies and decisions should contribute to and enhance the natural and local environment 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.’ Footnote 58 of the NPPF states that ‘where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.’

Natural England, in their original consultation response, have expressed concern that no assessment has been provided of the potential impacts that the proposal will have on best and most versatile agricultural land (BMV). The applicant has submitted an agricultural land assessment report. This report provides a detailed analysis of the agricultural land in relation to a number of factors which include climatic limitations, site limitations, soil limitations and interactive limitations. This report concludes that majority of the application site is deemed to be Grade 3b with some areas classified as 3a. Grade 3a comprises 9.75 hectares and Grade 3b is 15.58 hectares. Natural England no longer want to comment any further on this matter as the proposed development would not appear to lead to the loss of over 20ha ‘best and most versatile’ (BMV) agricultural land.

Taking into consideration all the factors, including the applicant’s assessment of the agricultural land classification planning policy, the comments made by Natural England and the large swathes of BMV agricultural land around Barton, whilst the loss of this agricultural land is regrettable, it is not considered to have a substantial impact on the overall viability of farming or availability of quality agricultural land in the area.

Ecology and biodiversity

In terms of ecology, the site lies within 4.42km of the Humber estuary where there is potential for recreational pressure and potential impacts on the Humber Estuary SSSI, SAC, SPA and Ramsar, including:

- water-borne pollution, depending on the drainage and foul water proposals
- increased recreational disturbance of SPA/Ramsar qualifying waterbirds due to the increased population within 4.42 kilometres of the Humber
- disturbance and displacement of SPA/Ramsar waterbirds that may use land functionally, linked to the Humber Estuary for feeding, roosting and/or loafing.

The council will need to carry out a Habitat Regulations Assessment (HRA) for the development and there is a requirement for the applicant to provide information that is reasonably required for an HRA. The applicant has submitted various documents and surveys relating to birds, including migratory and wintering birds. These surveys have had to be carried out between July and March. A shadow HRA has also been undertaken by the applicant. Natural England have been consulted on these documents.

The indicative open space and landscape framework submitted with the application has been designed with significant provision of open space and circular walks on site. One of the key tasks for the Habitat Regulations Assessment is to assess whether this local/on-site provision will minimise dog-walking and other recreational journeys to the Humber Estuary, thus reducing the potential for recreational disturbance of SPA/Ramsar waterbirds. The applicant considers that adverse effects on the Habitats sites from recreational disturbance can be avoided through the proposed on-site provision of green space, together with the use of local access routes/provision that avoid accessing the habitat site.

Natural England consider there is insufficient information to confirm that the application will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA) and Ramsar site. There is no evidence that the application site is functionally-linked land supporting waterbirds associated with the Humber Estuary SPA or Ramsar site.

Natural England have assessed the submitted Shadow HRA and the measures proposed to avoid/mitigate for any adverse effects. Natural England's advice is that, 'this assessment is not sufficiently rigorous or robust to allow your authority to reach this conclusion. Natural England advise that it is not possible to ascertain that the proposal will not result in adverse effects on the integrity of the site in question' and advise the council that it should not grant planning permission at this stage. Whilst Natural England considers the Suitable Alternative Natural Green Space (SANG) mitigation measure to be of a suitable scale and location, Natural England require it to be managed in perpetuity and requires a Strategic Access Monitoring and Management scheme into which developers can contribute (SAMM). The SAMM measures typically involve developer payments towards wardening, information provision and site enhancements to minimise recreational disturbance of waterbirds using the designated site and functionally-linked land. North Lincolnshire Council does not operate such a scheme at present.

In terms of protective species, the submitted ecological impact assessment has carried out surveys in relation to protected species. Suitable mitigation and enhancement measures have been proposed within the assessment for the species recorded which the council's ecologist has found to be acceptable. Japanese knotweed is known to be present at the junction of Brigg Road and Horkstow Road and will need to be eradicated in accordance with the latest government guidance.

In terms of biodiversity net gain (BNG), the site is currently arable land of low biodiversity value. Hedgerows are species poor. Policy CS17, and paragraphs 174 and 175 of the NPPF, require net gains for biodiversity to be provided on site. The submitted BNG matrix provides an overall gain of 13.63 habitat units (21.40% gain) and 22.25 hedgerow units (112.13% gain). This will compensate for the loss of arable habitat and minor loss of hedgerow. Appropriate woodland, wet woodland, tree planting, SUDS and hedgerow species are set out in the submitted indicative open space and landscape framework. UK-origin wildflower and grass mixes are proposed.

It must be noted that Natural England comment in terms of biodiversity net gain that, 'BNG on SANGs is only attributable to habitat creation or enhancement that proves measurable additionality to the minimum requirements of the SANG. This needs to be demonstrated through use of the relevant Biodiversity metric (or as stipulated by the consenting body). For BNG to be delivered within a SANG, the SANG should achieve nature conservation outcomes that demonstrably exceed existing obligations under the SANG Guidance.'

In light of all the information submitted and Natural England's objection, it is considered that there is insufficient information to confirm that the application will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area and Ramsar site. As a result, the proposal is currently contrary to paragraphs 174 and 180 of the NPPF, policy CS17 of the CS and policy LC1 of the NLLP.

Trees and hedgerows

Policy LC12 of the NLLP states that, 'proposals for all new development will, wherever possible ensure the retention of trees, woodland and hedgerows. Particular regard will be

given to the protection of these features within the setting of settlements.’ The site is agricultural land currently in active production. There are some trees on the site. An arboricultural survey has been submitted with the application. Most of the trees within or adjacent to the site are around the site boundaries and could be retained as part of the development. Some hedgerow loss will take place that presently delineates the field boundaries. Some hedgerow removal would occur to provide the proposed accesses for the development. The applicant’s submission indicates that substantial hedgerow planting is proposed to mitigate the loss of hedgerow to be removed. The submitted Ecology Impact Assessment confirms that there will be a gain of 22.25 hedgerow units (112.13% gain) on the site and the submitted Open Space and Landscape Framework, and Indicative Masterplan demonstrates how this hedgerow gain can be achieved on the site. The tree officer is raising no objections to the proposal as it is considered that the development would have little impact on hedges and trees and there are opportunities to increase the ‘greening’ that currently exists. Landscaping is a reserved matter and through any reserved matters application extensive and robust landscaping would be required, including the planting of new hedgerows and trees. In addition, planning conditions can be used to secure the net gain for hedgerows on the site and to secure tree protection measures for trees and hedgerows. The proposal, purely in terms of the retention of existing trees and hedgerows on the site, would subject to conditions to align with part of policy LC12 of the NLLP.

Impact on the conservation area and listed buildings

The application is located just outside the Barton conservation area and has potential to impact its setting. There are listed buildings to the north of the application site, the nearest being around 400m away. The submitted master plan indicates that the north-eastern corner of the site would not comprise buildings, but attenuation basins and green infrastructure. The council’s conservation officer has been consulted on the proposals and is raising no objections to the proposed development subject to conditions relating to the submission of external materials for the dwellings. In this case, although the site is adjacent to the Barton conservation area, the views from the parkland to the site are screened by planting and intervening buildings. In a similar fashion, views from the site into the conservation area are screened by planting and intervening buildings. This mitigates the impact of the development on how the conservation area is seen and experienced and as such there is no objection to the proposal. It is therefore considered, on balance, that the proposed development will not result in demonstrable harm to the setting of the conservation area. In terms of impact on the listed buildings to the north of the site, it is not considered that the proposal would adversely affect the setting of the adjacent listed buildings in the vicinity of the application site. The proposal, subject to the planning condition relating to materials, would accord with the NPPF, policy CS6 of the CS, and policies HE2 and HE5 of the NLLP.

Archaeology

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

Policy HE9 states, 'Where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment to be submitted prior to the determination of a planning application will be required. Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.'

In relation to this site, it is known to contain heritage assets of archaeological interest associated with a Roman coin hoard and an undated enclosure system and has high potential for the discovery of further remains. The applicant has submitted a desk-based assessment and geophysical survey report identifying features recorded to date; however, there was insufficient information to assess the significance of the archaeological potential or to address the applicant's proposals for mitigation of impact. Following HER concerns, the applicant has commissioned a programme of archaeological trial trenching to complete the archaeological field evaluation and inform the assessment of archaeological significance. HER found the trial trenching to be satisfactory and it has established the extent of the archaeological interest within the site. It has been ascertained that whilst the archaeology does not meet the criteria for national importance, it is of potential regional and/or local importance. In light of all the evidence available, HER has no objections to the proposal subject to conditions relating to detailed archaeological mitigation and management strategies. Subject to conditions, therefore, the proposal aligns with the NPPF, policy CS6 of the CS and policy HE9 of the NLLP.

Noise

Policy DS1 of the local plan 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.'

Policy DS11 of the North Lincolnshire Local Plan is concerned with polluting activities. It 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.

Paragraph 185 'a' of the NPPF states, '...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.'

The site is adjacent to the A15 and Brigg Road. There is, therefore, potential for noise disturbance to future residents from road traffic noise. A noise assessment and additional information in relation to noise has been submitted by the applicant. Environmental Protection have been consulted on this submitted information and raise no objections to the proposal in terms of noise, subject to conditions. These conditions relate to the provision of a noise mitigation scheme to be submitted to and approved by the local planning authority, details for the erection of an earth bund on the boundary of the site adjacent to the A15, details for the provision of an acoustic barrier to be erected at properties located closest to Brigg Road and the A15 on the site, and the speed limit on Brigg Road bordering the site to be reduced to 30mph. Subject to these conditions to reduce the impact of road traffic noise

on the proposed dwellings, the proposal would align with the NPPF, and DS1 and DS11 of the NLLP.

Air quality

Policy CS18 is concerned with sustainable resource use and climate change. Its purpose is to promote development that utilises natural resources as efficiently and sustainably as possible. Two points of this policy are relevant:

- (10) Ensuring development and land use helps to protect people and the environment from unsafe, unhealthy and polluted environments, by protecting and improving the quality of the air, land and water.
- (12) Supporting new technology and development for carbon capture and the best available clean and efficient energy technology, particularly in relation to the heavy industrial users in North Lincolnshire, to help reduce CO₂ emissions.

The council's Environmental Protection Department have assessed the proposal and have proposed a condition that, prior to development, a scheme for electric charging points shall be submitted to and agreed in writing with the local planning authority. The request is considered to be in accordance with the above policy requirements and would be attached to any permission to mitigate the impact upon air quality generated by the development. It is considered (if planning permission was recommended for approval) that the imposition of this condition would not only satisfy policy CS18 of the Core Strategy, but also DS11 of the local plan by making a positive impact upon the reduction of polluting activities.

Contamination

Policy DS7 of the North Lincolnshire 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 applicant has submitted a desk-top study in relation to contamination. The initial preliminary risk assessment, based on a residential end use, determines the risk to future site users and the environment from potential contamination located at the site to be low. However, the submitted desk-top study recommends that an intrusive ground investigation is undertaken at the site to confirm the findings in the initial preliminary risk assessment. The environmental protection officer is recommending a phase 1 site investigation, including remediation and verification reports, be submitted to and agreed with the local planning authority to ensure the site is safe for future users and construction workers. Given the aforementioned mitigation, the proposed development is considered to accord with policy DS7 of the NLLP.

Residential amenity

In terms of residential amenity, it is considered that a scheme could potentially be designed and laid out on the site to ensure that overlooking and privacy issues were avoided between the proposed dwellings within the site and between proposed and existing dwellings surrounding the site. The site constraints, such as the topography, mitigation measures required for noise, and access requirements, for example, would need to be taken into consideration in the design of the layout, scale, appearance and landscaping of the site. These matters would be assessed in detail at reserved matters stage.

Planning obligations

Policy CS27 is concerned with planning obligations and states that where a development proposal generates an identified need for additional infrastructure, North Lincolnshire Council will, through the negotiation of planning obligations pursuant to Section 106 of the Town & Country Planning Act 1990 and in accordance with guidance set out in Circular 05/2005, seek obligations that are necessary to make proposals acceptable in planning terms.

The tests for planning obligations are set out in Part 11, section 122 of the Community Infrastructure Levy Regulations 2010 (as amended). It states:

- (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

The legal test is also set out in planning policy under paragraph 57 of the National Planning Policy Framework 2021. The heads of terms for the developer contributions are set out below. At the time of drafting this report, the heads of terms were being considered by the applicant and the planning committee will be verbally updated on the applicant's response to them.

Affordable housing

Policy CS9 is concerned with affordable housing and requires schemes for new residential housing in market towns to contribute 20% of the scheme for affordable tenure. Ideally 70% of affordable housing supplied should be for rent and, where possible, the housing should be provided on site, but an off-site contribution may be acceptable in certain circumstances. Under policy CS9, the site requires 20% of the total number of dwellings to be provided on the site to be affordable. Based on up to 390 dwellings, this will equate to up to 78 affordable dwellings on the site.

Public open space and leisure

Public open space and leisure policy H10 of the North Lincolnshire Local Plan is concerned with public open space. It states, '(i) ...New housing developments on allocated and windfall sites of 0.5ha or more will be required to provide recreational open space on a scale, and in a form, appropriate to serve the needs of residents.' This is reinforced by policy CS22 of the North Lincolnshire Core Strategy; both are considered relevant.

The recreation department has requested an off-site contribution of £300,796 for the following sporting facilities which has been endorsed by Sport England:

- £63,145 for improvements towards natural turf pitches within sub area 7
- £102,408 for improving the ancillary/changing facilities infrastructure, specifically towards supporting the existing football infrastructure

- £130,719 for improvements towards Swimming pools within sub area 7
- £4,524 for improvements towards the Indoor Bowls facility.

With regard to open space, a minimum of 10sqm of open space is to be provided on site, the provision of two LEAPs on site and the financial contribution amount for two other LEAPs to go towards additional facilities at Baysgarth Park of £108,212.

Education

A contribution of £9,836 per dwelling is required towards primary and secondary education which excludes affordable units.

Public transport and highways

A contribution of £3,000 is required to extend the speed limit to 30mph westwards on Horkstow Road to cover the legal order and signage that would be required.

A financial contribution of £625,672 is required for a bus service, a financial contribution towards bus tickets of £28,080 (developer funds 60% of the £120 ticket; Stagecoach fund 40%) and Stagecoach welcome packs of £975.

Obligations summary

The proposed on- and off-site contributions are considered to be CIL compliant as well as policy compliant. The proposal would therefore align with policies CS9, CS23, CS25 and CS27 of the North Lincolnshire Core Strategy, C1 and H10 of the North Lincolnshire Local Plan, and paragraph 57 of the NPPF. The heads of terms have been put to the applicant in respect of education, public open space, leisure, recreation, highways, public transport and affordable housing. The applicant has agreed all the requested S106 contributions required to mitigate the impacts of the development. The applicant does not agree at this stage with the proposed trigger point for the open space and SUDS, and is suggesting an alternative trigger point. This trigger point would be subject to continued discussion/negotiation had this planning application been considered acceptable by the council.

The applicant's justification

The proposal is contrary to the development plan. The applicant has put forward the following justification in support of the proposal which can be summarised as follows:

- The council does not have a five-year land supply of deliverable sites and the proposal should be assessed against the presumption of sustainable development set out in NPPF (para 11d).
- Assessing the proposal against three dimensions of sustainable development, the development is considered to provide a significant contribution to all three dimensions of sustainability. The development will provide socio-economic benefits.
- The presumption in favour of sustainable development is a significant material consideration which justifies a decision other than in accordance with the development plan in this case. Significant weight should be attributed to the delivery of housing in this planning balance.

- Barton upon Humber is a suitable location for development and the proposed development site is available now. It is a deliverable housing site that can immediately contribute to the council's five year supply of housing. Several housebuilders have already declared an 'expression of interest' in the site.
- The development promotes sustainable transport by locating new housing within walking distance of a number of local services within the town, including the primary and secondary schools. A series of off-site proposed crossings with dropped kerbs will be delivered on routes to key services to ensure safe and direct pedestrian access is provided to local services and amenities. A new footpath is proposed to improve pedestrian connectivity on Horkstow Road and a pedestrian refuge island is proposed on Brigg Road.
- The proposed enhancements achieve a Biodiversity Net Gain of 21.70% Habitat units, and 112.13% Hedgerow Units ensure positive benefits for biodiversity as a result of the development.
- The illustrative framework has been designed to preserve the identified area of archaeological significance leaving this as an area of open space with no substantive trees.
- The proposal will comprise active frontages to dovetail into the surrounding existing built environment and to create a strong sense of place, whilst adhering to good urban design principles

Planning balance

The proposal will result in a number of benefits, including increasing housing supply if the scheme was delivered, creation of affordable homes, creation of jobs during and post construction, increase in council tax, increase expenditure by new occupiers in Barton, provision of open space, contributions towards schools, leisure facilities, improved bus service in Barton, highway and pedestrian improvements, for example. These benefits, whilst acknowledged within the planning balance, are not sufficient to override the fundamental planning policy objections to the proposal. The planning policies related to this application are not considered to be out-of-date and are consistent with the NPPF. In terms of housing supply, the council maintains it has a five-year land supply of deliverable sites. The Housing Delivery Test results for North Lincolnshire over the past three years are as follows: 2019 = 75%, 2020 = 94% and 2021 = 113%. It can clearly be seen that the council has made significant increases in the delivery of housing since 2019. Paragraph 11(d) of the NPPF is therefore not triggered and engaged in this case.

The development may well promote public transport but this is a consequence of the development, and all new development should promote sustainable public transport in order to reduce the reliance of private vehicles. The net gain for biodiversity on the site is also acknowledged. The provision of BNG on the site is noted, but BNG should be provided on development sites of this nature. Insufficient information has been submitted to demonstrate the proposed development will not have an adverse impact on the SPA. The proposal will result in the loss of good quality agricultural land and would harm the character and appearance of the area and the landscape which would be completely changed creating essentially an unplanned urban extension of Barton. The justification that the illustrative framework has been designed to preserve the identified area of archaeological significance is noted. However, the development will result in disturbance to

archaeological deposits on the site that without it would have remained largely undisturbed, allowing access to this archaeology for future generations. The issue of design is noted, but this has little weight in the planning balance as appearance, scale and layout are all reserved matters and are not considered within this outline application. The benefits of the proposal are not sufficient to override the conflict with the development plan, potential adverse impact on the SPA and the adverse impact on character and appearance of the area and on the landscape.

Conclusion

In conclusion, the development is for outline planning permission for up to 390 dwellings that lies outside the development limits of Barton upon Humber as defined in the local development plan. The site is not identified as a housing allocation in the North Lincolnshire Local Development Plan.

The council can currently demonstrate a deliverable five-year housing land supply as set out in the North Lincolnshire Five Year Housing Land Supply Statement. In accordance with NPPF paragraph 11(d), the local plan's relevant policies for the supply of housing can be considered up to date.

This development proposal is considered to represent a departure from the development plan and planning policy contained within the NPPF. The proposal is therefore not acceptable in principle.

The proposal is considered to have an adverse impact on the character and appearance of the area and detract from the positive contribution the site makes to the landscape type and character. The development would have an urbanising effect on the rural area and would result in a prominent encroachment of built development into the open countryside that would detract from the rural character and appearance of the area.

Insufficient information has been submitted to demonstrate that the proposed development will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area and Ramsar.

The local planning authority has assessed all the evidence submitted with the application to establish if there are material considerations that override the planning policies for the site and the proposed development. Whilst the proposal will result in a number of benefits, it is considered, when the planning balance is applied, that overall the proposal would conflict with the council's strategic policies and would result in demonstrable harm to the character and appearance of the area, and on the landscape, and it has not been demonstrated that the proposed development will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA) and Ramsar. For the reasons set out above, the proposal would conflict with the development plan and Framework when read as a whole.

RECOMMENDATION Refuse permission for the following reasons:

1.

The site is outside the defined development limits of Barton upon Humber which is a Market Town as defined within the Core Strategy 2011. Therefore, the proposals are in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the North Lincolnshire Local Plan. These policies are consistent with the National Planning Policy Framework. As such, substantial weight has been given to the conflict with these policies. Overall, the proposals would conflict with the overall spatial strategy of the development plan.

2.

The proposal, by virtue of its location, size and scale, would cause significant harm to the character and appearance of the area and would detract from the positive contribution the site makes to the landscape type and character. The proposal therefore conflicts with the requirements of policies CS2 and CS8 of the Core Strategy and RD2 of the North Lincolnshire Local Plan. These policies state that planning permission will only be granted for development provided that it would not be detrimental to the character or appearance of the open countryside or a nearby settlement. These policies accord with paragraph 130 of the National Planning Policy Framework which requires developments to be sympathetic to local character, and the surrounding built environment and landscape setting. In this regard, the proposals would conflict with the relevant provisions of the Framework. Overall, the proposed development is not considered to be acceptable in terms of its impact on the character and appearance of the area and on the landscape, and as such the proposals would be contrary to policies CS5 of the Core Strategy, and H5, RD2, LC7 and DS1 of the North Lincolnshire Local Plan.




3.

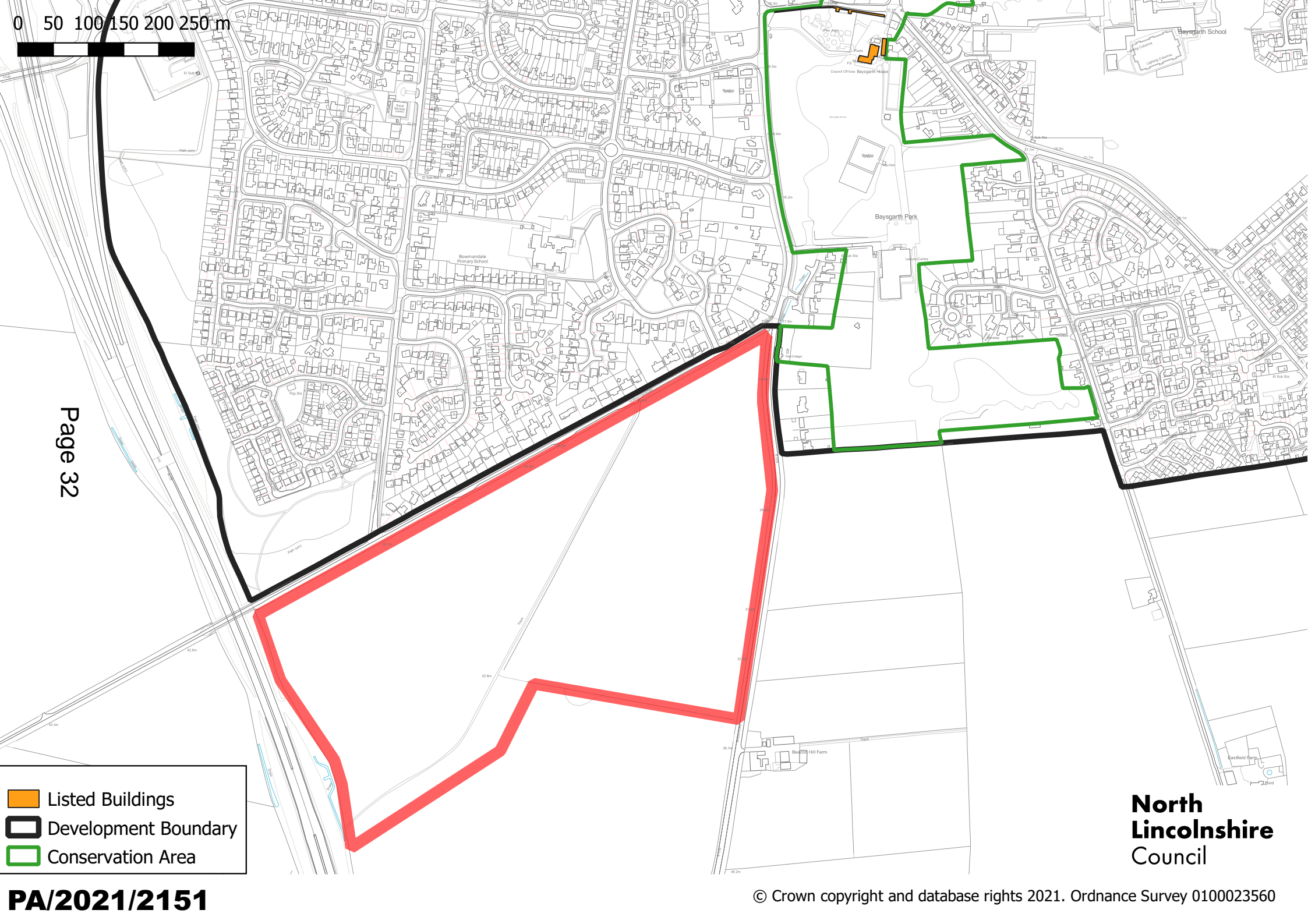
Insufficient information has been submitted to demonstrate that the proposed development will not have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA) and Ramsar site. As a result, the proposal is currently contrary to paragraphs 174 and 180 of the National Planning Policy Framework, policy CS17 of the Core Strategy and policy LC1 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.



-  Listed Buildings
-  Development Boundary
-  Conservation Area





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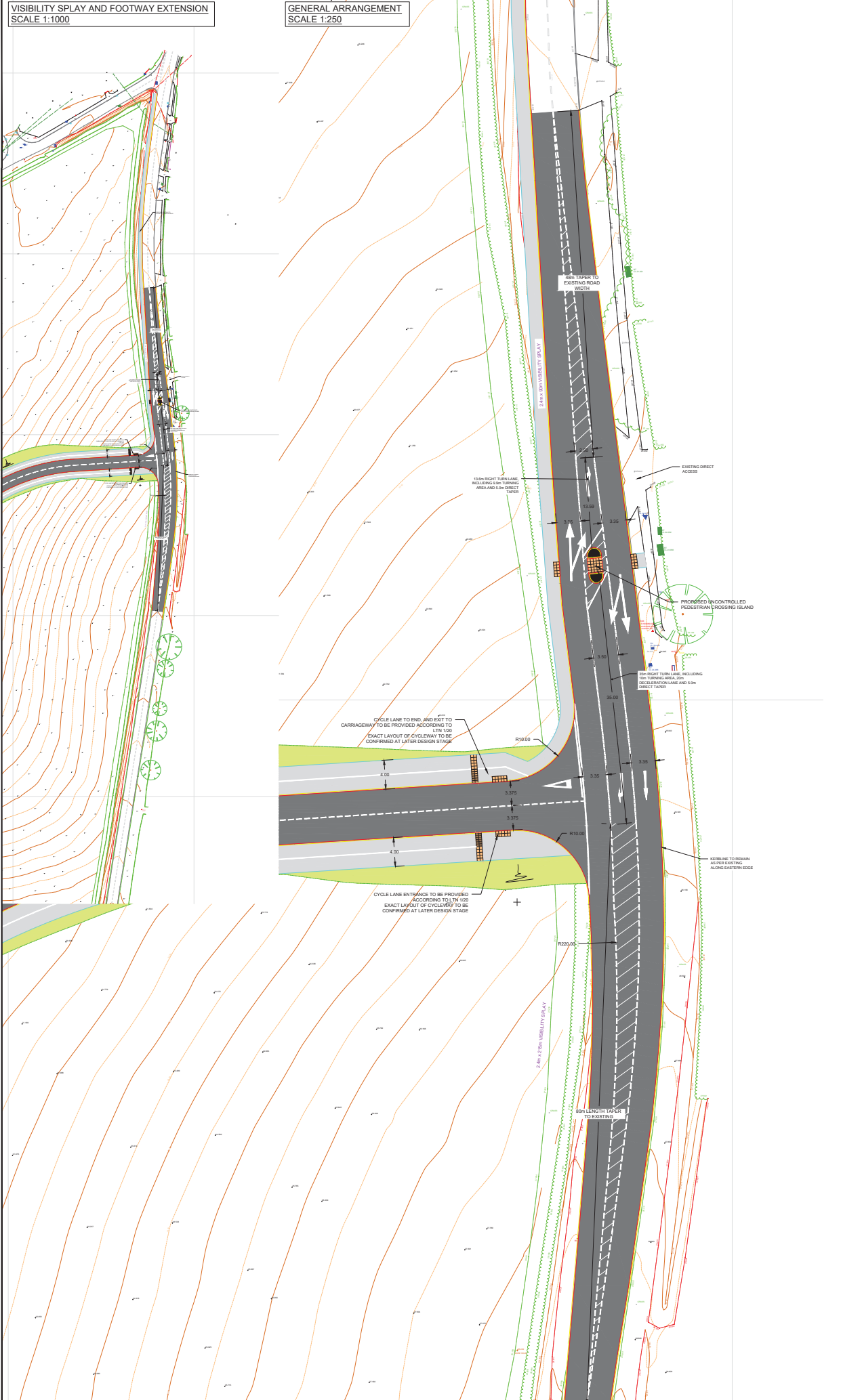
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North Arrow			
North	[Arrow pointing up]		
Client: [Redacted]			
Project: [Redacted]			
Planning Application November 2021			
PA Drawing 05			
BARTON UPOON NUMBER			
Indicative Masterplan			
1:1000	1:1000	1:1000	1:1000
[Logos]			

VISIBILITY SPLAY AND FOOTWAY EXTENSION
SCALE 1:1000

GENERAL ARRANGEMENT
SCALE 1:250

- KEY:
- PROPOSED ROAD SURFACING
 - PROPOSED FOOTWAY
 - EARTHWORKS (1 IN 3 MAX)
 - PROPOSED CENTRELINE ALIGNMENT
 - VISIBILITY SPLAY

- NOTE:
1. ALL UNITS ARE IN METRES UNLESS STATED OTHERWISE
 2. ROAD GEOMETRY HAS BEEN DESIGNED TO SUIT MANUAL FOR STREETS AND DMRB STANDARDS.
 3. TOPOGRAPHICAL SURVEY SHOWN WAS CARRIED OUT IN MARCH 2021 BY CASTLE KEEP SURVEYS.
 4. DESIGN SHOWN IS PRELIMINARY AND SUBJECT TO FURTHER DESIGN DEVELOPMENT
 5. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH DRAWINGS NT15292-003, 004 & 005.
 6. LOCATIONS OF PROPOSED PEDESTRIAN/ CYCLEWAY CROSSINGS TO BE DESIGNED AT DETAILED DESIGN STAGE.
 7. ALL ROAD MARKINGS SHOWN ARE INDICATIVE AND WILL BE CONFIRMED AT DETAILED DESIGN STAGE.



**PA/2021/2151 Proposed site access 1
(Brigg Road) (not to scale)**

Notes:

Revision	Description	Drawn	Checked	Date

Scale: 1:1000

Drawn: DB | Check: JS | Date: 18/11/2021

Project: BARTON UPON HUMBER
Title: Proposed Detailed Site Access (Brigg Road)

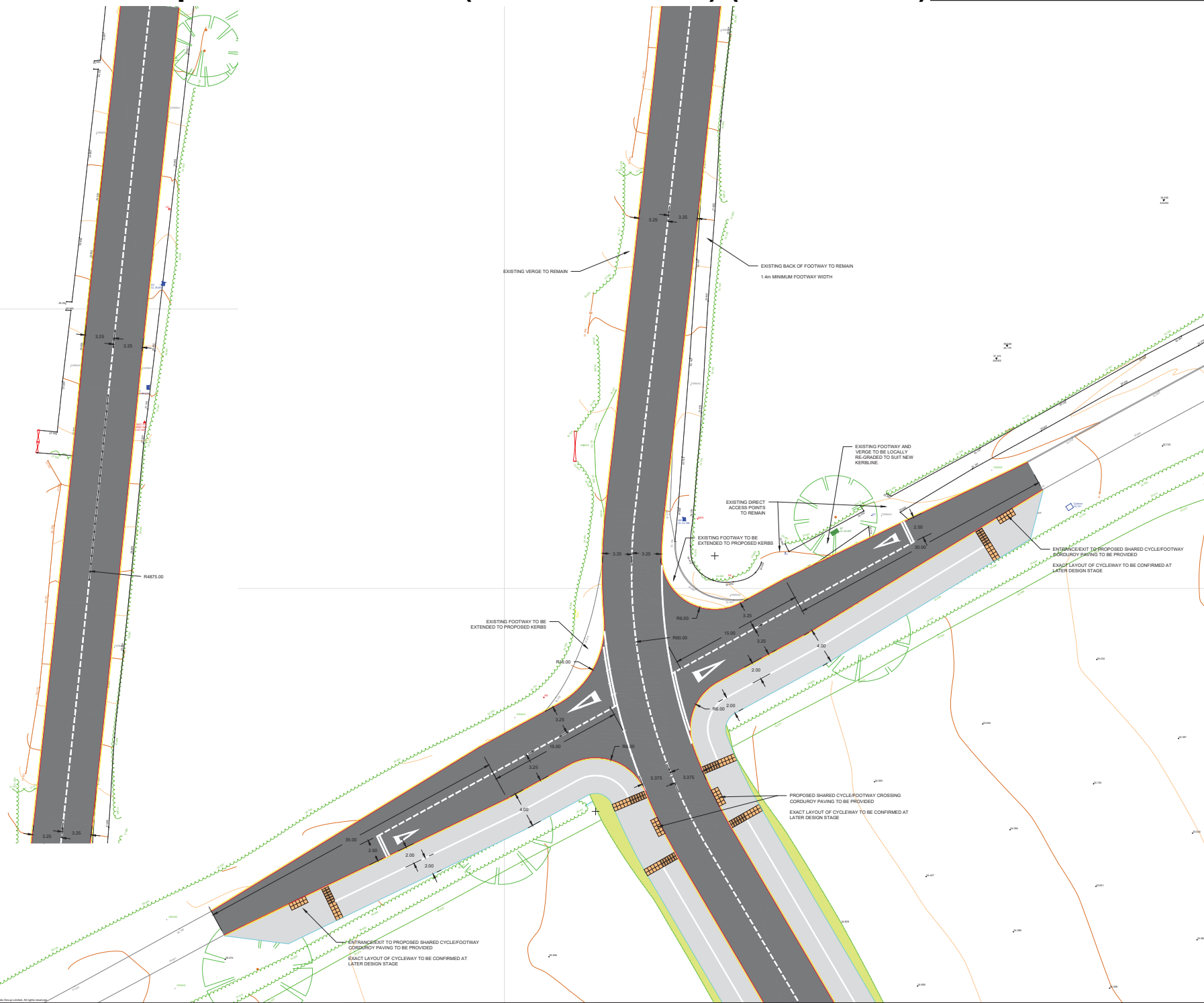
Scale: As Stated @ A1 | HJB / 4142 / 24 | Sheet: 1/1

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PA/2021/2151 Proposed site access (Horkstow Road) (not to scale)

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- KEY:**
- PROPOSED ROAD SURFACING
 - PROPOSED FOOTWAY
 - EARTHWORKS (1 IN 3 MAX)
 - PROPOSED CENTRELINE ALIGNMENT
 - 2.4m x 43m VISIBILITY SPLAY
- NOTE:**
1. ALL UNITS ARE IN METRES UNLESS STATED OTHERWISE
 2. ROAD GEOMETRY HAS BEEN DESIGNED TO SUIT MANUAL FOR STREETS AND DMRB STANDARDS.
 3. TOPOGRAPHICAL SURVEY SHOWN WAS CARRIED OUT IN MARCH 2021 BY CASTLE KEEP SURVEYS.
 4. DESIGN SHOWN IS PRELIMINARY AND SUBJECT TO FURTHER DESIGN DEVELOPMENT
 5. THIS DRAWING IS TO BE USED IN CONJUNCTION WITH DRAWINGS NT15292-003, 005 & 006

Notes:

Revision	Description	Dim	Chkd	Date

Source information:
 Issue: November 2021 11 10, Access Road/NT15292 - 005A Horkstow Road Access
 Layout/NT15292 - 005 Horkstow Road Access Layout.dwg

Drawn By	Orig: JB	Checked LE	Appr: 18/11/2021
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Project: **BARTON UPON HUMBER**
 PA Drawing 10

Title: **Proposed Detailed Site Access (Horkstow Road)**

Scale: 1:200@A1	File: HJB / 4142 / 25	Sheet: 1/1
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APPLICATION NO	PA/2021/2168
APPLICANT	Mr & Mrs Antony Edmondson-Bennett
DEVELOPMENT	Planning permission to change the use of a paddock to residential curtilage, form a driveway, erect entrance gates and install children's play equipment, with associated works
LOCATION	Fox Farm, Cadney Road, Howsham, LN7 6LA
PARISH	Cadney
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Cadney cum Howsham Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework:

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, DS5, T2, T19, HE5, H5, H7, DS11

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

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage (Lead Local Flood Authority): No objections.

Environmental Protection: No objection subject to a monitoring condition in relation to land contamination.

Historic Environment Record: No further recommendations.

Conservation: No objection subject to a design change and conditions.

PARISH COUNCIL

Objects to the pond due to its size and potential flooding concerns. They state that parishioners and the parish council have repeatedly reported the drains and issues of

drainage to NLC on Cadney Road and are worried about the extra pressure the pond and development will put on this area.

As there are two other ponds in the near vicinity, they feel there should be a full environmental survey to consider the impact and a covenant should be attached stating that it is for domestic use only.

They note the application states there are “no trees and hedges on the land adjacent to the development that would have an impact on it”, the reason being that they have already been removed by the applicant.

Concerns are raised regarding the floodlights on the tennis court being close to the road, creating a hazard, impact on neighbouring houses and the environmental impact due to light pollution.

Complaints have been received from parishioners regarding light pollution since the menage was installed at Chestnut View.

The parish council requests a restriction on usage of the lighting during certain hours.

Based on the information given, the parish council was unable to ascertain where the new wall is to be erected, but would like to point out that the front wall between the road and tennis court has been raised to approximately twice the original height. They cannot see reference to this on any of the retrospective planning applications.

PUBLICITY

Advertised by site and press notice. A number of objections have been received, which can be summarised as follows:

- loss of trees/character
- ecology/biodiversity
- flooding and drainage
- highway safety
- light pollution
- noise impacts
- residential amenity impacts
- impact upon the open countryside
- general character and landscape.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been received. However, although the application covers a large area, it relates only to a single residential planning unit and associated grounds.

ASSESSMENT

Planning history

- 7/1983/0062: Planning permission to erect an extension to form a farm office and games room – approved 24/03/1983
- 7/1988/0736: Planning permission to construct a conservatory – approved 04/01/1989
- PA/2018/2086: Planning permission to erect an extension and alterations to previously approved plans – approved 21/12/2018
- PA/2017/332: Planning permission to convert barns into two dwellings – approved 02/05/2017
- PA/2021/1735: Planning permission to convert outbuilding to annexe with extension – approved 26/01/2021.

Site constraints

- Grade II listed building
- Open countryside (HELA DPD 2016)

Site characteristics

The dwelling fronts Cadney Road and is a grade II listed property. It has numerous associated outbuildings and an area of paddock land to the northwest. The dwelling and wider land is outside the defined settlement limits for Howsham. The property is served by a central access with a secondary access to the east serving the rear, and an additional access to the east which was approved in connection with the annexe under PA/2021/1735.

Proposal

Planning permission is sought to erect a new Scandinavian-style lodge and wall between the tennis court and driveway with entrance gates, create a pond and external swimming pool within the grounds, install a new drive with entrance gates to the new wall, and refurbish an existing tennis court, including painting of the court, floodlighting and a storage shelter. Already on site is an area of play equipment that is being applied for retrospectively.

The following considerations are relevant to this proposal:

- **principle of development**
- **impact upon the historic environment**
- **residential amenity**
- **highway safety**
- **land contamination.**

Principle of development

Policy CS1 sets out the overarching spatial strategy for the district. Of the countryside it states, ‘...In the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism making the most of the area’s important natural and built environments.’

A more bespoke policy for such a proposal is RD2 of the local plan. Firstly, it sets out in principle development types that are acceptable: ‘...the re-use and adaptation of existing rural buildings’ provided that:

- the open countryside is the only appropriate location and the development cannot reasonably be accommodated within defined development boundaries; and
- 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.

Paragraph 47 of the NPPF is concerned with determining planning applications. It states, ‘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.’

The applicant proposes a change of use of some of the ‘pastoral land’ for use as residential curtilage. It is within the open countryside, but close to the dwelling and to the rear of other residential form. Whilst strictly this proposal is not in accordance with the development plan, the change of use would give rise to limited impacts, which would be localised rather than wide-ranging on the landscape. Its close proximity to the dwelling and other residential form, and the limited harm resulting from the change of use, are sufficient material considerations for a departure to be supported.

Impact upon the historic environment

Policy HE5 is concerned with development affecting listed buildings and is relevant given the grade II status of Fox Farm. It states:

‘The council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. When applications for planning permission relating to a listed building or listed building consent are being assessed, the primary consideration will be the need to preserve or enhance the fabric and character of the building. Permission or consent will not be granted unless it has been demonstrated that the proposed works would secure this objective. The council will encourage the retention and restoration of the historic setting of listed buildings. Proposals which damage the setting of a listed building will be resisted. Whenever appropriate, proposals which would entail the loss of historic fabric from a listed building will be conditional upon a programme of recording being agreed and implemented.’

Policy CS6 of the Core Strategy is concerned with development affecting the historic environment. It seeks to protect and enhance the district’s designated and undesignated assets.

Paragraph 199 of the NPPF states, ‘...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 states, ‘...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 202 states, ‘...Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

The conservation officer has been consulted and has stated:

‘There is no objection to the planning and listed building consent subject to the number of lights on the driveway reduced and appropriate conditions regarding staining the play equipment, painting the tennis court Wimbledon Green, details [for] surfacing of the driveway, details provided of the surface material surrounding the pool and associated landscaping, details of the bricks for the supporting piers for the wall adjacent to the driveway are submitted for consideration. It should also be conditioned that the wall between the tennis court and driveway is rebuilt using the existing bricks and a lime mortar.’

Subject to the imposition of such conditions, the proposal is in accordance with planning policies HE2 of the local plan and CS6 of the Core Strategy, as well as the aforementioned paragraphs of the National Planning Policy Framework.

Residential amenity

Policy DS1 of the North Lincolnshire Local Plan is in part concerned with impacts upon residential amenity. It states that planning proposals should not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. Point (j) of policy H5 of the local plan is also relevant. It states, ‘...development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings.’ Policy H7, which is concerned with tandem and backland development, is also relevant.

Concerns exist in relation to the position and luminance levels of the lighting and so a lighting condition will be applied for both the tennis courts and driveway. The use of the driveway, given it supports a single residential planning unit, is not considered to give rise to unacceptable issues. A caveat to this is that the conservation officer recommends gravel; however, it is close to existing properties and a bonded material would be required to reduce potential noise impacts. As the use of the swimming pool is domestic, no concerns have been raised by Environmental Protection.

The built form is of a scale and at sufficient distance that would not carry any overbearing, overlooking or overshadowing impacts that would be detrimental to the residential amenity rights of adjoining neighbours.

Given the above, the proposal is considered to accord with policies DS1 and H7 of the local plan.

Landscape and character

Policy RD2 of the North Lincolnshire Local Plan is concerned with development in the open countryside. 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, policy LC7 of the local plan, which is concerned with landscape protection, and paragraph 130 of the NPPF are also considered relevant.

The changes relate to a domestic requirement to extend and upgrade the existing property. The change of use (including play equipment), the swimming pool and other works are close to the existing property. They are proportionate in amount and scale and well executed in design. The impacts would be localised and not wide-ranging.

On this basis the proposal is considered to align with policies RD2, H5 and LC7 of the local plan, CS5 and CS6 of the Core Strategy, and paragraph 130 of the NPPF.

Land contamination

Policy DS7 of the North Lincolnshire 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.

Environmental Protection have advised that any permission should be subject to a monitoring condition regarding land contamination. Given that the outbuilding would be used for primary residential purposes and limited information has been submitted as regards this topic, this is considered appropriate. Given the aforementioned mitigation, the proposed development is considered to accord with policy DS7 of the North Lincolnshire Local Plan.

Flooding and drainage

Policy CS19 of the Core Strategy is concerned with flood risk and CS18 with sustainable resources. Policies DS14 and DS16 of the local plan are concerned with surface and foul water drainage. All are considered relevant.

The LLFA have been consulted and have no objections to the proposal. Concerns have been raised that the development would lead to flooding. The applicant originally proposed a pond, however this has now been removed. The only surface water created by this development would result from the swimming pool building, however this proposal would need to satisfy building regulations on those grounds. A condition to ensure the driveway is permeable is attached on amenity grounds, and due to this, a condition showing how surface water will be prevented from entering the highway will also be attached.

On this basis it is considered that the proposal would accord with the aforementioned planning policies relating to flooding and drainage.

Highway safety

Highways have no concerns regarding use of the access, which was approved in connection with the annexe under a previous permission.

Conclusion

The proposal represents a sustainable form of development and is recommended for approval subject to the conditions discussed within this report.

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:

Site Location and Block Plan 001 Rev B
Plans and Details as Proposed 003 Rev B
Plans and Details as Proposed 004 Rev B.

Reason

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

3.

The residential curtilage shall extend as far as shown on the proposed block plan (dwg 001 Rev B) which encompasses the existing play area and does not include the hatched area annotated as 'pastoral land'.

Reason

In the interest of character and amenity and to accord with policy RD2 of the North Lincolnshire Local Plan.

4.

Prior to the use of the driveway and tennis courts, a scheme for the provision of lighting shall be submitted to and agreed in writing with the local planning authority. It shall thereafter be retained.

Reason

In the interest of amenity and the historic environment and to accord with policies CS5 and CS6 of the Core Strategy.

5.

Prior to its first use, a scheme showing the surfacing of the driveway and how surface water will be prevented from the adopted highway shall be submitted to and agreed in writing with the local planning authority. It shall be retained thereafter.

Reason

In the interest of amenity and drainage and to accord with policies DS1 and DS14 of the North Lincolnshire Local Plan.

6.

The tennis court hereby permitted shall be painted 'Wimbledon Green', which shall be retained thereafter.

Reason

To protect the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

7.

Prior to the first use of the driveway, details of the bricks used for the supporting piers for the wall adjacent to the driveway shall be submitted to and agreed in writing with the local planning authority. They shall be retained thereafter.

Reason

To protect the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

8.

Prior to the development on the pool house, details of all external materials shall be submitted to and agreed in writing with the local planning authority and shall be retained thereafter.

Reason

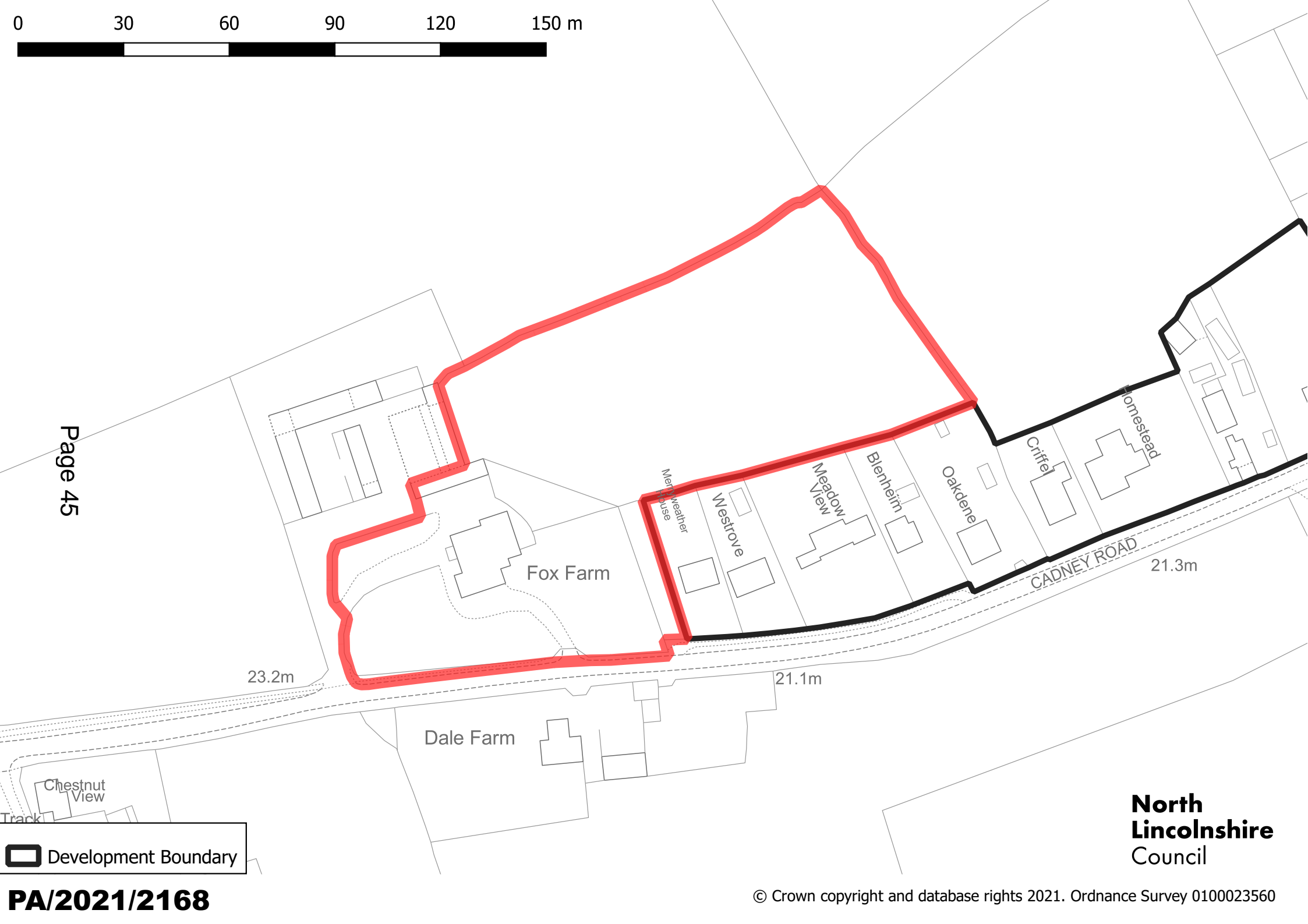
In the interest of the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

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.



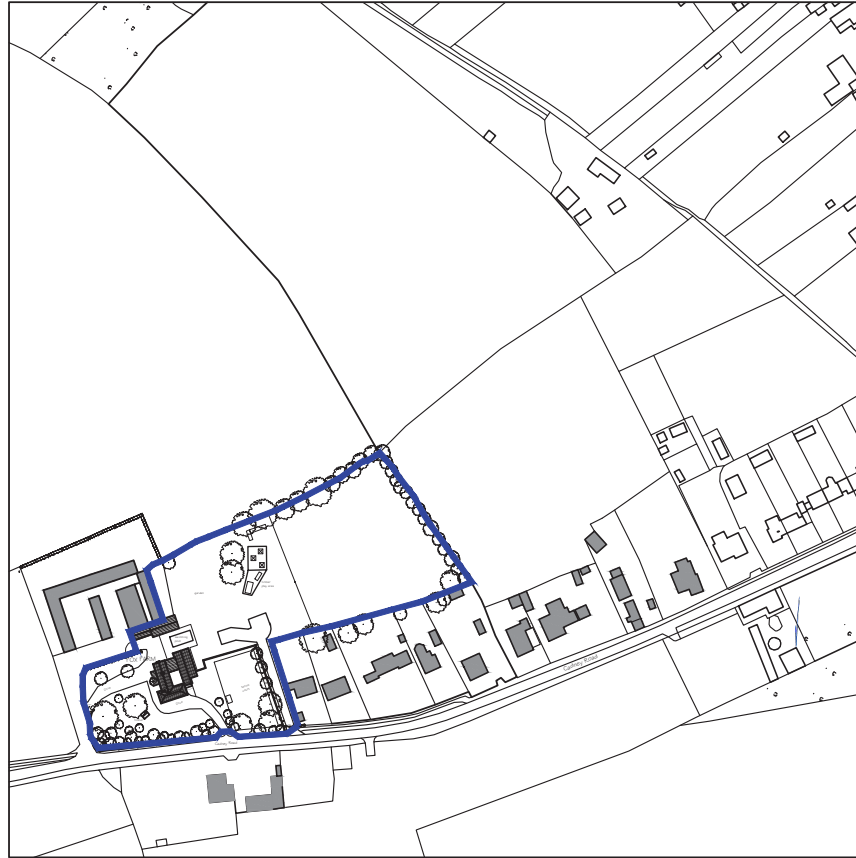
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Development Boundary

PA/2021/2168

North Lincolnshire Council




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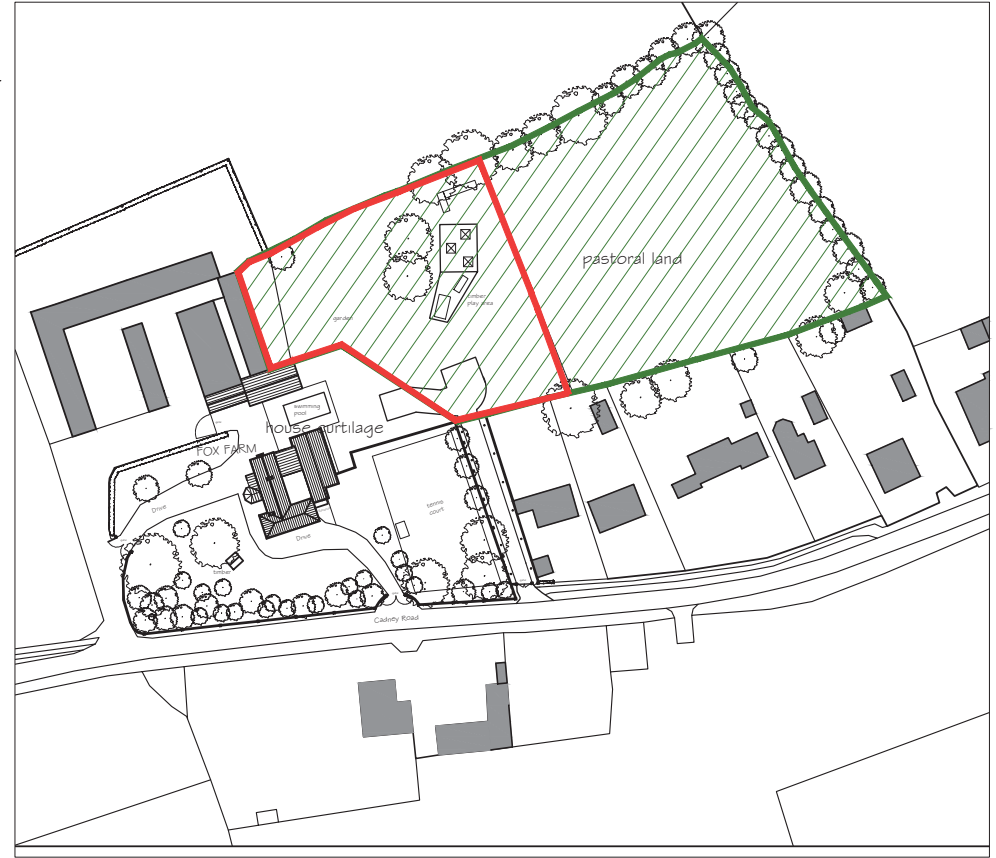
Site Location Plan

0 20m 40m 60m



1:2500

 Land under client ownership





Block Plan

0 5 10m 20m 50m



1:1000

 Land under client ownership currently classified as pastoral use of land

 Change of Use from Pastoral Land to House Curtilage

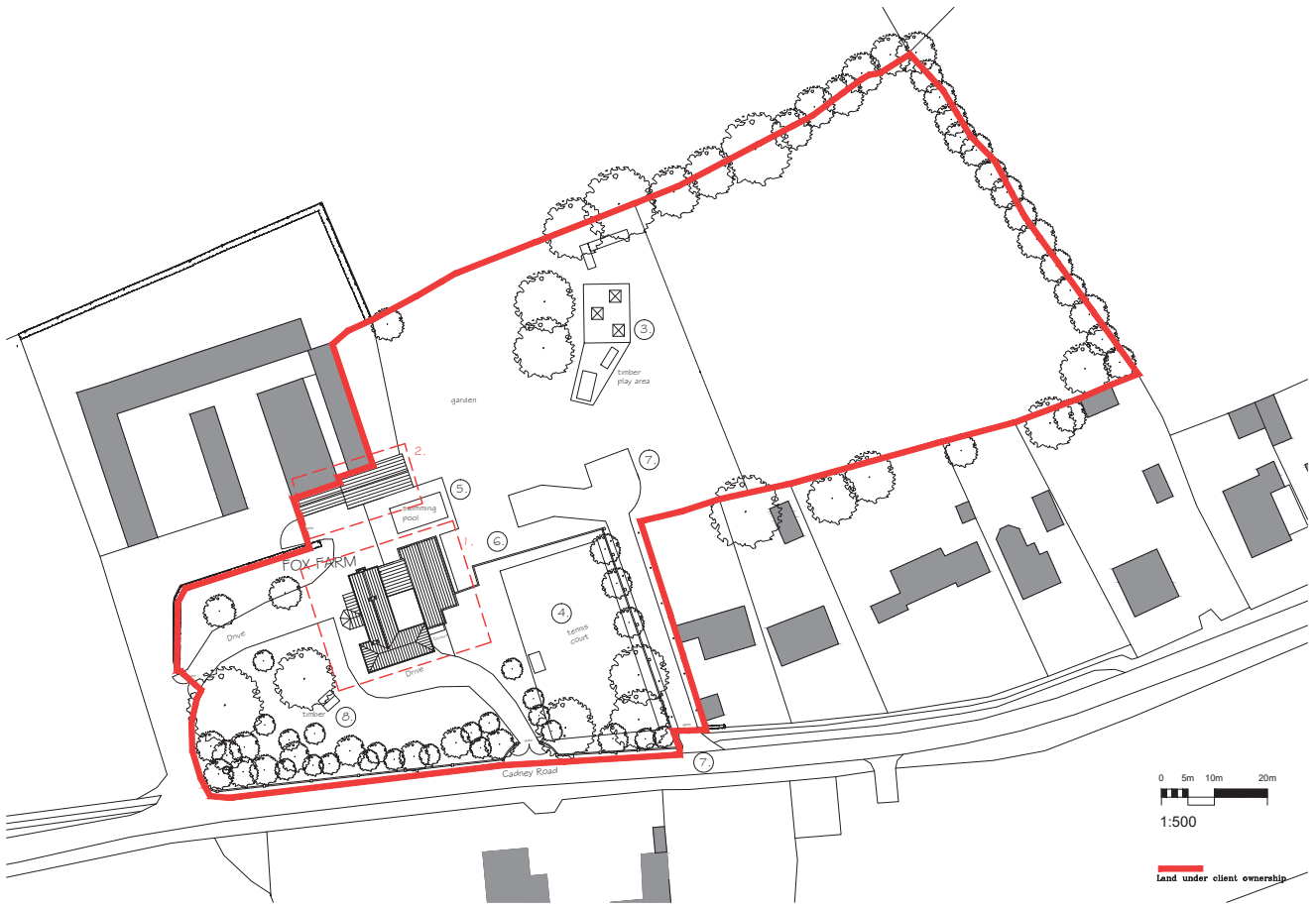
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Ordnance Survey 0100031673

DATE	NOTES	BY	REV
12/11/21	Issued for planning	SG	A
21/04/22	Issued for planning	SG	B



Phone: 01522 243137 Email: info@cka.design www.ckarchitecturalincoln.co.uk

PROJECT TITLE Proposed Works within Listed House Grounds		CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Howsham, LN7 6LA		
DRAWING STAGE Planning	SCALE VARIES @ A1	CHK SG	DRAWN BY SG	
SHEET TITLE Site Location and Block Plan	PROJECT NUMBER LN7-2683	STAGE PLN	REV B	SHT 001



Site Plan as Proposed



Photo of current play area



Photo of current play area.



Photo of current play area in the process of being dark oak stained



Photo of current play area in the process of being dark oak stained

③ PLAY AREA



Photo of existing area of proposed swimming pool



Photo of existing area of proposed swimming pool



Photo of existing area of proposed swimming pool

The swimming pool will be landscaped around and a sympathetic floor finish installed. To soften and help conceal the pool aesthetically pleasing we will make landscaping around the formal gardens will be planted in traditional old English heritage style with manicured hedgerows and rose gardens etc

⑤ SWIMMING POOL (10 metres x 5 metres)



Photo of existing timber to be dark stained - dark oak stain



Photo of existing timber to be dark stained - dark oak stain

⑧ TIMBER SHELTER

DATE	NOTES	BY	REV
21/11/21	Issued for planning	SG	A
21/09/21	Issued for planning	SG	A



PROJECT TITLE Proposed Works within Listed House Grounds		CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Wrotham, LN7 6LA	
DRAWING STAGE Planning		SCALE 1:500 @ A1	CHEK SG
SHEET TITLE Plans and Details as Proposed (sheet 1 of 2)		PROJECT NUMBER LN7-2808	STAGE PLN
		REV B	DRAWN BY SG
			SHT 003

④ TENNIS COURT



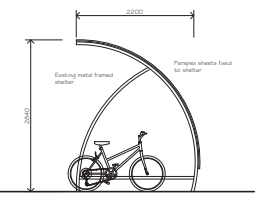
Photo of current tennis court Photo of current tennis court



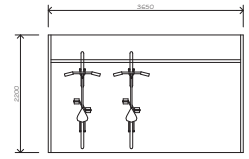
Photo of current tennis court Photo of current tennis court



Photo of existing cycle shelter to be refurbished



Section of Refurbished Shelter As Proposed



Plan of Refurbished Shelter As Proposed

Existing tennis court to be repainted to be Wimbledon green. New lines added to suit several different sporting courts / pitches. Existing fencing to be retained. Cycle shelter to be installed to be used for cycles and childrens play items. Flood lighting to be installed at boundary side of tennis court to allow all season usage.

⑥ WALL RE-BUILT



Photo of salvaged bricks from collapsed wall cleaned and ready to be used to rebuild the wall.

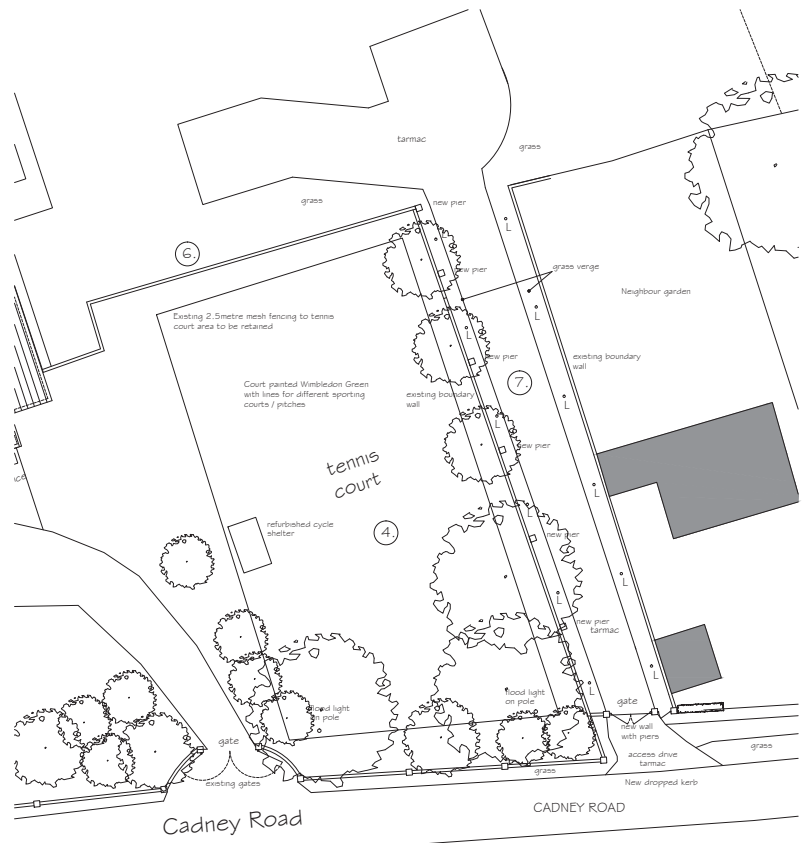


Photo of current wall prior to re-building of collapsed area

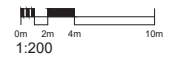
Existing wall to be demolished where it is failing / collapsing. All bricks are to be retained / salvaged by cleaning and all mortar removed. Wall to be rebuilt using these bricks.



Photo of current wall prior to re-building of collapsed area



Site Plan as Proposed



⑦ NEW DRIVE



Photo of current gate to be matched

New entrance / access drive to be created by installing a new boundary wall with gate. All to match the existing. New brick piers to be installed to support the existing collapsing / leaning wall. Drive the tarmac, verge to be grassed and new external lighting to be installed to match the existing Victorian style lamps



Photo of current drive



Photo of current drive and gate



Photo of current drive / wall



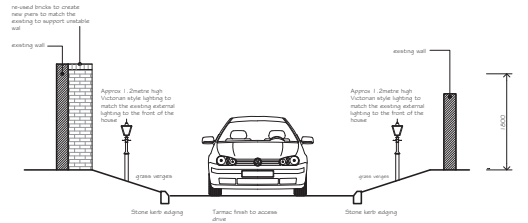
Photo of current gate



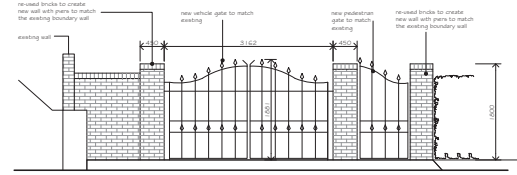
Photo of existing external lighting to be matched



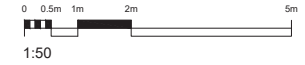
Photo of current drive



New Drive As Proposed



Entrance Gate/Wall As Proposed



1:50



Phone 01522 245137 Email info@aha.design www.aharchitectural.co.uk

PROJECT TITLE Proposed Works within Listed House Grounds	CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Hoxochan, LN7 6LA
DRAWING STAGE Design	SCALE 1:500 @ A1
SHEET TITLE Plans and Details as Proposed (sheet 2 of 2)	PROJECT NUMBER LN7-2808
	DATE CWE
	REV SG
	STG SG
	PLN B
	SH 004

DATE	NOTES	BY	REV
21/1/23	Issued for planning	SG	A
21/1/23	Issued for planning	SG	A

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 08 June 2022.docx

Date: 26 May 2022

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/2021/538
APPLICANT	Dawson
DEVELOPMENT	Planning permission to erect a single-storey side extension, a two-storey rear extension with a porch to the rear, and an extension to the garage
LOCATION	The Lilacs, 51 Main Street, Saxby All Saints, DN20 0QF
PARISH	Saxby All Saints
WARD	Brigg and Wolds
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Saxby All Saints Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 195 – Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

North Lincolnshire Local Plan: DS1, DS5, HE2

North Lincolnshire Core Strategy: CS5, CS6

CONSULTATIONS

Highways: No comments to make.

Historic Environment Record: No further recommendations.

Conservation: No objection. Should the planning department be mindful to approve the application then appropriate conditions should be included requiring details of the facing and roofing materials, and scale drawings of the proposed windows and doors with material specification, to be submitted for consideration before installation.

Tree Officer: Objects but no direct response to arboricultural survey or how suitable the garage scheme is.

PARISH COUNCIL

The proposal is not in keeping with the village and further extension would take the property away too much from its original appearance.

PUBLICITY

Advertised by site and press notice. Objections have been received on the following grounds:

- the character of the development would not accord with the property
- impact upon the wider historic environment.

ASSESSMENT

Planning history

PA/2003/1015: Planning permission to erect a two-storey extension and replacement conservatory – refused 24/11/2003

PA/2003/1941: Planning permission to erect a two-storey extension and conservatory – approved 29/03/2004

PA/2018/797: Notice of intention to fell a conifer tree within Saxby All Saints' conservation area – approved 07/06/2018

PA/2019/329: Planning permission to replace timber windows – approved 29/05/2019

PA/2019/1126: Planning permission to erect a brick wall along the north-western boundary – approved 02/10/2019

PA/2019/903: Notice of intention to fell 9 trees and undertake various pruning works on 12 other trees, all within Saxby All Saints' conservation area – approved 18/07/2019

PA/2021/267: Notice of intention to fell 4 trees (various species) and prune a yew within Saxby All Saints' conservation area – approved 30/03/2021

Site characteristics

The site is within the development boundary of Saxby All Saints as identified by the Housing and Employment Land Allocations DPD 2016. It is also within the conservation area and within an area covered by an article 4 direction. The building is a modest detached cottage set back from Main Street. The Lilacs is identified as a building of townscape merit within the Saxby All Saints Conservation Area Appraisal. It is painted in a cream finish which matches other dwellings in the locality.

Proposal

Planning permission is sought to erect a single-storey side extension, a two-storey rear extension with a porch to the rear, and an extension to the garage. **The following issues are relevant to this assessment:**

- **character impacts/historic environment**
- **residential amenity**
- **highway safety**
- **trees.**

Character impacts

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for its context. It should contribute to creating a sense of place. The council will encourage contemporary design provided that it is appropriate for its location and is informed by its surrounding context. 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 CS6 of the Core Strategy 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 historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains. All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

Policy HE2 of the local plan is concerned with development in conservation areas and seeks to protect and enhance.

All are considered relevant.

The conservation officer has been involved in amendments and has stated the following in relation to the extensions:

'The (single-storey side) extension has been stepped back from the gable end. This will reduce its visual impact as viewed from Main Street. This will also enable the original form of the cottage to be clearly seen and interpreted. The (rear) extension has been lowered below the ridge height so now it can clearly be seen as a subservient extension and again this will enable the original form of the cottage to be clearly seen and interpreted.'

In relation to the garage the officer states:

The garage has also been amended to retain the original garage, a former 19th century outbuilding also cottage designated as a building of townscape merit in the adopted Saxby Conservation Area Appraisal. This outbuilding has been added to with a lightweight timber car port construction. This retains the 19th [century] outbuilding and its contribution to the conservation area character. This will also enable the original form of the outbuilding to be clearly seen and interpreted. The timber construction of the car port is a suitable material for this rural location. There is now no objection to the proposed garage.

The officer has no objections to the proposal subject to the control of materials and further information on window details. The proposal is therefore considered to align with policies CS5 and CS6 of the Core Strategy and HE2 of the local plan.

Residential amenity

Policy DS5 of the North Lincolnshire Local Plan is concerned with residential extensions. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, an overbearing impact or loss of privacy to adjacent dwellings. The proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

The proposal has a sufficient separation distance from all other dwellings so as not to give rise to any unacceptable overshadowing/overbearing impacts. Furthermore, all openings are positioned such that they would not give rise to any unacceptable levels of visual intrusion.

It is therefore considered that the proposal would accord with policy DS5 of the North Lincolnshire Local Plan and, in respect of the assessment upon residential amenity, is considered acceptable

Highway safety

Policy T2 of the North Lincolnshire Local Plan states that all developments should be served by a satisfactory access. Policy T19 is concerned with both parking standards and highway safety.

The council's Highways department has been consulted and has no objections to the proposal subject to the imposition of conditions relating to the laying out of the access and hard area prior to occupation.

The applicant seeks to retain the existing access arrangement as well as provide off-street parking provision. It is therefore considered that the proposal is in accordance with policies T2 and T19 of the North Lincolnshire Local Plan and is acceptable.

Trees

Policy LC12 of the local plan is concerned with the protection of trees. It states that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows. Particular regard will be given to the protection of these features within the setting of settlements, the protection of ancient woodlands and historic hedgerows, and the amenity value of trees within built-up areas.

The tree officer has been consulted and considers that additional information is required. However, the applicant has provided an arboricultural report stating that a foundation solution for the garage can be engineered to prevent damage to the roots. The tree officer has not responded to this directly. It is considered that all manner of engineering solutions could be put forward, especially given the timber frame structure that would sit on top. Therefore, a condition relating to foundation design will be attached to any permission.

It is therefore considered that the proposal would accord with policy LC12 of the North Lincolnshire Local Plan.

Conclusion

This proposal represents a sustainable form of development that would accord with the development plan.

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:

P002-Rev B
P001 Rev B.

Reason

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

3.

Prior to any works to the garage, details of foundation design shall be submitted to and agreed in writing with the local planning authority. It shall then be built in accordance with those details.

Reason

To protect existing trees on the site.

4.

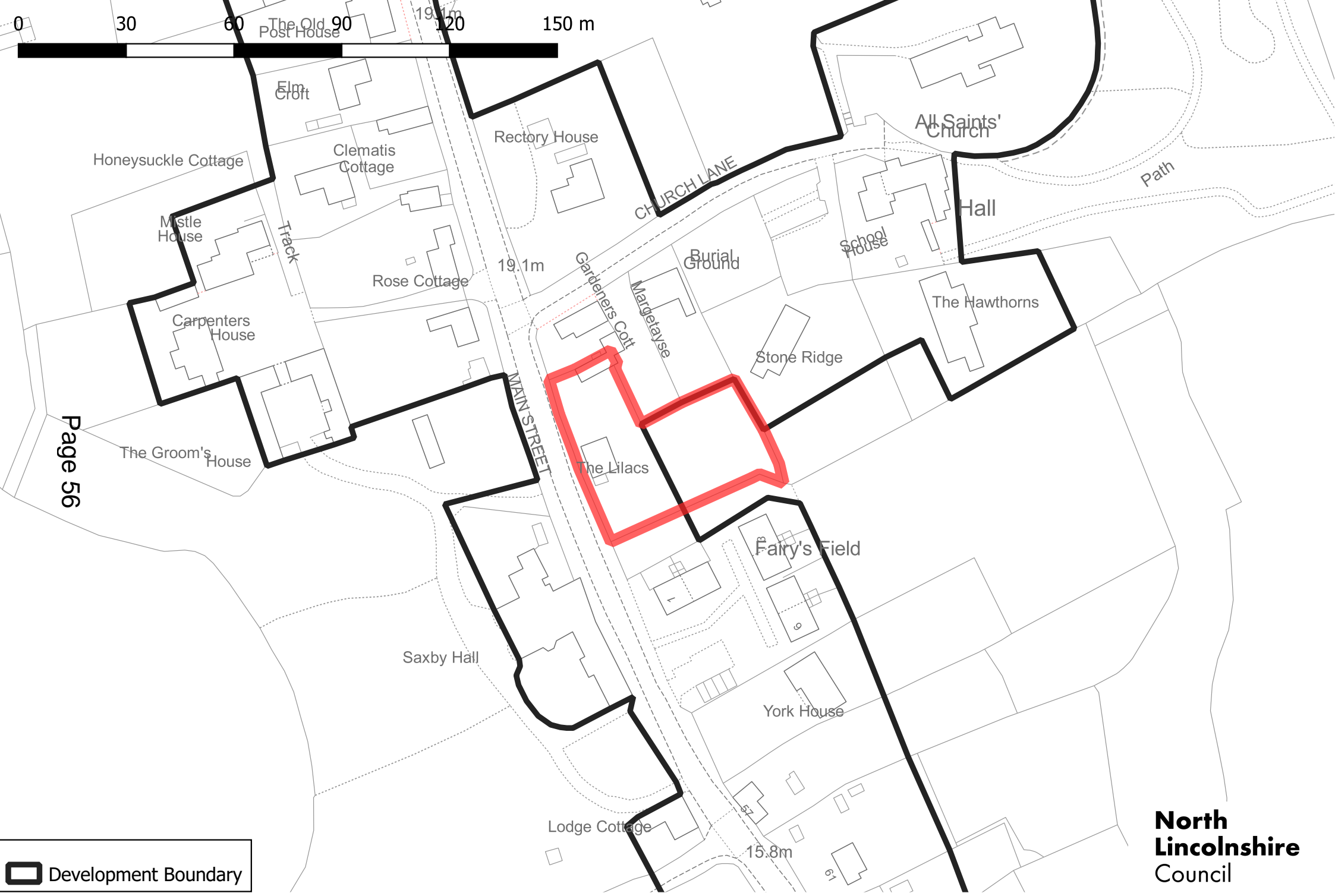
Prior to any above-ground works, details of all external materials (including openings) to be used in the construction of the extension and garage shall be submitted to and agreed in writing with the local planning authority. The details of openings shall be provided on plan at a scale of 1:20.

Reason

To protect the historic environment.

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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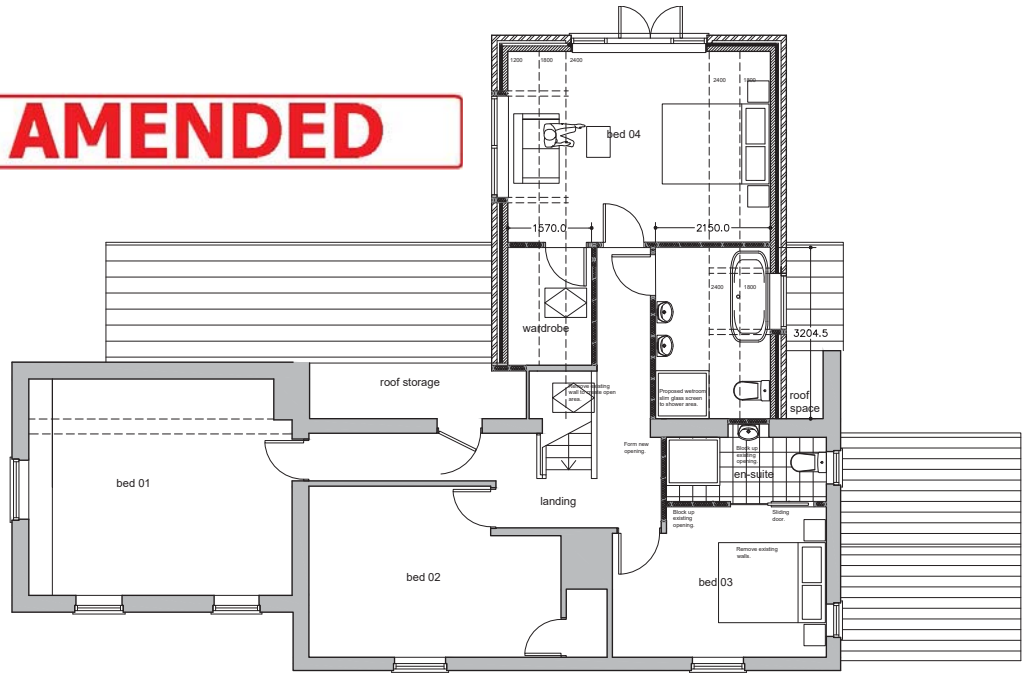
 Development Boundary

PA/2021/538

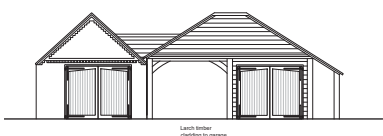
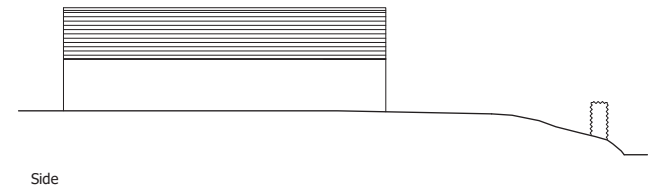
**North
Lincolnshire
Council**

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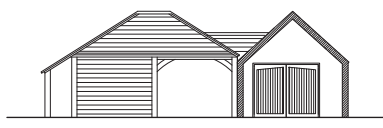
AMENDED



Proposed First Floor Plan - 1:50

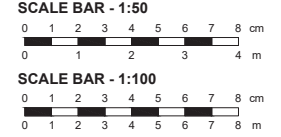


Proposed Garage Elevations 1:100



Rear

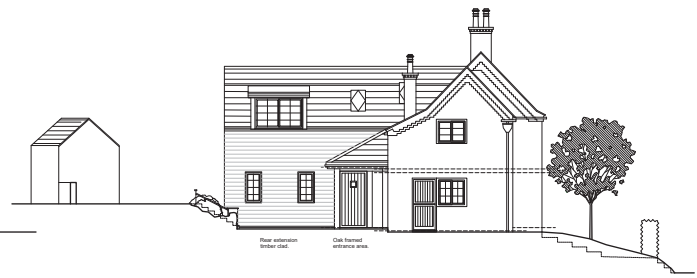
NOTES
Do not scale from this drawing. Only figured dimensions are to be taken from this drawing.
The contractor must verify all dimensions on site before commencing any work or shop drawings. The contractor must report any discrepancies to the designer before commencing work. If this drawing exceeds the quantities taken in any way, the designer is to be informed before the work is initiated.
Work within The Construction (Design and Management) Regulations 1994 is not to start until a Health and Safety Plan has been produced.
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Rev. Description By Date Chd/Chd Date
A Amendments ja 01/04/17



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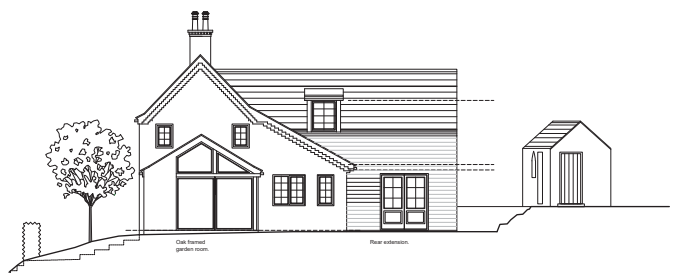
Rear Elevation



Side Elevation



Proposed Main House Elevations 1:100 Front



Side



Proposed Site Plan - 1:500

CLIENT: Mr and Mrs Dawson	PROJECT: The Lilacs, 51 Main Street, Saby-All-Saints, Brigg, DN20 0QF	DWG. TITLE: Proposed first floor plan and elevations.	SCALE: 1 / 100, 50, 500	DRAWING STATUS: Planning	DRAWN: ja	DATE: Sep 2021	PROJECT No: 20042	DWG. No: P-002	REV: B
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ASPACE ARCHITECTS

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Web: www.aspacearchitects.com

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APPLICATION NO	PA/2021/1634
APPLICANT	Mr Mark Wall, NPP Properties Ltd
DEVELOPMENT	Outline planning permission to erect up to four dwellings with access (layout, scale, appearance and landscaping reserved for subsequent consideration)
LOCATION	Stanmore Lodge, Belton Road, Sandtoft, DN8 5SX
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

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

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 47 makes clear that ‘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.’

Paragraph 130 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.

North Lincolnshire Core Strategy (2011):

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

CS17 (Biodiversity)

CS19 (Flood Risk)

CS25 (Promoting Sustainable Transport)

CS27 (Planning Obligations)

North Lincolnshire Local Plan (2003) (saved policies):

H5 (New Housing Development) (part saved)

H8 (Housing Design and Housing Mix)

H10 (Public Open Space Provision in New Housing Development)

LC5 (Species Protection)

LC7 (Landscape Protection)

LC12 (Protection of Trees, Woodland and Hedgerows)

RD2 (Development in the Open Countryside)

DS1 (General Requirements)

DS3 (Planning Out Crime)

DS14 (Foul Sewage and Surface Water Drainage)

DS16 (Flood Risk)

T1 (Location of Development)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

Appendix 2

Housing and Employment Land Allocations DPD (2016): The site is unallocated and located outside the development limits as shown on Proposals Map Inset 36 Sandtoft Airfield.

Supplementary Planning Guidance: SPG Design in the Countryside

Guidance: SuDS and Flood Risk Guidance Document

CONSULTATIONS

Drainage (Local Lead Flood Authority): No objection. A series of discussions have taken place between the applicant and the Drainage Team. The Drainage Team wish to have this application and the application to the north (PA/2021/109), which benefits from outline planning permission, linked to ensure a combined and compliant surface water drainage scheme. The developer needs to be mindful that the proposed highway drainage outfall may require improvements at their expense as this is not a public sewer and as such have no rights for connection. It is recommended a condition be included that requires detailed surface water drainage design to be provided at the reserved matters stage.

Environmental Protection: No objection. The department has received and reviewed the submitted Preliminary Investigation, is satisfied with the desk study and agrees that a robust ground investigation will need to be submitted. The department also agrees that prior to the demolition of the existing bungalow and storage building on site, an asbestos survey be undertaken. It is recommended that conditions to address contamination and asbestos materials be included.

With regard to noise, the department has reviewed the submitted Acoustic Report and recommends the inclusion of a series of planning conditions to ensure the protection of residential amenity.

Highways: No objections, but advise a series of conditions be applied to any permission granted on this site.

Severn Trent Water: No objection subject to the inclusion of an informative.

Environment Agency: No objection, but recommend a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment, specifically that finished floor levels shall be set no lower than 4.4m above Ordnance Datum to reduce the risk and impact of flooding to the development and future occupants.

Historic Environment Record: No objection, but any permission granted should be subject to conditions securing the implementation of an agreed written scheme of investigation (WSI); pre-commencement conditions would only be necessary where a mitigation strategy and WSI are not in place.

Tree Officer: No objection. The line of conifer trees on the frontage have little visual amenity due to major works where they have been side pruned to clear the cables within this area. The removal of the trees is considered reasonable, however there would be a need for replacement trees and green infrastructure to compensate for their loss. An arboricultural survey should be required by condition.

Ecology: No objection, but if permission is ultimately granted, there will be a need to secure a net gain in biodiversity in accordance with policy CS17 of the Core Strategy, the National Planning Policy Framework and the Small Sites Metric.

TOWN COUNCIL

It was resolved that the town council should neither support nor object to the planning application, but it noted that all consultee replies raised issues which needed to be addressed prior to any planning permission being granted and the town council would recommend these are carried out.

PUBLICITY

Advertised by site and press notice. Two responses have been received, which are summarised below:

- concerns regarding lack of protection of trees on site and that they will be removed once permission is granted
- a nesting survey should be required
- concerns regarding the impacts development will have on neighbouring property, including risk of flooding, noise, access and privacy
- houses located too close to adjacent property, issues of overshadowing and loss of privacy in rear garden.

ASSESSMENT

Planning history

There is no relevant planning history for the site. The following applications relate to the adjacent site to the south:

- PA/2021/109: Outline planning permission to erect five detached dwellings with access and layout not reserved for subsequent consideration – approved 30/07/2021
- 2/1976/0278: Planning permission to erect stables and ancillary buildings – approved 09/07/1976.

Planning designations/considerations

The site is unallocated and outside the development limits as shown on Proposals Map Inset 36 Sandtoft Airfield.

The site is within Flood Zone 2/3a.

The site is not within a conservation area and there are no known listed buildings or tree preservation orders within the site or in close proximity.

Site/proposal

Outline planning permission is sought to erect up to four dwellings at Stanmore Lodge, Belton Road, Sandtoft, with all matters other than access reserved at this time. The site is currently occupied by a residential dwelling and is outside the development boundary of Sandtoft, to the south of Belton Road. The existing dwelling will be demolished as part of the development proposals. Access into the site would be via a single access off Belton Road which would lead to a private drive serving up to four residential properties. All matters relating to appearance, landscaping, layout and scale are reserved.

The land immediately south of the site comprised garden space for the existing dwelling and was granted outline planning permission for the erection of five detached dwellings in 2021.

The site is within an area comprising a mix of uses: The Trolley Bus Museum and a range of commercial/industrial units are located to the north of the site; commercial properties, including AE Wilson Commercial Vehicle Servicing, are to the south-east; and residential properties to the west. A bungalow (The Gables) is next to the site to the west.

The site is unkempt and includes the existing bungalow, a densely planted mature line of conifers along the northern boundary, a small five-brick high wall that creates the eastern boundary with the access road, and mature trees and other planting that form the western boundary with the adjacent property. A dog grooming business is operated from this property.

The application is accompanied by the following plans and documents:

- Location Plan

- Existing Layout
- Block Plan
- Proposed Layout
- Drainage Assessment
- Preliminary Investigation (Desk Study) – Contaminated Land
- Acoustic Report
- Sequential Test
- Flood Risk Assessment
- Design and Access Statement.

The proposed block plan suggests four dwellings could be accommodated on the site with adequate space for parking and private amenity/garden space. Concerns were raised by the officer in relation to the potential impact on The Gables in terms of overshadowing, privacy impacts, overbearing impacts and distance to the boundary, and the applicant agreed to only seek approval for the access point into the site at this stage, with all other matters subject to reserved matters submissions and the description of development to include 'up to four dwellings' should later assessments conclude that the impacts of four dwellings would be unacceptable.

The main issues to be considered in assessing this application are:

- the principle of development
- highway matters
- landscape and visual impact
- residential amenity
- ecology
- trees
- contamination
- noise
- flood risk and drainage
- heritage.

Principle of development

The site is 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).

The planning history demonstrates that an earlier application for five dwellings on land to the north of the site (former garden space) was granted outline planning permission in 2021 (PA/2021/109) which suggests the location is suitable for residential development.

Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire. It states that all future growth, regardless of location, should contribute to sustainable development, in particular in respect of those criteria set out in policy CS2 as well as the other policies of the plan. Policy CS2 restricts any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside. The policy goes on to say, 'A "sequential approach" will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan. Where development does take place in the flood plain, mitigation measures should be applied to ensure that the development is safe. All future development in North Lincolnshire will be required to contribute towards achieving sustainable development.'

Policy CS3 of the Core Strategy provides that development limits will be defined in future development plan documents. Outside these boundaries, the 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 Sandtoft.

Policy CS8 of the Core Strategy 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. In rural settlements in the countryside and in the open countryside outside development limits, housing development will be strictly limited. Consideration will be given to development which relates to agriculture, forestry or to meet a special need associated with the countryside. All development should not have an adverse impact on the environment or landscape.

Local plan 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 (policies CS2 and CS3 of the Core Strategy).

The policies above aim at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is outside the nearest settlement boundary for Sandtoft and would not meet the criteria for development within the open countryside as outlined in policy RD2 of the local plan.

Whilst the site is located outside the defined development limits, it is argued that the site does not sit within the 'open' countryside. The site is surrounded on all sides by a mix of residential and commercial development and the site in visual and character terms is not typical of openness.

Whilst the proposal is thereby considered to conflict with policies CS2, CS3 and CS8 of the Core Strategy, there is a balancing exercise to be taken.

The NPPF is a material consideration when determining planning applications. Paragraph 11 (Making effective use of land) and Footnote 7 (page 6) of the NPPF states the presumption in favour of sustainable development applies for applications involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of housing and that housing applications should be considered in the context of the presumption in favour of sustainable development.

The five-year housing land supply statement sets out North Lincolnshire Council's assessment of its supply of housing land from 1 April 2019 to 31 March 2024, having regard to Government guidance on how this is calculated. This report states that North Lincolnshire has a five-year housing land supply of deliverable sites for the period April 2019 to March 2024. Whilst the council can demonstrate a five-year housing land supply, each site must be viewed on its own merits and this must be recognised as a minimum figure in light of the NPPF which significantly boosts the supply of new homes.

It is considered, given the location of the site, the surrounding land uses and that it is already occupied by a residential use, that this site is suitable for residential development and would allow for an existing unkempt site to be brought forward for development and provide much needed housing within the area.

Paragraph 8 of the NPPF sets out three dimensions to sustainable development: economic, social and environmental. It is acknowledged that investment in construction and related employment would represent a benefit, as would the support that the additional population would provide for the local economy. The submitted Flood Risk Assessment addresses the social, economic and environmental benefits of the development which should weigh in favour of development:

Social

1. The construction of the new dwellings will provide employment for local tradesmen of all ages thus local skills will be enhanced, local employment created, increased opportunities for the employment of apprentices thus improving chances of longer term employability.
2. The dwellings will be designed in accordance with police guidelines to minimise possible burglaries and thus reduce crime in the area.
3. This will also accord to the NPPF in promoting rural business to provide thriving rural communities.

Environmental

1. The development of the proposed dwellings will make the best use of this site as it has no specific use at present other than as a large garden area for Stanmore Lodge.

2. The new proposed dwellings will be carbon efficient and have lower than average emissions thus making a contribution to the improvement of air quality .
3. The site will be bounded by hedgerows which will be retained, thus promoting and encouraging wildlife habitat which will enhance biodiversity.
4. All additional housing within rural villages will contribute to the use of public transport and thus additional demand will enhance it's long-term provision.
5. The houses will be built to Code 3 level Sustainable Housing which is above the required level of energy efficiency required by Building Regulations and thus further contribute to a reduction in the carbon footprint of new housing provision.
6. All materials used in construction of the development will be sourced locally thus promoting sustainability in the construction process.

Economic

1. Construction of these dwellings will provide much needed new jobs and play a part in small degree in the Government's stated intention to build the country out of recession.
2. All local rural villages need vibrant centres and the construction of a new family dwellings will bring additional children into the area which will promote use of the local school, shops, etc.
3. The construction of these new dwellings will not only bring jobs to local tradesmen but also have the spin-off of increased orders for building materials, kitchen fittings, ironmongery, glazing etc, thus securing employment in jobs not immediately related to the site.

Whilst the site is outside the settlement limit of a defined rural settlement, it is well connected to the surrounding locality, would encourage footfall connectivity and provide social, economic and environmental benefits. The site does not represent a typical site within the 'open' countryside and is surrounding on all sides by development, including both commercial/industrial and residential. On balance, it is considered that the site would contribute to the housing land supply for the authority. The location of the dwellings is, in general, considered a sustainable location, in line with paragraph 8 of the NPPF. There is little evidence to suggest that the proposal would result in adverse impacts that would significantly and demonstrably outweigh the benefits. Generally, it is believed that the development weighs heavily in favour of the economic, social and environmental dimensions of sustainability.

It is for these reasons that the principle of development is considered to be acceptable.

Highway matters

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

The indicative layout suggests the properties (up to four) would be positioned addressing the highway frontage along Belton Road to the west and would be set back from the main highway to allow for access and parking provision. The plots (should four be considered

acceptable in layout terms at the reserved matters stage) would also include good-sized gardens to the rear.

No issues have been raised by Highways in respect of the impact of the development upon highway and pedestrian safety. The department have recommended a series of planning conditions and an informative should the application be granted permission.

Design/appearance

Paragraphs 124 and 130 of the NPPF express the importance of good design, high-quality buildings and improving the character and quality of an area.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) 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. The council will encourage contemporary design if it is appropriate for its location and is informed by its surrounding context. A 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 LC7 of the local plan states, ‘where development is permitted within rural settlements or the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development that does not respect the character of the local landscape will not be permitted.’

Belton Road has no overall character with regard to property styles and sizes. The wider area comprises mixed development, including commercial properties/businesses and dwellings comprising semi-detached and detached properties, two-storey dwellings and bungalows.

Accordingly, the provision of up to four dwellings on the site of Stanmore Lodge would not be out of character with the area. Having reviewed the block plan, up to four dwellings could be achieved on the site. Further investigation is needed in terms of the potential for overshadowing, impact on privacy and overbearing impacts in relation to the boundary with the property to the west and the separation distances in this location.

Access to the properties will be taken from the existing site access off Belton Road and is judged acceptable. The indicative plan shows that the proposed dwellings would be visible from Belton Road, positioned addressing the highway frontage along Belton Road to the north and set back from the main highway to allow for access and parking provision. The plots would also include good-sized gardens to the rear.

Landscaping proposals should be considered at the reserved matters stage. Any scheme on the site is not considered to raise an issue of adverse visual impact on the street scene.

Residential amenity

As this is an outline application, the design details of the dwellings would be considered at the reserved matters stage; therefore, any potential loss of residential amenity arising from this development would be assessed at that stage of the planning process. While the design details will be considered as part of a reserved matters application, the indicative site layout demonstrates that the dwellings could be accommodated within the site. Further information would be required in relation to a sunlight/shadow impact to ensure no adverse effects result in respect of the adjoining property to the west. It is unclear at this time whether the indicative layout would result in any adverse residential amenity issues. This

can be addressed at the Reserved Matters Stage. Based on the above, it is considered that the site has the potential to accommodate up to four dwellings but more detail is required to understand if the proposals would be acceptable and would comply with policies H7 and DS1 of the local plan and CS5 of the Core Strategy.

Ecology

Comments received during the consultation period raise concerns relating to nesting birds and other wildlife on the site.

The council's ecologist has reviewed the proposals and does not consider ecological surveys are required. They do advise that a net gain in biodiversity will need to be secured in accordance with policy CS17 of the Core Strategy, the National Planning Policy Framework and the Small Sites Metric.

The proposals, subject to recommended conditions, are considered acceptable in ecological terms.

Trees

The tree officer has considered the proposal and acknowledges that no arboricultural survey has been submitted which would generally be expected where trees are present.

The tree officer notes that the site is fronted onto the highway by a line of conifer trees; however, presently they have little visual amenity due to major works where they have been side-pruned to clear the cables that run along here. As the work cut back into the brown wood, these trees will not recover along the road edge and will remain unsightly. For this reason alone, removal of these is considered reasonable; however there would be an expectation for replacement trees and green infrastructure to compensate their loss.

The tree officer recommends that at the appropriate time a full survey of the site, the trees within it or affected by this proposal in adjacent properties should be requested, giving details of trees to be retained, those removed and mitigation replacement planting within a landscaping scheme. This would need to be conditioned.

It is considered that the above report should be provided prior to informing the layout of the scheme and agreed prior to development taking place.

Environmental issues

Environmental Protection has provided comments on noise, construction and demolition, and contaminated land.

Contaminated land

The application provided a preliminary investigation which, based on the history of the site, findings of the site walkover, conceptual site modelling and preliminary risk assessment, assesses the site as a moderate risk from made ground.

The conceptual site model has concluded several potential pollutant linkages associated with the former and current site use as well as off-site sources which require further assessment and investigation.

The report recommends that an intrusive ground investigation is required to assess the ground conditions. The intrusive site investigation should include boreholes for sampling both groundwater and gas samples. Although there is no location plan indicating the number of boreholes, the report suggests they will cover the whole site and will target the area of the storage building and area of the former taxiway to the east of the site.

The report has recommended that:

‘Prior to the demolition of the existing bungalow and storage building on site, an asbestos survey should be undertaken.’

In view of the report’s comments regarding an asbestos survey, it is recommended that demolition of the buildings is undertaken prior to an intrusive investigation. This would ensure a robust assessment is undertaken of the areas to be landscaped as residential gardens. The Environmental Protection team is satisfied with the desk study and agrees that a robust intrusive ground investigation will need to be submitted and approved by them.

Therefore, considering the above, it is recommended that a condition addressing contamination be attached to any permission granted.

Asbestos

The preliminary risk assessment has recommended that an asbestos survey is undertaken. The applicant must ensure that any asbestos contained within the building structures is managed and disposed of appropriately to ensure that asbestos fibres do not present an unacceptable risk to workers or future occupants of the site. Asbestos contaminated waste must be disposed of appropriately at a licenced waste facility. The legal requirements for managing and working with asbestos are set out in the Control of Asbestos Regulations 2012.

It is recommended that the following condition be included:

‘Following removal and disposal of any asbestos materials, waste transfer notes shall be sent to the local planning authority to demonstrate correct disposal.’

Noise

In relation to noise, the proposed development is adjacent to an existing industrial business and across the road from an existing industrial estate. The applicant has provided an Acoustic Assessment which identifies daytime noise impact from the surrounding industrial and commercial premises as being ‘low impact.’ Mitigation for the garden areas has been recommended as 1.8m–2.0m high imperforate timber fences, with overlapped or tightly butted close-boarded panels.

The report has identified night-time noise impact as being ‘significant adverse impact’ due to the proximity to commercial premises and the movement of HGVs. Mitigation of this noise impact is proposed by use of high specification acoustic glazing, trickle ventilators and the recommendation to install a mechanical ventilation system.

The Environmental Protection team recommend the inclusion of the following conditions on any planning permission granted in order to protect residential amenity:

1. The development hereby permitted shall be constructed to include mitigation measures as recommended and detailed in report reference: S & D Garritt Ltd, Acoustic Report for Proposed Residential Development at Stanmore Lodge, Belton, Sandtoft dated 25 February 2022. The approved mitigation measures shall be carried out in their entirety before the use of the site commences and shall be retained thereafter.
2. Prior to the occupation of the development, an acoustic barrier or masonry wall shall be erected on boundary of the site. A detailed technical specification of the acoustic barrier or wall shall be submitted to and approved in writing by the local planning authority. The specification shall include details of the location, size and design of the barrier, with predicted noise reduction over the frequency spectrum. The approved acoustic barrier or wall shall be installed prior to commencement of the use of this site and shall be maintained thereafter.
3. Following installation of the mitigation measures in accordance with the approved technical specifications, a verification report that demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the local planning authority.

A condition relating to construction hours and days is also recommended to protect residential amenity.

Flood risk and drainage

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

Section 14, paragraph 167 of the National Planning Policy Framework requires 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 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 in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (b) the development is appropriately flood resistant and resilient;
- (c) it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.

As noted earlier, the site is within SFRA Flood Zone 2/3 (a) Fluvial, which has a medium to high probability of flooding, and a flood risk assessment is therefore required.

A separate Flood Risk Assessment, Sequential Test and Drainage Assessment have been submitted. In accordance with NLC's Development and Flood Risk Guidance Note April 2013, this site must be assessed to confirm it passes the sequential test. In addition, the sites to be tested not only have to be reasonably alternative but also deliverable and comparable.

A sequential test document has been submitted, which contains photographs and maps. The applicant has indicated that the search area is limited to Sandtoft, Westgate, Carrhouse and Belton. The search was carried out using NLC's planning website to search for sites with full planning permission and conditions discharged and an internet search to show which sites are also on the market for sale.

The sequential test indicates that all areas of Sandtoft, Westgate, Carrhouse and Belton within the same flood zone of 2/3a as the proposed site have been excluded from the search as these will be no better in terms of flood risk than the application site which is in this flood zone.

The map within the sequential test document shows the green shaded area representing land included within Flood Zone 2/3a in the SFRA 2011 is excluded from the search, leaving Belton itself; this does include Bracon and Church Town.

In conclusion, there are no reasonable alternative, deliverable and available sites that could be developed by the applicants on the market and therefore the site passes the sequential test.

The site-specific FRA addresses the following:

- identify and address flood risk issues associated with the development
- assess if the project is likely to be affected by flooding from all relevant sources both now and in the future
- assess whether the project will increase the flood risk elsewhere
- demonstrate that the project is safe and where possible, reduces flood risk
- propose measures to deal with the identified effects and risks.

Turning to the exception test, the policy requires the following criteria to be met before it can be safely assessed as being passed:

- (i) the development must be shown to be safe from flood
- (ii) the development provides wider sustainability benefits to the community that outweigh flood risk.

Criteria (i): the development must be safe from flood

The applicant has indicated that the North Lincolnshire SFRA contains critical flood levels for this area and site; therefore, this critical flood level is a fluvial 1 in 100 return period and a tidal 1 in 200 return period with allowances for climate change. Table 1 of the Flood Risk Assessment report shows the critical flood level for the area is 4.1m AOD. This means that

during a 1:100 year event with an allowance for climate change water levels at the site could be expected to reach 4.1m AOD.

The proposed drainage strategy shows that surface water flows generated by the development which cannot drain via infiltration would drain into the culverted watercourse via a new connection adjacent to the site.

In addition, the FRA indicates that the site has an average height of 3.2m AOD, therefore to raise the FFL (finished floor level) to 4.4m AOD, which is the safe and acceptable level for residential accommodation set out by the Environment Agency, the level of the site will be raised. In addition to raising the land by 600mm to 3.8m AOD above this, there will be three 200mm high steps to each dwelling to reach an FFL of 4.4m AOD.

On flood resilience, the Flood Risk Assessment report indicates that, in accordance with good practice within flood risk areas, a suite of mitigation measures will be undertaken in the construction process, together with the installation of flood barriers to door openings.

Criteria (ii): the development provides wider sustainability benefits to the community that outweigh flood risk

The sustainability test has been outlined under the principle of development and is therefore not repeated here. As outlined under the principle of the development, the development provides wider sustainability benefits to the community that outweigh flood risk.

Whilst the site is located within Flood Zone 2/3a the Environment Agency have been consulted, have reviewed the submitted Flood Risk Assessment and have no objection to the scheme. They recommend that the development be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 12 September 2021 by Howard J Wroot: specifically, finished floor levels shall be set no lower than 4.4m above Ordnance Datum.

The Drainage Team initially requested further information from the applicant to provide further clarity in respect of surface water drainage and aspects of the drainage report. This information was provided and reviewed by the team.

The LLFA Drainage Team have been consulted on the additional information and are happy for conditions to be imposed, but would expect to see a combined drainage strategy achieved for the application site and the site to the north which already benefits from outline planning permission. The case officer has confirmed with the Drainage Team that, given the schemes are separate, there is no way of linking the two, as each can come forward independent of the other. Given the sites are within the same ownership, this will be provided as advice to the agent and applicant as the preferred way of working. Planning conditions will be imposed to ensure an appropriate drainage solution is available for the site.

Heritage

The council's archaeologist has raised some concerns, commenting that the applicant has not provided a heritage statement and that mitigation proposals to offset the harm to the historic remains are required and should be set out in a Written Scheme of Investigation (WSI) submitted prior to determination of the application. The concerns raised include destruction of the visible airfield remains, and that the extension of the residential environment will erode the legibility of the airfield, adversely affecting its historic character,

appearance and setting. In addition, this would not accord with paragraphs 192 or 200 of the National Planning Policy Framework as the proposed development would not make a positive contribution to local character and distinctiveness and would detract from the significance of the historic landscape at this location.

The proposed development would destroy any surviving WWII structures and any earlier archaeological remains resulting in substantial harm to the archaeological, historic and communal interest of the site; as non-designated heritage assets, paragraph 197 of the NPPF should therefore inform the planning decision.

Where the planning authority accepts that loss of non-designated heritage assets and erosion of historic character and local distinctiveness is unavoidable and outweighed by any public benefits of the proposed development, mitigation measures will be required to offset the harm to the assets in accordance with paragraph 199 of the NPPF and local planning policies CS6 and HE9.

Having reviewed the comments from the archaeologist, the recommended pre-commencement condition would be applied to any permission granted to ensure that any non-designated heritage assets and erosion of historic character are protected.

Conclusion

Whilst the proposal is located outside the development limits, it would not potentially harm the existing site context, and it is considered that the benefit of the proposal does outweigh the harm, subject to conditions. On balance, the proposal is a justified departure from the development plan and is considered to comply with the overarching paragraph 11(d) of the NPPF.

The principle of the development is acceptable, and the proposed dwellings will provide an opportunity for residential accommodation in this location. The site has the potential to accommodate up to four dwellings within the terms of the development plan and is unlikely to be detrimental to neighbouring amenities (subject to further assessment at the reserved matters stage). It would have safe and visually acceptable access.

Notwithstanding the above, it is worth noting that this is an outline application, and therefore the layout, design and appearance of the dwellings, and landscaping of the site, would be fully considered at the reserved matters stage.

The proposal is therefore recommended for approval.

Pre-commencement conditions

All pre-commencement conditions attached to this recommendation have been agreed with the applicant.

RECOMMENDATION Grant permission subject to 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 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 - 1045-21 (dwg 3 of 3)
- Illustrative Layout - 1045-21.

Reason

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

6.

The details to be submitted in respect of reserved matters for any phase of development shall include a scheme for the provision of surface water drainage for the site and shall include the following criteria:

- (a) any proposal to discharge surface water to a watercourse from the redevelopment of a brownfield site should first establish the extent of any existing discharge to that watercourse
- (b) peak run-off from a brownfield site should be attenuated to a minimum of 70% of any existing discharge rate (existing rate taken as 1.4 litres/sec/ha or the established rate, whichever is the lesser, for the connected impermeable area)

- (c) discharge from 'greenfield sites' taken as 1.4 lit/sec/ha (1:1yr storm)
- (d) no above-ground flooding to occur up to the 100-year plus climate change critical flood event (based on current national guidance)
- (e) a range of durations should be used to establish the worst-case scenario
- (f) the suitability of soakaways, as a means of surface water disposal, should be ascertained in accordance with BRE Digest 365 or other approved methodology
- (g) scheme for the provision of a positive outlet of surface water from the site
- (h) adoption and maintenance agreements for all surface water and SuDS drainage features.

If a full sustainable urban drainage system (SuDS) scheme is incapable of being delivered, then comprehensive justification of this must be submitted.

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 159 to 169 of the National Planning Policy Framework.

7.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 6 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.

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

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.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning 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 and turning 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.

11.

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 policies T2 and T19 of the North Lincolnshire Local Plan.

12.

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 policies T2 and 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.

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.

15.

The details submitted in pursuance of the outline planning permission shall be accompanied or preceded by the submission to the planning authority of an archaeological mitigation strategy, to be defined in a written scheme of investigation (WSI). The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the identification and preservation by record of all structures and features associated with RAF Sandtoft within the site
- (ii) methodologies for the recording of structural remains and 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, including the ADS
- (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 the North Lincolnshire 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 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 significant remains of historic and archaeological interest 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.

16.

No demolition or development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the archaeological mitigation strategy that has been submitted to and approved in writing by the local planning authority. The applicant shall notify the planning authority in writing of the intention to commence the recording archaeological site works at least one week/seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with 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 potentially contains significant remains of historic and archaeological interest 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.

17.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy (as set out in condition 16 above) shall be deposited at the North Lincolnshire 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 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 significant remains of historic and archaeological interest 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.

18.

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 Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

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 the site is safe for future users and construction workers.

19.

Following removal and disposal of any asbestos materials, waste transfer notes shall be sent to the local planning authority to demonstrate correct disposal.

Reason

To ensure that risks from asbestos to highways, the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, and to avoid conflict with policy DS7 of the North Lincolnshire Local Plan.

20.

The development hereby permitted shall be constructed to include mitigation measures as recommended and detailed in report reference: S & D Garritt Ltd, Acoustic Report for Proposed Residential Development at Stanmore Lodge, Belton, Sandtoft dated 25 February 2022. The approved mitigation measures shall be carried out in their entirety before the use of the site commences and shall be retained thereafter.

Reason

To protect residential amenity.

21.

Prior to the occupation of the development, an acoustic barrier or masonry wall shall be erected on boundary of the site. A detailed technical specification of the acoustic barrier or wall shall be submitted to and approved in writing by the local planning authority. The specification shall include details of the location, size and design of the barrier, with predicted noise reduction over the frequency spectrum. The approved acoustic barrier or wall shall be installed prior to commencement of the use of this site and shall be maintained thereafter.

Reason

To protect residential amenity.

22.

Following installation of the mitigation measures in accordance with the approved technical specifications (as set out in condition 21 above), a verification report that demonstrates the effectiveness of the mitigation measures shall be undertaken. The verification report shall be submitted to and approved in writing by the local planning authority.

Reason

To protect residential amenity.

23.

Construction, demolition 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, demolition 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 protect residential amenity.

24.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 12 September 2021 by Howard J Wroot: specifically, finished floor levels shall be set no lower than 4.4m above Ordnance Datum.

Reason

To reduce the risk and impact of flooding to the development and future occupants, in accordance with the North and North East Lincolnshire Strategic Flood Risk Assessment, November 2011.

25.

As part of any subsequent reserved matters submission, a full arboricultural survey shall be undertaken, submitted to and approved in writing by the local planning authority. These details shall include a full survey of the site, the trees within it or affected by this proposal in adjacent properties, giving details of trees to be retained, those removed and mitigation replacement planting within a landscaping scheme.

Reason

To allow the proper consideration of the impact of the proposed development on the amenity value of the existing site.

26.

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 within the red line boundary of the submitted location plan drawing dated 12/9/21;
- (b) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra Small Sites metric;
- (c) details of bat boxes and nest boxes to be installed;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- (g) 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 and blue line boundaries 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.

27.

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 third dwelling, 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.

Informative 1

- It is advised that the developer proposes a combined surface water drainage strategy for this development and previously approved development on this site (PA/2021/109).
- Surface water drainage systems exist on the site and watercourses exist south of this development which may pass through this development and need further investigation and consideration.

- There is an existing watercourse beyond the south-eastern boundary that requires further investigation with respect to proposed outfall.
- Updated Drainage Strategy states that the site is underlain by peat with a water table regularly less than 1m BGL. BGS indicates the site to be underlain by Blown Sands. A SI would detail this.
- The Drainage Strategy states that the design is based upon 1:100 + 40%CC. The submitted calculations indicates 30%.
- There are no SUDS features proposed. This requires further consideration.
- Maintenance of the control manhole is critical. Set out who inspects and maintains this. This needs to be in a more accessible location.

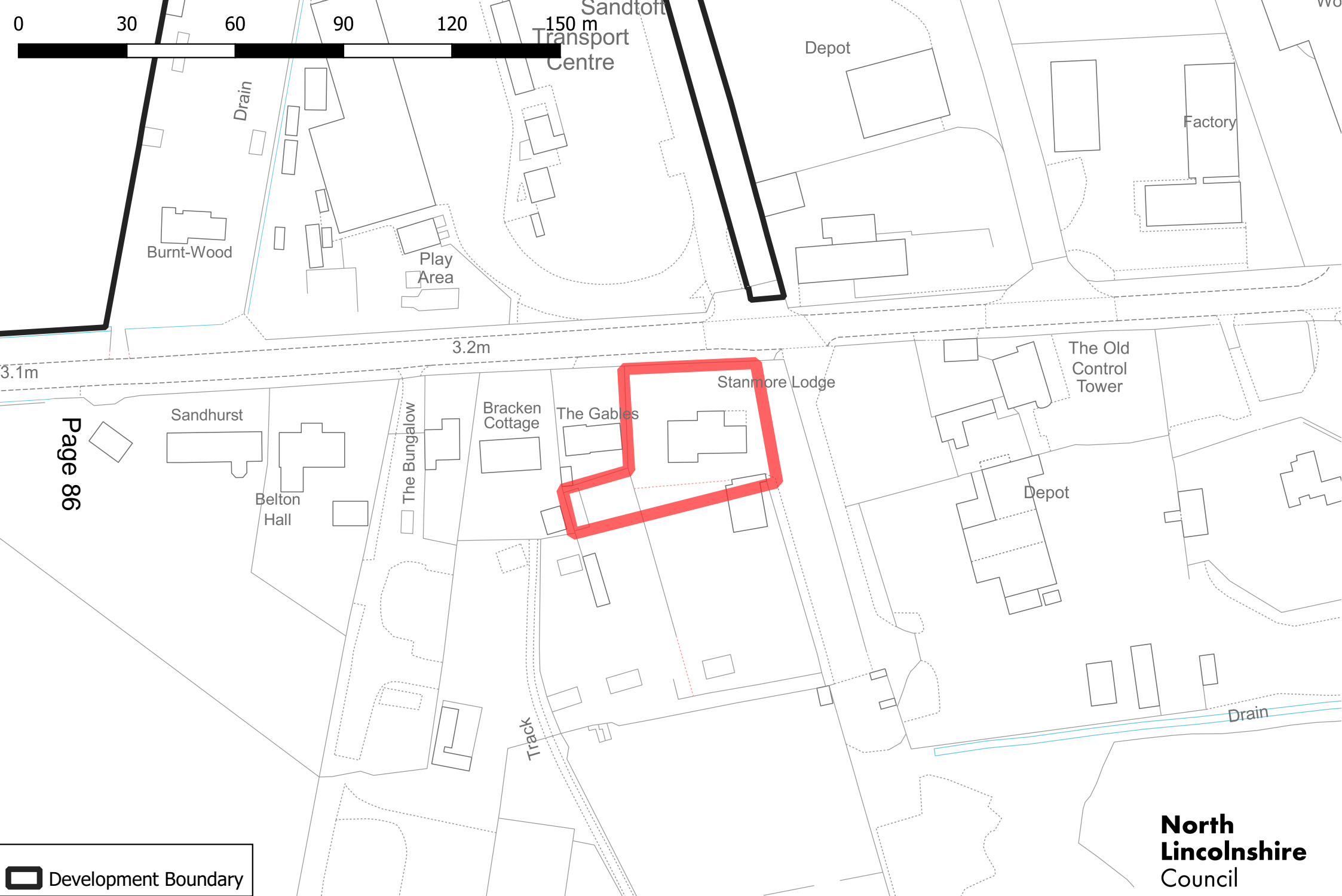
Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



0 30 60 90 120 150 m

Sandtoft
Transport
Centre

Depot

Factory

Burnt-Wood

Play
Area

3.1m

3.2m

Stanmore Lodge

The Old
Control
Tower

Page 86

Sandhurst

Belton
Hall

The Bungalow

Bracken
Cottage

The Gables

Depot

Track

Drain

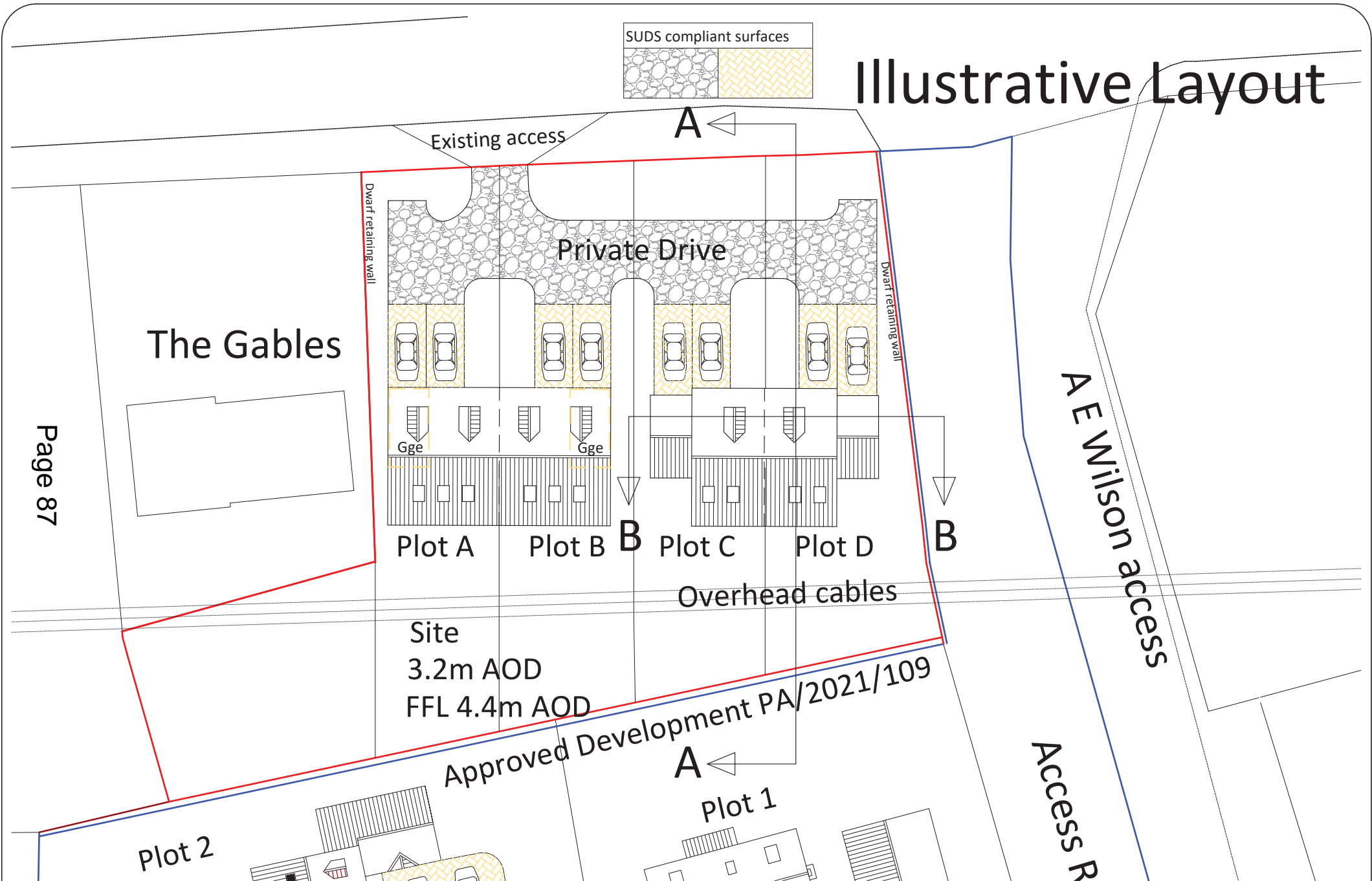
 Development Boundary

PA/2021/1634

**North
Lincolnshire
Council**

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Illustrative Layout



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Howard J Wroot BSc MRICS
Chartered Surveyor
240 Wharf Road, Ealand
Scunthorpe DN17 4JN
Tel 01724 711068
Fax 01724 710174
Mob 07947 226577

Client	NPP Properties Ltd		
Date	23/5/22	Dwg No	2 of 3
Scale	1:250	Ref No	1045-21

Proposal	2 Pairs of semi-detached houses at Stanmore Lodge, Belton Road, Sandtoft, DN8 5SX.
Drawing	



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APPLICATION NO	PA/2021/1870
APPLICANT	Miss Sally-Anne Moxon
DEVELOPMENT	Planning permission to erect a single-storey extension to an existing annexe to provide a separate dwelling, including the creation of a new vehicular access to Daffodil Farmhouse
LOCATION	Daffodil Farmhouse and Annexe, West End Road, Epworth, DN9 1LA
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Scott Jackson

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Departure from the development plan

POLICIES

National Planning Policy Framework: Sections 5, 12 and 16 apply.

North Lincolnshire Local Plan: Policies H5, H8, DS1, DS5, RD2, RD9, T1, T2, T19 and LC14 apply.

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

CONSULTATIONS

Highways: No objection, but recommend conditions.

LLFA Drainage: No objection, but recommend conditions and informatives.

Environmental Protection: No comments to make.

Historic Environment Record (Archaeology): The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). It is not considered that this proposal would adversely affect the character of the landscape heritage asset or its setting at this location. No objection subject to standard conditions removing permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area at the rear of the dwelling.

TOWN COUNCIL

No objection and support the application on the following basis:

- surface water run-off from the hard-paved areas on site being addressed

- the extension not extending into the historic landscape or going beyond the development limit
- a recommendation that a clear boundary between Ashtree Lodge and the extension should be provided.

PUBLICITY

A site notice has been displayed. One response has been received objecting to the proposal on the following grounds:

- the extension will impact on the view of the neighbour
- overlooking/loss of privacy
- the proposal shows no provision of boundary treatment along the party boundary
- disruption and noise during the construction period.

ASSESSMENT

The application site consists of a two-storey detached dwelling with a single-storey detached residential annexe to the south. It is located to the west of West End Road, within a spacious plot and in Flood Zone 2. There is an existing driveway in the south-eastern corner of the site and a substantial cluster of trees within the front garden. There are dwellings either side of the site and on the opposite side of West End Road. The dwelling is in the centre of the site and the single-storey annexe is positioned towards the southern boundary, providing additional residential accommodation in the form of a bedroom, bathroom, living room and kitchen. Planning permission is sought to erect a two-storey extension to the front of the annexe to convert it to a dwelling, together with the provision of a new vehicular access and drive to serve the existing house and the division of the land (through the creation of a new boundary between the properties).

The main issues in the determination of this application are the principle of development, and impact on residential amenity and upon the character and appearance of the street scene.

Principle

The site is outside the defined settlement boundary for Epworth, on land classed as countryside. The proposal to extend the existing residential annexe to form a separate dwelling will result in the creation of an additional dwelling outside the defined settlement boundary, therefore policies RD2 of the North Lincolnshire Local Plan (NLLP) and CS3 of the adopted Core Strategy apply.

Policy RD2 states development in the countryside will be strictly controlled and only permitted for development which is for the re-use of existing rural buildings, such as in the case here. Policy CS3 of the Core Strategy is concerned with development limits. It sets out the considerations to be taken into account when applying development limits. The Housing & Employment Land Allocations DPD (HELADPD) sets out the development boundaries and these are contained within the proposal maps and relevant insets. Policy CS3 states that development outside these defined boundaries will be restricted to that which is essential to the functioning of the countryside.

It is also highlighted that North Lincolnshire Council can currently demonstrate a deliverable five-year housing land supply. Notwithstanding the development plan policies set out above, the National Planning Policy Framework (NPPF) is a material consideration when determining planning applications. Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Whilst it is accepted the existing building is outside the defined settlement boundary for Epworth, the proposed creation of a stand-alone dwelling is considered to be sustainable in this location as it is within walking and cycling distance of Epworth town centre and its range of facilities and sustainable modes of travel. These facilities are accessible via a highway footpath with streetlights. Furthermore, the building is already in use for domestic purposes, will result in an additional dwelling which will contribute to the local housing land supply figure, is in an area which is surrounded by residential development (effectively it is an infill dwelling) and the proposal will not result in the loss of any trees or impact on any protected landscapes in the countryside. It is therefore considered the proposal accords with the NPPF in that it constitutes sustainable development.

The proposal is for the extension/alteration of an existing rural building as a stand-alone dwelling. It is considered the proposal broadly complies with these policies and that policy RD9 of the NLLP should also be applied.

Policy RD9 covers the re-use and/or adaptation of rural buildings for residential use in the countryside. As stated in the previous paragraph, this is an existing building within the countryside and therefore, in the context of assessing this application, is a rural building. In addition, it is already in use for residential purposes, albeit as ancillary accommodation to the host dwelling known as Daffodil Farmhouse. It is accepted that policy RD9 is more focused on agricultural barns or those which are considered to be important to the rural scene and/or architectural merit; however, the building resembles a detached bungalow in the grounds of an existing house and is capable of conversion without major alteration as it stands (given it is already in use as a residential annexe).

In addition, this proposal seeks to extend the existing annexe, a two-storey extension being proposed to the front. This will have the benefit of creating an additional dwelling in a sustainable location and will provide the necessary level of internal space for the occupants. The building, in its extended form, would have the benefit of creating a new dwelling and would allow the host dwelling (Daffodil Farmhouse) to co-exist alongside it without any buildings being displaced or being required for further ancillary residential use. The plans show the extension can be accommodated to the front of the annexe and the building, in its extended form, could exist as a dwelling with sufficient separation distance from both the host dwelling and neighbouring dwellings, and with the necessary residual land for private amenity space and off-street parking to be provided. The character of the area will not be adversely affected as the existing building is set back from the public highway at a distance of approximately 39m; it is not highly visible in the street scene; the extension is proposed to be constructed from materials to match the appearance of the existing annexe, namely a mixed red brick and slate roof tile, thereby ensuring visual assimilation into the street scene; and the dwelling will be flanked by a dwelling either side (the character of the area is residential and linear in form on both sides of West End Road). The scale and size of the extension is considered commensurate to the size of the building to which it will be attached, it respects its design through the continuation of the same pitched roof to the front and the proposal will not result in the loss of any habitat for protected species. The proposal is therefore considered to be broadly consistent with policy RD9 of the NLLP.

In conclusion, the development, whilst outside the defined settlement boundary, is akin to an infill plot between existing residential properties in this part of Epworth, in a sustainable location within walking and cycling distance of local facilities, with access to sustainable modes of travel. In addition, the building is already in use for residential purposes (albeit ancillary to Daffodil House), the extension to the front can be accommodated without it being to the detriment of the visual or residential amenity of the area and it will result in the creation of an additional dwelling which contributes towards housing land supply in North Lincolnshire.

Residential amenity

The plans show the existing plot will be subdivided and a new vehicular access and driveway created to serve the host dwelling to the north. The plans show there is sufficient space in which the new dwelling can exist alongside the host dwelling with space around both properties for private amenity space provision and off-street parking. In addition, a revised site layout plan has been received which shows the provision of a 2m high brick wall to be erected between the proposed and host dwelling. This will run for the full length of the proposed dwelling (on its northern side) and is considered sufficient to mitigate any potential loss of amenity to the proposed occupants through overlooking from upper floor bedroom windows towards private amenity space and ground-floor openings in the proposed dwelling. The level of private amenity space to serve the proposed and host dwelling is considered to be commensurate to the dwelling size and each dwelling will have a minimum of two off-street parking spaces, together with a turning area. The proposed dwelling is considered to be sited a sufficient distance away from the host property to the north to prevent any loss of residential amenity.

The concerns of the neighbour are noted; however, the proposed dwelling will be a distance of 8.3m from the northern wall of Ashtree Lodge to the south. This is considered a sufficient distance to mitigate any potential loss of amenity through loss of light or having an overbearing impact. Loss of view is not a material issue and will not be formally assessed in this case. It is noted a bedroom window is proposed in the southern-facing elevation of the proposed extension and no details of the boundary treatment along the southern boundary have been provided: to safeguard residential amenity and in the interests of clearly defining the boundary between respective residential plots, it is considered reasonable and necessary to recommend a condition requiring details of the boundary treatment to be submitted for future consideration. Finally, it is worth noting no upper floor habitable room windows are proposed to either the northern roof slope or southern-facing roof slopes. This prevents the overlooking of neighbouring dwellings and associated private amenity space.

Street scene

As noted above, the proposed dwelling (in its finished footprint) will be a significant distance away from the public highway to the east and the site is afforded sufficient existing screening in the form of a 2m high hedge along its boundary with the highway. This reduces views of the dwelling from the highway. Part of this hedge will be removed to facilitate the proposed vehicular access to the host property to the north (Daffodil Farmhouse) but will, in most part, be retained adjacent to the public highway. The extension to the front of the annexe will be constructed from materials to match its existing external appearance, thereby ensuring visual assimilation into the street scene. A feature window is proposed in the upper floor of the gable facing towards West End Road (in the extension). This is both functional and provides some visual interest. Each of the elevations will be broken up by either window or door openings, which helps to break up the massing of brickwork and

allows natural light. When viewed from the public highway the annexe will be viewed similar to the existing situation, albeit with the gable facing towards West End Road in closer proximity.

Other issues

The dwelling is within the Isle of Axholme Area of Special Historic Landscape Interest (as set out in policy LC14 of the NLLP). No objection has been received from the Historic Environment Record (HER) in respect of the potential impact of development upon the setting of the Historic Landscape in this regard. The HER has recommended a condition that householder permitted development rights are removed from the proposed property owing to the potential impact of additional built development to the rear of the subdivided plot and intrusion into the LC14 land. It is worth noting, however, that this is an existing garden serving the dwelling and therefore the existing householder permitted development rights could be exercised, which has the potential to result in built development in the rear garden of the dwelling. The subdivision of the land into two plots will not result in the intensification of domestic outbuildings being introduced into the rear part of the site. In addition, the proposal will not result in the gardens extending any further westwards into the LC14 land. On this basis, the imposition of a condition removing householder permitted development rights is not reasonable or necessary.

LLFA Drainage has considered the proposals and raised no objection on drainage or flood risk grounds. A condition is recommended requiring a scheme for the prevention of surface water run-off into the highway to be submitted for consideration. In terms of flood risk, that part of the site on which the outbuilding is located, and the area of its proposed extension, is within flood zone 1 in accordance with the North Lincolnshire Strategic Flood Risk Assessment (SFRA), therefore the change of use to a dwelling is considered to be acceptable in flood risk terms.

Highways have considered the proposals and raise no objection to the development on grounds of highway or pedestrian safety, and consider there to be sufficient visibility on West End Road to serve the new vehicular access. The application is therefore recommended for approval.

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:

- 2021/069/04B
- 2021/065/05B
- 2021/069/06B
- 2021/069/01
- 2021/065/02

- 2021/065/03
- 21/69 Daffodil House.

Reason

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

3.

No above-ground works shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted along the southern boundary with Ashtree Lodge 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 policies H8 and DS1 of the North Lincolnshire Local Plan.

4.

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.

5.

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.

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 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 paragraphs 159 to 169 of the National Planning Policy Framework.

8.

No above-ground works 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 159 to 169 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 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.

Informative 3

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). 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. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team via email to llfadrainageteam@northlincs.gov.uk prior to any further construction works being carried out. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this

guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 4

Our records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the boundary. The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email to llfladrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.



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LC14 Isle of Axholme Area of Special Historic Landscape Interest

North Lincolnshire Council



Notes:

Ref	Date	Revision
A	14/10/21	Revised generally to suit client comments.

Project Client:	SALLY ANNE MOXON, DAFFODIL HOUSE, WEST END ROAD, EPWORTH
Design Title:	PROPOSED ROOF PLAN
Author:	PA

Project Client:
SALLY ANNE MOXON, DAFFODIL HOUSE, WEST END ROAD, EPWORTH

Design Title:
PROPOSED ROOF PLAN

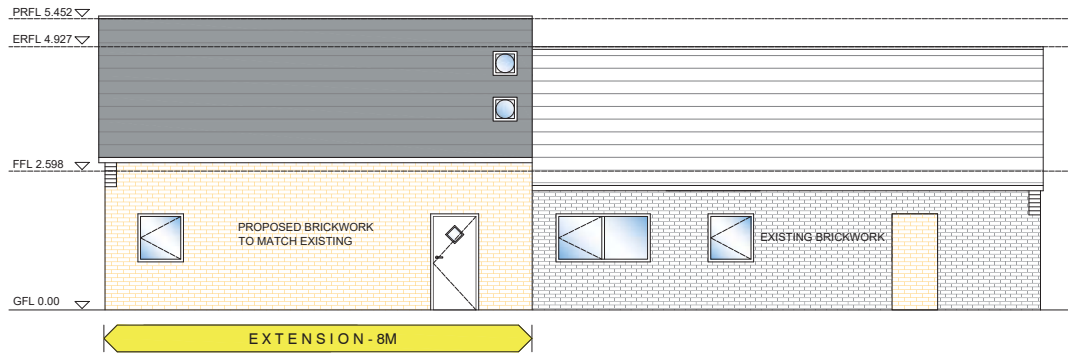
John Hill Associates Ltd.
 6 Shaw Wood Way,
 Shaw Wood Business Park,
 Doncaster, DN2 5TB

01302 369955
 enquiries@jha.co.uk
 www.jha.co.uk

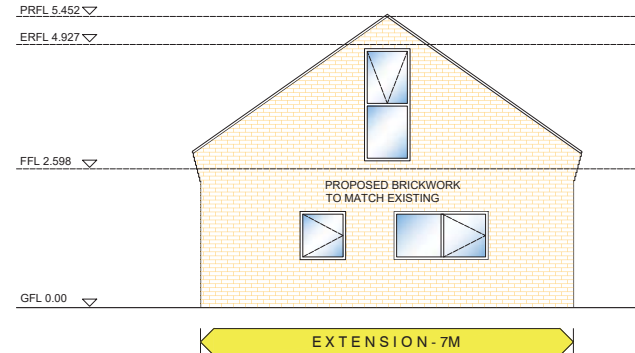
Scale:	1:200	Date:	Sept 2021
Drawn by:	PA	Checked by:	CD
Design by:		Sheet Size:	A1
2021/069/07			

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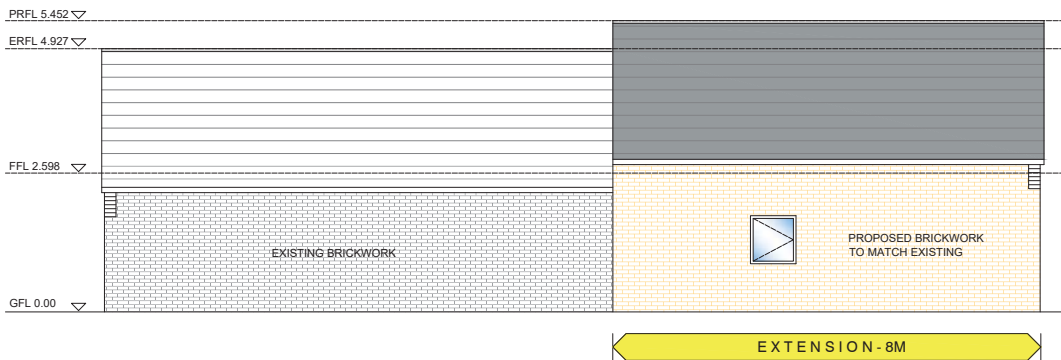
AMENDED



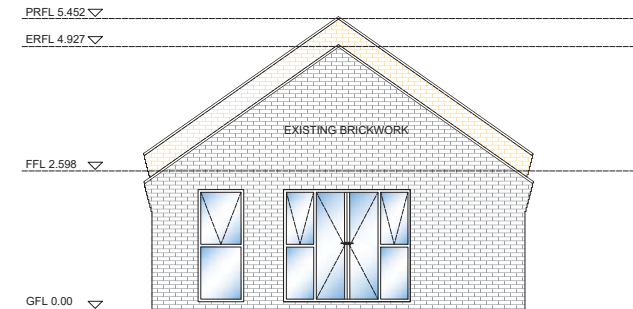
Proposed North Elevation - 1:50



Proposed East Elevation - 1:50



Proposed South Elevation - 1:50



Proposed West Elevation - 1:50

Page 99

Ref	Date	Revision	Initial
B	26/04/22	Revised generally to suit planners comments	PA
A	14/10/21	Revised generally to suit client comments	PA

Project / Client:	DAFFODIL HOUSE, WEST END ROAD, EPWORTH, DN9 1LA FOR SALLY ANNE MOXON
Drawing Title:	PROPOSED ELEVATIONS



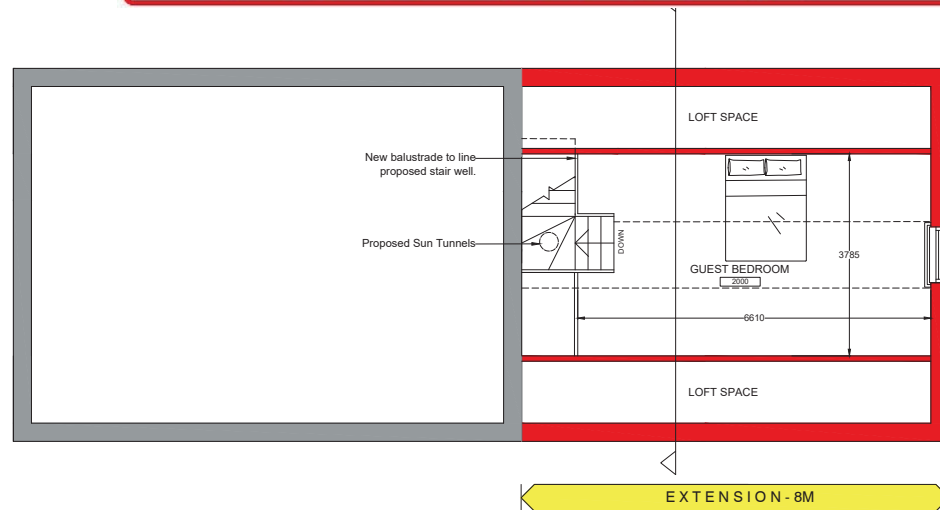
John Hill Associates Ltd,
6 Shaw Wood Way,
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Doncaster, DN2 5TB

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enquiries@jha.co.uk
www.jha.co.uk

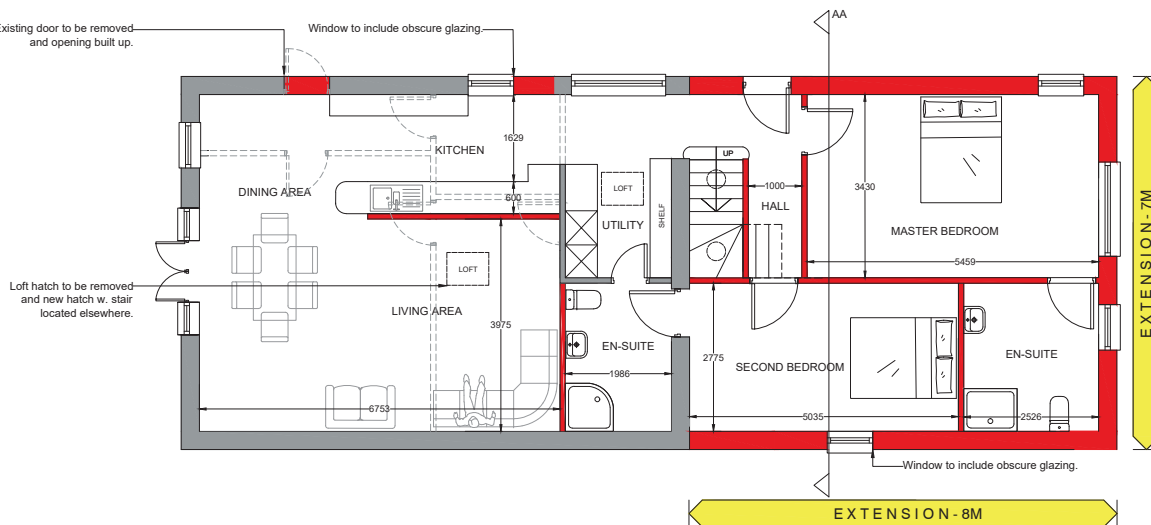
Scale:	1:50	Date:	SEPT 2021
Drawn By:	PA	Checked By:	CD
Drawing No:	2021/065/05B	Sheet Size:	A1

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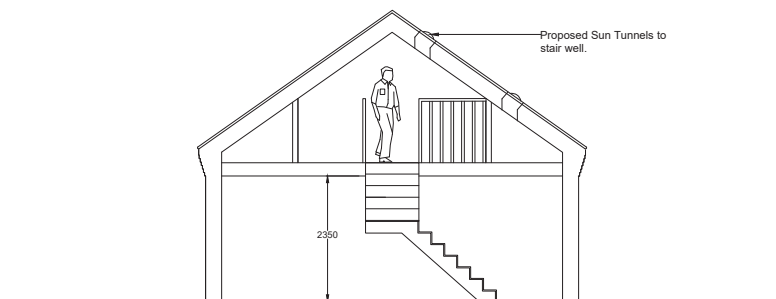
AMENDED



Scheme First Floor Plan - 1:50



Scheme Ground Floor Plan - 1:50



Schematic Section AA- 1:50

Page 100

Notes:

B	26/04/22	Revised to suit Planners comments.
A	14/10/21	Revised generally to suit client comments.
Ref	Date	Revision

Project / Client:	DAFFODIL HOUSE, WEST END ROAD, EPWORTH FOR SALLY ANNE MOXON
Drawing Title:	PROPOSED FLOOR PLANS



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Scale:	1:50	Date:	Sept 2021
Drawn By:	PA	Checked By:	CD
Drawing No:	2021/069/06B	Sheet Size:	A1

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APPLICATION NO	PA/2021/2061
APPLICANT	Mr Mark Wall, NPP Properties Ltd
DEVELOPMENT	Planning permission to remove condition 13 of PA/2019/930 relating to ecology and biodiversity
LOCATION	Tetley House, land south of Tetley, Crowle, DN17 4HY
PARISH	Crowle and Ealand
WARD	Axholme North
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle and Ealand Town Council

POLICIES

National Planning Policy Framework:

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

North Lincolnshire Local Plan: LC5

North Lincolnshire Core Strategy: CS17

CONSULTATIONS

Highways: No comments or objections to make.

Ecology: The ecologist raises the following concerns: “In the absence of any alternative explanation, it appears to me that the farmhouse building has been demolished contrary to the requirements of condition 13. Given that the other buildings on site all supported bat roosts, there is a significant probability that the farmhouse, in a similar state of disrepair, also supported one or bat roosts. Clearly, the purpose of condition 13 was to prevent demolition of buildings without appropriate bat surveys and mitigation measures being put in place. It appears to be entirely inappropriate to remove condition 13 simply because a building has been demolished, seemingly in breach of the condition.”

LLFA Drainage: No objections.

TOWN COUNCIL

'This council strongly objects to the removal of the ecology and biodiversity clause on this application, which just doesn't solely apply to bats, but has a wider effect on the flora and fauna of the immediate area, i.e. insects, birds, vegetation and indeed the great crested newt that has been proved to have established itself in the surrounding area. To demolish a building of historical interest and attempt to remove this clause is not only fundamentally and morally wrong but will in fact upset the eco balance both immediately and for years to come. The application states the grade two listed buildings adjacent to the site must be protected at all costs from demolition and indeed play a significant role in the ecology and biodiversity of the area.'

PUBLICITY

Advertised by site and press notice. No responses received.

ASSESSMENT

Planning history

PA/2019/930: Planning permission to erect a replacement dwelling and two detached dwellings – approved 23/10/2020

PA/2021/902: Planning permission to erect replacement dwelling (resubmission of PA/2019/930) – refused 16/08/2021

PA/2019/1028: Listed building consent to repair and refurbish carriage house and stable/dovecote – not yet determined

Site characteristics

The site is outside the development boundary for Crowle as identified by the Housing and Employment Land Allocations DPD 2016. The proposal involves the replacement of Tetley Farm House, which is a non-designated heritage asset and the erection of two dwellings for the purpose of enabling two listed buildings ('carriage house/granary range' and 'stable') to be brought back to optimum viable use. These buildings are listed in their own right and are associated with Tetley Hall. The site is also within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

Proposal

This application seeks to remove condition 13 of planning permission PA/2019/930. The condition states:

'Prior to the commencement of any works, including demolition works to Tetley Farm House, the Carriage House and Stables, bat and ecological surveys encompassing the entire site of the proposals shall be submitted to and agreed in writing by the local planning authority.'

Reason

In the interest of protected species and to accord with policy LC5 of the North Lincolnshire Local Plan.'

The applicant wishes to have this condition removed as Tetley Farm House has already been demolished.

The matters to be considered in assessing this proposal relate to ecology.

Ecology

Policy CS17 is concerned with biodiversity and sets out principles for the management of schemes in order to achieve a net gain for wildlife habitat networks. Policy LC5 of the local plan is concerned with protected species. They are reinforced by paragraph 170 of the NPPF. All are considered relevant. The application site, although not formally designated, has importance for nature conservation with, potentially, habitat available for bats within existing redundant structures, though it should be noted that these structures are quite open. There are pre-requisite tests for an EPS licence should bats be found to be present, and the council's ecologist has requested further information be submitted prior to determination.

Tetley Farm House has now been demolished and therefore the condition is no longer wholly precise. Whilst the applicant's request for it to be removed has been met with objection from both the ecologist and the town council, a variation of this condition is unquestionably required given Tetley Farm House no longer exists.

The new condition should read:

'Prior to the commencement of any works, including demolition of the Carriage House and Stables, bat and ecological surveys encompassing the entire site of the proposals shall be submitted to and agreed in writing by the local planning authority.'

Reason

In the interest of protected species and to accord with policy LC5 of the North Lincolnshire Local Plan.'

It is considered that this condition would still achieve the required mitigation for the rest of the site and reflects the fact that Tetley Farm House is no longer in situ. This approach is not an acceptance that the local planning authority condones the demolition of Tetley House Farm, in breach of the planning condition, but is an approach to ensure that the other buildings are not demolished prior to the required bat and ecological surveys being completed and submitted.

Conditions

In discussing how conditions are treated under a section 73 application, Planning Practice Guidance states:

'The original planning permission will continue to exist whatever the outcome of the application under section 73. The conditions imposed on the original permission still have effect unless they have been discharged.'

[online source: Paragraph: 040 Reference ID: 21a-040-20190723]

Therefore, the only condition required is the varied wording of condition 13 discussed above. There is no requirement to reattach any dischargeable or compliance conditions as they still have effect.

Conclusion

One of the tests for conditionality is precision in wording. Given that Tetley Farm House has been demolished the former condition needs regularising to reflect that fact.

RECOMMENDATION Grant permission subject to the following condition:

1.

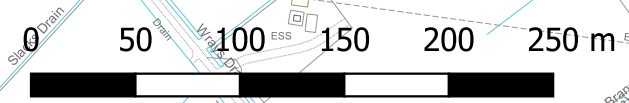
Prior to the commencement of any works, including demolition of the Carriage House and Stables, bat and ecological surveys encompassing the entire site of the proposals shall be submitted to and agreed in writing by the local planning authority.

Reason

In the interest of protected species and to accord with policy LC5 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.



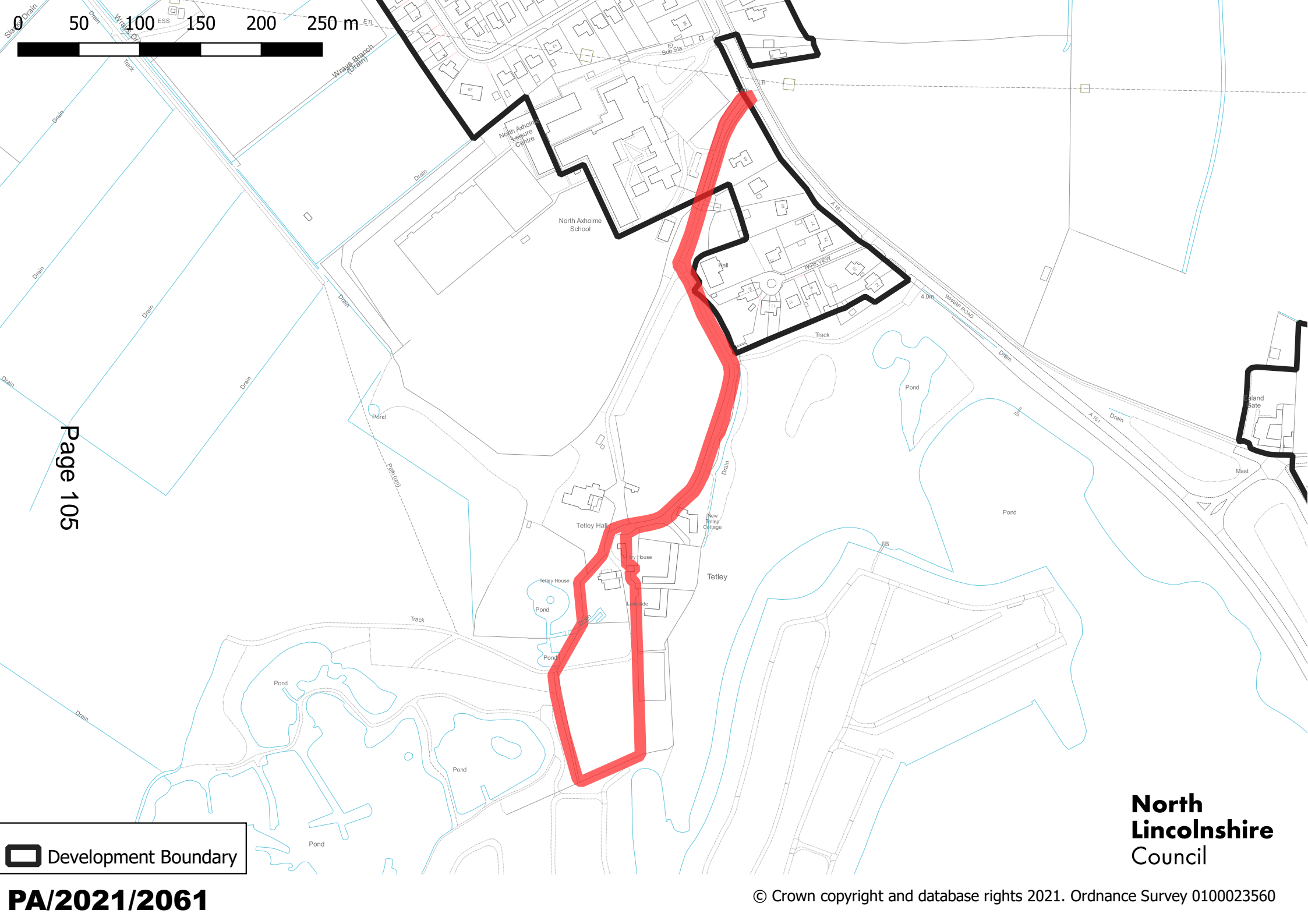
Page 105

 Development Boundary

PA/2021/2061

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2021/2169
APPLICANT	Mr & Mrs Antony Edmondson-Bennett
DEVELOPMENT	Listed building consent to erect a lodge and wall, create a pond and swimming pool within the grounds and refurbish an existing tennis court including lighting and a storage shelter
LOCATION	Fox Farm, Cadney Road, Howsham, LN7 6LA
PARISH	Cadney
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant consent subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Cadney cum Howsham Parish Council

POLICIES

National Planning Policy Framework:

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: HE5

North Lincolnshire Core Strategy: CS6

Historic Environment Record: No further recommendations.

Conservation: No objection subject to a design change and conditions.

PARISH COUNCIL

Objects to the pond due to its size and potential flooding concerns. They state that parishioners and the parish council have repeatedly reported the drains and issues of drainage to NLC on Cadney Road and are worried about the extra pressure the pond and development will put on this area.

As there are two other ponds in the near vicinity, they feel there should be a full environmental survey to consider the impact and a covenant should be attached stating that it is for domestic use only.

They note the application states there are “no trees and hedges on the land adjacent to the development that would have an impact on it”, the reason being that they have already been removed by the applicant.

Concerns are raised regarding the floodlights on the tennis court being close to the road, creating a hazard, impact on neighbouring houses and the environmental impact due to light pollution.

Complaints have been received from parishioners regarding light pollution since the menage was installed at Chestnut View.

The parish council requests a restriction on usage of the lighting during certain hours.

Based on the information given, the parish council was unable to ascertain where the new wall is to be erected, but would like to point out that the front wall between the road and tennis court has been raised to approximately twice the original height. They cannot see reference to this on any of the retrospective planning applications.

PUBLICITY

Advertised by site and press notice. A number of objections have been received, which can be summarised as follows:

- flooding and drainage
- highway safety impacts
- light pollution
- noise impacts
- residential amenity impacts
- impact upon the open countryside
- general character and landscape
- ecology/biodiversity.

ASSESSMENT

Planning history

7/1983/0062: Planning permission to erect an extension to form a farm office and games room – approved 24/03/1983

7/1988/0736: Planning permission to construct a conservatory – approved 04/01/1989

PA/2018/2086: Planning permission to erect an extension and alterations to previously approved plans – approved 21/12/2018

PA/2017/332: Planning permission to convert barns into two dwellings – approved 02/05/2017

PA/2021/1735: Planning permission to convert outbuilding to annexe with extension – approved 26/01/2021.

Site constraints

- Grade II listed building
- Open countryside (HELA DPD 2016)

Site characteristics

The dwelling fronts Cadney Road and is a grade II listed property. It has numerous associated outbuildings and an area of paddock land to the northwest. The dwelling and wider land is outside the defined settlement limits for Howsham. The property is served by a central access with a secondary access to the east serving the rear, and an additional access to the east which was approved in connection with the annexe under PA/2021/1735.

Proposal

Listed building consent is sought to erect a new Scandinavian-style lodge and wall between the tennis court and driveway with entrance gates, create a pond and external swimming pool within the grounds, and refurbish an existing tennis court, including lighting and a storage shelter. Permission to retain the children's play equipment on site is sought under a separate pending application.

The following considerations are relevant to this proposal:

- **impact upon the historic environment.**

Impact upon the historic environment

Policy HE5 is concerned with development affecting listed buildings and is relevant given the grade II status of Fox Farm. It states:

'The council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. When applications for planning permission relating to a listed building or listed building consent are being assessed, the primary consideration will be the need to preserve or enhance the fabric and character of the building. Permission or consent will not be granted unless it has been demonstrated that the proposed works would secure this objective. The council will encourage the retention and restoration of the historic setting of listed buildings. Proposals which damage the setting of a listed building will be resisted. Whenever appropriate, proposals which would entail the loss of historic fabric from a listed building will be conditional upon a programme of recording being agreed and implemented.'

Policy CS6 of the Core Strategy is concerned with development affecting the historic environment. It seeks to protect and enhance the districts designated and undesignated assets.

Paragraph 199 of the NPPF states, '...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 states, '...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:

- (c) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- (d) 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 202 states, '...Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The conservation officer has been consulted and has stated:

'There is no objection to the planning and listed building consent subject to the number of lights on the driveway reduced and appropriate conditions regarding staining the play equipment, painting the tennis court Wimbledon Green, details [for] surfacing of the driveway, details provided of the surface material surrounding the pool and associated landscaping, details of the bricks for the supporting piers for the wall adjacent to the driveway are submitted for consideration. It should also be conditioned that the wall between the tennis court and driveway is rebuilt using the existing bricks and a lime mortar.'

Subject to the imposition of such conditions, the proposal is in accordance with planning policies HE2 of the local plan and CS6 of the Core Strategy, as well as the aforementioned paragraphs of the National Planning Policy Framework.

Conclusion

The proposal represents a sustainable form of development that would minimise the harm upon the listed building.

RECOMMENDATION Grant consent subject to the following conditions:

1.

The works must be begun before the expiration of three years from the date of this consent.

Reason

To comply with Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.

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

Site Location and Block Plan 001 Rev B
Plans and Details as Proposed 003 Rev B

Plans and Details as Proposed 004 Rev B.

Reason

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

3.

Before its first use the tennis court hereby permitted shall be painted 'Wimbledon Green', which shall be retained thereafter.

Reason

To protect the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

4.

Prior to the first use of the driveway, details of the bricks used for the supporting piers for the wall adjacent to the driveway shall be submitted to and agreed in writing with the local planning authority. They shall be retained thereafter.

Reason

To protect the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

5.

Prior to the development on the pool house, details of all external materials shall be submitted to and agreed in writing with the local planning authority and shall be retained thereafter.

Reason

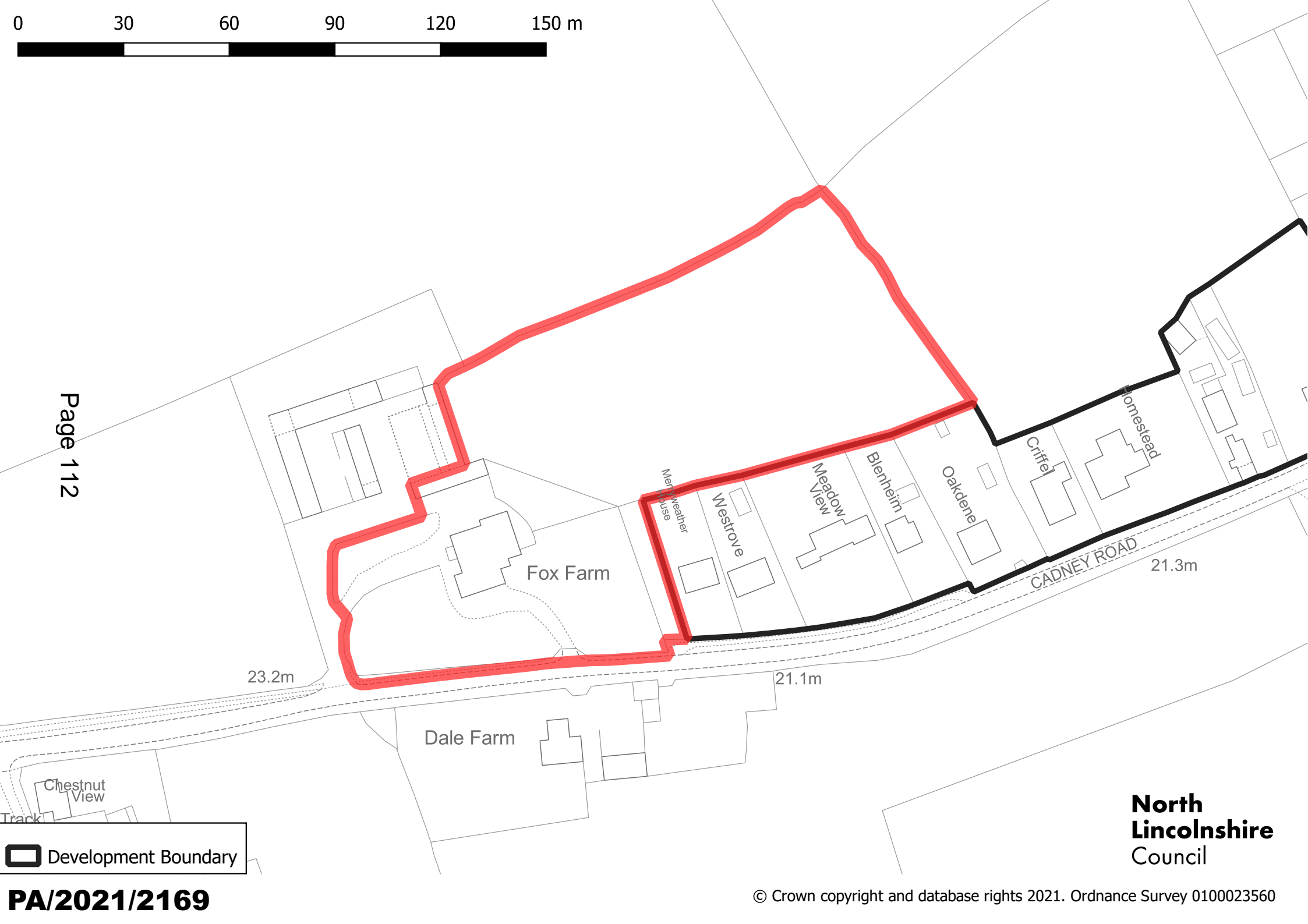
In the interest of the historic environment and to accord with policy HE5 of the North Lincolnshire Local Plan.

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.



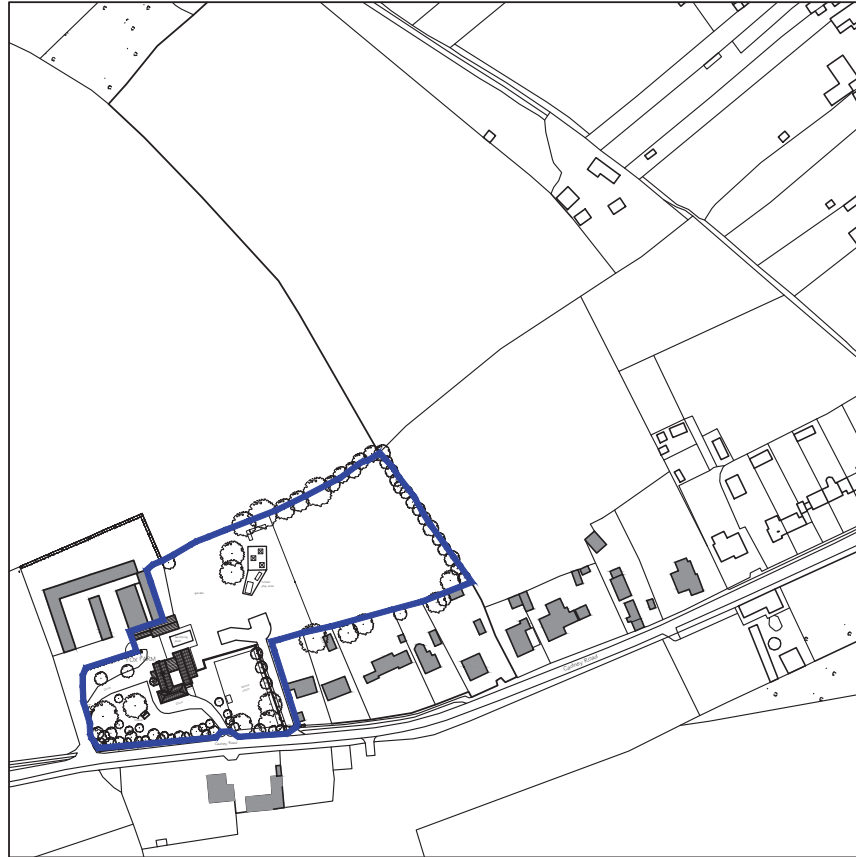
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Development Boundary

PA/2021/2169

North Lincolnshire Council




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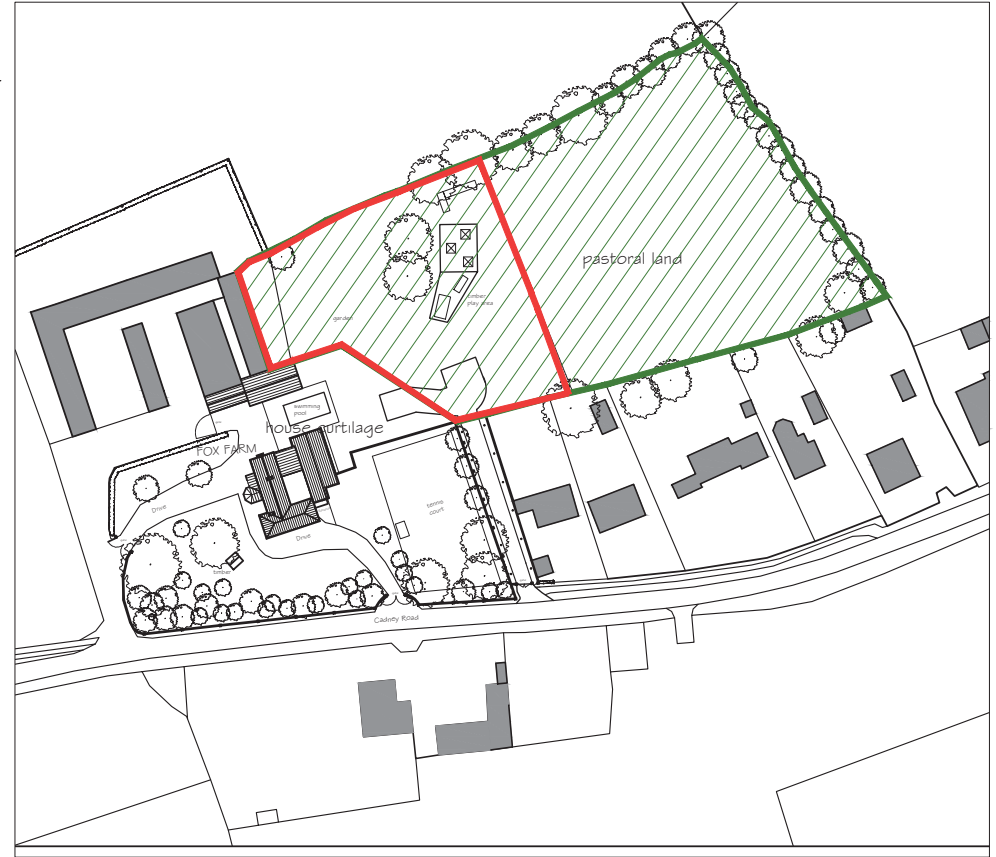
Site Location Plan

0 20m 40m 60m



1:2500

 Land under client ownership




Block Plan

0 5 10m 20m 50m



1:1000

 Land under client ownership currently classified as pastoral use of land

 Change of Use from Pastoral Land to House Curtilage

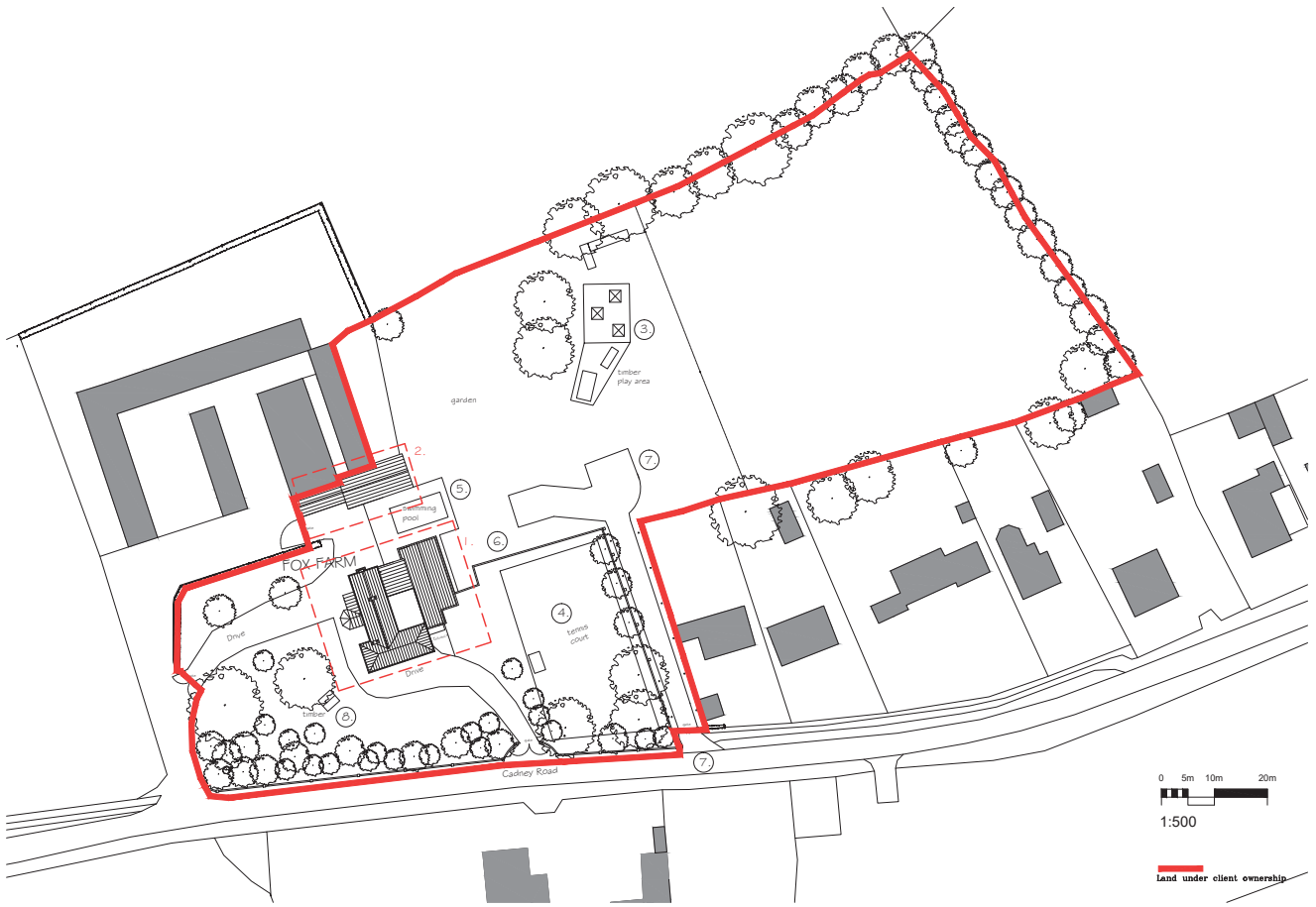
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DATE	NOTES	BY	REV
12/11/21	Issued for planning	SG	A
21/04/22	Issued for planning	SG	B



Phone: 01522 243137 Email: info@cka.design www.ckarchitecturalincoln.co.uk

PROJECT TITLE Proposed Works within Listed House Grounds	CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Howsham, LN7 6LA			
DRAWING STAGE Planning	SCALE VARIES @ A1	CHK SG	DRAWN BY SG	
SHEET TITLE Site Location and Block Plan	PROJECT NUMBER LN7-2683	STAGE PLN	REV B	SHT 001



Site Plan as Proposed



Photo of current play area



Photo of current play area.



Photo of current play area in the process of being dark oak stained



Photo of current play area in the process of being dark oak stained

3. PLAY AREA



Photo of existing area of proposed swimming pool



Photo of existing area of proposed swimming pool



Photo of existing area of proposed swimming pool

The swimming pool will be landscaped around and a sympathetic floor finish installed. To soften and help conceal the pool aesthetically pleasing we will make landscaping around the formal gardens will be planted in traditional old English heritage style with manicured hedgerows and rose gardens etc

5. SWIMMING POOL (10 metres x 5 metres)



Photo of existing timber to be dark stained - dark oak stain



Photo of existing timber to be dark stained - dark oak stain

8. TIMBER SHELTER

DATE	NOTES	BY	REV
21/11/21	Issued for planning	SG	A
21/06/22	Issued for planning	SG	B



PROJECT TITLE Proposed Works within Listed House Grounds		CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Wrotham, LN7 6LA	
DRAWING STAGE Planning		SCALE 1:500 @ A1	CHEG SG
SHEET TITLE Plans and Details as Proposed (sheet 1 of 2)		PROJECT NUMBER LN7-2808	STAGE PLN
		REV B	DRAWN BY SG
			SHT 003

④ TENNIS COURT



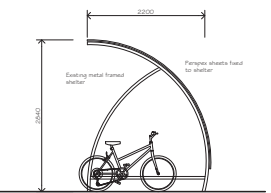
Photo of current tennis court



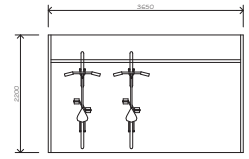
Photo of current tennis court



Photo of existing cycle shelter to be refurbished



Section of Refurbished Shelter As Proposed



Plan of Refurbished Shelter As Proposed

Existing tennis court to be repainted to be Wimbledon green. New lines added to suit several different sporting courts / pitches. Existing fencing to be retained. Cycle shelter to be installed to be used for cycles and childrens play items. Flood lighting to be installed at boundary side of tennis court to allow all season usage.

⑥ WALL RE-BUILT



Photo of salvaged bricks from collapsed wall cleaned and ready to be used to rebuild the wall.

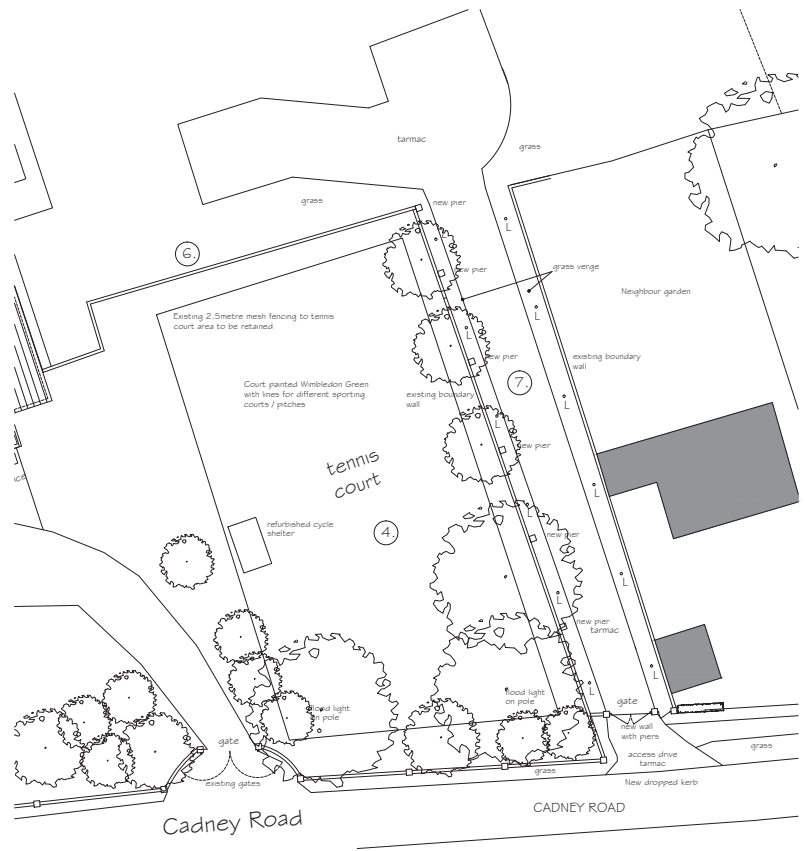


Photo of current wall prior to re-building of collapsed area

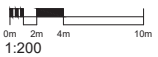


Photo of current wall prior to re-building of collapsed area

Existing wall to be demolished where it is failing / collapsing. All bricks are to be retained / salvaged by cleaning and all mortar removed. Wall to be rebuilt using these bricks.



Site Plan as Proposed



⑦ NEW DRIVE



Photo of current gate to be matched



Photo of current drive



Photo of current drive and gate



Photo of current drive / wall



Photo of current gate

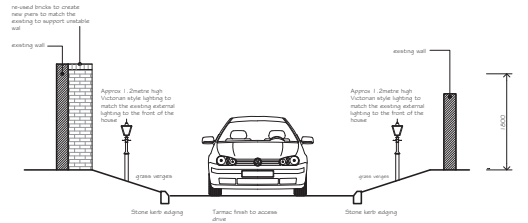


Photo of existing external lighting to be matched

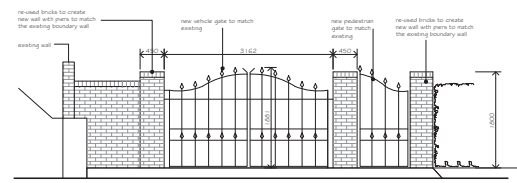


Photo of current drive

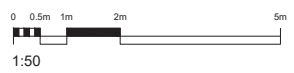
New entrance / access drive to be created by installing a new boundary wall with gate. All to match the existing. New brick piers to be installed to support the existing collapsing / leaning wall. Drive the tarmac, verge to be grassed and new external lighting to be installed to match the existing Victorian style lamps



New Drive As Proposed



Entrance Gate/Wall As Proposed



1:50



PROJECT TITLE Proposed Works within Listed House Grounds	CLIENT Mr & Mrs Edmondson-Bennett Fox Farm, Cadney Road, Hovebush, LN7 6LA
DRAWING STAGE Design	SCALE 1:500 @ A1
SHEET TITLE Plans and Details as Proposed (sheet 2 of 2)	PROJECT NUMBER LN7-2608
	DATE CWE
	REV SG
	STG B
	SHD 004
	DRN SG

DATE	NOTES	BY	REV
21/1/22	Issued for planning	SG	A
01/02/22	Issued for planning	SG	B

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APPLICATION NO	PA/2022/271
APPLICANT	Mr Christopher Ingham
DEVELOPMENT	Planning permission for a minor material amendment to PA/2020/443 to retain external staircase
LOCATION	Rosabelle Manor, Derrythorpe Road, Beltoft, DN9 1NB
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton 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, LC14

North Lincolnshire Core Strategy: CS5

CONSULTATIONS

Historic Environment Record: No objections.

PARISH COUNCIL

Objects to the minor material amendment, but no reasons given.

PUBLICITY

Advertised by site notice. A letter of objection has been received from a neighbour concerned about overlooking.

ASSESSMENT

Planning history

PA/2020/443: Planning permission to erect a dwelling and garage, including associated works – approved.

Site characteristics

This proposal relates to an infill plot on which permission was granted to erect a dwelling under PA/2020/443. The large detached dwelling, with front and rear curtilage, has since been built, however it has an external stair case that was not approved as part of the original planning permission above. This application is seeking to amend this planning permission to include the external stair case.

Proposal

Permission is sought to retain an external staircase to the rear of the property that serves the upper floor rooms above the garage. This will function as the only access to this room area of the property and without it there would be no possible access to the large room space above the garage.

Enforcement action has been undertaken in relation to the unauthorised development requiring an application for an amendment to the approved application.

The main issues to consider are:

- **impact upon amenity**
- **impact upon character.**

Amenity

Policy DS1 of the local plan is, in part, concerned with the protection of amenity. It states that new development should not overbear, overshadow or overlook neighbouring properties to an unacceptable level.

The staircase has a platform at the top and whilst not an ideal place to spend time perusing the neighbour's rear amenity, it does offer that opportunity. A condition requiring screening to diminish this opportunity is therefore considered necessary. Given this is a retrospective

application brought about by enforcement action a time limit of three months will be allowed to erect the screen.

On this basis it is considered that the proposal would align with policy DS1 of the North Lincolnshire Local Plan.

Character

The site lies within the Area of Special Historic Landscape Interest (ASHLI) of the Isle of Axholme. This area is locally designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosed fields surrounding the villages on the Isle. This historic landscape is considered to be of national importance and local plan policy LC14 applies which states:

‘The Isle of Axholme is designated as an area of Special Historic Landscape Interest. Within this area, 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.’

Policy CS5 of the Core Strategy, which is concerned with raising design standards, is also considered relevant. The staircase is considered to carry a localised impact and not have a wider effect upon the ASHLI. This is confirmed by the HER department having no objections. In design terms the staircase does not make a material difference to the aesthetic of the dwelling and is considered acceptable.

Conclusion

The proposal requires some mitigation to prevent unacceptable overlooking: with a screen in place this staircase would be acceptable. There are no issues in relation to design.

RECOMMENDATION Grant permission subject to the following conditions:

1.

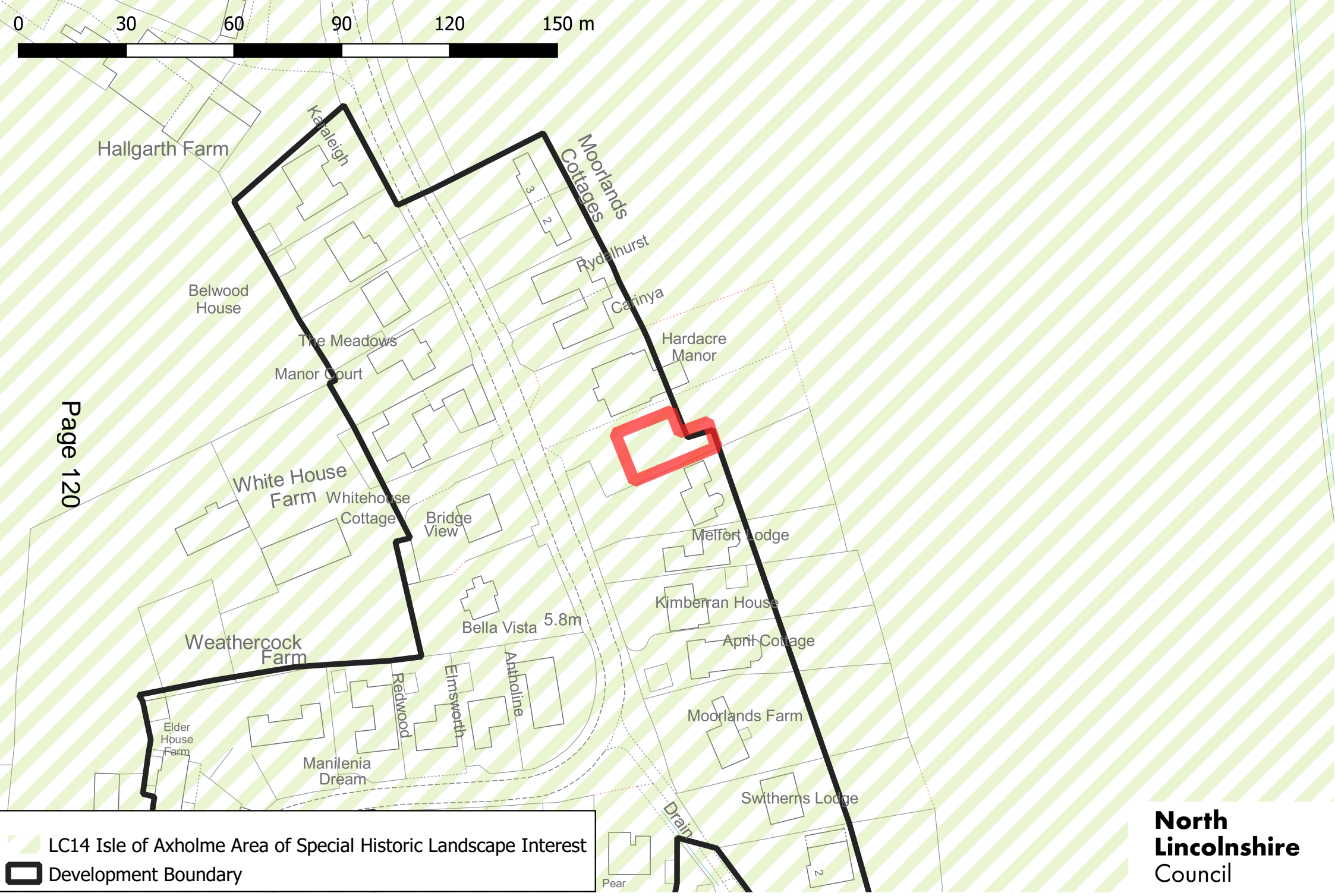
Within three months of the date of this permission, details shall be submitted to and agreed in writing by the local planning authority of how the staircase will be screened to protect neighbouring amenity. Within six months of details being agreed, the screen shall be erected and thereafter retained.

Reason



In the interest of amenity and to accord 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.

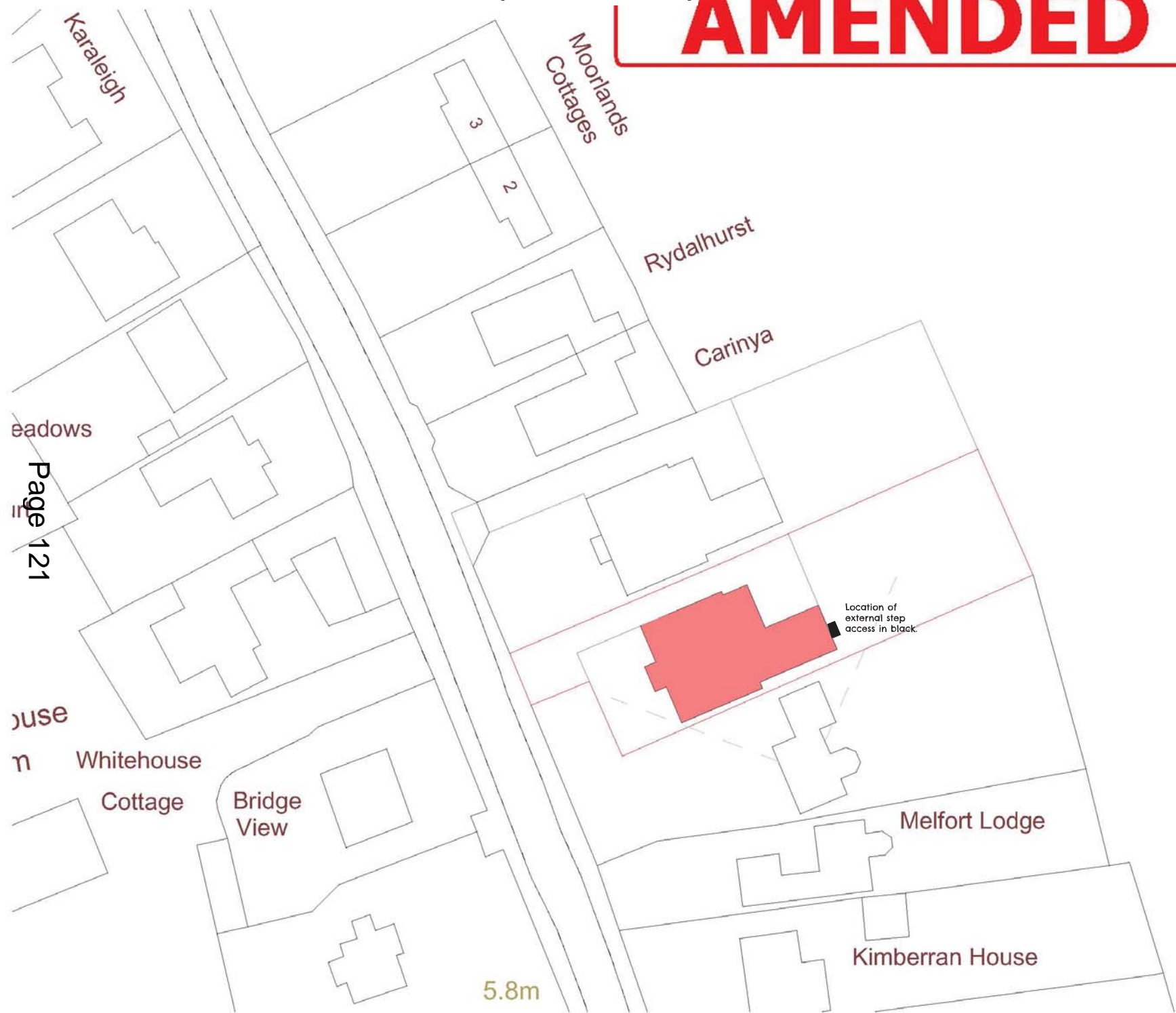


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 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

AMENDED



NOTES

DRAWING PURPOSE
 Drawings are design intent only, prepared for the purposes of obtaining Town & Country Planning Permission and Building Regulation Plan Check Approval only as appointed by the client. Any work carried out before these approvals have been granted will be strictly at the clients own risk.

Contractor to check and clarify all levels, dimensions, electrical and drainage specification / construction prior to any works on site and bring to the clients attention any variations or deviations for written confirmation before being carried out on site.

All materials shall be fixed, applied or mixed in accordance with all of the manufacturers instructions, recommendations & specifications. All materials shall be fit for the purposes that they are to be used for.

QUANTITIES / COSTING
 The contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authorities / Building Control, whether or not indicated on the drawing or in the specification.

BOUNDARIES / PARTY WALL ACT
 The client is responsible for providing the architect with correct site boundary/ ownership definitions, any covenants or easements relating to the site. The Architect will assume site boundaries as clearly defined, unless otherwise informed by client.

Any building works within 6m of a neighbouring home's foundations may require you to notify the owner of that property of your intentions at least one month before you start work. Work to an existing party wall requires you to give at least two months notice of your intentions. If consent to carry out work cannot be reached procedures dealing with an dispute should be followed (the party wall act 1996). Explanatory booklets can be obtained free of charge on the Government website.

LEGISLATION / OTHER CONSULTANTS
 Unless stated otherwise, the designs shown are subject to detailed site survey, investigations, and legal definition, the CDM Regulations, and the comments and / or approval of the various relevant Local Authority Officers, Statutory Undertakers, Fire Officers, Engineers and the like. They are copyright, project specific and confidential and no part is to be used or copied in any way without the express prior consent of the architect. This drawing includes information provided by independent surveyors and / or consultants, to whom all queries shall be made.

Contractor shall discharge any conditions detailed in the approved planning decision notice, ensuring pre-commencement conditions are discharged and approval received in writing from the council before any works start on site.

DO NOT SCALE - USE FIGURED DIMENSIONS ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES ON THE DRAWING PRIOR TO CONSTRUCTION. ALL DIMENSIONS TO BE CHECKED ON SITE. IF IN DOUBT ASK.

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NCA residential architecture
 associates planning consultancy building regulations

t. 07719626027 e. neil@ncaassociates.co.uk

status: **PLANNING**

client: [REDACTED]

project: **PLOT 2, LAND AT MOORLANDS FARM, BELTON ROAD, BELTOFT**

title: **PROPOSED SITE PLAN**

scale: **1:500 @ A3** date: **MARCH 2020**

project no.:	number:	rev:
200310	02	B









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APPLICATION NO	PA/2022/392
APPLICANT	Mrs Karen Fanthorpe
DEVELOPMENT	Outline planning permission to erect two dwellings with access (appearance, landscaping, layout and scale reserved for subsequent consideration)
LOCATION	Land adjacent to 18–22 West Street, Winterton, DN15 9QF
PARISH	Winterton
WARD	Burton upon Stather and Winterton
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Winterton Town Council

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

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 47 makes clear that ‘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.’

Paragraph 130 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.'

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

CS17 (Biodiversity)

CS19 (Flood Risk)

North Lincolnshire Local Plan (saved policies):

H5 (New Housing Development) (part saved)

H7 (Backland and Tandem Development)

H8 (Housing Design and Housing Mix)

DS1 (General Requirements)

DS3 (Planning Out Crime)

DS14 (Foul Sewage and Surface Water Drainage)

DS16 (Flood Risk)

LC12 (Protection of Trees, Woodland and Hedgerows)

T1 (Location of Development)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

Appendix 2

Housing and Employment Land Allocations DPD:

Inset Map 44 Winterton. The site is unallocated but located within the development limits of Winterton. The site is outside but adjacent to the Winterton conservation area.

Policy PS1: Presumption in favour of sustainable development

Policy H1: Phasing of housing land

Supplementary Planning Guidance: SPG Trees and Development

CONSULTATIONS

Conservation: No objection. No objection to single-storey, small-scale, cottage-style dwellings set back in the building plots in this location. Larger properties on the street frontage would stand out and would not be appropriate. This should be secured through the planning process.

Environmental Protection: No objection, but recommend a condition, given the sensitive end use of the development, to address any contaminated materials found to be present during development.

Highways: No objection subject to a series of conditions. Consider that whilst the proposal is within close proximity to the school, the accesses to the dwellings are not directly opposite and individual dwellings will only generate a minimal number of vehicle movements. Also require no development to take place until the locations of the signpost and sign plate have been confirmed (in relation to the western dwelling), and if they need relocating, details of the new locations have been submitted to and approved in writing by the local planning authority.

LLFA Drainage Team: No objections or comments.

TOWN COUNCIL

Object stating the proposal has a detrimental effect on the Alms Houses which have a significant historical bearing on the town. Also consider the proposals are not in keeping with the area and are in close proximity to the grade I listed church on West Street. Also object on highway safety grounds due to the access being directly opposite the junior school.

PUBLICITY

A site notice has been posted. No comments have been received.

ASSESSMENT

Planning history

7/1983/0704: Planning permission to erect 5 homes for the elderly – approved 08/12/1983

PA/2013/0691: Application under the Overhead Lines (Exemption) (England & Wales) Regulations 2009 to erect approximately 5500 metres of aerial bunched conductor (wire) upon the existing line – no objection 30/07/2013

Pre-application discussions

A pre-application submission enquiry was submitted that confirmed the site is located within a residential area wherein, as a matter of principle, further residential development would be acceptable.

Planning designations/considerations

The site is within the development limits of Winterton as identified in the Housing and Employment Land Allocations DPD 2016.

The site sits outside, but adjacent to, the conservation area and any development must respect its setting. There are no listed buildings on the site.

A telegraph pole is sited within the grass verge of the main highway, to the front of the western and eastern plots of land. A parking sign is also located within the grass verge of the highway outside the western plot of land. Any development would need to address these elements, along with overhead lines.

The eastern plot is currently in use as an allotment. The site is not allocated as an allotment and is unallocated within the development plan. The western plot comprises an area of overgrown land, which the applicant confirms has now been cleared to make way for development.

The two plots of land sit either side of three one-bedroom almshouse bungalows. The charity is seeking to raise capital to refurbish the existing almshouse bungalows.

The site is within SFRA Flood Zone 1 which is at low risk of flooding.

The site

The proposal relates to two plots of land which form part of a wider site. The site currently comprises three one-bedroom bungalows which were erected as almshouses. The applicant has confirmed that the properties are in much need of refurbishment and the charity needs to raise capital in order to fund the scheme.

The two building plots are located either side of the almshouses, one to the east and one to the west. The western plot comprises an area of overgrown land which has since been

cleared and the eastern plot is currently used as an allotment. The allotment is temporary and not subject to the same protections as statutory allotments are.

The wider area is largely residential in character with Winterton junior school located adjacent to the site (southeast) on the opposite side of West Street. The site sits adjacent to the conservation area.

Proposed development

The applicant seeks outline planning permission to erect two detached dwellings with access (appearance, landscaping, layout and scale reserved for subsequent consideration) on land off West Street: one to the east and one to the west of the existing almshouses.

Access to the site will be via two new dropped kerbs off West Street.

The only matters to be determined by this application are the development in principle and the new access points.

Principle of development

The site is unallocated and within the development limits of the market town of Winterton.

Policies CS1, CS2 and CS8 of the adopted Core Strategy seek a sequential approach to development focusing first on land within the Scunthorpe Urban Area followed by previously developed land and other suitable infill opportunities to meet identified local need within the market towns (including Winterton). Small-scale developments within the defined development limits of rural settlements to meet local identified need will then be considered. Policy CS1 supports residential development within market towns and identifies them as important service centres serving the needs of local communities across North Lincolnshire. The policy continues to note that all growth will take account of existing infrastructure, environmental constraints and ensure that the distinctive character of the town is protected. An appropriate level and range of new housing development will be provided to support the market towns as sustainable communities.

The site is within the development limits of a market town and the proposal is for two single dwellings on two separate plots of land. It is not considered the development would lead to an unacceptable level of strain on local services and infrastructure. Therefore, subject to assessment upon the character and nature of the settlement, the proposal is considered to align with policy CS1 of the Core Strategy and is acceptable in principle.

Policy PS1 of the HELADPD establishes a presumption in favour of sustainable development and encourages permission be granted unless material considerations indicate otherwise. In line with policy H1 the site is available for development, offers a suitable location for development now and given the proposal is for two dwellings then there is a reasonable prospect that housing will be delivered on the site within five years.

Paragraph 3.9 of the HELADPD states that North Lincolnshire's additional housing requirement will mainly be allocated with the Scunthorpe urban area and North Lincolnshire's market towns. Paragraph 4.141 states, 'The Market Towns of Barton upon Humber, Brigg, Crowle, Epworth, Kirton in Lindsey and Winterton have a vital role to play in supporting North Lincolnshire's rural communities in terms of providing a range of housing, employment, shopping, leisure, education, health and other services.'

Policy CS2 sets out a sequential approach to development to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking into account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan. Development is encouraged on infill sites, much like the proposal site, and as such the proposals comply with the sustainable development principles set out in policy CS2.

Policy CS7 relates to overall housing provision. The policy sets out net density ranges for residential development. Housing development is required to make efficient use of land, but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities. The proposed development is made in outline at this time and through subsequent reserved matters will need to demonstrate that properties are in keeping with the local area and other properties on the street. Existing properties on the street all front onto the West Street. The proposal seeks to follow this pattern of development by including access off West Street. The two properties would be visible from the street scene.

The style of property being proposed would need to be in keeping with the surrounding area. It is considered that the plots are large enough to accommodate one house on each, and therefore can be considered favourably in the context of policy CS7 of the Core Strategy.

Policy H7 relates to backland and tandem development, which is permitted provided that:

- (i) there is no adverse effect on the amenities of any residential premises or adjoining use through:
 - (a) overlooking and loss of privacy;
 - (b) loss of amenity area to the adjoining dwellings;
 - (c) the level of nuisance resulting from the movement of vehicles to and from the proposed development;
- (ii) it would not affect the general quality and character of the area in which it is located by:
 - (a) unacceptably increasing the density of development in that area;
 - (b) resulting in the loss of important natural and man-made features;
 - (c) leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety.

The principle of residential development within the wider area has already been established through existing permissions surrounding the site as well as its location within the HELADPD as being within the settlement boundary for Winterton. In addition, the site was originally granted permission for the construction of five dwellings suggesting the site is suitable for five separate households living on the site.

The application site is within the development limits of Winterton and would serve to address local need. Whilst part of the site is currently used as garden space (one plot

having been overgrown and as such under-used in the past), the land is a good size which is considered suitable for the development of two residential units. It is considered that redevelopment would be in accordance with policies PS1 and H1 of HELADPD, H7 of the local plan, CS1, CS2, CS7 and CS8 of Core Strategy, as well as paragraph 78 of the NPPF.

The principle of residential development on the site is considered acceptable. The subsequent issue to consider is the impact of residential development upon the character and appearance of the area as well as the access into the two sites.

Street scene and settlement character

The northern side of West Street is largely characterised by residential properties ranging from the bungalow-style almshouses on the wider site, semi-detached properties to the west, terraced properties and a small bungalow to the rear off Church Fields, and a large detached property to the east beyond which are detached and semi-detached bungalows. There is a mix of plot sizes and styles within this part of West Street.

Properties on the southern side of West Street are within the conservation area. Adjacent to the western plot of land is residential development in the form of two blocks of two-storey brick-built town houses with a parking court between the two blocks. The site has no landscaping.

Winterton Junior School and Winterton Children's Centre is located adjacent to the almshouses and the proposed eastern plot of land. Further east are two-storey residential properties including detached and semi-detached properties.

Residential amenity

Outline planning permission is sought for two dwellings with all matters except access reserved for subsequent consideration (through the submission of a reserved matters application). Matters relating to the position and heights of windows, and orientation and scale of the dwellings, would be considered at reserved matters stage. The potential loss of residential amenity arising from this subsequent application would be assessed at that stage of the planning process.

Notwithstanding this, a block plan has been submitted with this application, which shows that there will be sufficient land to serve as private amenity space for the existing and proposed properties, and there is sufficient land to the front of the proposed properties to ensure off-street parking spaces for both. The plots as shown would raise potential concern in relation to impacts from overshadowing of the rear gardens of 18 to 22 West Street. A sun path/shadow analysis should be a condition of development.

On this basis it is considered the site is suitable for residential development and as such is recommended for approval.

Highways/access

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 applicant has confirmed that access into the site will be achieved directly off West Street. An objection has been raised on grounds of highway safety, however this has been considered by the council's Highways team who consider that two properties would only generate a minimal number of vehicle movements which is not considered to have a detrimental impact in terms of highway safety. The site is also not directly adjacent to the existing access into Winterton Junior School (the access points are staggered). Existing properties with drives are located adjacent to the school.

The applicant has demonstrated that off-site parking can be accommodated within the site and a block plan has been provided to show the access points into the site.

Highways raise no objections to the proposal and recommend conditions regarding street furniture and the provision of vehicle facilities, which is attached. The access into the site is considered suitable and the impact on highway safety is acceptable.

Historic environment/conservation area

The site is not allocated and is within the development limits of Winterton. The site does sit adjacent to the Winterton conservation area. It has been established that there are a mix of styles within the immediate area with more recent development having been undertaken adjacent to the site in the form of brick-built town houses. These are within the conservation area. The Junior School has also benefitted from an extension which is finished in a brick rather than stone like the host building.

Given the location of the site it does have the potential to impact the settings of the nearby grade I listed All Saints Church and the conservation area. Therefore, an assessment of this is required and is considered below.

Policy C6 states:

The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.

All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

The town council has raised concerns that the site is within close proximity to Winterton All Saints Church off West Street (grade I listed) and development would not be in keeping with the area.

The area immediately adjacent to the application site is characterised by housing along West Street. Any housing on the application site will form part of this built form.

The plots are situated adjacent to three old almshouses. However, small-scale, single-storey, cottage-style dwellings set back in the plot will reduce the visual impact and ensure the housing blends in with the general built form in the area and does not negatively impact on the setting of the conservation area.

Regarding the church, which is approximately 50 metres to the east, there is reduced impact as the church is screened by significant tree cover reducing intervisibility. In

considering the character of the area and the context of the church, the proposal site is not immediately adjacent and it is not considered that the development would lead to any significant impacts. Existing residential properties are positioned around the church site and include a range of types and styles, including modern brick-built town houses off Queen Street, adjacent the church. Buttons Wood business is also located to the east of the church which includes a range of brick, timber and steel-built buildings.

The proposed dwellings would also need to take account of the existing almshouses. The town council has objected on the basis of the development having a major detrimental effect on the almshouses, which have a significant historic bearing on the town. This is not the view of the conservation officer who considers that small-scale housing on the site will blend in with the built form that encompasses the setting of the church on this part of West Street and not stand out significantly.

The application is made in outline with all matters, other than access, reserved. It is considered a scheme can be developed which respects the existing almshouses and the wider context.

Any development on the site would need to address the almshouses and respect and enhance the adjacent conservation area. Development should be of a high quality in design terms and not lead to an over dominance within the street scene. This would be achieved as part of the future reserved matters submissions.

In summary, there would be no objection from the conservation officer to single-storey, small-scale, cottage-style dwellings set back in the building plots in this location. Larger properties on the street frontage would stand out and would not be appropriate. It is recommended that these details should be secured through the planning process. This will be addressed through reserved matters submissions and secured through a planning condition.

Trees and biodiversity

Policy CS17 requires, 'Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife.' A small number of low quality trees and hedges are likely to be lost when the site is developed. Ecological enhancements are conditioned.

Land contamination and drainage

Policy DS7 relates to contaminated land. Environmental Protection recommend a condition for contaminated land found during construction, which is proportionate.

Policy DS14 states, 'The council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission.' It is proposed foul drainage would be to mains sewer and surface water to soakaway. Foul and surface water drainage details are secured by condition.

Conclusion

The site is within the development limits of Winterton, which is a sequentially preferable location in terms of development, being a market town. The site is within walking distance of a range of amenities and is served by a range of transport modes. It is considered that

the principle of development of two dwellings is acceptable and accords with the policies of the statutory development plan.

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 DWG No. MCC/22/01
Proposed Block Plan - MCC/22/02A.

Reason

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

6.

No development shall take place until the locations of the signpost and sign plate have been confirmed (in relation to the western dwelling) and if they need relocating the details of

the new locations shall have been submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented.

Reason

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

7.

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.

8.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning 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 and turning facilities shall be retained.

Reason

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

9.

No above-ground works 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 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

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.

10.

No above-ground works 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.

11.

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.

12.

No above-ground works shall take place 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 dwellings are occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

13.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved 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.

14.

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 baseline of October 2021;
- (b) details of locally native trees and shrubs to be planted and maintained;
- (c) details of measures required to provide at least 1% biodiversity net gain in accordance with the Defra Small Sites Metric;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;
- (g) 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 boundaries 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.

15.

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 proposed dwellings, 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.

16.

Construction, demolition 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, demolition 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 protect residential amenity.

17.

As part of any subsequent reserved matters submission, a sun path analysis shall be undertaken, submitted to and approved in writing by the local planning authority. These details shall include a full survey of the site, to inform the layout of the scheme and ensure

development does not adversely impact on the neighbouring property (bungalow) to the west or proposed dwellings to the south.

Reason

To protect residential amenity.

18.

The proposed dwellings shall be single-storey, small-scale, cottage-style dwellings set back in the building plots.

Reason

To protect residential amenity and to respect the setting of the existing almshouses and street scene in this location.

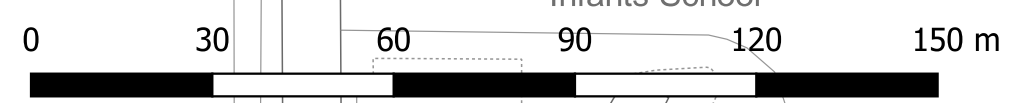
Informative 1

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 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.



Coal Yard

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All-Saints' Church

Cross

Club

PH

Chapel Court

Winterton Junior School

Youth Centre

BURGON CRESCENT

CHURCHSIDE

QUEEN STREET

CHAPEL LANE

23.6m

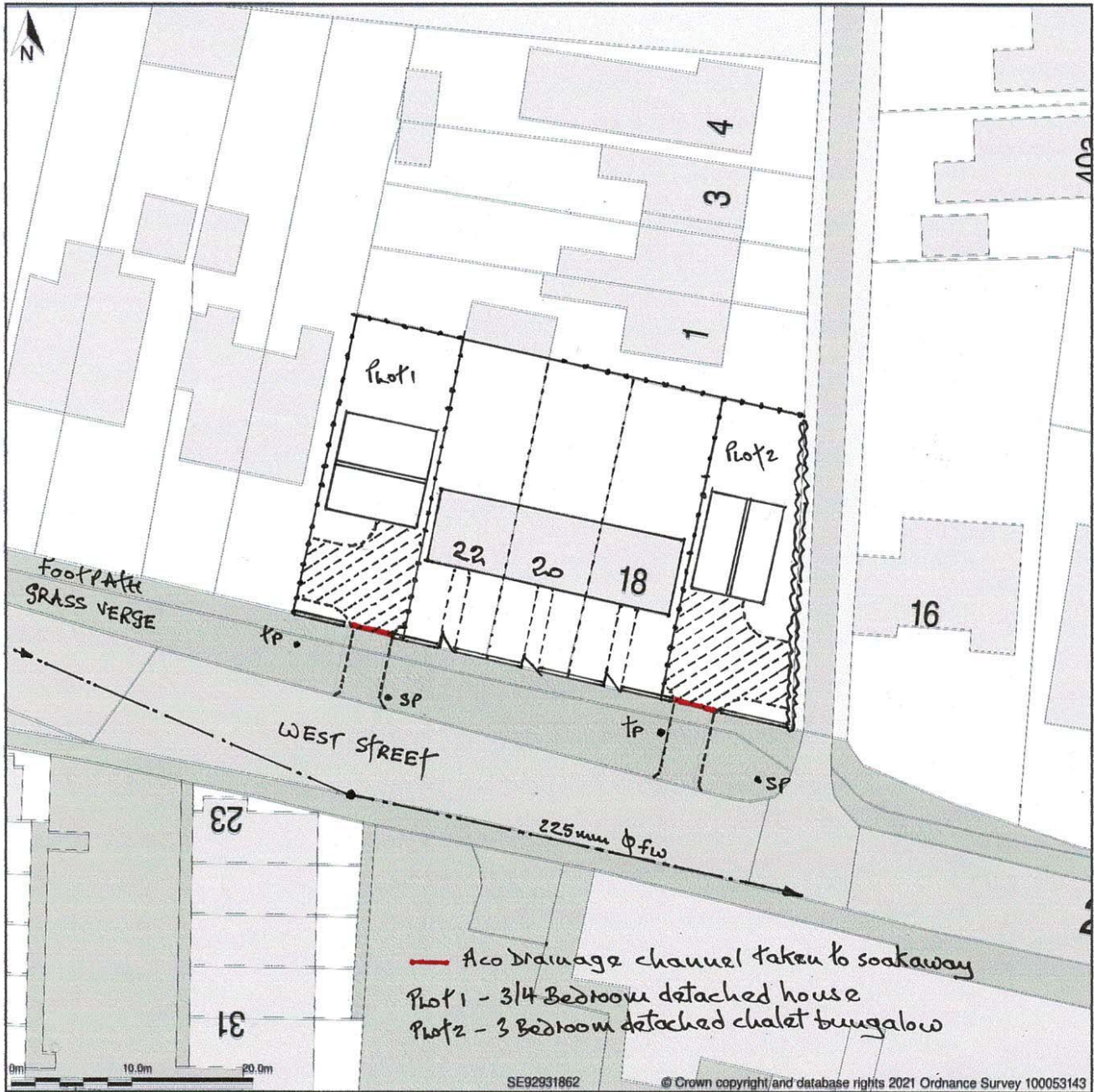
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GP

North Lincolnshire Council

LAND ADJACENT TO 18-22

West Street, Winterton, North Lincolnshire, DN15 9QF



Block Plan shows area bounded by: 492885.0, 418576.99 492975.0, 418666.99 (at a scale of 1:500), OSGridRef: SE92931862. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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"PROPOSED BLOCK PLAN"
DRG. NO. MCC/22/02A
SCALE: 1/500



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APPLICATION NO	PA/2022/469
APPLICANT	Julia Matthews
DEVELOPMENT	Planning permission to replace the existing single-glazed wooden-framed windows with double-glazed UPVC window units to ground and first floor
LOCATION	34 King Street, Winterton, DN15 9TP
PARISH	Winterton
WARD	Burton upon Stather and Winterton
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Application by a senior officer of the council

POLICIES

National Planning Policy Framework: Chapter 16

North Lincolnshire Local Plan: DS1, DS5, T2, T19, HE2

North Lincolnshire Core Strategy: CS1, CS5, CS6

CONSULTATIONS

Highways: No objections or comments.

Drainage (Lead Local Flood Authority): No objections or comments.

Conservation: Recommends a design change.

TOWN COUNCIL

Would have no objections IF the materials used were of the material that is not easily indistinguishable as wood, as there are many composite materials that look like wood. Can this be confirmed as a condition if permission granted?

PUBLICITY

Advertised by site and press notice – no comments received.

ASSESSMENT

Planning history

PA/2006/1698: Planning permission to extend the roof and erect a single-storey extension to provide additional living accommodation – approved 07/12/2006.

Proposal and site characteristics

Permission is sought to replace existing windows on the dwelling with wooden double-glazed plain windows. The site comprises a two-storey property adjacent to 'The Elms', a large imposing five-bay Georgian Townhouse which is grade II listed, on King Street in Winterton. The property is within the development boundary of the settlement, albeit within the conservation area. An objection was raised by the conservation officer and town council to the initial proposal to replace the windows with UPVCs. A wooden window frame was recommended by the conservation officer. The applicant has agreed and confirmed that the replacements will be wooden double-glazed plain windows.

Site constraints

- Within the development boundary of Winterton according to the Housing & Employment Land Allocations Development Plan Document (HELADPD) 2016
- Within SFRA flood Zone 1
- Within Winterton conservation area

Main considerations

- **Principle of development**
- **Impact upon character and appearance**
- **Impact upon the residential area**

Principle of development

Householder extensions and alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.

Policy CS6 of the Core Strategy states, 'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains. All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.'

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.' The policy

requires the design and materials of any development to be of a standard and such that respects the character, appearance and landscape of the area.

Whilst the dwelling is within Winterton's conservation area, it is within the development boundary and the amended proposal would respect the character and appearance of the building and adjacent listed building. It is therefore considered that the proposal complies with policies CS6 and HE2.

Impact upon character and appearance

Policy CS5 and CS6 of the Core Strategy and policy DS1 of the local plan are concerned with the quality of design of a proposal and its impact on the appearance and character of the area. Policy CS6 specifically relates to North Lincolnshire's historic buildings and conservation areas and seeks to protect their character and appearance. Policy CS5 on the other hand relates to all development and 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 DS1 further corroborates policy CS5 and reiterates 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.'

A part of the building (first floor) can be seen from public view. As highlighted under the 'proposal and site characteristics' section, traditional materials, namely wooden-framed double-glazed plain windows, will be installed in the building. This is considered appropriate for the setting of the host building and adjacent listed building. It is assessed that the amended plan would ensure the building is in keeping with the character of the wider conservation area.

Impact upon residential amenity

Policies DS1 and DS5 of the North Lincolnshire Local Plan are concerned with residential extensions. Policy DS5 specifically applies to residential extensions and states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed provided that the proposal does not unreasonably reduce sunlight or daylight, have an overbearing impact, or result in overshadowing or loss of privacy to adjacent dwellings. Proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

The proposal does not include any additional extension or creation of openings that could impact neighbours' amenity. On this premise, the proposal is considered to comply with policies DS1 and DS5.

Conclusion

The proposal is within the development boundary of Winterton and flood zone 1, albeit within the conservation area. Notwithstanding the aforementioned, the now proposed wooden frame is traditional and would be in keeping with the character of the building, the adjacent listed building and the surrounding conservation area. Paragraph 197 of the NPPF states, 'in determining applications, local planning authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness'. It is considered that replacing the window frames with a traditional material

would be a positive contribution to the local character of the conservation area and that this proposal accords with policy HE2 amongst others.

Pre-commencement conditions

The pre-commencement condition has been agreed with the 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:

- location plan PA/2022/469/01
- block plan PA/2022/469/03
- proposed elevation plan PA/2022/469/06, and
- window diagram sheet.

Reason

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

3.

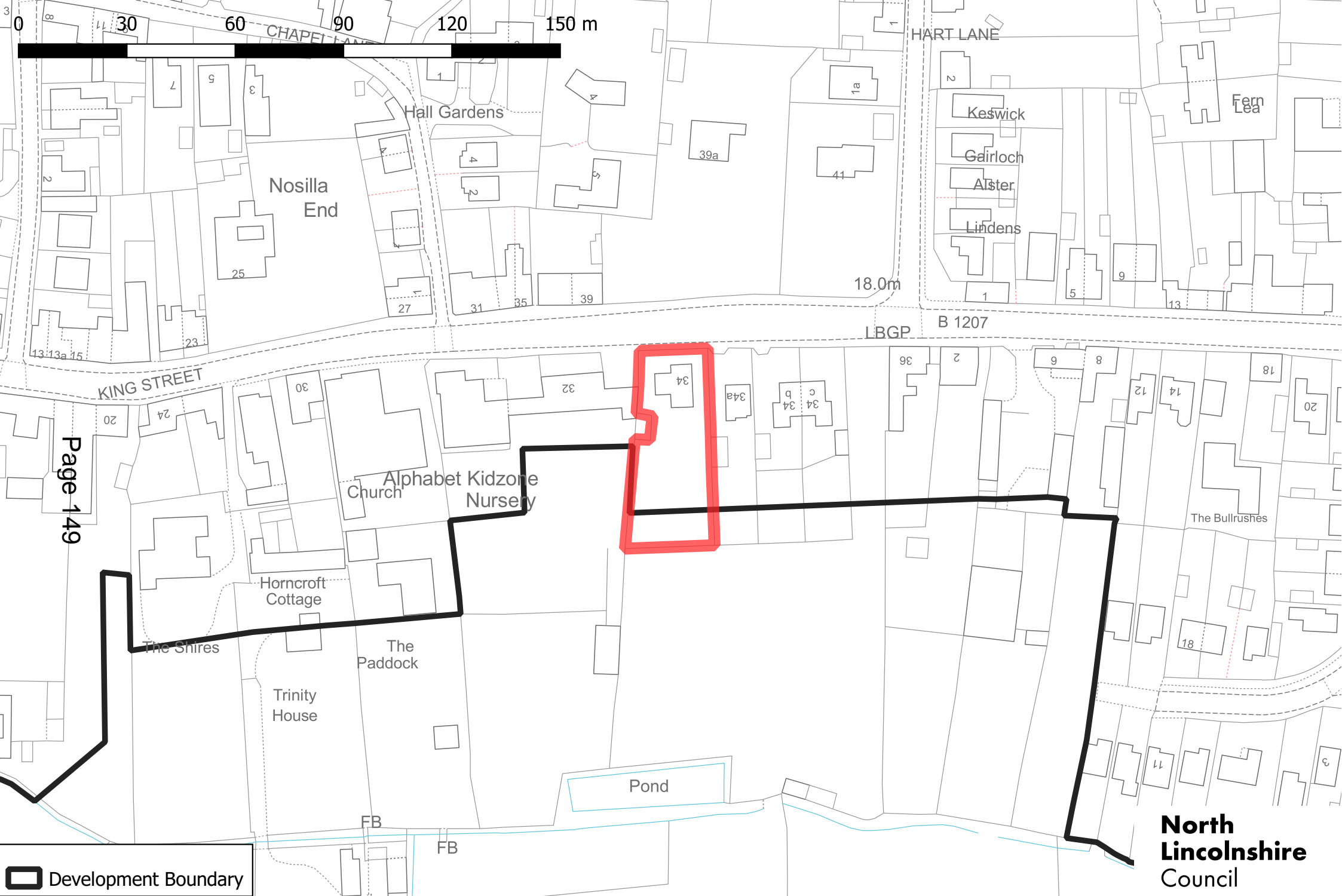
No development shall commence until details of the proposed windows with material specification have been submitted to and approved in writing by the local planning authority. The windows shall be installed in accordance with the approved details and retained as such thereafter.

Reason

To protect the character of the building and its setting in accordance with policies HE2 of the North Lincolnshire Local Plan 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.



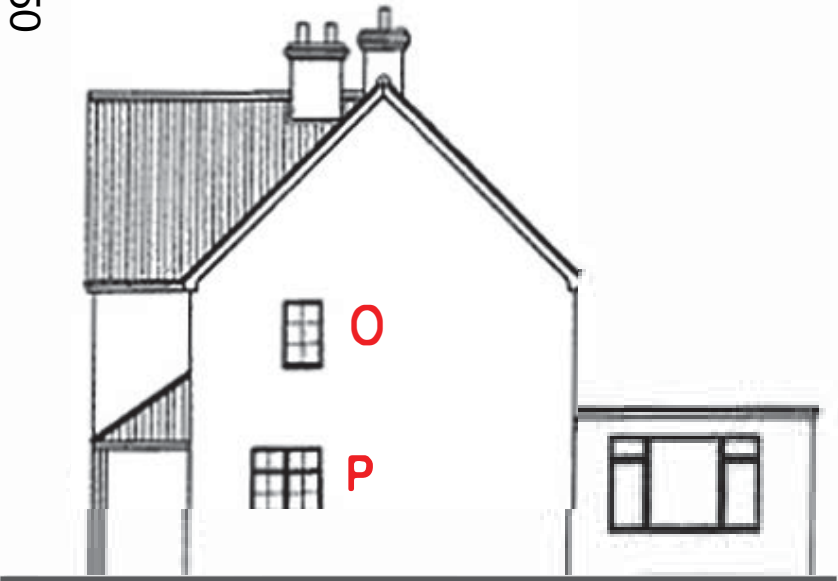
**North
Lincolnshire
Council**



Proposed Front Elevation.



Proposed Rear Elevation.



Proposed Side Elevation.



Proposed Side Elevation.

APPLICATION NO	PA/2022/525
APPLICANT	Mr Scott Milner
DEVELOPMENT	Planning permission to erect a two-storey extension including demolition of existing outbuilding
LOCATION	Lilac Cottage, Upperthorpe Road, Westwoodside, DN9 2AH
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Sections 6 and 12 apply.

North Lincolnshire Local Plan: Policies RD2, RD10, DS1, DS5 and LC14 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5 and CS6 apply.

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

Historic Environment Record (HER) (Archaeology): The application is within the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14). 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. Lilac Cottage is a 19th century house and barn located on the edge of the village within the Ancient Open Strip Field character area, the core historic landscape type in the Isle.

The application area and proposed development extend beyond the development limit and would be an unacceptable encroachment of the built environment into the protected historic landscape, contributing to adverse character change and affecting the setting and legibility. The Historic Environment Record (HER) 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 and DS1. The HER would look more favourably on a proposal to extend the house and outbuilding to the south within the development limit as the parish council has also suggested.

PARISH COUNCIL

Objects, making the following comments:

- It is a large plot which can accommodate the proposal.
- The northern extension is outside the development limit within the Isle of Axholme historic environment.
- The extension should be located to the south of the outbuilding.
- This proposal will not affect privacy or light for neighbouring properties.

PUBLICITY

Site notices have been posted. No comments have been received.

ASSESSMENT

The application site comprises a two-storey dwelling located at the most northerly part of Upperthorpe Road. It is within the defined settlement boundary for Westwoodside, within flood zone 1 and within the LC14 Historic Landscape. The dwelling was constructed from a blockwork and render finish with grey concrete tiles, but the render has recently been removed (possibly due to it requiring new render). To the rear of the dwelling is a two-storey barn constructed from red brick and blockwork, with a red clay pantile roof. It is proposed to demolish the outbuilding and erect a two-storey extension to the rear of the dwelling, and erect a garage to the north (to be attached to the extension).

The main issues in the determination of this application are the impact on the character and appearance of the street scene/historic landscape and upon residential amenity.

Principle

Impact on street scene/historic landscape

Permission is sought to erect two extensions to the rear of this detached house: a two-storey rear extension (in place of the existing outbuilding) and a single-storey garage extension to the side of the larger extension. The plans show the proposed two-storey extension will occupy a similar built footprint to the outbuilding it is proposed to replace and will not extend beyond the defined settlement boundary to the north or east. The extension will not be visible from the west or south-west, being screened from view (from Upperthorpe Road) by the applicant's existing house and the neighbouring dwelling to the south. It is accepted this extension will be visible when looking back towards the site from Upperthorpe Road in a south-easterly direction; however, this will be similar to as exists at present, with the outbuilding being viewed as a continuation of the same dwelling (and therefore the same built form and mass) further to the east.

The proposed two-storey extension (including the two-storey staircase and lobby link) measures 18.54m (at its widest point) x 7.13m, with a ridge height of 6.22m. This is similar to the ridge level of the existing dwelling. The extension will provide a lounge at ground floor and two bedrooms with bathrooms at first floor. These rooms will be served by a galleried landing which has a double height feature window along its northern elevation, thus

allowing views across the countryside. Whilst the scale and height of the proposed two-storey extension are noted, it is worth highlighting this extension will replace an existing barn of similar proportions and height and will be constructed from materials to match the external appearance of the dwelling (namely rendered wall and grey tiles), thereby ensuring visual assimilation into both the street scene and the historic landscape as set out in policy LC14 of the North Lincolnshire Local Plan. The inclusion of the two-storey link, with double-height glazing to both its northern and southern-facing elevations, provides a clear contrast between the dwelling and the proposed extension to be linked to the rear. The glazed sections in the link help to reinforce this visual differentiation.

Turning to the proposed single-storey garage to be attached on the north-eastern corner of the larger extension, the Historic Environment Record (HER) and the parish council have both raised concerns in respect of the potential impact of development extending beyond the settlement boundary and into the historic landscape. It is noted the applicant's domestic curtilage does extend beyond the settlement boundary for Westwoodside and into the LC14 landscape, however this area forms part of the domestic curtilage as a driveway to the north. In addition, planning permission was granted under PA/2015/1394 for entrance gates and pillars to serve this driveway. Given the red-edge site plan only extends to the most northerly edge of this driveway (for a distance of approximately 9m) and this area already serves as domestic curtilage in connection with the applicant's dwelling, it is considered the proposal will not adversely affect the character, appearance or setting of the historic landscape, particularly as the garage will be attached to the larger extension, set back 29m from the public highway and viewed in conjunction with other built form within the site. In addition, the garage does not form a visually prominent form of built development, having a ridge line level with the eaves height of the two-storey extension to which it will be attached, with the main bulk facing towards the highway and driveway to ensure it is easily accessible.

Also, the applicant has provided additional photographs of their existing driveway and garden area to the north of the dwelling where the garage is proposed. The pictures clearly show the driveway and gates extend into this area to the north of the dwelling and the garage would therefore extend no further north than the existing off-street parking area. The photographs also show this area is laid to lawn and contains a shed, some trees and garden furniture, and given its domestic use it is accepted it constitutes domestic curtilage in this case. Finally, the applicant has provided another supporting photograph which shows a view looking south towards the site, across the historic landscape. This image shows the existing dwelling and its associated outbuilding (to be demolished) is not highly visible (despite its edge of settlement location) and therefore the addition of the garage is not considered to adversely affect the character, appearance or setting of the historic landscape in this case. It is worth noting the proposed garage is to be constructed from the same materials as both the dwelling and the proposed two-storey extension. This will ensure visual assimilation with the dwelling and its location within the historic landscape. In terms of policy RD10 of the North Lincolnshire Local Plan, which seeks to restrict the volume of extensions to dwellings in the countryside, it is considered the proposed garage extension (which is the only element outside the defined settlement boundary), being single-storey in height, does not represent more than 10% additional volume to that of the existing dwelling and will not result in a visually prominent form of built development in the rural landscape. It is therefore considered to comply with this policy.

Extensions to existing dwellings (whether within or outside the defined settlement boundary) are assessed under policies DS5 and RD10 of the North Lincolnshire Local Plan. These policies set out the criteria for assessing the scale, size, appearance and design of

an extension and how it impacts on both the character and appearance of the dwelling/area (visual amenity) and upon residential amenity. The proposals are considered to comply with these policies in terms of their height, siting, design, scale and materials and will not result in built development which is at odds with the character and appearance of the street scene or result in loss of residential amenity to neighbouring properties.

In conclusion, whilst it is noted the proposed garage will result in built development beyond the defined settlement for Westwoodside, it will be viewed in conjunction with the existing house and will therefore not represent a visually dominant form of development in the countryside or historic landscape.

Residential amenity

The proposed extensions are not considered to result in loss of residential amenity to the applicant in terms of loss of private amenity space – the two-storey extension will be built on a similar footprint to the existing outbuilding it is proposed to replace. Three first-floor bedroom windows are proposed in the southern elevation of the two-storey extension. These will have an outlook towards the applicant's rear garden and part of the side garden belonging to the neighbouring property to the south. However, there is a separation distance of 13m to the southern boundary of the site (from the southern elevation of the proposed extension) and an overall separation distance of 20m to the northern-facing elevation of Laburnham House to the south. This is considered sufficient to mitigate any issues relating to overlooking. In addition, intervening screening in the form of a timber garden shelter and hedge planting along the applicant's southern boundary will serve to screen views from the bedroom windows still further. In summary, the proposed extensions are not considered to result in loss of residential amenity through the effects of overlooking or having an overbearing impact. The application is therefore recommended for approval.

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: 001, 002, 003, 004, 005, 006 and 007.

Reason

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

3.
The materials and finishes of the new areas of roof and walls for the extensions hereby permitted shall match the remainder of the dwelling in colour and texture.

Reason

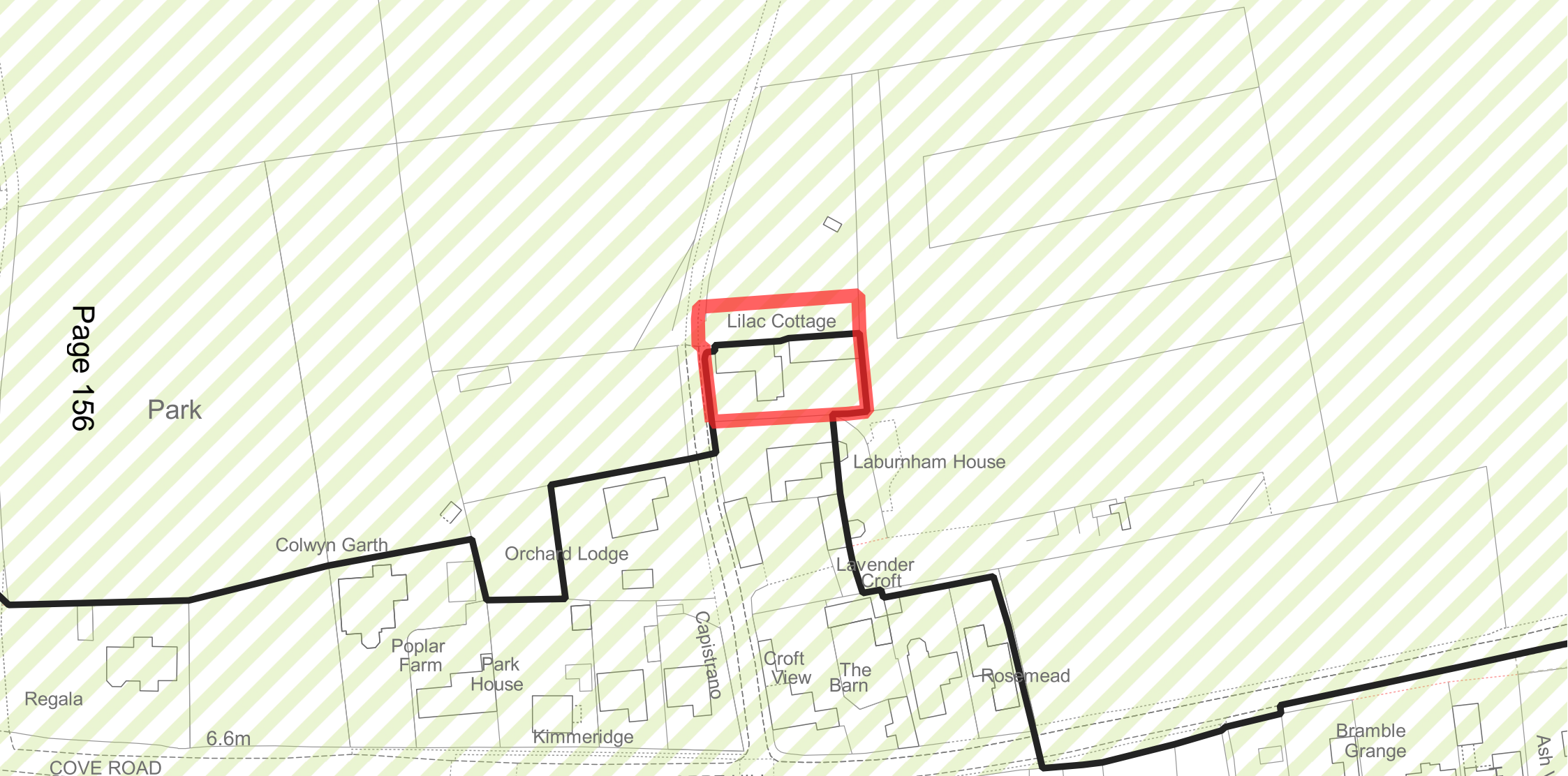
To define the terms of the permission and in the interest of visual amenity.


Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



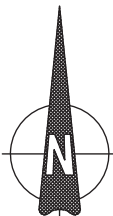
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 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

PA/2022/525

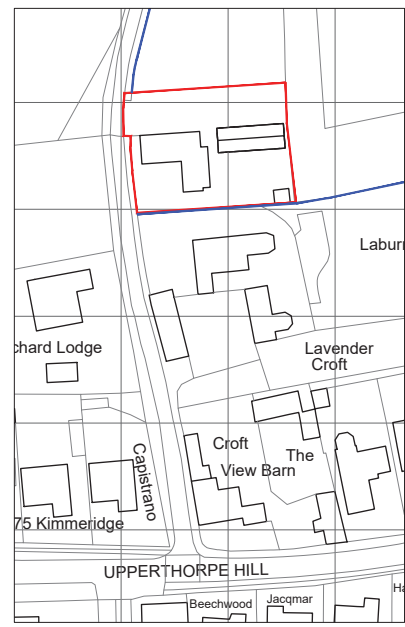


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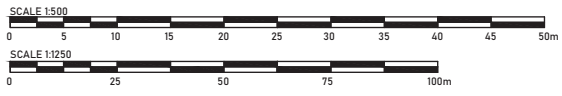
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SITE LOC. PLAN 1:500

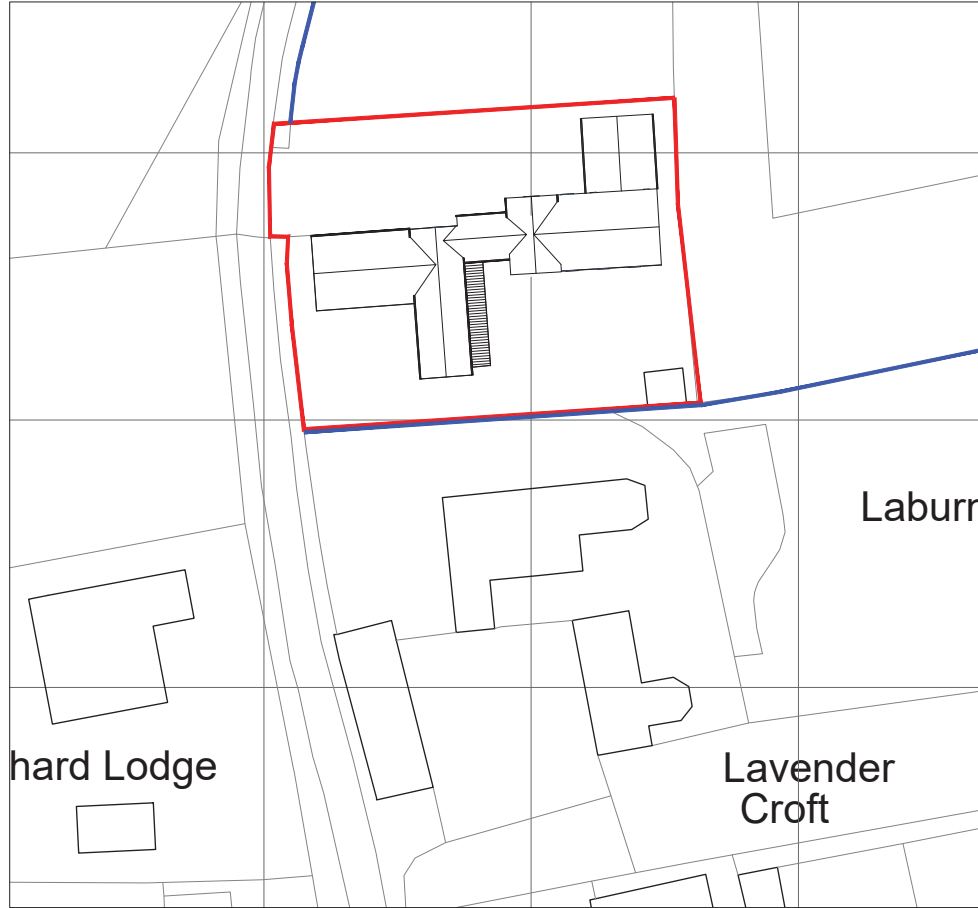
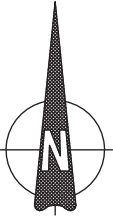


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SITE LOC. PLAN 1:1250

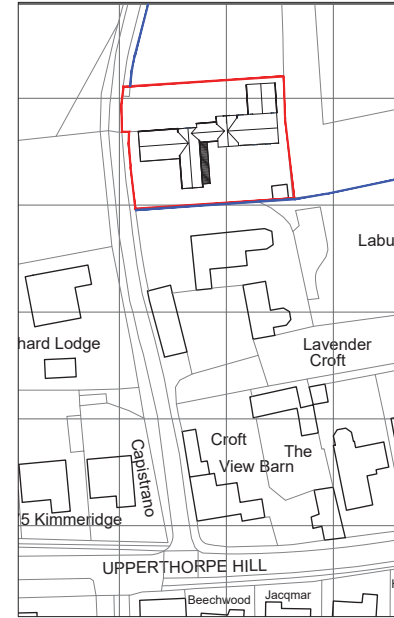


MaxDesign			
Architecture Planning Consultancy			
<small>Armstrong House, First Avenue, Doncaster DN9 3GA</small>			
<small>t: 01302 987899</small>		<small>m: 07734 839 844</small>	
<small>e: design@maxdesignconsultancy.co.uk</small>		<small>w: maxdesignconsultancy.co.uk</small>	
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PLANNING			
client:			
Mr S Milner			
project: Lilac Cottage			
title: SITE LOCATION PLAN AS EXISTING			
scale:		date:	
As Shown@A1		March 2022	
project no.:	drawn:	number:	rev:
22027	OG	005	-



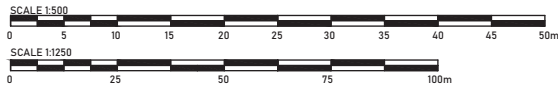
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SITE LOC. PLAN 1:500



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SITE LOC. PLAN 1:1250



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<small>e: design@maxdesignconsultancy.co.uk</small>		<small>w: maxdesignconsultancy.co.uk</small>	
status:			
PLANNING			
client:			
Mr S Milner			
project: Lilac Cottage			
title: SITE LOCATION PLAN AS PROPOSED			
scale:		date:	
1:200@A1		JAN 2022	
project no.:	drawn:	number:	rev:
22027	PW	006	-

PA/2022/525 Proposed elevations (not to scale)

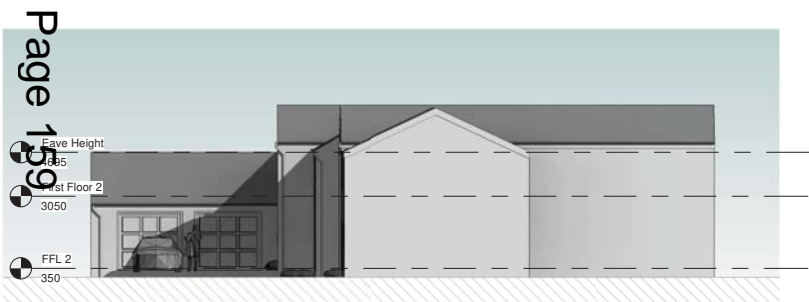
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Figured dimensions only to be taken from this drawing. Do not scale if in doubt ask.			
Rev	Date	Drawn	Description



East Elevation
1 : 100



North Elevation
1 : 100



West Elevation
1 : 100



South Elevation
1 : 100

Page 1 of 9

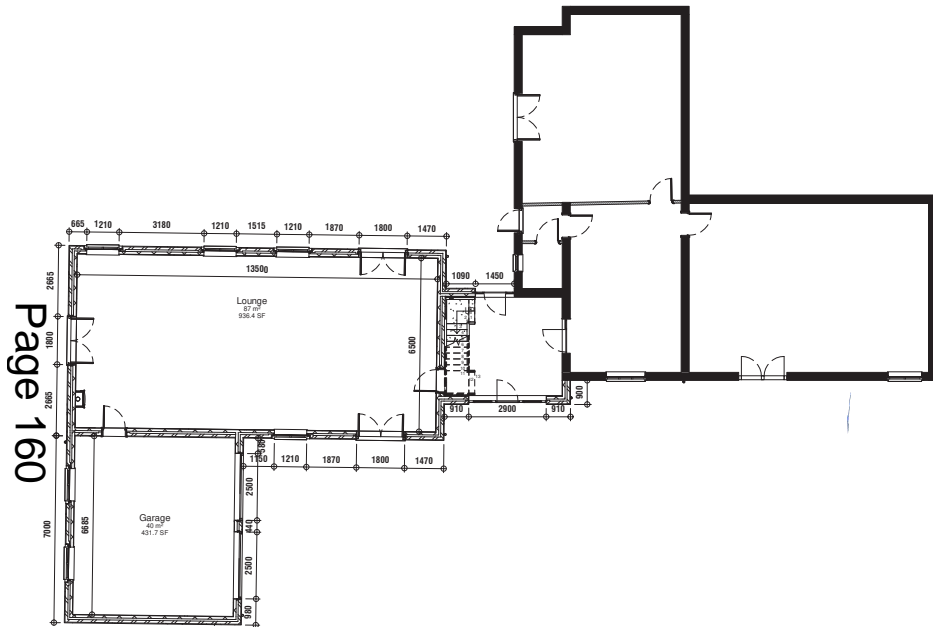
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 t: 01302 867809 m: 07734 939 044
 e: design@maxdesignconsultancy.co.uk w: maxdesignconsultancy.co.uk

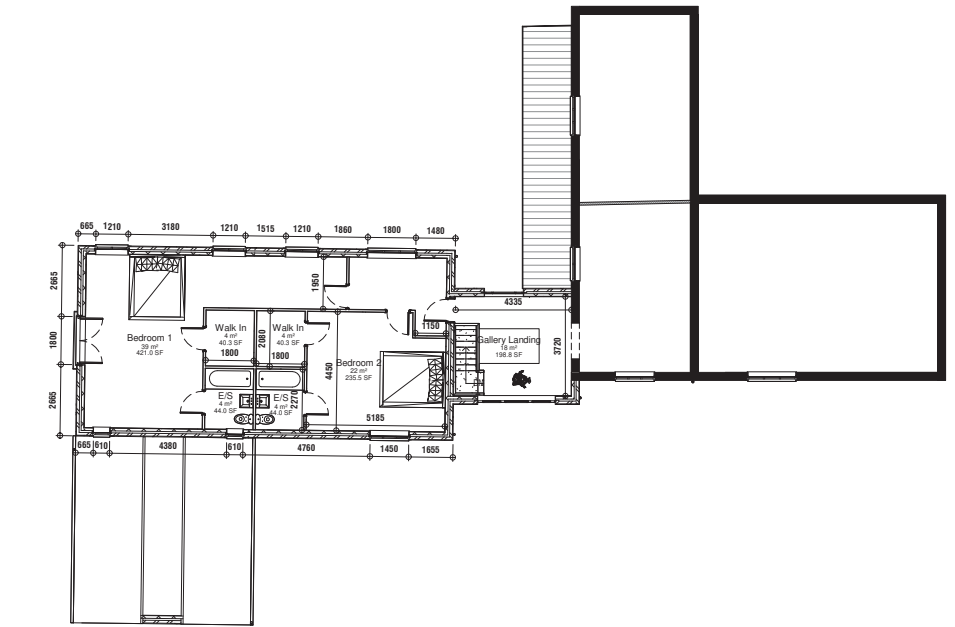
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project:		Lilac Cottage	
title:		Elevations As Proposed	
scale:	date:	1 : 100	Mar 2022
project no.:	drawn:	number:	rev:
22027	OG	004	

Notes			
Figured dimensions only to be taken from this drawing. Do not scale if in doubt ask.			
Rev	Date	Drawn	Description

Page 160



00 - Ground Floor
1:100



01 - First Floor
1:100

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status: **PLANNING**

client: **Mr S Milner**

project: **Lilac Cottage**

title: **Floor Plan As Proposed**

scale: **1 : 100** date: **March 2022**

project no.: 22027	drawn: OG	number: 003	rev:
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APPLICATION NO	PA/2022/658
APPLICANT	Jonathan Lowe, Wolds Homes Ltd
DEVELOPMENT	Planning permission to erect a bungalow and an attached garage, with associated access works
LOCATION	Land to the rear of The Gables, Willow Lane, Goxhill, DN19 7JP
PARISH	Goxhill
WARD	Ferry
CASE OFFICER	Jess Hill
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Goxhill Parish Council

POLICIES

National Planning Policy Framework:

Section 2 (Achieving well-designed places)
Section 4 (Decision making)
Section 5 (Delivering a sufficient supply of homes)
Section 12 (Achieving well-designed places)

North Lincolnshire Local Plan: Policies DS1, H5, H7, H8, T2, T19

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS7, CS8

Housing and Employment Land Allocations DPD (2016): The site is unallocated and located within the development limits of Goxhill.

CONSULTATIONS

Highways: Advise a condition be attached to any permission granted requiring vehicle parking and turning space to be provided before the dwelling is occupied, and thereafter retained.

Environmental Protection:

Contaminated land - This application for residential development is a sensitive end use. Currently the site is part of a residential garden; however, historical maps held by this department indicate that the proposed development is within the periphery of a former 'Smithy' (Blacksmiths). Therefore recommend the inclusion of a condition that if any contamination is found during development, no further development takes place until the method of how it shall be dealt with has been agreed and implemented.

Noise, light, odour and air quality - No further comments to make.

Tree Officer: No comments on the proposals.

LLFA Drainage: No objection to the proposed development subject to the imposition of a condition requiring details to be submitted and agreed of how surface water run-off from hard-paved areas within the site shall be prevented from entering the highway.

Spatial Planning: No response received.

Recycling: No response received.

PARISH COUNCIL

Object based on the previously raised concerns of flooding in this location, that this has not been addressed and still remains an issue.

PUBLICITY

A site notice has been displayed and one response has been received pointing out that there have been no problems since 2008 when Anglian Water addressed the drainage issues that had caused problems for most of the village.

ASSESSMENT

Site location and context

The site comprises part of the rear garden of The Gables on Willow Lane, within the development limits of Goxhill, as defined by the Housing and Employment Allocations DPD 2016.

Planning history

PA/1997/0237: Planning permission to construct a pitched roof over existing garage – approved 16/04/1997

PA/2018/1617: Outline planning permission to erect a single-storey dwelling – approved 10/10/2018

PA/2019/1009: Outline planning permission to erect a single-storey dwelling – approved 31/07/2019

PA/2019/1185: Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/1617 dated 10/10/2018 to erect a single-storey dwelling – withdrawn 28/08/2019

Designations/constraints

The site is not within or adjacent to a conservation area and there are no listed buildings next to the site.

Within Flood Zone 1 which is at low risk of flooding.

Proposal

Full planning permission is sought to erect a single-storey bungalow within the existing rear garden of The Gables, Willow Lane, Goxhill. The proposed bungalow will be accessed via the existing driveway and incorporates a single garage with room for parking in front of the garage. The proposed dwelling features an L-shaped layout with an area for a garden retained to the east. The site is within a residential area of the village.

The main considerations of relevance in the assessment of the application include the following:

- **principle of development**
- **residential amenity**
- **design and appearance**
- **flood risk and drainage**
- **access and highway safety.**

Principle of development

The site is within the development limits of Goxhill, as identified by the Housing and Employment Land Allocations DPD 2016.

Goxhill is defined as a 'rural settlement' in the spatial hierarchy for North Lincolnshire in the Core Strategy. Policy CS1 (Spatial Strategy for North Lincolnshire) supports limited development in rural settlements such as Goxhill provided it is in keeping with the character and nature of the settlement. Policy CS2 (Delivering More Sustainable Development) allows for small-scale development within the defined development limits of rural settlements.

Policy CS3 (Development Limits) allows for appropriate development within defined development limits, provided the proposed development responds to the context of the area and the settlement has capacity to accommodate the proposed development based on existing and proposed infrastructure.

Policy CS8 (Spatial Distribution of Housing Sites) allows for new housing within rural settlements, including small-scale infill development, that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. The proposed bungalow is considered to comprise suitable infill development that is of a moderate scale and responds to the context of the surrounding area within Goxhill.

Policy H7 (Backland and Tandem Development) allows for development in gardens provided there would no adverse effect on the amenities of any neighbouring properties (part i), and the proposal would not affect the general quality and character of the area (part ii). The proposed development for one dwelling is considered to be of a suitable scale for the site given it will be single-storey and largely screened by existing vegetation.

There is also an extant permission for one dwelling on the site (PA/2019/1009). This forms a material consideration in the determination of the application given the principle of development has previously been found to be acceptable.

The proposals therefore accord with policies CS1, CS2, CS3 and CS8 of the Core Strategy and policy H7 of the local plan and as such the principle of development is acceptable.

Residential amenity

Policy DS1 (General Requirements) requires proposals to be assessed to ensure they would not result in an unacceptable impact or loss of amenity to neighbouring land uses, including as a result of the effects of overlooking or overshadowing.

The proposed dwelling is single-storey and would be of a suitable scale within the garden, which is largely screened by existing vegetation in the form of a tall hedge around the edge and trees along the western edge. The proposed dwelling is approximately 4m to the southwest of 18 Meadow Close, and approximately 5.5m to the southeast of 16 Meadow Close. The proposed dwelling is suitably positioned in relation to these properties and as such would not result in an adverse impact in terms of overshadowing or overlooking.

Policy H7 requires proposals for backland development, such as within residential gardens, to be assessed to ensure there is no adverse effect on the amenities of neighbouring uses (part i). This includes ensuring proposals would not result in unacceptable levels of:

- (a) overlooking and loss of privacy;
- (b) loss of amenity area to the adjoining dwellings; and
- (c) the level of nuisance resulting from the movement of vehicles to and from the proposed development.

In terms of the above referenced criteria, the proposed bungalow is suitably positioned so as not to result in overlooking or loss of privacy. As set out above, there are suitable separation distances and it is not considered there would be unacceptable levels of overlooking, largely due to existing screening provided by boundary hedgerows and vegetation. The bungalow would result in the loss of part of the garden of The Gables; however, there would still be a suitable amount of amenity space in addition to a suitably sized garden for the new property (approximately 20m x 11m). The proposed bungalow is expected to result in one or two vehicles accessing the property. This is not expected to result in a nuisance in terms of vehicle movements. The proposals are therefore considered to accord with policy H7 in terms of their impact on residential amenity.

The dwelling is therefore expected to have an acceptable impact on the residential amenity of neighbouring properties and is considered to comply with policy DS1 and H7 of the local plan.

Design and appearance

Policies DS1 (General Requirements) and CS5 (Delivering Quality Design in North Lincolnshire) encourage the design and external appearance of proposals to reflect or enhance the character, appearance and setting of the immediate area.

The proposed dwelling features a simple modern design which is appropriate for the location. Given the dwelling is located to the rear of the existing property's garden it would not be highly visible from Willow Lane. The top of the dwelling will be visible from Meadow Close to the north; however, the existing hedgerow that will be retained will screen most of the dwelling. The existing boundary treatments are proposed to be retained.

The proposed materials include red textured brick and white uPVC windows. Details of the exact materials will be secured by condition to ensure they are in keeping with the character of the street scene.

The proposed dwelling is appropriate in scale to its surroundings and will have an acceptable impact on the character and appearance of the street scene.

Flood risk and drainage

Policies CS19 and DS16 relate to flood risk and seek to ensure that suitable drainage strategies are secured for developments. The site is within SFRA Flood Zone 1, which is an area considered to be at a low risk of flooding.

The parish council have objected to the proposals based on concerns relating to flooding in the area. The council's drainage officer has reviewed the proposals and has no objections to the proposed dwelling subject to a condition requiring details of an effective method to prevent surface water run-off from any hard paved areas within the site onto the highway. As such, it is considered that the proposed development would have an acceptable impact in terms of flood risk and drainage.

Access and highway safety

Policies T2 (Access to Development) and T19 (Car Parking Provision and Standards) require proposals to be served by a satisfactory access and suitable parking arrangements.

The proposed dwelling will be accessed using the existing driveway which will become a shared driveway. There is adequate space for parking and for vehicles to turn to access the dwelling. The council's highways officer has reviewed the proposals and has no objections subject to a condition. The proposals are therefore acceptable in terms of their impact on highway safety.

Other issues

The Environmental Protection officer has reviewed the proposals and has confirmed there are not expected to be any issues in terms of noise, light pollution, odour or air quality. A condition has been recommended to ensure that if contamination is found during development, no further development shall take place until the method as to how it will be dealt with has been agreed and implemented. This condition is considered suitable and proportionate given the previous use of the site as a garden.

The proposed bungalow would not require the removal of any trees. The Tree Officer has reviewed the proposals and has no objections to the proposals. The site is also not subject to any ecological designations and as such the proposals are considered to be acceptable in terms of their ecological impact.

Conclusion

The proposed dwelling is considered to be suitable in its scale and positioning and as such is recommended for approval. The proposed dwelling is in Flood Zone 1, which is considered to be at a low risk of flooding and the proposals are considered to be acceptable in flood risk terms.

Pre-commencement conditions

The applicant has confirmed that the drainage pre-commencement condition is acceptable.

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 Plans & Elevations With Garage (WDL-001)
- Block Plan (Proposed) (WDL-003)
- Location Plan (WDL-004).

Reason

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

3.

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.

4.

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.

5.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved 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 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.

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.

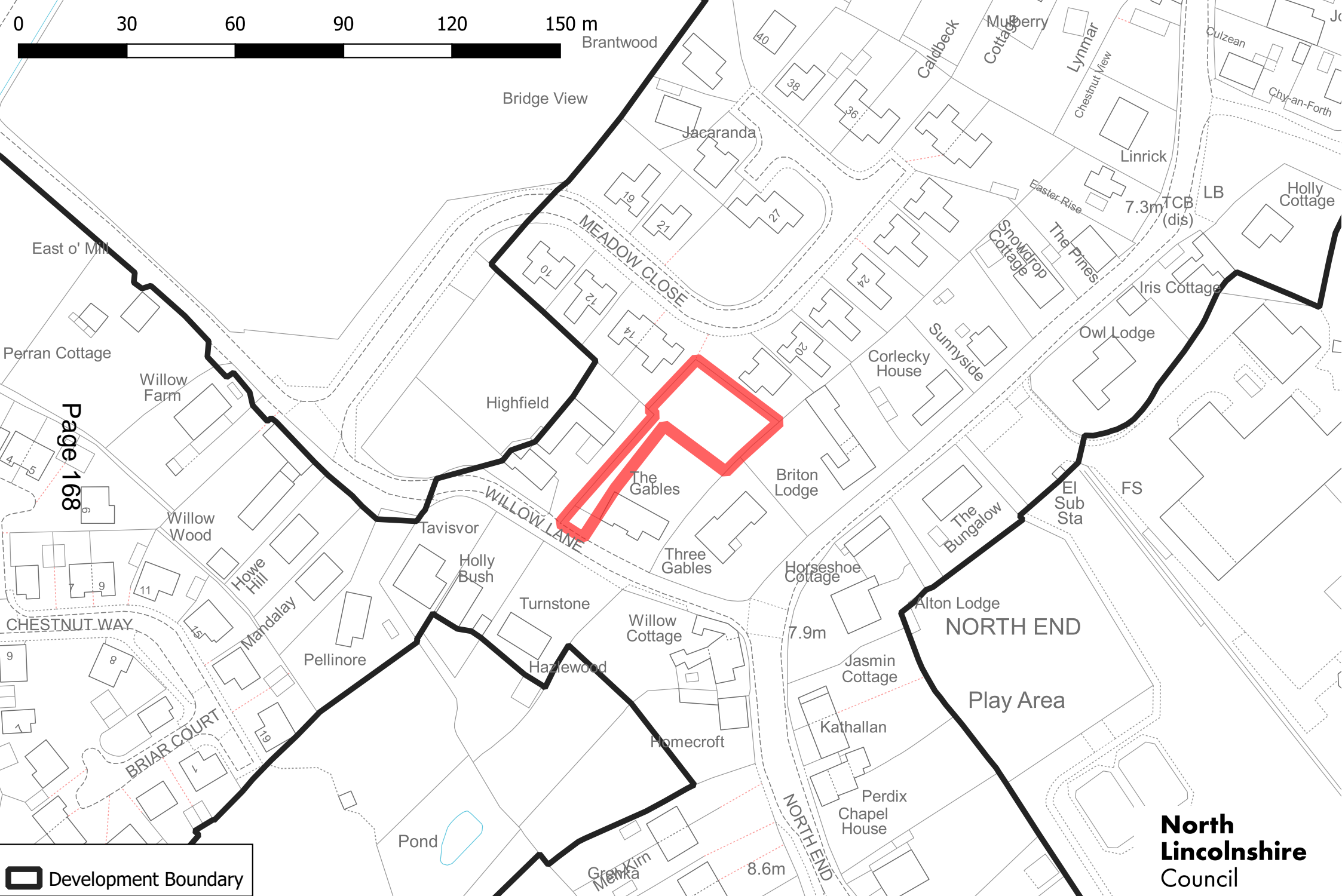
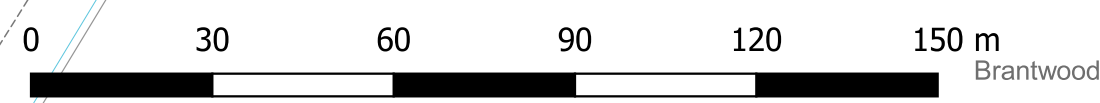
Informative 1

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.



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 Development Boundary

**North
Lincolnshire
Council**

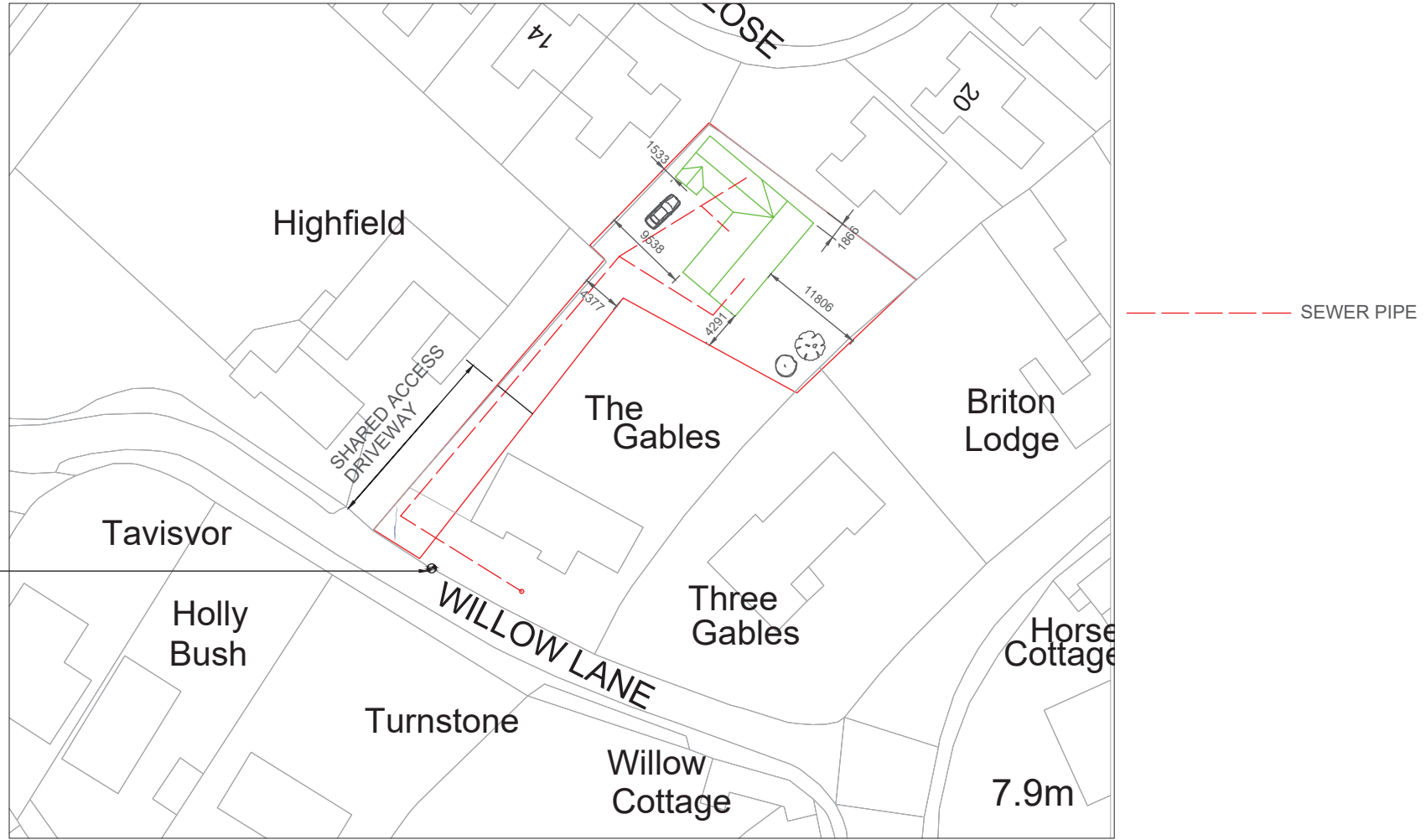
PA/2022/658

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PA/2022/658 Proposed layout (not to scale)

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LEVEL TBM ON ROAD CURB
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Rev	Description	Date	By	Chk'd	App
P2	General Update	23-04-22	JDL		
P1	Preliminary Issue	28-03-22	JDL		

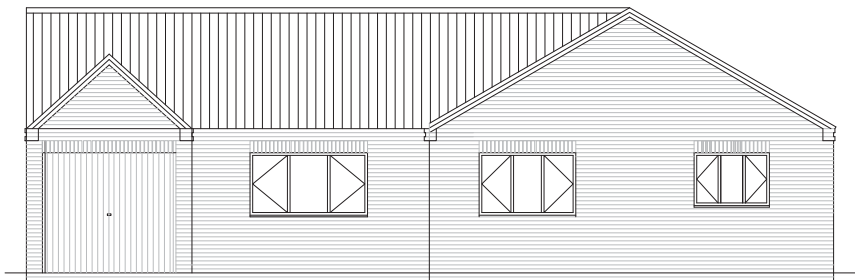
Wolds Homes Limited

2 Alfred Smith Way
Legbourne
Louth
LN11 8NE

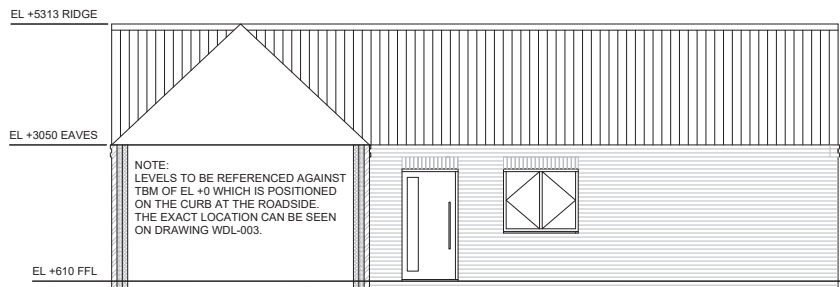
T. 07947 178 931

Project: Land At The Gables, Willow Lane Goxhill, North Lincs, DN19 7JP	
Client: Wolds Homes Ltd	
Drawing: Block Plan (Proposed)	
Role: Architect / Developer	
Drawing Status: For Approval	Rev. P2
Job no. 001	Scale@ A3: 1:500
Drawing Number: WDL-003	

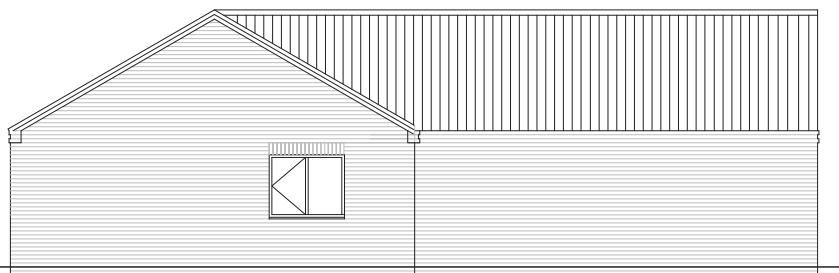
PA/2022/658 Proposed plans and elevations (not to scale)



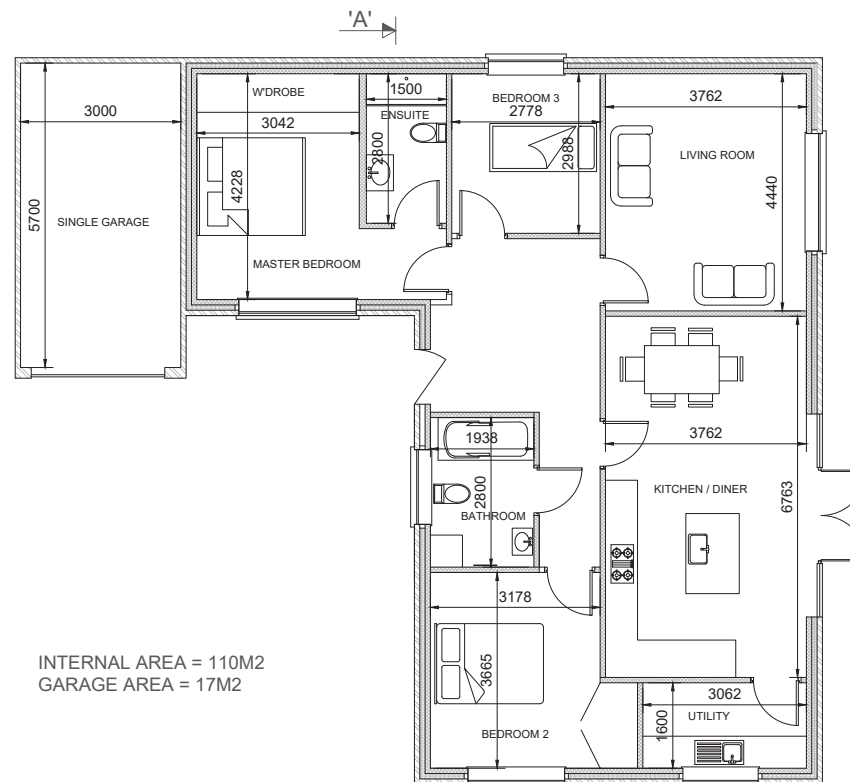
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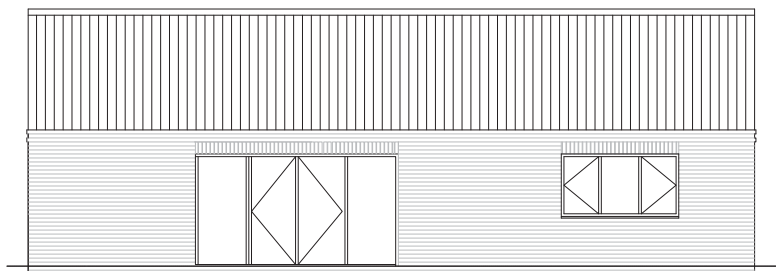
VIEW 'A-A'



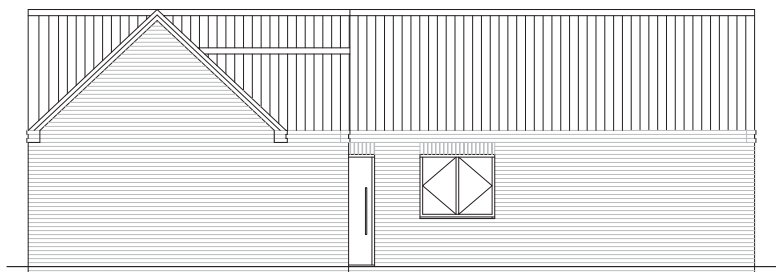
REAR (NORTH ELEVATION)



INTERNAL AREA = 110M2
GARAGE AREA = 17M2



SIDE (EASTERN ELEVATION)



SIDE (WESTERN ELEVATION)

Page 170

<p>Wolds Homes Limited</p> <p>2 Alfred Smith Way Leigbourne Louth LN11 8NE</p> <p>T. 07947 178 931</p>		Project: Land At The Gables, Willow Lane Goxhill, North Lincs, DN19 7JP																		
		Client: Wolds Homes																		
<table border="1"> <tr> <td>Rev</td> <td>Description</td> <td>Date</td> <td>By</td> <td>Chk'd</td> <td>App'd</td> </tr> <tr> <td>P2</td> <td>View Notation Added</td> <td>23-04-22</td> <td>JDL</td> <td></td> <td></td> </tr> <tr> <td>P1</td> <td>Preliminary Issue</td> <td>28-03-22</td> <td>JDL</td> <td></td> <td></td> </tr> </table>		Rev	Description	Date	By	Chk'd	App'd	P2	View Notation Added	23-04-22	JDL			P1	Preliminary Issue	28-03-22	JDL			Drawing: Proposed Plans & Elevations With Garage
		Rev	Description	Date	By	Chk'd	App'd													
P2	View Notation Added	23-04-22	JDL																	
P1	Preliminary Issue	28-03-22	JDL																	
Role: Architect / Developer		Drawing Status: For Approval																		
		Rev. P2																		
Job no. 001		Scale@ A1: 1:50																		
		Drawing Number: WDL-001																		