

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

2 August 2023

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 meeting held on 4 July 2023 as a correct record and authorise the chairman to sign. (Pages 1 - 14)
4. Applications deferred from previous meetings for a site visit. (Pages 15 - 16)
 - (a) PA/2022/1857 Planning permission to erect 16 dwellings at 11 Burnside, Broughton, DN20 0HT (site visit 9.50am). (Pages 17 - 42)
 - (b) PA/2022/2027 Planning permission for a change of use of vacant land to use as dog walking site, installation two LED flood lights & CCTV cameras at Low Hill Farm, access road to Low Hill Farm, Messingham, DN17 3PS (site visit 10.20am). (Pages 43 - 56)
 - (c) PA/2022/2133 Planning permission to change the use of an existing two-storey outbuilding into a single one-bedroom dwelling at 6 Greenhill Road, Haxey, DN9 2JE (site visit 11.20am). (Pages 57 - 70)
 - (d) PA/2022/2230 Outline planning permission to erect a detached dwelling with appearance, landscaping, layout and scale reserved for subsequent consideration at 37 North Street, West Butterwick, DN17 3JR (site visit 10.50am). (Pages 71 - 86)

- (e) PA/2023/279 Planning permission to erect a single-storey side extension at 8 Queen Street, Barton upon Humber, DN18 5QP (site visit 9.15am). (Pages 87 - 98)
5. Major Planning Applications. (Pages 99 - 100)
- (a) PA/2022/1536 Planning permission for additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond) at Epworth Fields Holiday Park, access road to farm off Blackdyke Road, Epworth, DN9 1JA. (Pages 101 - 124)
 - (b) PA/2022/1628 Application for approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2019/1782 dated 03/04/2020 for a residential development of up to 200 dwellings at Land south of Moorwell Road, Yddlethorpe, Bottesford. (Pages 125 - 144)
 - (c) PA/2022/1702 Application to modify/discharge the S106 Agreement attached to PA/2019/1782 relating to the request for contributions be removed for viability reasons at Land south of Moorwell Road, Yaddlethorpe, Bottesford. (Pages 145 - 152)
 - (d) PA/2023/503 Application for approval of reserved matters (appearance and landscaping) pursuant to outline planning permission PA/2018/2416 dated 03/04/2020 for 11 dwellings at Sir Solomon Inn, King Edward Street, Belton, DN9 1QN. (Pages 153 - 164)
6. Planning and other applications for determination by the committee. (Pages 165 - 166)
- (a) PA/2022/1884 Application for a non-material amendment to PA/2020/602 namely to amend the siting of proposed building at 22 Bigby High Road, Brigg, DN20 9HD (Pages 167 - 172)
 - (b) PA/2022/2011 Planning permission to create a new access and paved driveway at Carrdale, 10 Saxby Hill, Saxby All Saints, DN20 0QL (Pages 173 - 182)
 - (c) PA/2023/67 Planning permission to erect a front boundary wall and gate pillars at 47A Top Road, Worlaby. (Pages 183 - 190)
 - (d) PA/2023/446 Planning permission for side extension and attic conversion including dormers at Netherhaven, 34 Nethergate, Westwoodside, DN9 2DL. (Pages 191 - 200)
 - (e) PA/2023/611 Outline planning permission to erect three dwellings with appearance, landscaping and scale reserved for subsequent consideration at Land to the rear of 20 Burton Road, Flixborough, DN15 8RW. (Pages 201 - 220)

- (f) PA/2023/729 Planning permission to raise roof height and install first-floor extension, and erect extensions (alterations to previously approved application PA/2020/229) at 56 Eastoft Road, Crowle, DN17 4LR. (Pages 221 - 232)
 - (g) PA/2023/1006 Proposed single and two-storey rear, side extension, front canopy, car port, dropped kerb and new boundary wall at 19, Cheltenham Close, Bottesford, DN16 3SJ. (Pages 233 - 242)
 - (h) PA/2023/1145 Application for a non-material amendment to PA/2018/1884 namely to revise plot 12's garage to home office at Land to the rear of 19, 21 and 23 West Street, Scawby, DN20 9AS. (Pages 243 - 248)
7. Any other items, which the chairman decides are urgent, by reasons of special circumstances, which must be specified.

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

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Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

4 July 2023

PRESENT: - N Sherwood (Chairman)

C Ross (Vice Chairman), Bell, J Davison, M Grant, N Poole, Matthews and D Wells

In attendance: R Ogg

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

1 **SUBSTITUTIONS**

Councillor Matthews for Councillor Southern, and Councillor Poole for Councillor Patterson.

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).**

The following members declared that they had been lobbied:

Cllr J Davison – PA/2022/1628 and PA/2022/1702

Cllr Poole – PA/2022/2027

Cllr N Sherwood – PA/2023/279

Cllr Wells – PA/2022/1702

3 **TO TAKE THE MINUTES OF THE MEETINGS HELD ON 7 JUNE 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN (ATTACHED).**

4 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE VISIT.**

5 **PA/2022/1374 PLANNING PERMISSION TO ERECT TWO DETACHED PROPERTIES WITH ASSOCIATED PRIVATE DRIVEWAY AT LAND REAR OF 14 GREENHILL ROAD, HAXEY, DN9 2JE (SITE VISIT TIME 11AM).**

The applicant addressed the committee and thanked them for attending the site visit to look for themselves at the proposal. She indicated that a great deal of hard work and effort had taken place to get to this stage, and there was structural evidence that the work needed doing. She said the visibility was good and no highway objections had been received. There was full support from the Planning Officer and local residents and neighbours, with no

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overshadowing concerns.

Cllr Ross felt that following the site visit, the applicants were trying to cram too much into the site and it was overdevelopment, with concerns over the access and visibility. Three properties trying to access the site would be dangerous.

Cllr Bell disagreed with the previous speaker and following the site visit felt that it was infill development, with good space and sufficient access and should be granted in accordance with the officer's recommendations.

It was moved by Cllr Ross and seconded by Cllr Wells –

That planning permission be refused for the following reasons –

1.

The siting, layout and design of the proposal would result in a cramped development detrimental to the character of the area. The proposal is contrary to guidance given in the National Planning Policy Framework, policies CS1, CS2, CS5 and CS7 of the North Lincolnshire Core Strategy, and policies H5, H7 and DS1 of the North Lincolnshire Local Plan.

2.

The proposed private access is unsuitable due to insufficient visibility splay at the road junction with Greenhill Road and the cumulative impact of vehicular movement on the private road as a result of the proposed development. The proposal is contrary to paragraph 111 of the National Planning Policy Framework, policies CS1, CS2, CS5 and CS7 of the North Lincolnshire Core Strategy, and policies H5, H7, DS1 and T2 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.

Motion Carried.

6 MAJOR PLANNING APPLICATIONS.

- 6a **PA/2022/1628 APPLICATION FOR APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) PURSUANT TO OUTLINE PLANNING PERMISSION PA/2019/1782 DATED 03/04/2020 FOR A RESIDENTIAL DEVELOPMENT OF UP TO 200 DWELLINGS AT LAND SOUTH OF MOORWELL ROAD, YADDLETHORPE, BOTTESFORD.**
The Development Management Lead provided an update to the committee

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and sought a deferral of the application for further consultation to take place.

Resolved – That the application be deferred.

- 6b **PA/2022/1702 APPLICATION TO MODIFY/DISCHARGE THE S106 AGREEMENT ATTACHED TO PA/2019/1782 RELATING TO THE REQUEST FOR CONTRIBUTIONS BE REMOVED FOR VIABILITY REASONS AT LAND SOUTH OF MOORWELL ROAD, YADDLETHORPE, BOTTESFORD.**

The Development Management Lead provided an update to the committee and sought a deferral of the application for further consultation to take place.

Resolved – That the application be deferred.

- 7 **PA/2022/1857 PLANNING PERMISSION TO ERECT 16 DWELLINGS AT 11 BURNSIDE, BROUGHTON DN20 0HT.**

The Development Management Lead gave an update that one more representation had been submitted on the portal, with no new issues, and no change on the Officer's recommendation.

Cllr Ross having looked at the report and plans felt a site visit was required before a decision could be made.

It was moved by Cllr Ross and seconded by Cllr Wells –

That the application be deferred for a site visit to be held, and brought back to a future meeting.

Motion Carried.

- 8 **PA/2023/241 PLANNING PERMISSION TO REMOVE CONDITION 8 OF PA/2022/504 NAMELY TO EXTEND THE DURATION OF OCCUPATION OF THE HOLIDAY LODGES AND SHEPHERD HUTS AT OAK TREE FISHERY, STATION ROAD, GRAIZELOUND DN9 2NQ.**

Cllr Ross state dthat she was happy with the application and report, however with the agreement of the committee would like a condition to be added that the lodges and huts would not be open for longer than 48 weeks a year.

Cllr Grant sought the legal representations opinion on this before agreeing with the proposal.

Resolved – That the application be granted in accordance with the officer's recommendations, with the addition of the following condition:

14.

The site for the approved lodges and shepherd huts shall not be open to customers/occupants for more than 48 weeks in any calendar year without the prior approval in writing of the local planning authority. The applicant shall keep a written/electronic record of the opening hours per calendar year and

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this record shall be available at all reasonable times to the local planning authority.

Reason

The site is for holiday use only and is inappropriate for permanent residential development, being within the open countryside in accordance with policy RD2 of the North Lincolnshire Local Plan.

9 PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.

10 PA/2022/1829 PLANNING PERMISSION TO CONVERT EXISTING FARM BUILDINGS INTO SEVEN DWELLINGS AT ROXBY GRANGE FARM, NORTH STREET, ROXBY DN15 0BN.

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

11 PA/2022/2027 PLANNING PERMISSION FOR A CHANGE OF USE OF VACANT LAND TO USE AS DOG WALKING SITE, INSTALLATION OF TWO LED FLOOD LIGHTS AND CCTV CAMERAS AT LOW HILL FARM, ACCESS ROAD TO LOW HILL FARM, MESSINGHAM DN17 3PS.

The agent for the proposal outlined the detail of the application and highlighted the positive aspects. He stated that the only new feature as the fencing and lighting and the fencing would be within the permitted development rights. He felt it was an acceptable location, and a condition could be included to have no night-time lighting.

Cllr Ross stated that she was very interest in the application, had taken on board the comments of the Parish Council and felt a site visit was required.

It was moved by Cllr Ross and seconded by Cllr Wells –

That a site visit be held and be brought back to a future meeting.

Motion Carried.

12 PA/2022/2133 PLANNING PERMISSION TO CHANGE THE USE OF AN EXISTING TWO-STOREY OUTBUILDING INTO A SINGLE ONE-BEDROOM DWELLING AT GREENHILL ROAD, HAXEY DN9 2JE.

Cllr Ross felt that the committee would benefit from holding a site visit before they took a decision on the application.

It was moved by Cllr Ross and seconded by Cllr Wells that –

The application be deferred for a site visit.

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Motion Carried.

- 13 **PA/2022/2217 OUTLINE APPLICATION FOR THREE DWELLINGS WITH ALL MATTERS RESERVED INCLUDING DEMOLITION OF EXISTING WORKSHOP AT 78 HIGH STREET, WOOTON DN39 6RR.**

The Development Management Lead Economy and Environment updated the committee and south deferral of the application, to allow officer's to carry out further work on the application.

Resolved – That the application be deferred.

- 14 **PA/2022/2222 PLANNING PERMISSION TO CONSTRUCT AN AIR PRODUCTS NITROGEN SKID TO ENABLE DELIVERIES OUTSIDE OF NORMAL WORKING HOURS AT THE NEWTON BUILDING, EASTFIELD ROAD, SOUTH KILLINGHOLME DN40 3NF.**

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

- 15 **PA/2022/2230 OUTLINE PLANNING PERMISSION TO ERECT A DETACHED DWELLING WITH APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED FOR SUBSEQUENT CONSIDERATION AT 37 NORTH STREET, WEST BUTTERWICK DN17 3JR.**

Cllr Ross having read the report had concerns about the objection received from the Parish Council, and felt the committee should have a site visit before taking a decision on the application.

It was moved by Cllr Ross and seconded by Cllr Poole –

That a site visit be held and brought back to a future meeting.

Motion Carried.

- 16 **PA/2023/144 PLANNING PERMISSION TO ERECT A NEW DETACHED DWELLINGHOUSE (INCLUDING DEMOLITION OF EXISTING BARN) AT LAND TO THE REAR OF PALE CLOSE, SAND PIT LANE, ALKBOROUGH DN15 9JG.**

The applicant addressed the committee indicating that they had submitted a pre-application and that had positive feedback. It was a redundant bar with drive access and parking, and would have no negative impact on the conservation area. There was no major issues, no highway issues, no objection from the Parish Council or the public, and matched other properties within the area.

Cllr Ogg spoke as the local ward member and stated that it was an old barn, dropping to bits and would only improve the area if it was granted.

Cllr Wells agreed with the previous speaker and felt it should be approved.

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It was moved by Cllr Wells and seconded by Cllr Ross –

That planning permission be granted in accordance with 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 plan SW/22/01

Proposed block plan SW/22/02A

Proposed floor plans SW/22/03

Proposed elevations SW/22/04

Design and Access Statement

Biodiversity Management Plan

Arboricultural Implication Assessment.

Reason

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

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken 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.

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4.

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.

5.

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.

6.

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 paragraphs 159 to 169 of the National Planning Policy Framework.

7.

No development shall take place until details showing an effective method of preventing surface water run-off from 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

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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.

8.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted Biodiversity Management Plan dated November 2021. The management prescriptions set out in section 4 of the management plan shall be carried out in their entirety in accordance with the timescales set out in the work programme in section 5. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features to the local planning authority, within two weeks of installation, as evidence of compliance with this condition. All biodiversity features shall be retained thereafter.

Reason

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

9.

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

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subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health;
- property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;

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

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

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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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.

10.

No trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees without the previous written consent of the local planning authority. Any trees removed without such consent, or dying or being severely damaged, or becoming seriously diseased, shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

To protect the existing trees on the site.

11.

Details of replacement trees shown to be removed in the Arboricultural Implication Assessment reference EMB0317 / 6387 shall be submitted to and agreed in writing with the local planning authority prior to occupation of the dwelling hereby permitted. The approved replacement trees shall at the latest be planted in the first available planting season following occupation of the dwelling. If any tree dies or becomes diseased within five years of planting it shall be replaced in the next available planting season.

Reason

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In the interests of preserving the character and appearance of the conservation area in pursuance of policies HE2 of the North Lincolnshire Local Plan and CS6 of the North Lincolnshire Core Strategy, and ensuring biodiversity net gain in accordance with policy CS17 of the North Lincolnshire Core Strategy.

12.

No development shall take place until details of the design and colour of the proposed boundary treatments have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

In the interests of preserving the character and appearance of the conservation area in pursuance of policies CS6 of the North Lincolnshire Core Strategy and HE2 of the North Lincolnshire Local Plan.

Informatives

1.

The proposed development is classed as a more sensitive end use and therefore we suggest you consider investigating the existing surface water drainage arrangements/layout for the development: you may need to consider upsizing the pipe network, thus increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance, it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.

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.

3.

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

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

- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number

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01724 297319 to arrange for the relevant permissions/licenses to be issued.

Motion Carried.

- 17 **PA/2023/279 PLANNING PERMISSION TO ERECT A SINGLE-STOREY SIDE EXTENSION AT 8 QUEEN STREET, BARTON UPON HUMBER DN18 5QP.**

An objector spoke against the application with a number of concerns. These included: the style of the layout, vehicle access, impact on the area and the conservation area. He also felt it was contrary to a number of planning policies.

The agent responded and stated that the property would be hidden from view surrounded by a 9ft wall, as a completely enclosed property. It was 10m away from the closest boundary, and satisfied all planning policies.

Cllr Ross having listened to both sides felt that the committee would benefit from looking at the site before making a decision.

It was moved by Cllr Ross and seconded by Cllr Poole –

That a site visit be held and be brought back to a future meeting.

Motion Carried.

- 18 **PA/2023/286 PLANNING PERMISSION TO ERECT TWO DORMER BUNGALOWS AT ASH LODGE, BARROW ROAD, GOXHILL DN19 7LN.**

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

- 19 **PA/2023/296 PLANNING PERMISSION TO ERECT A SINGLE DWELLING WITH ASSOCIATED ACCESS AND LANDSCAPING AT 111 FOUNTAIN HOUSE, SCAWBY ROAD, SCAWBY BROOK DN20 9JX.**

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

- 20 **PA/2023/381 PLANNING PERMISSION TO ERECT A TWO-STOREY REAR EXTENSION AT MILL HOUSE, 17 HIGH BURGAGE, WINTERINGHAM DN15 9NE.**

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

- 21 **PA/2023/710 PLANNING PERMISSION TO ERECT A NEW TRACTOR SHED AT LAND TO THE REAR OF 46 HAXEY LANE, HAXEY DN9 2NE.**

Cllr Ross stated that she was happy with the application, and with the agreement of the panel would like to add a condition that the materials to be used on the shed should be green.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report, with the addition of the

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following condition:

4.

The external materials to be used in the construction of the development shall be as set out within the application form and as detailed on hereby approved plan GC/23/03. The final colour of the external wall materials of the tractor shed shall be green.

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.

22 **ANY OTHER ITEMS, WHICH THE CHAIRMAN DECIDES ARE URGENT, BY REASONS OF SPECIAL CIRCUMSTANCES, WHICH MUST BE SPECIFIED.**

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS DEFERRED FROM PREVIOUS MEETING FOR SITE VISITS

1. OBJECT

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

2. BACKGROUND

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

3. INFORMATION

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

4. RESOURCE IMPLICATIONS

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

5. RECOMMENDATION

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

DEVELOPMENT MANAGEMENT LEAD

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

Ref: AL/JMC/Planning committee 2 August 2023
Date: 24 July 2023

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/2022/1857
APPLICANT	Mr James Bourne (Somersby Homes)
DEVELOPMENT	Planning permission to erect 16 dwellings
LOCATION	11 Burnside, Broughton, DN20 0HT
PARISH	Broughton
WARD	Broughton and Scawby
CASE OFFICER	Daniel Puttick
SUMMARY RECOMMENDATION	Subject to a Section 106 agreement, approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Broughton Town Council

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 15: Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

Policy H5: New Housing Development

Policy H8: Housing Design and Housing Mix

Policy H10: Public Open Space Provision in New Housing Development

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 DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

North Lincolnshire Core Strategy:

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS5: Delivering Quality Design in North Lincolnshire

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of Housing Sites

Policy CS9: Affordable Housing

Policy CS17: Biodiversity

Policy CS18: Sustainable Resource Use 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

New North Lincolnshire Local Plan:

The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

H2: Housing Mix and Density

DQE1: Protection of Landscape, Townscape and Views

DQE3: Biodiversity and Geodiversity

DQE6: Sustainable Drainage System

DQE7: Climate Change and Low Carbon Living

T1: Promoting Sustainable Transport

T3: New Development and Transport

T4: Parking

DM1: General Requirements North Lincolnshire Local Plan Submission:

CONSULTATIONS

Humberside Police: No objections.

Anglian Water: No objections subject to a number of standard conditions.

Highways: No objections subject to a number of standard conditions, including (but not limited to) access, turning, parking and visibility splays.

Environment Agency: No comments to make.

Historic Environment Record: HER records show that an archaeological field evaluation was undertaken on the site in 2015, which found no remains of archaeological significance. As such, there are no objections to the proposed development and no further recommendations for archaeology.

Humberside Fire and Rescue: No objections subject to a number of standard informatives.

Environmental Protection: No objections to the proposed development subject to conditions relating to site investigation, remediation, verification and unexpected contamination; working hours; and the submission of a construction environmental management plan (CEMP).

Section 106 Officer: No objections in principle. In summary, confirms that an S106 agreement will be required to secure the necessary contributions relating to affordable housing, education provision, recreation and open space provision. No contributions are required in relation to health, public transport or on-site play area provision.

Drainage (Lead Local Flood Authority): There are fundamental detailed design issues to resolve moving forward and the applicant may wish to consider a high level outfall into the highway drainage system on Burnside. Notwithstanding this, the LLFA Drainage Team has no objection to the proposed development subject to the imposition of a condition to secure a detailed surface water drainage scheme for the site, along with other conditions and informatives.

Spatial Planning: Support in principle; however, the proposals are contrary to policy CS7. In particular, concerns are raised in respect of the mix of properties on the development.

Education: No comments received.

TOWN COUNCIL

Objects due to:

- Highways – any development would lead to additional traffic on a narrow road, which enters/leaves the estate at a busy junction with Brooklands Avenue, where there is speeding traffic and even more traffic after the relocation of the Post Office.
- Drainage – worries about the drainage system being able to cope with additional development.
- Character – any development would change the character of the estate, which is mainly occupied by elderly residents.
- Access – insufficient account has been taken of the fact that the access road is an estate road with a great deal of on-street parking and the development will only add to the traffic congestion. Can an alternative access be considered?

PUBLICITY

A site notice was displayed on 21 November 2022 and a press notice on 3 November 2022 in accordance with Article 15 of the Development Management Procedure Order 2015. A total of 17 letters of objection have been received in response to this public consultation. A summary of the concerns raised by those objecting to the application are provided below:

- The development would prejudice highway safety. The access road from Burnside is not appropriate as it is narrow and has existing parking issues.
- Broughton is over-developed and the infrastructure is insufficient to accommodate new dwellings.
- There are existing problems with drainage and sewerage.
- The area is home to many elderly residents. The scheme is out of keeping with the area. A proposal involving bungalows would be more appropriate.
- The site is higher than nearby properties. Concerns are raised in relation to potential surface water and flooding issues for neighbouring properties.
- The development would lead to loss of natural habitat for wildlife. Clearing of the site has already resulted in a visible reduction in the number of hedgehogs in the area.

- Construction works and traffic will cause disturbance for local residents.
- The area has archaeological potential and a survey may need to be undertaken.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been submitted with this application.

ASSESSMENT

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

Planning history

PA/2014/1178: Outline planning permission for residential development and associated works – refused 20/11/2015 (dismissed at appeal 02/12/2016)

PA/2016/2009: Outline planning permission for a residential development of up to 26 dwellings, including 3 affordable homes (with all matters reserved except access) and associated works – approved 28/07/2017

PA/2018/2316: Outline planning permission for up to 10 dwellings with all matters reserved for subsequent approval – approved 02/12/2019.

Site characteristics

The application site is comprises former garden land previously associated with properties fronting Appleby Lane, within the defined settlement boundary for Broughton. The site now appears overgrown, enclosed by temporary fencing at the proposed entrance from Burnside to the south edge of the site.

The site is bordered by the deep gardens of residential properties along Brooklands Avenue to the east, and by the boundaries of properties within Burnside and Sycamore Close. Newly constructed timber fences mark the boundaries with properties on Appleby Lane and 11 Burnside, with the previous boundary hedgerows still existing within the site. There are a range of trees and shrubs around the edge of the site, with many trees located close to the boundary within the gardens of existing properties.

An existing footpath connects Burnside with Beech Close and Appleby Lane, allowing pedestrians to access local shops and services on the High Street. The nearest bus stops are on Brooklands Avenue, approximately 500 metres from the site entrance, providing regular services to and from Scunthorpe and surrounding settlements.

Proposal

Planning permission is sought for the construction of 16 residential dwellings, comprising a mixture of three- and four-bedroom homes and mostly detached two-storey properties. Plots 10 and 11 are proposed to be semi-detached three-bedroom properties whilst plot 16, located close to the entrance into the proposed development, is proposed to be a three-bedroom bungalow.

Access into the site would be taken from Burnside, with the access road leading north-east. Properties would be arranged in a linear fashion fronting the access road, with each property having a private driveway with space for two vehicles. The internal road layout would provide turning space for vehicles between plots 7 and 8.

The material palette comprises 'Golden Purple' and 'Ivanhoe Westminster' bricks from Ibstock, with rustic red and anthracite pantile roof tiles providing contrast to the golden and red hues of the external materials. Render would be incorporated within plots 3, 8, 10, 11 and 14 to add visual interest. The proposed site layout depicts hedgerow and tree planting within the site to the front and sides of dwellings, with boundary enclosures to rear gardens providing secluded gardens and soft boundaries to front lawns.

Material considerations

Planning permission is sought to construct 16 dwellings. The site has planning history, with residential development both approved and refused on the site in previous years. The most recent application (PA/2018/2316) saw outline planning permission granted to construct 10 dwellings on the site. This permission has since lapsed and is no longer extant.

The main issues in determining this application are:

- **principle of development**
- **design and impact on the character and form of the area**
- **impact on residential amenity**
- **impact on highway safety**
- **flood risk and drainage**
- **contaminated land**
- **ecology**
- **affordable housing**
- **planning obligations.**

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The site is within the development boundary for Broughton, where residential development is generally acceptable in principle, and is in a sustainable location within walking and

cycling distance of a range of local facilities, services and employment opportunities. The site is also close to a number of bus stops and public transport options, providing connectivity to nearby settlements, including Scunthorpe.

Policy CS1 of the Core Strategy identifies Broughton as a rural settlement, and indicates that the town will be supported as a thriving sustainable community with a strong focus on retaining and enhancing existing local services to meet local needs. Policy CS1 states that development will be limited and should take into account levels of local service provision, infrastructure and capacity and accessibility. It goes on to indicate that any development should be in keeping with the character and nature of the settlement.

Policy CS3 of the Core Strategy identifies development limits, which seek to direct new housing development to places which are sustainable and in areas which respect existing development patterns, capacity and character, taking account of existing planning consents and new development. Beyond these boundaries, the policy limits development to that which is essential to the functioning of the countryside.

Policy CS7 of the Core Strategy sets out the requirement for 12,063 new homes across the plan area during the plan period up to 2026. This is equivalent to a build out rate of 754 dwellings per year. The policy indicates that 3,482 of these will be provided from sites with pre-existing permissions in place or are under construction at the time of adoption of the plan. These figures are a minimum target and do not form a maximum threshold for the delivery of housing, which would run contrary to the provisions of the NPPF which seeks to significantly boost the supply of housing.

Policy CS7 of the Core Strategy sets out an aspirational minimum density of 30–35 dwellings per hectare on sites within rural settlements. However, this policy also states that whilst housing developments should make efficient use of land, the density of new developments should be in keeping with the character of the area. The proposed development of 16 dwellings results in a density of approximately 25 dwellings per hectare, which falls slightly below the aspirational minimum density, but is considered reflective of the pattern of existing development in the immediate vicinity of the site.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 10 of the NPPF states, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which were most important to determining the application should not be considered up to date.

In a recent appeal decision dated 20 July 2022 (PA/2020/554) the Inspector concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five-Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

National Planning Practice Guidance paragraph 008 states that, in decision-taking, if an authority cannot demonstrate a five-year housing land supply, including any appropriate

buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.

Given the current five-year land supply deficit, it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly, the 'tilted balance' in paragraph 11 of the NPPF is triggered, whereby there is a presumption in favour of sustainable development and development proposals should be approved unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

There are three dimensions to sustainable development as set out in paragraph 8 of the Framework: economic, social and environmental.

Whilst the restrictive elements of policies of the development plan (specifically Core Strategy policies CS2, CS3, CS7 and CS8) do still apply, the lack of a five-year supply of housing land and the scale of the shortfall limit the weight which can be attributed to these policies. In determining the sustainability of the proposed development, an assessment not only relies upon planning principle but also whether the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or if any adverse impacts exist that would significantly and demonstrably outweigh the benefits of the proposal.

The proposed development within this application seeks to construct 16 dwellings on land within the settlement boundary for Broughton. The settlement scored highly within the North Lincolnshire Settlement Survey 2019, ranking 7th across all settlements and receiving a total settlement score of 52. The settlement scores highly for access to conveniences and community services, with a large number of key services. Notwithstanding the lack of a five-year supply of deliverable sites, Broughton is therefore considered an appropriate location in which to provide new housing.

Having regard to the above, given the site is sustainably located within the settlement of Broughton, the principle of the development is considered to be acceptable in accordance with policies CS1, CS3, CS7 and CS8 of the Core Strategy. New housing development in this location would contribute towards addressing the shortfall in housing across North Lincolnshire, with 16 new homes offering a meaningful contribution towards meeting identified need across the plan area.

Design and impact on the character and form of the 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, 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.'

The proposal would involve the erection of mostly two-storey buildings consisting of semi-detached family homes. Two units are proposed to be semi-detached, with one unit proposed as a bungalow. The surrounding area mainly consists of residential development

of one and two storeys in height. Overall, the surrounding area consists of a variety of buildings of different massing, materials, and design, with older properties within Burnside and secondary roads predominantly bungalows.

The materials to be used in the proposed development would include red and buff facing bricks, with red and anthracite grey roof tiles, with render used in a small number of plots. The proposed palette of materials is modern but in keeping with the prevailing character of the surrounding streets. On this basis, the appearance of the development is considered acceptable.

In terms of scale, siting and design, the layout makes effective use of the available space, providing well-proportioned homes within appropriately-sized plots. The layout maintains adequate separation from existing development, and would enable a smooth transition between the existing properties on Burnside and those within the site. Soft landscaping proposals would help soften the appearance of the development, with more precise details for boundary treatments and planting capable of being secured by an appropriately worded condition.

On balance, it is considered that the proposal would be acceptable in terms of its impacts on the character and appearance of the area and would present a well-designed scheme which complies with the aims of policies CS5 of the Core Strategy and H5 of the local plan.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, 'no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.'

Due to the massing, separation distances and orientation of the proposed building. The proposals are not considered to have any impacts on surrounding properties in respect of overlooking, and given their siting to the north of properties in Sycamore Close and Burnside, there are no concerns in relation to loss of sunlight, daylight or overshadowing.

It is noted that the proposals may introduce more people and movement to the area, including additional vehicles which would navigate through the estate to access the wider road network. However, as the site has previously been considered suitable for the construction of up to 26 dwellings it is not considered sufficient justification to withhold planning permission.

It is inevitable that the construction period will result in some level of disruption to nearby residential properties through noise and other disturbance; however, this will be relatively short-term without harming the long-term amenity of local residents. Conditions can be imposed to control the short-term effects caused by construction work, which would help minimise avoidable disruption during this time.

Fundamentally, upon completion, the impact of the development would not be considered to result in harm to the amenity of local residents. The increase in vehicular traffic associated with the site would be modest, and as the site is close to local services and facilities it is highly likely that a large proportion of trips will be made on foot, or by cycle or public transport.

Overall, the proposals are not considered to have any adverse impacts on the residential amenity of neighbouring properties. The development is considered acceptable in accordance with policies DS1 and H5 of the local plan in this respect.

Highway safety

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the local plan states that all proposals should be provided with a satisfactory access. Policy T19 relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand. 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.

The council's highways department has been consulted and does not object to the proposed development subject to a number of conditions. The proposals are within the settlement limits and close to existing services and facilities, many of which are within convenient walking distance of the site. Broughton is regarded as a highly sustainable location and the highway authority has raised no concerns in terms of the capacity of the surrounding road network. Similarly, whilst the concerns of residents are noted, no concerns have been raised by the highway authority in respect of highway safety.

Overall, it is considered that the site is sustainably located. Sufficient parking is provided within the site for vehicles, and the development can be accommodated on the road network without compromising safety. The proposal is in accordance with policies T1, T2 and T19 of the North Lincolnshire Local Plan, and policy CS25 of the Core Strategy.

Flood risk and drainage

Policies DS16 of the North Lincolnshire Local Plan, CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 166 and 167 of the NPPF are considered relevant in respect of flood risk and drainage.

Policy CS19 (which sits alongside DS16 of the local plan) is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood.

The site is within Flood Zone 1 of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for 'more vulnerable' development; however, given the proposals are within Flood Zone 1, no sequential test is required. Therefore, the proposals are acceptable in respect of flood risk.

The applicant intends to use mains drainage for the disposal of foul and surface water, which is considered acceptable, with no objections raised by the Lead Local Flood Authority or Anglian Water subject to a number of conditions. The proposals seek to dispose of surface water by means of soakaway, which has attracted some objection from residents owing to the higher land levels of the application site.

The application has been supported by a drainage layout and additional supporting information, which has been assessed by the LLFA. The LLFA have indicated that there are fundamental detailed design issues to resolve moving forward, and indicates that the applicant may wish to consider a high level outfall into the highway drainage system on Burnside. However, notwithstanding the shortfalls in the proposed drainage layout the LLFA are satisfied that a suitable scheme can be brought forward at the site to dispose of surface water, precise details of which can be secured by appropriately worded conditions as recommended by the LLFA.

Subject to accordance with such conditions, the proposal is considered to comply with policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

Contaminated land

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.

Paragraph 178 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Comments have been sought from the Environmental Protection team, who have raised no objections subject to a number of standard conditions. The site is former garden land associated with properties on Appleby Lane. As such, there is little reason to suspect that land contamination will pose a risk to new development.

Conditions recommended by the Environmental Protection Team seek to secure desk-based survey and intrusive site investigations to ascertain the potential for land contamination and ensure that any potential contaminants are mitigated. Previous permissions for residential development at the site have been subject to conditions requiring the developer to submit details for remediation in the event that unsuspected land contamination is found during construction work. In the interests of consistency, and owing to the lack of objection from Environmental Protection to this application and previous proposals at the site, it is considered appropriate to impose a condition requiring any unexpected contamination found during construction works to be fully investigated, rather than requiring further survey work up front.

Affordable housing

Core Strategy policy CS9 and the accompanying Affordable Housing Supplementary Planning Document (SPD) sets out the affordable housing policy context for North Lincolnshire.

Policy CS9 outlines that schemes of 15 or more dwellings in the Scunthorpe urban area, 5 or more dwellings in market towns and 3 or more dwellings in rural settlements must make provision for an element of affordable housing. This policy seeks 20% affordable housing in the Scunthorpe urban area and market towns and 10% affordable housing in rural settlements. Policy CS9 allows for off-site contributions where affordable units cannot reasonably be provided on site in line with criteria (a) and (b) of policy CS9.

This application proposes the erection of 16 dwellings within the defined development limits of Broughton, a rural settlement. As such 10% affordable housing is required on site, equivalent to 2 dwellings.

The accompanying statement provided with the application indicates that discussions with Housing Associations prior to submission of the application established that there was no desire to adopt two dwellings within the development. This is often the case where it is not financially viable or operationally suitable for such a small number of units to be taken by registered providers of affordable housing, as ongoing management can be unviable.

In this instance, the applicant is seeking to provide an off-site contribution towards affordable housing in the form of a financial contribution to be secured by a legal agreement pursuant to Section 106 of the Town and Country Planning Act. Subject to this agreement, the proposed development would provide for an appropriate level of affordable housing in accordance with policy CS9 of the Core Strategy.

Ecology

The application has not been supported by any ecological survey work, however the council's ecologist has indicated that past survey work recorded only common and widespread habitats and plant species. No evidence of past or present use by roosting bats was recorded in any of the structures on the site, and that potential for further protected species was limited. Whilst these surveys are now dated, given the low potential for harm to protected species, the council's ecologist has indicated that no further protected or priority species surveys are required. On this basis, it is concluded that the development of the site would not impact upon protected species of wildlife in accordance with policy LC5 of the local plan.

The NPPF indicates that planning policies and decisions should contribute to and enhance the local environment by securing net gains for biodiversity. This requirement is echoed within policy CS17 of the Core Strategy, which seeks to ensure development retains, protects and enhances features of biological and geological interest.

No background ecological survey work has been undertaken to inform the proposed development; however, as noted previously, past data indicates that only common and widespread habitats are found on site. Development of the site would result in a loss of these habitats, resulting in net losses for biodiversity overall. The council's ecologist has indicated that the proposed development should not be approved unless it can deliver at least as many habitat units as the previous permission did (which would still have resulted in net losses for biodiversity), which would need to be supported by biodiversity metric assessments.

Owing to the above, the proposed development would result in the loss of habitats and in its current form would fail to provide or secure net gains for biodiversity. Development of the site is unlikely to be capable of achieving biodiversity net gain, and as a result the proposed development is contrary to policy CS17 of the Core Strategy and conflicts with the aims of the NPPF in this respect.

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.

Public open space

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 CS23 of the North Lincolnshire Core Strategy.

Due to the overall size of the site, there are limited options available to provide meaningful open space on site to benefit local residents. As with previous applications it is proposed to secure an off-site contribution in the form of a financial contribution towards the delivery of open spaces in the local area. This is considered acceptable in accordance with policy CS23 of the Core Strategy, and can be secured by an S106 agreement.

Education and health

The council's Section 106 Officer has confirmed that no contributions are required in relation to health. A contribution towards education is considered to be likely to be required, though at the time of writing this has yet to be confirmed. In the event that primary and secondary contributions are required, it is anticipated that a sum of £8,944 per market dwelling would be sought, totalling £125,216.

Recreation

A total contribution of £14,224 has been indicated as being necessary to contribute towards anticipated costs associated with recreational facilities likely to be used by the development upon completion. The figure is broken down in more detail in the Section 106 Officer's response, but includes provision towards developing new playing pitch provision, swimming facilities and existing sport facilities improvement.

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 and CS23 of the North Lincolnshire Core Strategy, and policy H10 of the North Lincolnshire Local Plan.

Conclusion

Planning permission is sought to erect 16 residential dwellings, comprising a mixture of two-storey detached and semi-detached properties and one bungalow. The application is acceptable in principle, consistent with the requirements of development plan policies in respect of design and impact on the character and appearance of the area, impact on residential amenity, impact on highway safety, flood risk and drainage, and contaminated land.

The proposed development would result in the loss of biodiversity and would fail to secure biodiversity net gain. The redevelopment of the site would result in the loss of common and widespread habitat features, and would not impact upon protected species of wildlife. The development would therefore conflict with the aims of policy CS17 of the Core Strategy.

The council is unable to demonstrate a five-year supply of deliverable housing sites. The policies which are most important for determining the application should therefore be regarded as being out of date, and a presumption in favour of sustainable development should be applied in accordance with paragraph 11 of the NPPF.

This states that for decision-making, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development, when assessed against policies in the Framework taken as a whole. Members therefore need to balance the inability of the development to secure biodiversity net gain against the meaningful contribution the development would provide to address the current shortfall in housing across North Lincolnshire.

For reasons set out within this report, it is recommended that the benefits of the development generated through the construction of 16 new homes would significantly outweigh the conflict with policy CS17 of the Core Strategy and loss of common and widespread habitat features from within the site.

Financial contributions are required to offset other impacts of the proposed development, which can be secured via a Section 106 Agreement. Education provision is still to be determined and as no agreement has been formally entered into the local planning authority recommends that members be minded to approve planning permission subject to resolution of these outstanding matters and subject to completion of the Section 106 Agreement.

Pre-commencement conditions

The pre-commencement conditions included in the recommendation have been agreed with the agent/applicant.

RECOMMENDATION

Subject to the completion of a formal agreement under Section 106 of the Town and Country Planning Act 1990 providing for financial contributions towards affordable housing, education provision, recreation and open space contributions, the committee resolves:

- (i) it is mindful to grant permission for the development;**

- (ii) **the decision be delegated to the Development Management Lead upon completion of the legal agreement;**
- (iii) **if the legal agreement is not completed by 4 January 2024 the Development Management Lead be authorised to refuse the application on grounds of no affordable housing contribution, no education contribution, and no recreation or open space contributions; and**
- (iv) **the permission so granted be 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:

8821-101 Site Location Plan

8821-103 Proposed Block Plan & Materials

8821-104 Proposed Block Plan & House Types

8821-105 Proposed Site Plan & Landscaping

8821-106 Type 3BB1

8821-107 Type 3B1

8821-108 Type 3B2

8821-109 Type 3B3

8821-110 Type 3B4

8821-111 Type 3B5

8821-112 Type 4B1

8821-113 Type 4B2

8821-114 Type 4B3

8821-115 Type 4B4

Reason

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

3.

Notwithstanding the detail contained within the application, no development shall commence until a detailed surface water drainage scheme for the site has first been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and geological context of the development. The drainage scheme shall be based upon the submitted Soakaway calculations report prepared by Hall Infrastructure Design Ltd, version 1, dated 29/06/2022.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance at the time the applicant seeks to discharge this condition) will not exceed the run-off from the existing site. It shall also include details of

how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. Reference must be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document.

Thereafter, the development shall be constructed in accordance with the approved details.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and to ensure the implementation and future maintenance of the SuDS scheme in accordance with policies CS18 and CS19 of the Core Strategy.

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, and from the highway onto the developed site, have first been submitted to and approved in writing by the local planning authority. Thereafter, surface water drainage shall be provided in accordance with the approved scheme prior to the parking areas being constructed and brought into use.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and to ensure the implementation and future maintenance of the SuDS scheme in accordance with policies CS18 and CS19 of the Core Strategy.

5.

Tree and hedgerow planting shall be carried out in accordance with the approved specification for each residential dwelling prior to occupation of each individual property.

Reason

In the interests of the character and appearance of the development, and to ensure landscaping is provided in accordance with the approved plans for each property, in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

If, within a period of five years from the date of planting, any tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree within two months of being requested to do so by the local planning authority.

Reason

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

7.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out

until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure land contamination does not pose a risk to future occupants of the development, in accordance with policy DS11 of the North Lincolnshire Local Plan.

8.

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, in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of –

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits;
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.

Light: The CEMP shall set out the particulars of –

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) location of potential temporary floodlights;

- (d) identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of –

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a 'no burning of waste' policy.

Reason

To protect residential amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

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 policies T2 and T19 of the North Lincolnshire Local Plan.

11.

The proposed new dwellings shall not be occupied until the vehicle access to the development, and the vehicle parking and turning areas, have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

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

12.

No development shall commence until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming

arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

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

13.

No development shall commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

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

14.

No development shall begin until details of:

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

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

Reason

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

15.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

16.

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

Reason

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

17.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

18.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

19.

No development shall commence until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

20.

No development shall take place above damp proof course level until a scheme for on-site foul water drainage works, including connection point and discharge rate, has first been submitted to and approved in writing by the local planning authority. Prior to the occupation of any dwelling, the foul water drainage works relating to that property must have been carried out in complete accordance with the approved details.

Reason

To prevent environment and amenity problems arising from flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

Informatives

1.

This application must be read in conjunction with the relevant Section 106 Agreement.

2.

Access for the Fire Service:

It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for firefighting is provided to all buildings or extensions to buildings. Where it is a requirement to provide access for high

reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 24 tonnes.

Water supplies for fire-fighting:

Adequate provision of water supplies for fire-fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate, it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high-risk areas should be located at 90m intervals. Where a building which has a compartment of 280m² or more in area is being erected more than 100m from an existing fire hydrant, hydrants should be provided within 90m of an entry point to the building and not more than 90m apart. Hydrants for low risk and residential areas should be located at intervals of 240m.

3.

The developer needs to provide a detailed surface water drainage drawing, pulling together all drawings included in this application. The developer needs to fully consider a high level outfall option into the adjacent highway drain on Burnside and/or oversizing of the proposed surface water drainage design given the site investigation results (perched groundwater).

4.

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

- (i) 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; and
- (ii) 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.

5.

Feasible drainage strategy needs to be agreed with Anglian Water prior to the commencement of development. The strategy needs to include:

- development size
- proposed discharge rate (should you require a pumped connection, please note that Anglian Water's minimum pumped discharge rate is 3.8l/s)
- connecting manhole discharge location (no connections can be made into a public rising main)
- notification of intention to connect to the public sewer under S106 of the Water Industry Act (more information can be found on Anglian Water's website)
- feasible mitigation strategy in agreement with Anglian Water (if required).

6.

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/2022/1857

**North
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Council**

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PA/2022/1857 Proposed layout (not to scale)

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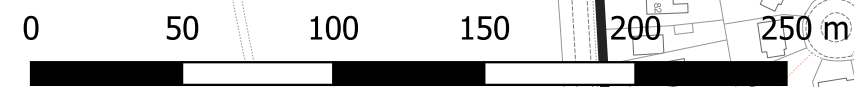


PLOT	TYPE	FFL	MATERIALS	
			WALLS	ROOF
1	483	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
2	484	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
3	481	40 250	Itstock Bradgate Golden Purple & part render	Crest Planum Concrete Flat Tile (Anthracite)
4	381	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
5	382	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
6	381	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
7	482	40 550	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
8	481	41 000	Itstock Bradgate Golden Purple & part render	Crest Planum Concrete Flat Tile (Anthracite)
9	482	41 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
10	385	40 950	Itstock Bradgate Golden Purple & part render	Crest Planum Concrete Flat Tile (Anthracite)
11	385	40 950	Itstock Bradgate Golden Purple & part render	Crest Planum Concrete Flat Tile (Anthracite)
12	483	40 750	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
13	384	40 500	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
14	383	40 300	Itstock Bradgate Golden Purple & part render	Crest Planum Concrete Flat Tile (Anthracite)
15	384	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red
16	3681	40 250	Itstock Ivanhoe Westminster	Concrete Double Pantile Rustic Red



Project	Proposed Residential Development	
Location	Land off Burnside, Broughton	
Drawing Title	Proposed Block Plan & Materials	
Status	Planning	
Date	12.09.2022	
Scale	1:500 @ A2	
Drawing No.	8821-103	Rev

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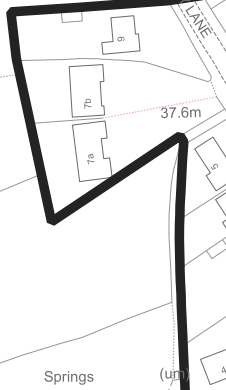
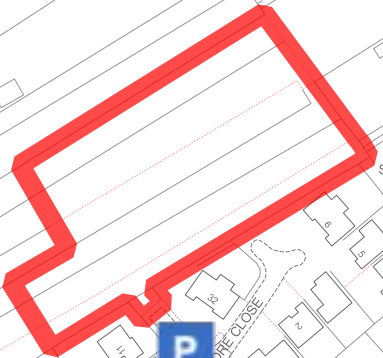


B1207 to
Appleby

Track

44.2m
Shelter

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B1207 to
Scawby

Development Boundary

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APPLICATION NO	PA/2022/2027
APPLICANT	Mr Christopher Haley
DEVELOPMENT	Planning permission for a change of use of vacant land to use as dog walking site, installation two LED flood lights & CCTV cameras
LOCATION	Low Hill Farm, access road to Low Hill Farm, Messingham, DN17 3PS
PARISH	Messingham
WARD	Messingham
CASE OFFICER	Paul Skelton
SUMMARY RECOMMENDATION	Refuse
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest)

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well-designed places

North Lincolnshire Local Plan:

RD2 – Development in the Open Countryside

LC7 – Landscape Protection

T1 – Location of Development

T2 – Access to Development

T19 – Car Parking Provision and Standards

DS1 – General Requirements

DS11 – Polluting Activities

DS12 – Light Pollution

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

CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

CS25 – Promoting Sustainable Transport

Housing and Employment Land Allocations Development Plan Document:

Policy PS1 – Presumption in favour of sustainable development

North Lincolnshire Landscape Character Assessment & Guidelines

New North Lincolnshire Local Plan Submission:

The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 – Presumption in Favour of Sustainable Development

SS2 – A Spatial Strategy for North Lincolnshire

SS3 – Development Principles

SS11 – Development Limits

EC6 – Supporting the rural economy

RD1 – Supporting sustainable development in the countryside

DQE1 – Protection of Landscape, Townscape and Views

T1 – Promoting Sustainable Transport

T3 – New development and transport

DM1 – General Requirements

CONSULTATIONS

Highways: Request a condition to secure parking prior to the development being brought into use.

LLFA Drainage: No objections or comments.

Environment Agency: No comments.

Environmental Protection: Concerned that the new use may have an adverse impact on nearby residential amenity as a result of the use itself and floodlighting. Recommend conditions to control both.

PARISH COUNCIL

No objections subject to reassurance that an assessment is carried out of the LED floodlights.

PUBLICITY

The application has been advertised by site notice. Two comments in support of the application have been received from members of the public raising the following points:

- This will be a great addition to the local area for dog owners to exercise their pets in a secure area. Added bonus of being able to buy a hot drink whilst the dogs have fun running around. I would look forward to using it.
- This area is crying out for secure places to exercise and train dogs - there is a very high demand for this kind of service. There are some lovely parks etc in the area but sadly they are not secure and can get very busy.
- This is an ideal alternative for dogs who wouldn't normally be walked off lead due to reactivity or lack of recall where they can be free to run and play and be trained in a safe place. It will be a huge benefit to local people and their dogs.

One letter has been submitted that supports the principle of the development but raises the following concerns:

- No thought has been given to the fact that the area is adjacent to a public footpath.
- Although the proposal shows the area properly fenced (open wire), the area is not screened in any way. It has an open view of the footpath, which is used regularly by walkers, ramblers, traffic to farms, fishing pond etc. Given that the dogs that use the facility may be nervous or reactive etc and there could be up to six dogs at any one time at the facility, I feel it should be fully screened where it runs adjacent to the drainage ditch and public footpath/access road to avoid any anxiety and excess noise for other users of the public footpath.
- The second entrance to Low Farm, through which the farmer accesses his field, is not gated, so there is a possibility wildlife (the area has several roe deer which roam freely) and/or other footpath users' dogs could go right up to the boundary fence of the exercise area, causing confrontation between dogs.

ASSESSMENT

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

The site and its location

The site is located on the southern side of West Common Road, around 480m from the junction with North Moor Lane. To the south is a dwelling (Low Hill Farm, occupied by the applicant) and land and buildings associated with the North Moor Aero Club. Otherwise the site is surrounded by flat, open agricultural land. Further to the north are agricultural buildings and a sewage treatment plant. Further south, on Butterwick Road, are Messingham Zoo and the Lincolnshire Golf Academy.

The site itself is a grassed field measuring some 1.9 acres (approximately 0.76 hectares). There is a farm gate with a short hard-surfaced access leading from West Common Road, which terminates just a couple of metres past the gate. Google Earth shows what is assumed to be a static mobile home, which previously appears to have been used in connection with the Aero Club, within the field approximately 80m back from the road, although this now appears to have been reorientated and moved closer to the road. Between the road and the edge of the site is a grass verge and ditch. There are currently no boundary treatments to speak of, which is common in the immediate landscape. A row of ornamental trees line the access road to the dwelling, immediately to the east of the site.

West Common Road is a Public Right of Way (PROW). The road (and PROW) turns northwards immediately after the application site and a PROW also continues in a westerly direction as a recreational footpath.

Planning history

PA/1999/1191: Planning permission to change the use of land to a private aero club and grass air strip – refused

PA/2000/0623: Planning permission to change the use of land to grass airstrip and private aero club including siting of pre-fabricated buildings and surfaced car park with associated facilities (re-submission of 1999/1191) – granted with conditions

PA/SCO/2022/6: EIA scoping request for a Humber Low Carbon Pipeline

The development

The application proposes the change of use of the field to a dog walking site. The application also proposes fencing all around the site, the provision of two secure gravelled car parks, the installation of lighting and CCTV cameras. The existing static caravan is proposed to remain in its present location to allow for LED flood lighting of the secure dog walking area and for customers to provide a seated observation area within the caravan, a toilet and refreshment, as well as water for their dogs.

The applicant explains that secure dog parks have become very popular in the UK in recent years. The benefits of the proposed use in this case include the following:

- a safe place to exercise dogs off lead that are reactive or timid

- extra security for people with disabilities (prevent dog theft or dog wandering off)
- two separate gravel car parks to prevent dogs meeting at change over
- LED flood lighting to allow people with limited free time to access when dark
- 1.8m-high V-MESH green fencing which maintains openness of field
- promotes responsible dog ownership
- off-leash secure fenced dog parks are an important option for reducing the large number of dogs being exercised off-leash and without being under effective control.
- the proposed secure dog park is over 300m away from all neighbouring rural properties.
- there are no other secure dog parks in the area
- easy vehicle access from North Moor Lane onto West Common North Road to Low Hill Farm
- local job creation for site maintenance (grass cutting and static caravan cleaning)
- disabled accessible friendly.

Material considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission the local planning authority shall have regard the provisions of the development plan, so far as material to the application, any local finance considerations, so far as material to the application, and any other material considerations.

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). Other material planning policy considerations include the National Planning Policy Framework (the NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents as specified above.

The main issues for consideration are the principle of development, and impact on landscape, and on the character and appearance of the area.

The principle of development

Policy CS1 of the Core Strategy sets out a spatial strategy for North Lincolnshire, which, amongst other matters, states that in the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities.

Policy CS3 provides that outside settlement boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were

subsequently defined in the HELAP, and the application site is located outside of any designated development limits.

Saved local plan policy RD2 restricts development in the open countryside. It allows for various types of development appropriate to a rural area, including employment-related development appropriate to the open countryside, and that which is essential for the provision of outdoor sport, countryside recreation or local community facilities.

These exceptions are subject to various criteria, including that the open countryside is the only appropriate location and the development cannot be located within development boundaries, the development accords with the local plan as a whole, there would be no detriment to character and appearance of the area, the development would not be detrimental to residential amenity or highway safety, accessibility to local transport and that best use is made of existing and new landscaping.

Similar policies are included in the emerging local plan which has been submitted for examination but at this stage is given limited weight in the decision-making process.

In terms of benefits, these are necessarily limited by the scale of development. The proposal would result in economic benefits, both during and post-construction, including the creation of additional employment opportunities, and the creation of a facility for use by local residents.

In conclusion, the principle of development is capable of being acceptable; however, this depends on the assessment of the proposals against the criteria of the relevant development plan policies, and in particular the impact on landscape and the character and appearance of the area.

Landscape/character and appearance of the area

In addition to the requirements of policy RD2 set out above, local plan policy LC7 requires special attention to 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. This is reflected in policy CS16 of the Core Strategy, and the NPPF which encourages planning decisions to recognise the intrinsic character and beauty of the countryside.

Core Strategy policy CS2 requires a high standard of design. Development should contribute towards the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities. Policy CS5 requires good design which is appropriate to its context. Proposals should consider the relationship between any buildings and the spaces around them, and how they interact with each other as well as the surrounding area.

Local plan policy DS12 sets out that planning applications which involve light-generating development, including floodlighting, will only be permitted where it can be demonstrated that there would be no adverse impact on local amenities.

The NPPF similarly calls for high quality design. In particular, paragraph 130 requires, among other things, developments which will function well and add to the overall quality of the area; are visually attractive as a result of, among other things, good layout; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place; and 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.

The site falls within the Trent Levels character area as defined in the North Lincolnshire Landscape Character Assessment & Guidelines (LCAG). This area's key characteristics include that it is a generally flat open landscape with occasional rising ground and little vegetative cover, with a large open field structure defined by well-maintained drainage ditches. The landscape offers expansive views with very little diversity in character.

The application site is set within a distinct area of open landscape as described in the LCAG. Whilst existing vegetation would screen the proposed development when viewed from the east, when travelling from the west or north along the PROWs, and from in front of the site, there would be clear views across the site. The proposed fencing would be an alien feature in the immediate landscape which is devoid of such features. The applicant has suggested the impact of the fencing could be mitigated by additional hedgerow planting; however, any additional structural landscaping would in itself represent an alien feature in the landscape. The provision of fencing and landscaping would therefore cause harm to the immediate landscaping. This would be compounded by the proposed car parking areas with security gates which would extend the fence closer to the PROW at the front of the site.

Whilst the applicant's adviser has indicated that the fencing could be permitted development (although officers do not consider this would necessarily be the case), the requirement for the fencing is necessarily driven by the use of the land as is demonstrated by the fact that fencing has not previously been erected.

The harm to the landscape would be further compounded by the proposed introduction of floodlights. The applicant has provided details of floodlights which would not have an unacceptable impact on bats. Whilst this is laudable from an ecology perspective, it does not address the landscape harm that would result from floodlighting on the site, a matter which has been recognised by the parish council in its consultation response. The introduction of floodlights would mean that the development would be intrusive from longer distance views and would harm the landscape at times when the floodlights are operational.

It is recognised that there are other commercial uses in the area as set out above. However, this does not justify further intrusion into the open countryside which would cause harm to its character and appearance. It is also recognised that there is some built form on the site in the guise of the static mobile home. It appears that a mobile home was permitted as part of the permission granted in 2000, however it is not clear whether the mobile home was sited pursuant to that permission; as set out above, it does appear to have been moved recently.

Overall, the design of the proposals does not respond well to its context and fails to recognise the intrinsic character of the area as required by the NPPF. It is considered that the proposed development, by reason of its general nature, the proposed fencing, hardstanding and floodlighting would have a harmful impact on the character and appearance of the countryside, and in particular the distinctive landscape within which the site is located. The proposals would be contrary to saved local plan policies RD2, LC7, DS1 and DS12, policies CS5 and CS16 of the Core Strategy and guidance in the National Planning Policy Framework.

Other issues

The site is accessed from a minor road leading from North Moor Lane. Whilst this road is also a PROW, the proposal would be unlikely to result in significant amounts of vehicular traffic. Parking and turning areas are proposed which would allow vehicles to park off the highway and be able to enter it in a forward gear. The Highways Officer raises no objection subject to a condition requiring the parking/turning area to be provided before the development is brought into use.

The Environmental Protection Officer has recommended conditions to protect the amenity of nearby residents from both the use itself, and from the proposed floodlights. Nevertheless, there are no immediate neighbours, with the nearest residential property (other than the applicant's own property) approximately 350 metres away to the south, and even then, this is beyond the dwelling and buildings at Low Hill Farm. For that reason, it is not considered that the conditions would be necessary in this instance to protect nearby residents.

The site is within SFRA Flood Zone 2/3 (a) Fluvial. A flood risk assessment has been submitted which explains that no levels are proposed to be changed and that the site benefits from a new pumping station at Keadby. Notwithstanding this, the development is low key and will not significantly increase the risk of flooding elsewhere. North Moor Lane, and much of West Common North Road, is within Flood Zone 1 so there is safe access close to the site. As the use involves an open-air pursuit, it would be clear to any users arriving at the site whether there was a risk of flooding, just as it would when exercising a dog at any location. The applicant has indicated that they would sign up to the Environment Agency's flood warning scheme and this could be secured by planning condition if necessary. The LLFA has been consulted and raises no objection.

Conclusions and planning balance

As set out above the broad principle of development is acceptable. There are no unacceptable impacts in respect of neighbouring property, highway safety, flood risk or drainage.

The proposal would give rise to, albeit limited, economic benefits. There is also some benefit in the provision of a facility by members of the community who wish to exercise their dogs at a facility such as this one. These benefits must be weighed against any harms arising from the proposals. In this case there would be harm to the character and appearance of the landscape as identified in this report and it is not considered that the limited benefits identified above would outweigh this harm. The application is therefore recommended for refusal.

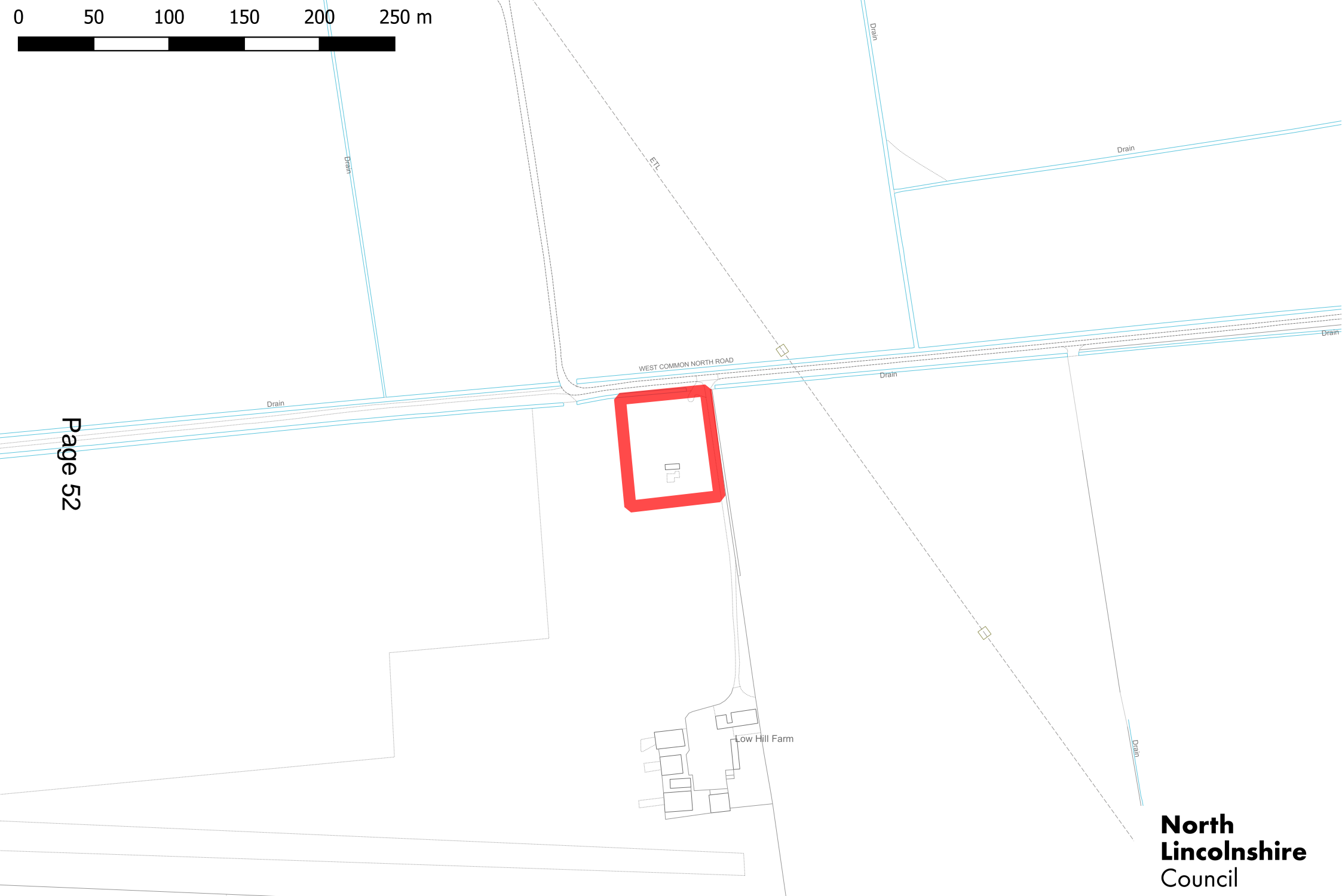
RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed development, by reason of its general nature, the proposed fencing, hardstanding and floodlighting, would have a harmful impact on the character and appearance of the countryside, and in particular the distinctive landscape within which the site is located. The proposals would therefore be contrary to saved policies RD2, LC7, DS1 and DS12 of the North Lincolnshire Local Plan, policies CS5 and CS16 of the North Lincolnshire Core Strategy and guidance set out in chapters 12 and 15 of the National Planning Policy Framework.

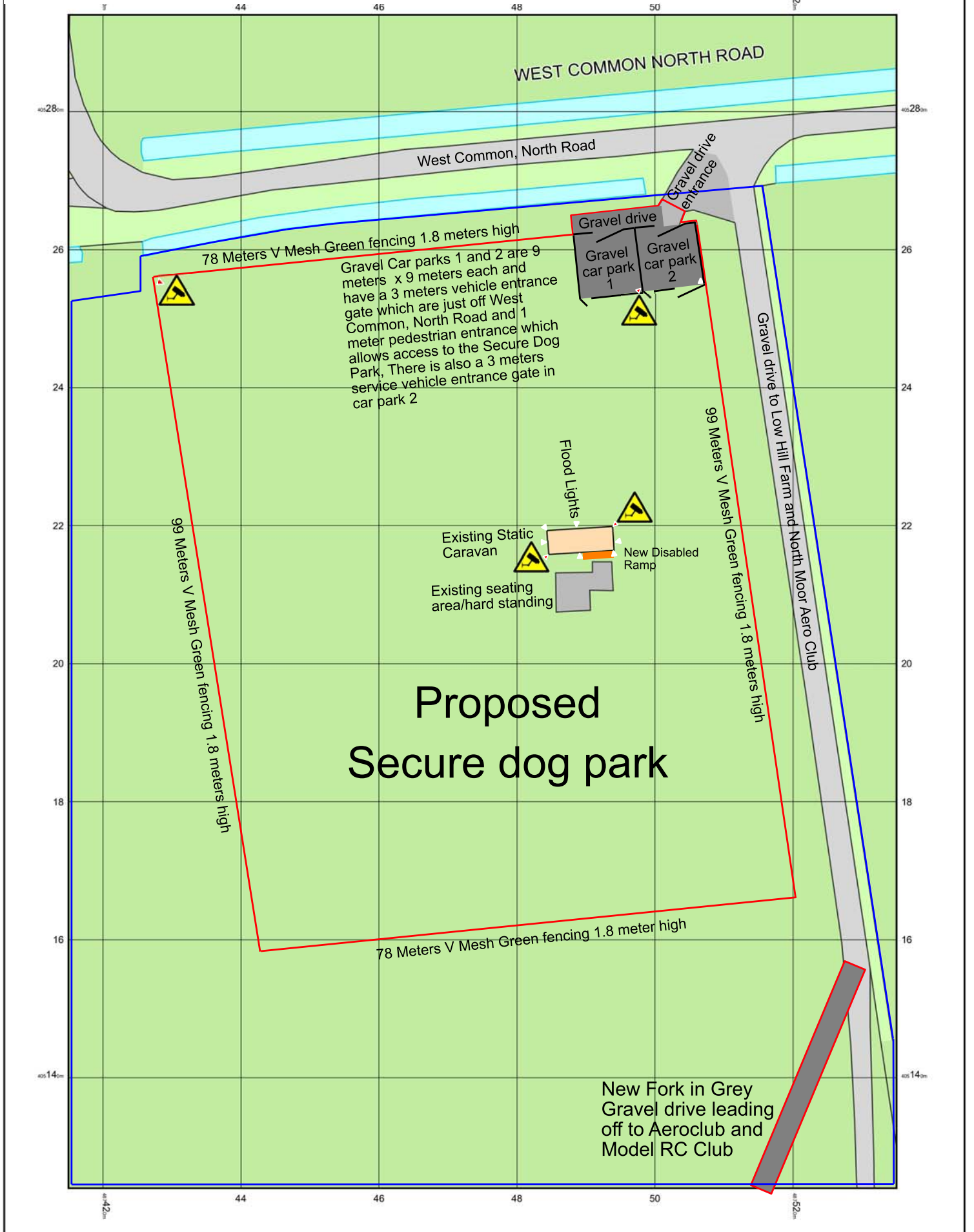
Informative

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.





PA/2022/2027 Proposed layout (not to scale)



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North Moor Lane to Scunthorpe

North Moor Lane to Scotter

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Low Hill Farm

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2022/2133
APPLICANT	Mrs Bev Suszczenia
DEVELOPMENT	Planning permission to change the use of an existing two-storey outbuilding into a single one-bedroom dwelling
LOCATION	6 Greenhill Road, Haxey, DN9 2JE
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Paul Skelton
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

H5 – New Housing Development

H8 – Housing Design and Housing Mix

E5 – Development affecting Listed Buildings

T1 – Location of Development

T2 – Access to Development,

T19 – Car Parking Provision and Standards

DS1 – General Requirements

DS14 – Foul Sewage and Surface Water Drainage

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

CS6 – Historic Environment

CS7 – Overall Housing Provision

CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

CS17 – Biodiversity

CS25 – Promoting Sustainable Transport

Housing and Employment Land Allocations Development Plan Document:

Policy PS1 – Presumption in favour of sustainable development

Inset 23 – Haxey

New North Lincolnshire Local Plan Submission:

The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

H2: Housing Mix and Density

DQE1: Protection of Landscape, Townscape and Views

T1: Promoting Sustainable Transport

DM1: General Requirements

CONSULTATIONS

Highways: No comments or objections.

LLFA Drainage: No comments or objections.

Environmental Protection: Request precautionary contaminated land condition.

Severn Trent Water: Suggest informative regarding public sewer connection.

PARISH COUNCIL

Welcomes the principle of providing an affordable small dwelling in the parish by use of what may or may not be a redundant building but, in this particular case, is concerned about over development and road safety.

The parish council also has concerns about the very limited amenity space, if any.

Greenhill is in an area that already historically suffers from substantial unresolved parking issues as a result of the shop and barber's businesses plus two relatively newly erected cottages (one already having planning permission for an extension) which, taken together, reduce the amount of off-street parking for residents, customers and staff.

The access is poor due the blind bend in the road limiting visibility of vehicles coming from the north, which is considered a key feature in determining the safety of other road users at the busy junction.

Given its concerns, the parish council views this proposal as over-development of the site as a whole and objects to the application.

PUBLICITY

The application has been advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015. No comments have been received from members of the public.

ASSESSMENT

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

The site and its location

The application site is within the settlement limits of Haxey close to the junction of Greenhill Road and Church Street. The building within the site appears to have been used as a garage and storage/office space for the neighbouring Greenhill Stores. The garage doors originally on the front elevation have been bricked up, presumably at the time of the development of two houses at the rear. The red line site boundary as proposed includes all

the area at the front of the site between the dwelling attached to the Stores and 8 Greenhill Road, including land which provides access to two dwellings to the rear and 'ad hoc' parking for Greenhill Stores, which lies to the south.

To the east and north are residential dwellings. Across Greenhill Road to the west is a small green on which is a listed cross shaft known as 'Mowbray Cross'. The wider area is largely residential in nature.

Planning history

Of most relevance to the current application is application reference PA/2013/0326, for conversion of the building to a dwelling, however this was withdrawn.

Permission was granted for two dwellings to the rear of the site in 2014; these have now been completed.

The development

The application proposes the conversion of the existing building to a single dwelling. There are minimal external changes proposed with no new openings. The ground floor would be used as an open plan living/kitchen area, with a bedroom and shower room/WC on the first floor. Outside there would be two dedicated car parking spaces and a small area which would be planted with shrubs. Two spaces would be retained for use by the shop.

Material considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission the local planning authority shall have regard the provisions of the development plan, so far as material to the application, any local finance considerations, so far as material to the application, and any other material considerations.

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). Other material planning policy considerations include the National Planning Policy Framework (the NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents as specified above.

The main issues for consideration are the principle of development, heritage issues, highway safety and impact on neighbouring property.

The principle of development

The site is within the settlement boundary of Haxey, as defined by the Housing and Employment Land Allocations DPD, in an area where new housing is supported by the North Lincolnshire Local Plan and Core Strategy. The principle of development is therefore acceptable.

At the current time the council is unable to demonstrate a five-year supply of deliverable housing sites. Paragraph 11 of the NPPF indicates that development should be permitted

where housing policies are out of date because, amongst other things, a five-year supply cannot be demonstrated, unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The NPPF is a material consideration, nevertheless, there are development plan policies, which are not out of date, and other guidance in the NPPF which need careful consideration in the overall planning balance.

Design/character and appearance of the area

Saved policy DS1 of the local plan, Core Strategy policy CS5 and section 12 of the NPPF all seek high quality design. Policy DS1(i) sets out that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area. This is reflected in policy CS5 and the NPPF.

There are no material changes to the external form or appearance of the building. The proposal would add some vitality to the character of the area as the building would be brought into more active use.

The parish council has raised concern about the absence of any amenity space; however, in the context of the site, the type of dwelling proposed (a one-bedroom property) and the five year supply shortfall, it is not considered that this matter significantly and demonstrably outweighs the albeit limited benefits arising from the proposal.

Overall, as there would be limited changes, there would be no unacceptable impacts from a design perspective and there would be no harm to the character and appearance of the area.

Heritage issues

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Local plan policies HE5 and HE7, and Core Strategy policy C6, reflect this duty.

As set out above, there is a listed cross shaft on the green opposite the site. The setting of this structure is one very much dominated by residential development and the addition of a further dwelling involving the conversion of an existing building would not cause any harm to the listed cross shaft or the way in which it is experienced.

Highway safety

Local plan policy T2 requires all development to be provided with a satisfactory access. The NPPF, at paragraph 110(b), requires safe and suitable access to the site to be achieved for all users. Paragraph 111 advises that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

As noted above, the parish council has raised concerns because of the existing access arrangements. Nevertheless, the car parking area proposed for the new dwelling currently serves the existing shop. Whilst the pattern of use would be different, it is likely that the use by residents of the dwelling would be much less than as a parking area associated with the existing shop.

The highways officer has been consulted on this application and raises no objection. The access already serves the two dwellings to the rear which were permitted as recently as 2014 and there is no indication that highways conditions have worsened since that time. The highways officer did not object to the application for the two dwellings, nor did they for the withdrawn application to convert this building in 2013, commenting at the time that, whilst visibility is limited on the approach side, the 'garage' and car park were already served by the existing access point. It should be noted that the access has been widened since the previous application following the development of the two dwellings to the rear.

In light of the above, there is no objection on transport/highway safety grounds.

Impact on neighbouring property

Local plan policies all seek to protect the living conditions of occupiers of nearby residential property. Local plan policy DS1 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.' The NPPF (paragraph 130(f)) requires decisions to 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.

Whilst the building is in very close proximity to the dwellings to the north and east, the structure itself remains unchanged and no new openings are proposed. There is a first-floor window on the rear elevation which serves the stairs/landing area. The building is likely to be used more intensively as a dwelling and it is considered reasonable and necessary to impose a condition requiring that window to be obscure glazed and fixed shut.

The proposed residential unit is small however would meet minimum space standards. The Parish Council, as noted above, have raised concern about the lack of amenity space however given the nature of the proposal it is not considered that this in itself would justify refusal in this case, particularly in the context of the current five-year supply shortfall.

Otherwise, it is not considered there would be any unacceptable impacts arising from the proposed development on existing or future residents.

Other matters

The Environmental Protection Officer has raised no objection but, given historic land uses, has suggested a precautionary condition requiring any contamination found during construction to be properly addressed.

The site is located in flood zone 1, the area at least risk of flooding. The LLFA has been consulted and raises no objection.

Conclusions and planning balance

The principle of residential development in this location is considered acceptable. The application proposes a net increase of one dwelling in a sustainable location which meets

the broad strategy for delivery of housing in the district. This weighs in favour of the application. As the council cannot currently demonstrate a five-year supply of deliverable housing sites, added weight is given to the provision of an additional house, however this is tempered by the fact that it would only be a single dwelling added to the supply, as are the limited economic benefits.

Nevertheless, whilst the parish council's comments are noted, no harms have been identified as set out in this report. The concerns about the absence of amenity space, in the context of the development proposed do not significant and demonstrably outweigh the benefits. There would be no harm to the character and appearance of the area and there would be no undue impacts, subject to the recommended condition requiring the rear window to be obscure glazed and fixed shut, on the living conditions of neighbouring properties. The proposal is likely to result in fewer vehicular movements using the existing access and there would be no harm to the nearby listed cross shaft.

Overall, the proposal is considered to represent sustainable development in accordance with the development plan, and it is recommended that permission is granted subject to the conditions outlined below.

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:

- Drawing no. 22/31-02 (Block Plan)
- Drawing no. 22/31-03 (Existing and proposed plans and elevations)
- Drawing no. 22/31-04 (Parking and Tracking).

Reason

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

3.
The dwelling hereby permitted shall not be first brought into use until the window on the rear (east facing) elevation has been fitted with obscure glazing (Pilkington level 4 or equivalent) and permanently fixed shut, and it shall thereafter be retained as such for the lifetime of the development.

Reason

To safeguard the living conditions of the occupiers of the neighbouring dwelling.

4.
Prior to the dwelling hereby permitted being occupied, the parking shown on the approved plan shall be made available for use for the parking of vehicles by the occupiers of the dwelling, and shall be retained thereafter for that use.

Reason

In the interests of highway safety.

5.

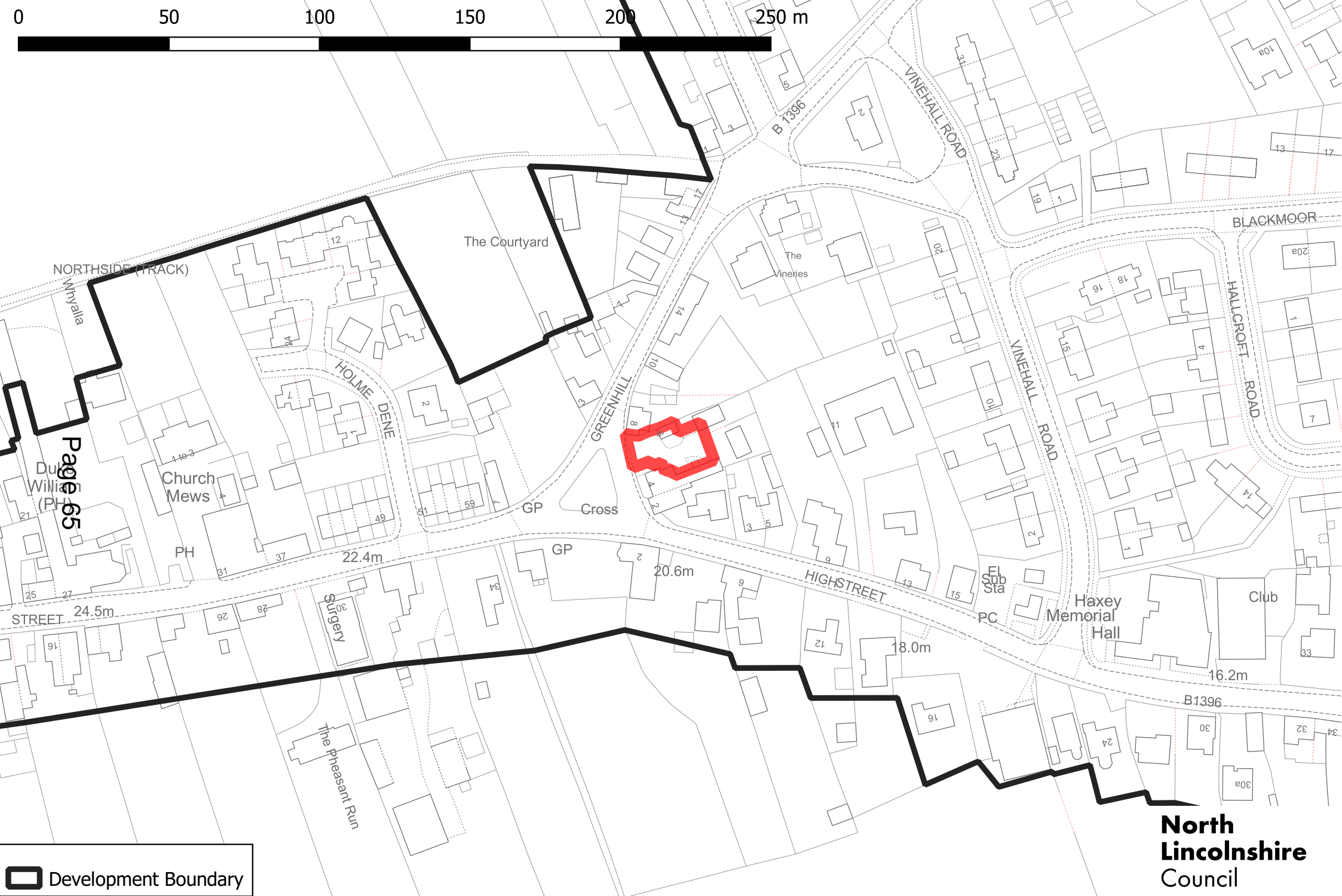
If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved in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

Reason

In the interest of the health of construction workers and future residents.

Informative

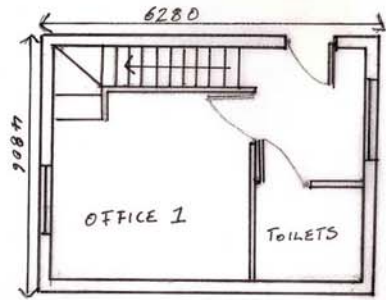
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



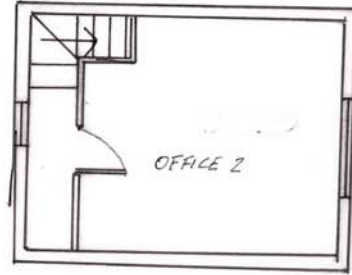
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PA/2022/2133

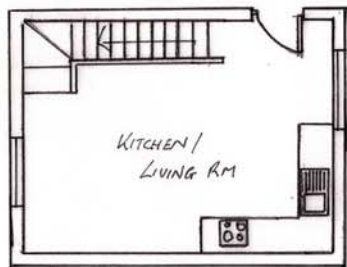
**North
Lincolnshire
Council**



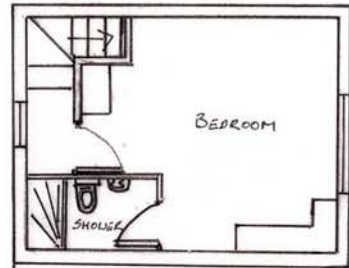
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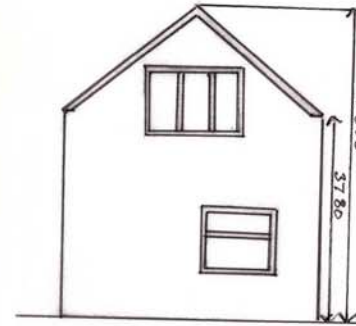
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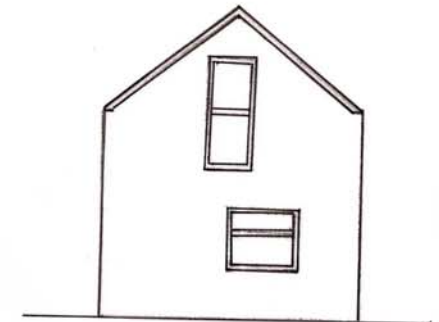
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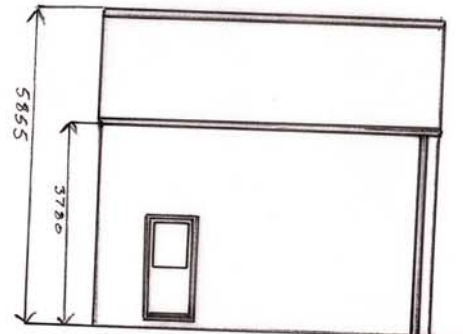
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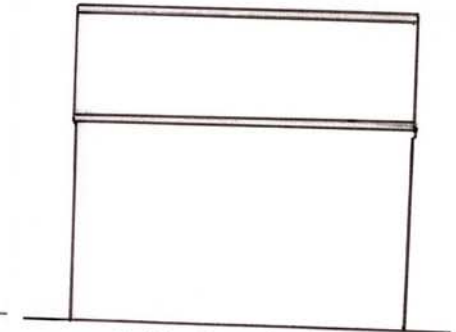
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

Susan Chan (MRTP1)
Planning Consultant
susanhms78@gmail.com

07761 044 043



HMS Town Planning & Urban Design

OUTBUILDING 2 GREENHILL ROAD,
HAXEY, N. LINCOLNSHIRE, DN9 2JE

NOTES:

All dimensions must be checked on site and not scaled from this drawing.

Client
MRS BEV SUSZCZENIA

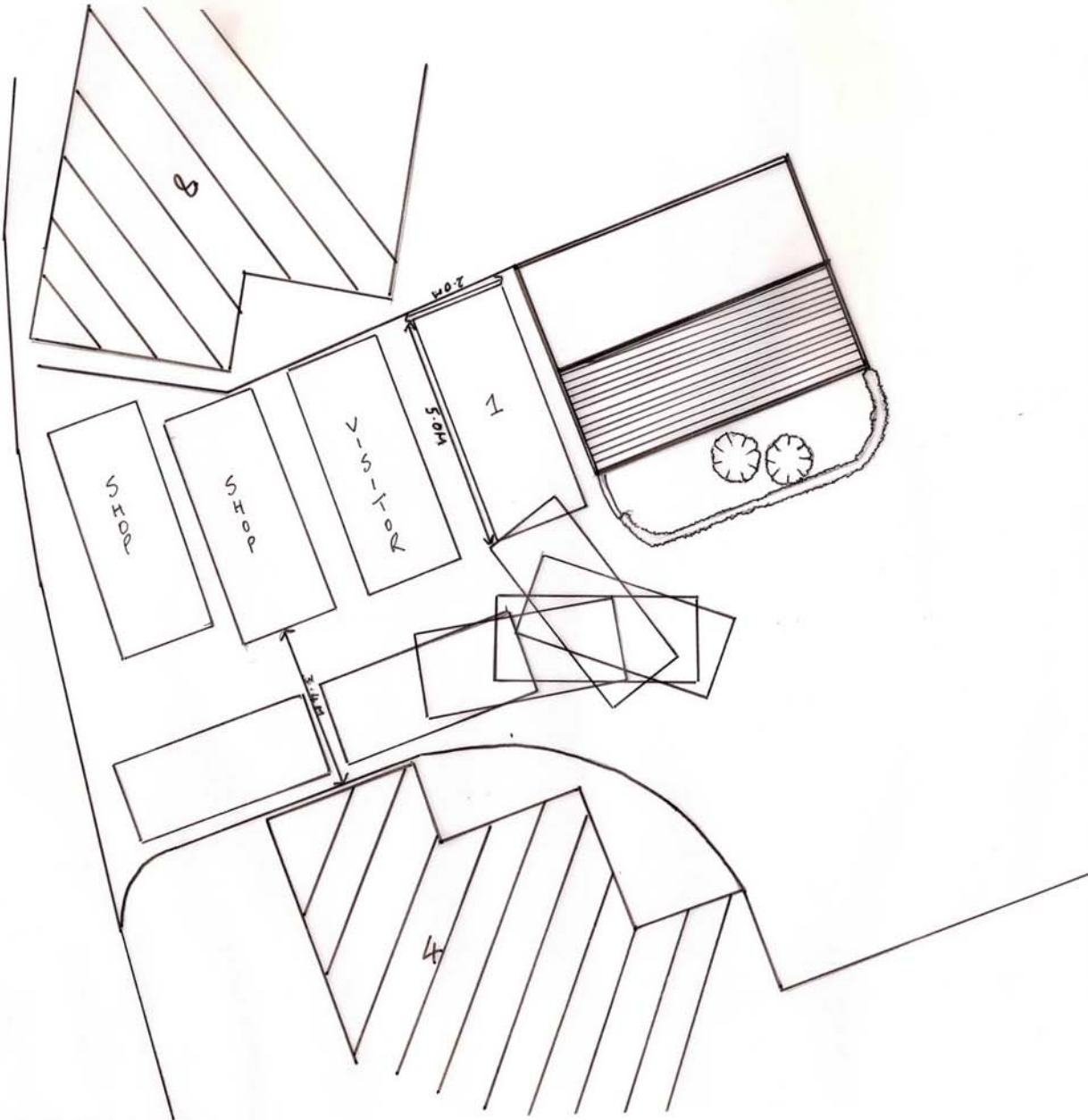
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CHANGE OF USE

Scale
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Drawn by SC
Date 28.11.22

Drawing Title
GH-PLNS -22/31-03

Drg No. 22/31-03
Rev



Susan Chan (MRTP)
 Planning Consultant
 susanhms78@gmail.com

07761 044 043



HMS Town Planning & Urban Design

GREENHILL STORES 2-4 GREENHILL ROAD,
 HAXEY, N. LINCOLNSHIRE.

NOTES:

All dimensions must be checked on site and not scaled from this drawing.

Client

MRS SUSZCZENIA

Job Title

PARKING + TRACKING

Scale

1:100 @ A3

Drawn by

SC

Date

28.11.22

Drawing Title

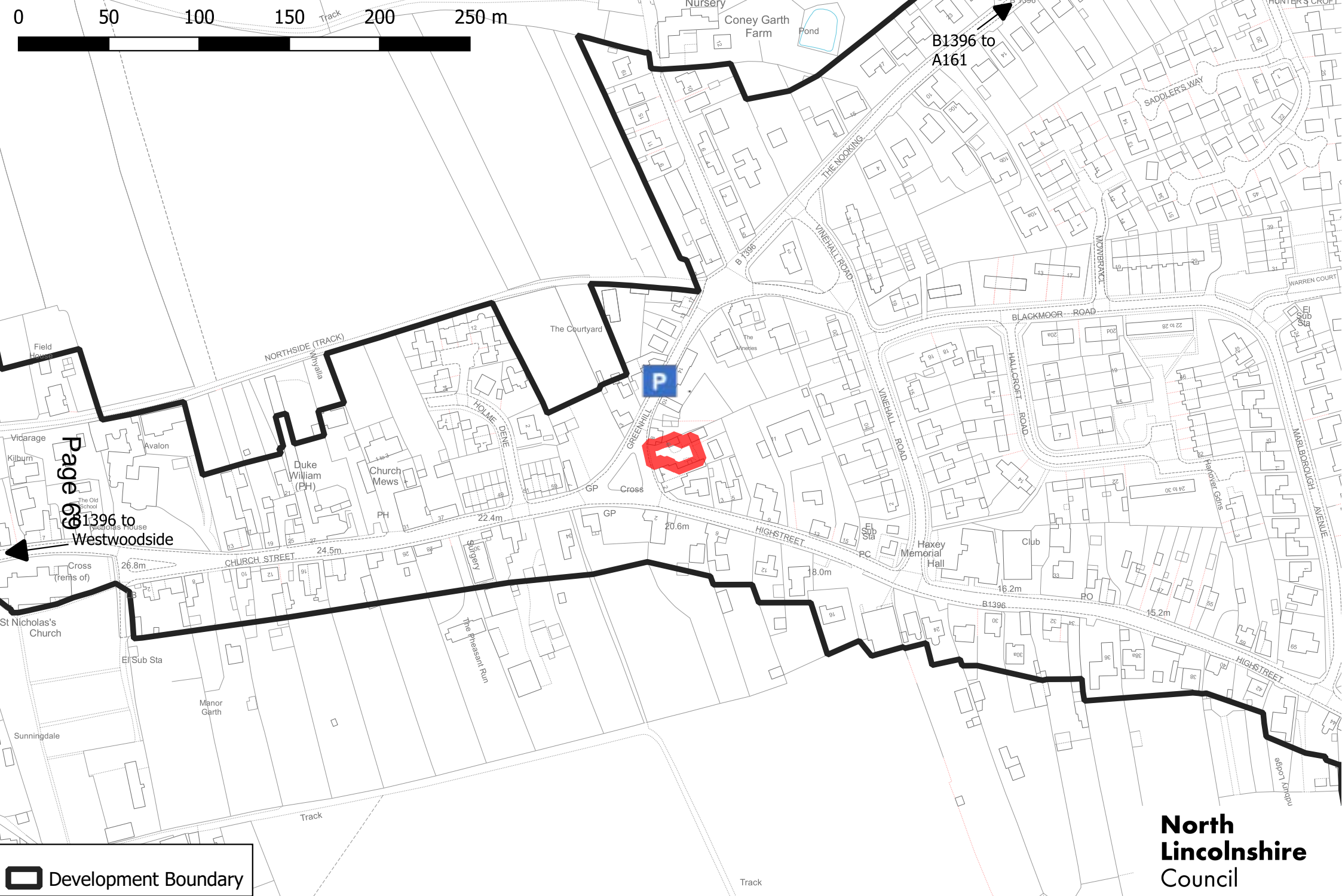
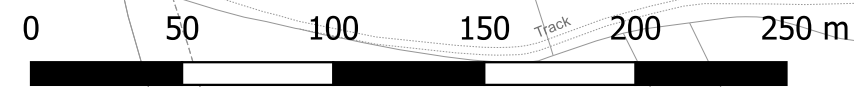
GH-TRACK-22/31-04

Drg No.

22/31/04

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B1396 to
Westwoodside

B1396 to
A161

 Development Boundary

PA/2022/2133 Sat nav: 6 Greenhill
Road, Haxey, DN9 2JE

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2022/2230
APPLICANT	Executors of the late Mrs Joan Burkinshaw
DEVELOPMENT	Outline planning permission to erect a detached dwelling with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	37 North Street, West Butterwick, DN17 3JR
PARISH	West Butterwick
WARD	Axholme South
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by West Butterwick Parish Council

POLICIES

National Planning Policy Framework:

- 2 – Achieving sustainable development
- 4 – Decision making
- 5 – Delivering a sufficient supply of homes
- 8 – Promoting healthy and safe communities
- 12 – Achieving well-designed places
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

- DS1 – General Requirements
- DS7 – Contaminated Land
- DS14 – Foul Sewage and Surface Water Drainage
- DS16 – Flood Risk
- H5 – New Housing Development
- H8 – Housing Design and Housing Mix

LC5 – Species Protection

LC14 – Area of Special Historic Landscape Interest

T2 – Access to Development

T19 – Car Parking Provision and Standards

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

CS6 – Historic Environment

CS7 – Overall Housing Provision

CS8 – Spatial Distribution of Housing Sites

CS17 – Biodiversity

CS19 – Flood Risk

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

Policy SS1 – Presumption in Favour of Sustainable Development

Policy SS2 – A Spatial Strategy for North Lincolnshire

Policy SS3 – Development Principles

Policy SS5 – Overall Housing Provision

Policy SS6 – Spatial Distribution of Housing Sites

Policy SS11 – Development Limits

Policy RD1 – Supporting Sustainable Development in the Countryside

Policy DQE1 – Protection of Landscape, Townscape and Views

Policy DQE5 – Managing Flood Risk

Policy DQE6 – Sustainable Drainage Systems

Policy HE1 – Conserving and Enhancing the Historic Environment

Housing and Employment Land Allocations Development Plan Document (DPD)

CONSULTATIONS

Highways: No objection, recommend conditions.

Environment Agency: No objection, recommend a condition.

LLFA Drainage: No objection, recommend conditions.

Environmental Protection: No objection, recommend conditions.

Isle of Axholme and North Nottinghamshire Water Level Management Board: There are no Board-maintained watercourses in close proximity to the site. The Board's consent is required for any works that increase the flow or volume of water to any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

The suitability of soakaways, as a means of surface water disposal, should be ascertained prior to planning permission being granted. Soakaways should be designed to an appropriate standard and to the satisfaction of the approving authority in conjunction with the local planning authority. If the suitability is not proven the applicant should be requested to re-submit amended proposals showing how the site is to be drained. Should this be necessary this Board would wish to be re-consulted.

The design, operation and future maintenance of site drainage systems must be agreed with the lead local flood authority and local planning authority.

Archaeology: The application affects 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. The application site is in a well-preserved area of the core historic landscape in the Riversides Ancient Open Strip Field character area. 33 North Street (adjacent) is a traditional 19th century house perpendicular to the street frontage, typical of the Isle vernacular, that together with its single storey outbuildings to the rear contributes to the historic settlement form and the setting of the historic landscape to the rear.

It will be important that the scale, design and building materials of any new dwelling on this plot is appropriate to the area and in accordance with policies LC14 and DS1 to avoid adverse effect on the character and setting of the heritage asset. Any new dwelling should be single-storey only to avoid the unacceptable extension and intrusion of the built environment into the historic landscape and overshadowing the existing historic house and surrounding modern bungalows.

Physical enclosure and high fencing would be inappropriate in this landscape, including along the historic track or mere on the north side of the application and the site boundaries. Standard planning conditions should be attached to secure the above criteria to ensure the details of a dwelling on this plot will comply with policy LC14, including restricting the building height, use of appropriate building materials and boundary treatment, and the

removal of permitted development rights to avoid the unregulated extension of the built environment into the protected historic landscape area at the rear of the dwelling.

PARISH COUNCIL

Object on the following grounds:

- The access for the property at the moment is not used and there are concerns that this access is not suitable for a shared access.
- The parish council wish to know where the telegraph pole and post with the bus stop attached will be re-sited.
- The parish council have concerns as to what type of housing is proposed as this should be in keeping with the bungalow-style housing in the vicinity.
- The proposed access to the property is land known as the Mere and is common land owned by the parish and their permission would be required for right of access.

PUBLICITY

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

ASSESSMENT

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

Planning history

PA/2021/1314: Outline planning permission for a detached dwelling with all matters except means of access reserved for subsequent consideration – withdrawn.

The application site comprises garden land within the curtilage of a detached bungalow to the west of North Street in West Butterwick. The site contains two single-storey outbuildings: one constructed from brick and profile sheeting, and the other from brick, timber and profile sheeting to its roof. The site is within flood zone 2/3a and is bordered by residential properties on three sides. It is also within the Isle of Axholme Area of Special Historic Landscape Interest (policy LC14) along part of its western edge and the developable site area extends to some 544m². Outline planning permission is sought to erect a detached dwelling with means of access being considered at this outline stage.

The main issues in the determination of this application are the principle of development, and impact on the character and appearance of the LC14 land, upon residential amenity, upon highway safety and flood risk.

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land Allocations Development Plan

Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

This proposal is for the redevelopment of the site (following demolition of the existing buildings) and the erection of a detached dwelling. The part of the application site where the dwelling is proposed is within the defined development boundary for West Butterwick as shown in the Housing and Employment Land Allocations DPD. Furthermore, the application site is in a sustainable location, within walking distance of local services, and North Street, which is a local bus route. The proposal therefore accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and the National Planning Policy Framework on delivering residential development in appropriate locations.

Policy H8 of the local plan (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area and protects existing and natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable land within the settlement boundary of West Butterwick, in a sustainable location. There is, therefore, a presumption in favour of residential development.

Historic landscape/settlement character

The council's online mapping system also shows that a small section of the site along its western fringes extends into the LC14 landscape with the dwelling on the neighbouring site to the west (37 North Street) located wholly within the historic landscape. The Historic Environment Record (HER) has commented the application site is in a well-preserved area of the core historic landscape in the Riversides Ancient Open Strip Field character area, that any new dwelling should be single-storey to avoid the extension of the built environment into the historic landscape and it will be important to ensure the scale, design and materials of any new dwelling is appropriate to the area. The comments from the HER are noted; however, it is also worth noting the comment above that only a small section of the site extends into the LC14 landscape, and a dwelling could feasibly be accommodated on the site without it extending into the historic landscape, particularly as the width of the site is in excess of 20 metres at its widest point. It is considered the erection of a dwelling on the site would not be at odds with the character, appearance and setting of the historic landscape as a dwelling could be accommodated on the site which still allows extensive views into and across the landscape from North Street (looking in a westerly direction) and where 33 North Street remains visually prominent within such a view and can be appreciated within that view.

This is an outline planning application with matters relating to scale reserved for future consideration (as part of any reserved matters submission); however, issues have been raised in relation to the height of any dwelling proposed on the site. Due to the proposed flood mitigation measures required (with finished floor levels proposed at 1 metre above existing site levels), it is anticipated that any subsequent dwelling would be of a dormer style or two-storey in height; this would be consistent with the height of the dwelling immediately to the east (33 North Street) and there a number of examples along the western side of North Street where modern two-storey dwellings border and encroach into the historic landscape. Therefore, the introduction of a dwelling with more than one storey would not be at odds with either the character and appearance of the street scene or with the setting of the historic landscape.

In addition, the layout of the site is not being considered at this outline stage, but any resultant detached dwelling could be orientated on the site to ensure it allows views into and across the historic landscape without having an adverse impact on the historic landscape beyond, and which results in the introduction of a dwelling which is perpendicular to the street frontage, thereby aligning with the orientation of the traditional dwelling at 33 North Street highlighted in the consultation response from the HER. The HER has also recommended a condition which removes permitted development rights from the development if the application is granted permission; however, this is a site with existing built form located wholly within the defined settlement boundary for West Butterwick and any boundary treatment and outbuildings which could be erected under householder permitted development rights would not obstruct or have a negative impact on the character, appearance and setting of the historic landscape.

It should also be noted there are examples of modern dwellings within the vicinity of the site and that have recently been erected on sites which border the historic landscape on the western side of North Street. The proposal is considered to be infill development which follows the existing ribbon development pattern along North Street and which results in the redevelopment of this site (it currently contains two outbuildings). It is accepted that the proposal will close the 'gaps' along North Street enclosing this area of the LC14 landscape, but the proposed development will be viewed in context with the existing ribbon development along North Street, where new dwellings have been recently permitted. Therefore, on balance, the proposal will not cause significant harm to the character, appearance and setting of the LC14 in this location and is therefore acceptable.

Impact on amenity

It is considered that a dwelling could be designed/accommodated on the site that is in keeping with the surrounding area and would not adversely affect the amenity of adjoining neighbours. In addition, it is considered a dwelling could reasonably be positioned on the site which ensures there is sufficient provision for both off-street parking and private amenity space and sufficient separation distance from existing houses to mitigate any potential loss of residential amenity which could arise (for example overlooking, overshadowing or having an overbearing impact). These issues would be considered and assessed at the reserved matters stage under policies H5, H8 and DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

Highway issues

In terms of highway and pedestrian safety matters, Highways have no objections to the proposal subject to conditions which will be imposed on any planning permission granted. Following concern from Highways, the applicant has amended the position of the proposed vehicular access to ensure it does not conflict with the existing bus stop and telegraph pole located on North Street to the east. The access is from North Street along a section of track which also serves 37 North Street to the west. The comments made by West Butterwick Parish Council in respect of the access track being part of the 'Mere' is noted and any future owner of the site would therefore have to seek the permission of the parish council to gain a right of access over the track; however, this does not prevent the local planning authority from determining whether it is a suitable means of access to the development site; in this regard no objection has been received from Highways. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

Flood risk and drainage

In terms of flood risk, the site is within flood zone 2/3a of the council's SFRA and is therefore at high risk of flooding. There are no available sites within the development boundary of West Butterwick within a lower flood risk zone. The sequential test is therefore passed. In terms of the exceptions test, the proposal will contribute to the council's five-year land supply, will deliver a new dwelling in a sustainable location, will provide jobs during the construction period and will support local services/amenities within the settlement of West Butterwick.

The FRA submitted is acceptable to the Environment Agency, subject to conditions which will be imposed on any planning permission. It is considered there is sufficient reasoning to justify that the development would provide wider sustainability benefits sufficient to outweigh the risk of flooding. The proposal therefore accords with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the Lincolnshire Local Plan.

In terms of drainage, no objections have been received subject to conditions which will be imposed should planning permission be granted. The proposal therefore accords with the NPPF, policies CS18 and CS19 of the Core Strategy, and policy DS14 of the North Lincolnshire Local Plan.

Other issues

The previous use of the buildings on the site is unknown and the land therefore has the potential to contain contaminated material such as asbestos. Therefore, a pre-commencement condition is recommended for contaminated land investigation; this aligns with the consultation response from Environmental Protection. Whilst no formal response has been received from the council's ecologist in relation to this planning application, they did provide comment on the previous application which was withdrawn (PA/2021/1314). Given the previous application was considered recently, it is considered the comments from the ecologist are still valid and pertinent to this application; in this regard no ecological surveys were requested, and a condition recommended that a biodiversity management plan be submitted for consideration – this will ensure biodiversity net gain from the development proposals and accords with policies CS5 and CS17 of the Core Strategy.

Pre-commencement conditions

A pre-commencement condition is recommended in respect of contaminated land investigation – no response has yet been received from the applicant's agent.

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.

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.

6.

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 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.

7.

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and B/01/01/019/21/R.

Reason

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

8.

No above ground works shall take place until details of:

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

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

Reason

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

9.

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

Reason

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

10.

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.

11.

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.

12.

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.

13.

No above ground works shall take place until details of the relocation of the street lighting column and BT pole 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 policies T2 and T19 of the North Lincolnshire Local Plan.

14.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (produced by Roy Lobley Consulting, ref: RLC/0811/FRA01, dated 07 February 2023). In particular, finished floor levels shall be set no lower than 5.0 metres above Ordnance Datum (AOD), as detailed within Section 5.4 of the FRA.

Reason

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

15.

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.

16.

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

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.

17.

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 from the submitted 'Existing Site Plan' drawing ref A/01/01/019/21;
- (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) proposed timings for the above works in relation to the completion of the bungalow.

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.

18.

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 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.

19.

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

Part 1: Site Characteristics

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

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

- property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes;
- adjoining land;
- groundwaters and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;

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

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

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

To ensure the site is safe for future users and construction workers.

Informatives

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.

2.

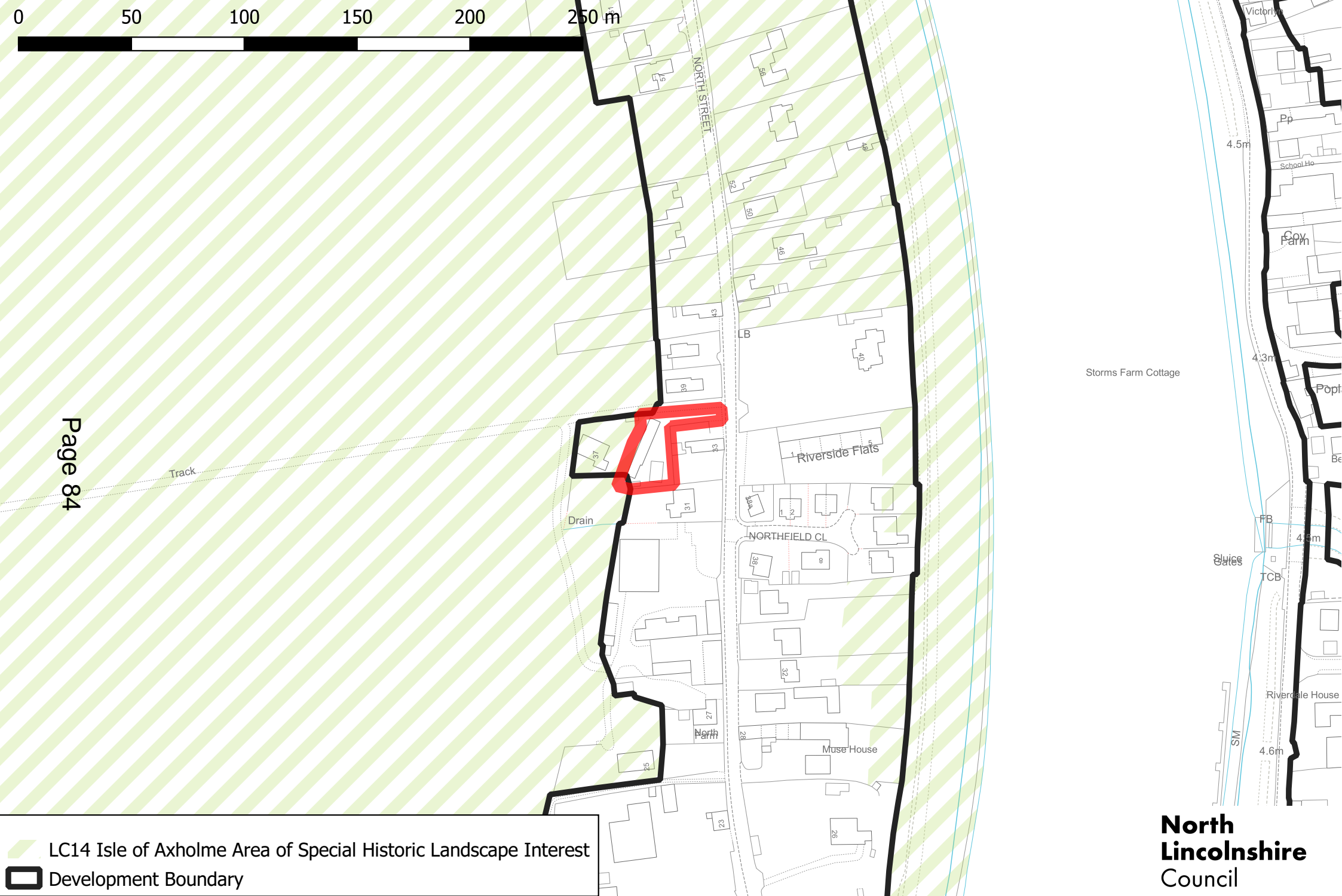
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



3.

You are advised to refer to the comments made by West Butterwick Parish Council in relation to the proposed means of access to the site. They have highlighted they are the owners of the proposed vehicular access and their prior permission may be required to gain a right of access over the land.

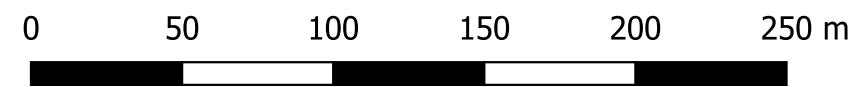


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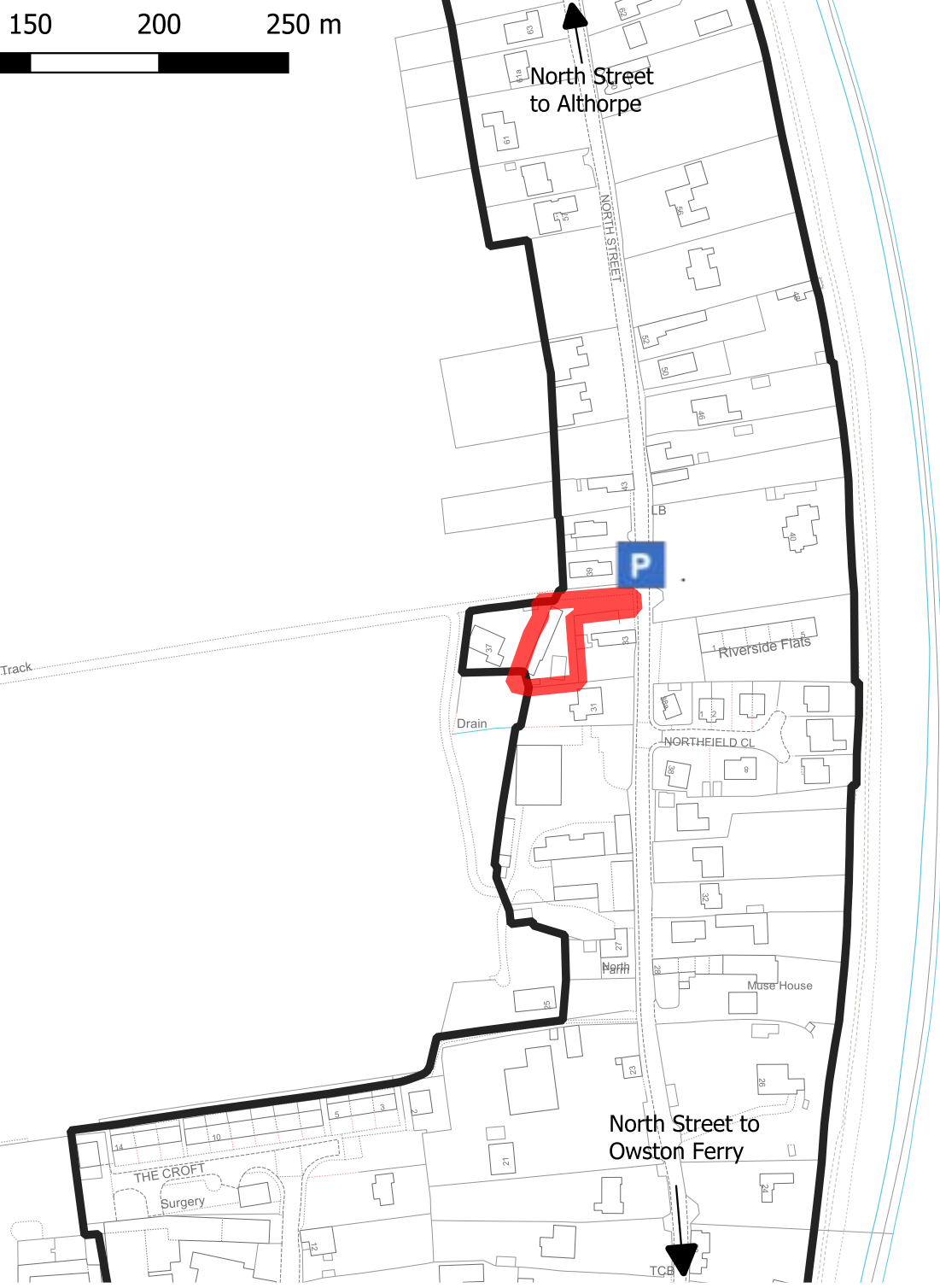


 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**



 Development Boundary



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APPLICATION NO	PA/2023/279
APPLICANT	J Murch
DEVELOPMENT	Planning permission to erect a single-storey side extension
LOCATION	8 Queen Street, Barton upon Humber, DN18 5QP
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Daniel Puttick
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Paul Vickers – significant public interest)

POLICIES

National Planning Policy Framework:

Section 12 (Achieving well-designed places)

Section 16 (Conserving and enhancing the historic environment)

North Lincolnshire Local Plan:

DS1 (General Requirements)

DS5 (Residential Extensions)

HE2 (Development in Conservation Areas)

HE5 (Development Affecting Listed Buildings)

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)

CS6 (Historic Environment)

Supplementary Planning Guidance SPG1: Design Guidance for House Extensions

Barton upon Humber Conservation Area Character Appraisal

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

DQE1 (Protection of landscape, townscape and views)

DM1 (General Requirements)

HE1 (Conserving and enhancing the Historic Environment)

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

TOWN COUNCIL

No objections.

PUBLICITY

Site and press notices have been displayed. Five written objections have been received from or on behalf of occupants of four properties. A summary of the material considerations raised by those objecting to the application is set out below:

- The design is modern, larger than the existing extension and not in keeping with adjacent houses.
- The proposals would fail to preserve the character of the conservation area.

Concerns are also raised in respect of potential for structural damage to the adjacent property during construction works. This is not a material planning consideration and cannot be afforded any weight in the assessment of the application.

One letter of support has also been received, commenting that “as a local resident I think this will be a great addition to a lovely property.”

ASSESSMENT

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

Planning history

7/1990/0464: Erect a porch and conservatory including demolition of existing porch and conservatory – approved 17/07/1990

- PA/1996/1800: Notice of intention to carry out works to a tree in a conservation area – approved 27/11/1996
- PA/1997/1300: Erect a single-storey extension to provide utility shower and WC, study and garage – approved 06/01/1998
- PA/1999/0570: Notice of intention to carry out works to a sycamore tree within the conservation area – approved 24/06/1999
- PA/2007/1468: Notice of intention to carry out works to a sycamore tree in the conservation area – approved 02/10/2007
- PA/2016/1944: Notification of proposed work to prune one sycamore and one Norway spruce tree within the conservation area – approved 18/01/2017
- PA/2018/2238: Notice of intention to fell a Sitka spruce tree within the conservation area – approved 12/12/2018
- PA/2022/1048: Notice of intention to undertake pruning on a sycamore and holly tree, both within the conservation area – approved 22/07/2022
- PA/2022/1359: Planning permission to replace timber windows with new timber sash windows – approved 27/10/2022

The application site comprises a semi-detached property constructed in the 19th century, situated on Queen Street within the Barton upon Humber conservation area. The property is set over two storeys and is constructed of brick, with its principal elevation having exposed brickwork. The side and rear elevations are rendered and feature an outward projecting conservatory and further single-storey offshoots to the rear. This offshoot incorporates a contemporary link of cylindrical form, connecting the utility and office and containing a WC.

The front elevation features four sash windows. Planning permission has been granted for the replacement of windows throughout the building under application PA/2022/1359. Access into the building is taken from the west elevation, where a characterful door surround frames a six-panelled door with fanlight above. A two-storey wing projects from the rear of the building and contains the day-to-day living spaces, with the formal lounge contained in the front portion of the property.

A conservatory projects from the north elevation towards the rear of the building. Accessed from the existing kitchen, this structure is constructed of a mixture of brickwork, timber and glass, and leads back towards the existing house.

The application proposes to demolish the existing conservatory and construct a replacement extension to provide an open plan kitchen, dining and living space with bi-folding doors providing access onto the landscaped garden to the side of the property. As part of the works, internal alterations are proposed to incorporate structural steel beams to support the building and compensate for the removal of external walls.

The extension would have an angular footprint with a flat roof, projecting approximately 3m from the side elevation of the property at its furthest point. It would be constructed of brickwork to match the existing building, with white windows and doors and aluminium

copied to the parapet wall. The height of the extension has been designed to sit below the height of the garden wall which encloses the property.

Foul drainage would connect to existing networks within the site, leading to mains sewers, with a new soakaway proposed to capture surface water run-off within the site.

The main issue in determining this application is the impact on the character and appearance of the property and the Barton upon Humber conservation area.

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, 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.

Policy HE2 of the local plan states that 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. It states that development should be of a standard of design which respects the appearance and character of the conservation area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting, landscaping and other matters of design such as roofscape, and architectural style and detailing. It also states that development should preserve or enhance the street scene and should not detract from important existing spaces and views, and should use appropriate building materials for the locality and context.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) imposes a statutory duty upon local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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

The significance of the conservation area derives from its multi-period architecture, medieval street pattern, historic street names and the dispersed nature of the town centre. The Conservation Area Character Appraisal notes that the town owes its early wealth to its location on the River Humber, and that in the early medieval period it was the largest and most important settlement in North Lincolnshire.

The property is located within Queen Street, which was laid out in 1830. It was later developed with some prestigious buildings largely paid for by public subscription, many of which are now listed buildings. The character appraisal identifies positive characteristics of Queen Street, which include its wide street with brick walls, open layout to the north and good examples of Edwardian houses. The appraisal refers to buildings of interest on High Street, Hungate and Queen Street, which collectively make a major contribution to the historic character of the town centre.

Queen Street itself comprises a number of large, mainly detached, municipal, religious or education buildings, with terraces of well detailed, early 19th century housing close by. The

appraisal notes that the northern end features 'good quality 19th century detached or semi-detached houses set in gardens'.

6 and 8 Queen Street possess architectural and historic interest. Much of their significance is derived from the attractive and symmetrical west-facing elevations which front onto Queen Street. The access into each building is to the side, with the doorway into number 6 clearly visible within the street scene owing to its more open layout. In contrast, the setting of 8 Queen Street is much more private and secluded.

The large red brick boundary wall is a notable feature which contributes towards the character of the area, screening the garden associated with the application site from views from within the public domain. By virtue of its size and length, it funnels views along Queen Street towards the west-facing elevations of the semi-detached properties, and towards the Edwardian housing in views looking north.

The rear wing appears original to the building, with this component projecting beyond the rear of both properties. 6 and 8 Queen Street have been subject to more recent alteration and extension, with the application site having a single-storey offshoot projecting at an angle from the rear elevation of the house. This element now features a cylindrical linking section, finished in contrasting materials. The conservatory is a later addition which contributes little to the overall character of the building.

As set out above, planning permission is sought for the construction of an extension to the side of the property, replacing an existing conservatory with a more contemporary addition to provide an open plan kitchen, living and dining space.

Much of the significance of the building is derived from its attractive frontage onto Queen Street and the contribution this makes to the overall character and appearance of the area. The building is a good example of architecture from its time but is not listed, and has been subject to change through the introduction of contemporary extensions to the side and rear.

The proposed extension would be located in a similar position to the conservatory it would replace. The scale is proportionate to the dwelling and materials proposed would match those in the existing building. The contemporary detailing would ensure it reads clearly as a new addition to the property, rather than appearing pastiche, and is considered appropriate in its context adjacent to additions to the property which exhibit modern design.

Importantly, the extension would not be readily visible from the public domain, and would not be noticeable in key views along Queen Street. The significant contribution made towards the character and appearance of the area of the frontage onto Queen Street would be preserved, with the extension being set below the level of the boundary wall and therefore not visible from within the public domain along this road.

Some glimpse views would be achieved from Catherine Street, which marks the boundary of the conservation area. Here, the extension would be seen in context with the later additions constructed to the rear of the property, appearing subservient to the main dwelling. The original form of the building would remain discernible, with the rear wing and front portion of the original property remaining the prominent features within the site.

Having objectively assessed the significance of the property and its contribution towards the character and appearance of this part of the Barton upon Humber conservation area, it is

considered that the proposed development would preserve those elements which contribute towards the significance of the heritage asset. The design of the proposed extension is considered acceptable, appearing as a contemporary addition to the building which is small in scale and constructed of appropriate materials. There would be no adverse impact upon the street scene owing to the fact that the extension would not be readily visible from the public domain and is screened by the substantial boundary wall.

For these reasons, having regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), it is considered that the proposed development would preserve the character of the Barton upon Humber conservation area. The proposals are considered acceptable in this respect in accordance with policies DS1, DS5 and HE2 of the local plan and CS6 of the Core Strategy. In turn, it is considered that the setting of nearby listed buildings would be preserved in accordance with policies HE5 of the local plan and CS6 of the Core Strategy.

Other issues

The proposed extension, by virtue of its size and location, would not result in any harm to the amenity of neighbouring residents. There would be no loss of outlook, privacy or daylight and its single-storey nature would ensure it does not appear overbearing. The parking arrangements at the site would be unaffected by the introduction of the extension, and the attractive landscaped garden would be retained.

Surface water drainage is proposed to be disposed of by way of a soakaway within the site, with foul drainage to continue to be routed to mains sewers. There are no objections from the LLFA, and on this basis the drainage arrangements are considered appropriate for the development.

A number of objections have raised concerns in relation to the potential risk of structural damage to 6 Queen Street during construction works. These concerns centre on the removal of external load-bearing walls and the introduction of steel beams internally within the property. Whilst valid concerns for neighbouring homeowners and members of the public to hold, they are not material planning considerations. The proposed scheme will also be subject to building regulations. Any potential damage during construction work would be a civil matter and should have no bearing on the assessment of the proposed development.

Conclusion

The building dates to the 19th century and is one of a number of attractive buildings located along Queen Street which contribute towards the area's character. The major contribution the building offers towards the character and appearance of the conservation area is its frontage onto Queen Street, where the symmetrical west elevations of 6 and 8 Queen Street are presented to the roadside. The imposing boundary wall is a feature of interest which contributes to the varied street scene, and which contrasts with the more open aspect of the adjoining property.

It is considered that by virtue of the design of the extension and screening offered by the boundary wall, the significant contribution made to the street scene by the property would be unchanged. The extension would not be readily visible from views within Queen Street, and would go largely unnoticed in this context. Glimpse views would be achieved from

Catherine Street, where the extension would appear in context with modern additions constructed at the rear of the building, clearly discernible as a later addition and part of the multi-period character which the conservation area possesses.

The proposed extension is considered acceptable in accordance with policies DS1, DS5, HE2 and HE5 of the local plan, and CS1, CS2, CS3, CS5 and CS6 of the Core Strategy, and the aims of the NPPF. It is therefore recommended that planning permission be granted subject to standard conditions.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted 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:

- 1659.01 Ex. & Pr. Plans
- 1659.02 Ex. & Pr. Elevations.

Reason

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

3.

All the windows and external doors installed in the extension hereby permitted shall be constructed from timber and painted white, and thereafter retained.

Reason

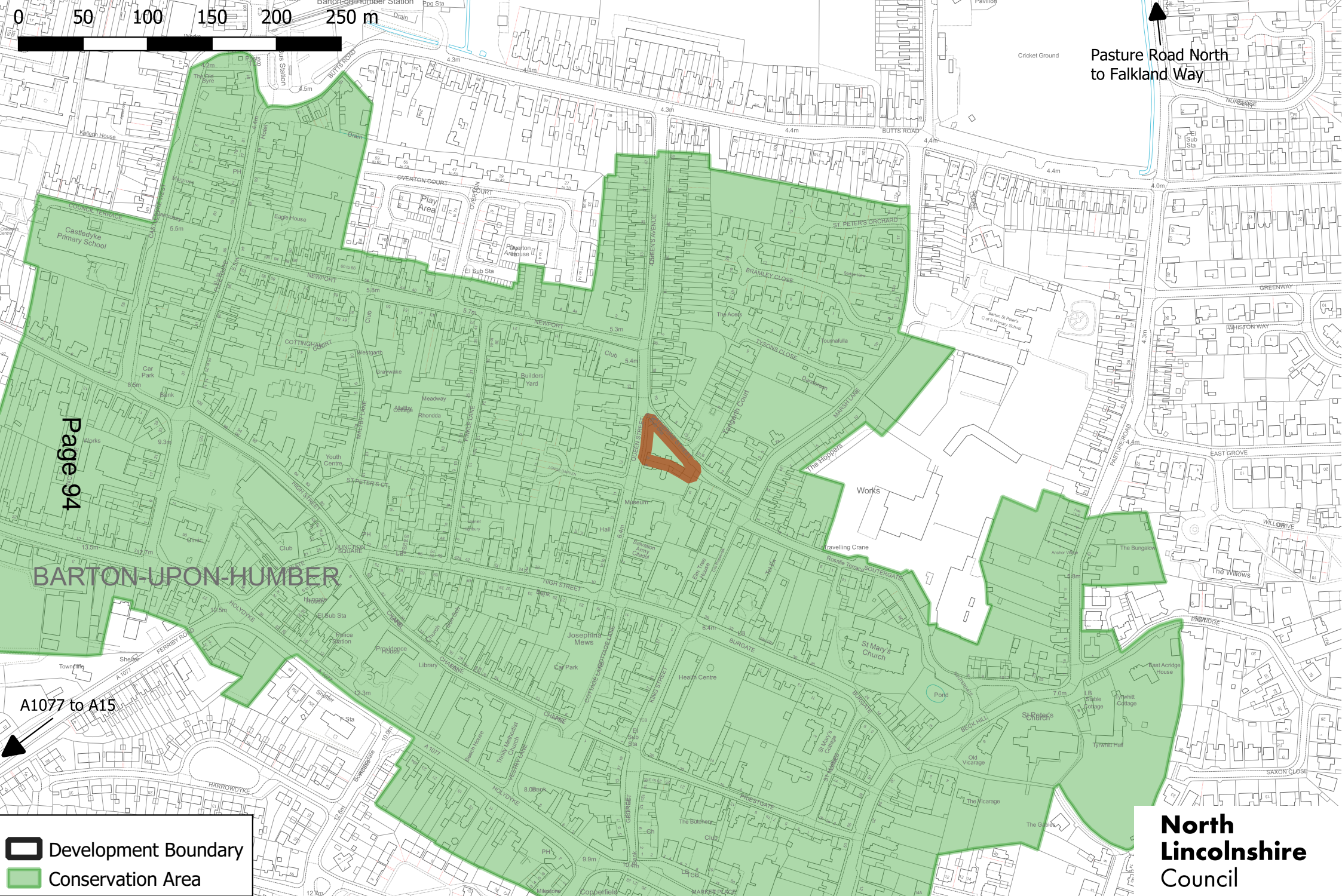
To safeguard the character and appearance of the building and the conservation area in accordance with policies HE2 of the North Lincolnshire Local Plan and CS6 of the Core Strategy.

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.



Pasture Road North to Falkland Way



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BARTON-UPON-HUMBER

A1077 to A15

- Development Boundary
- Conservation Area

North Lincolnshire Council

PA/2023/279 Existing & proposed layout and plans (not to scale)

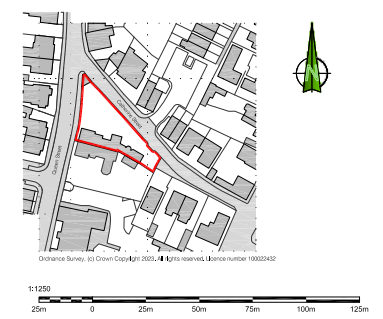
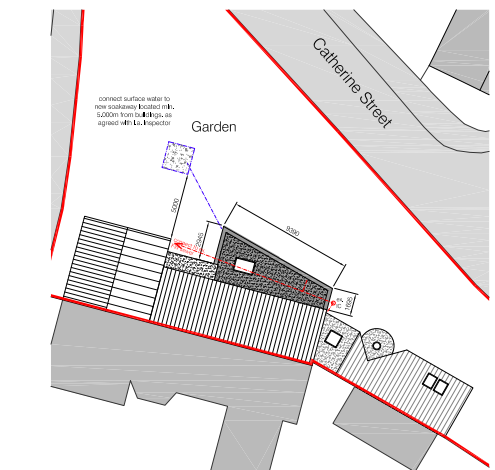
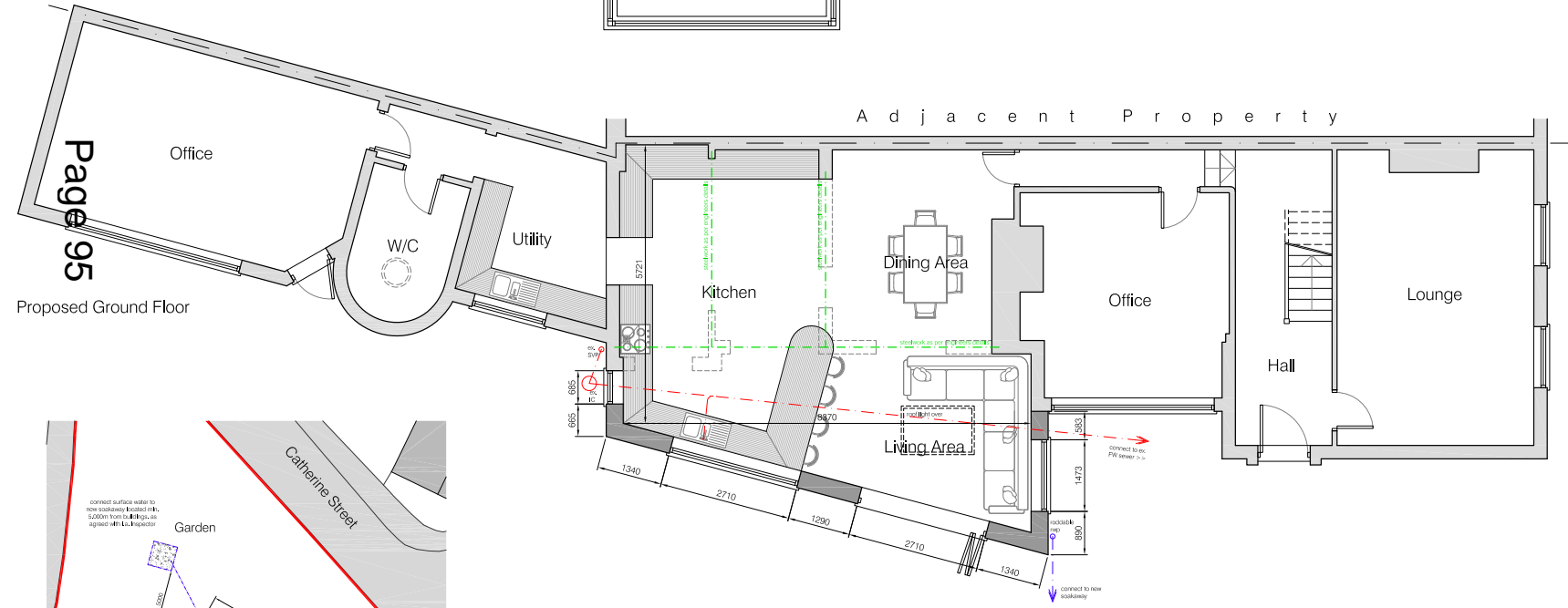
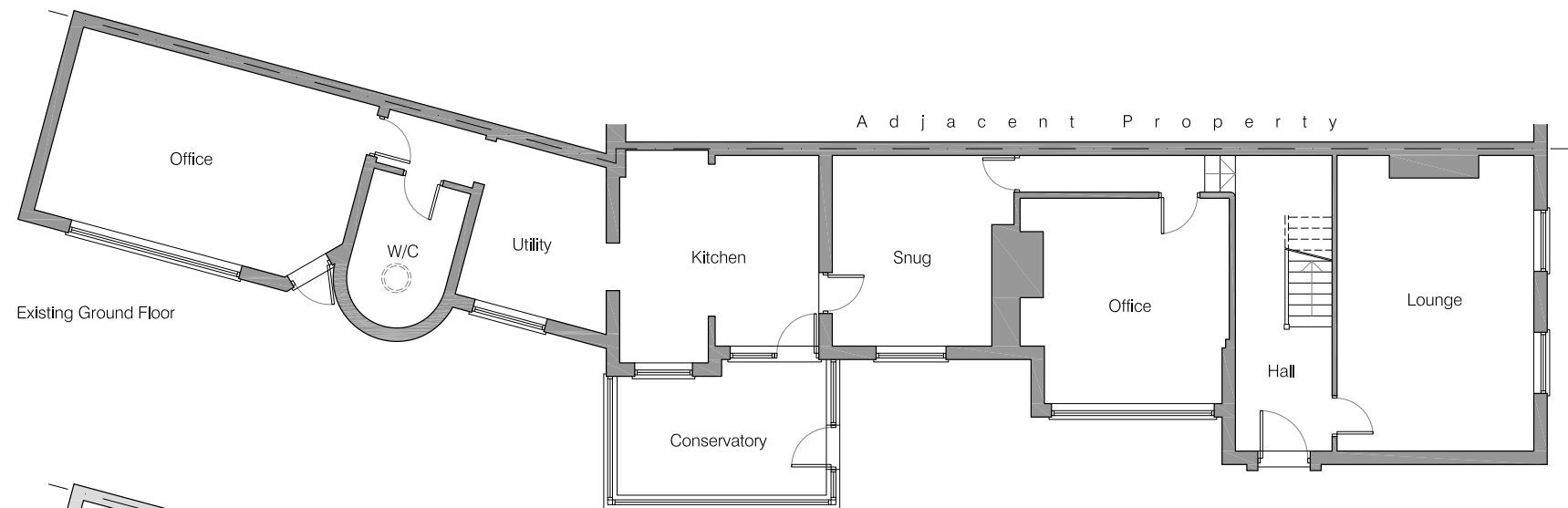
All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications within these drawings or associated documents are to be notified to keystonarchitecture.

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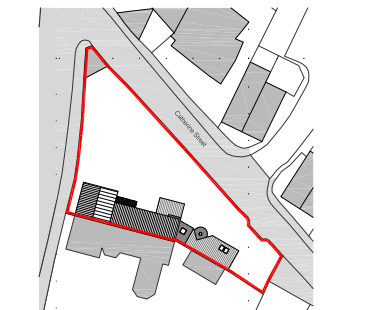
All materials shall be fixed, applied or installed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystonarchitecture.

The Contractor shall take full account of everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specifications.

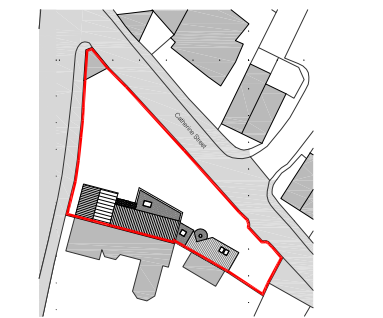
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Location Plan scale 1:1250



Existing Block Plan scale 1:500



Proposed Block Plan scale 1:500

PARTY WALL NOTICE(S)

Building astride (A) or against (B) the boundary line:
If you plan to build a party wall astride or against the boundary line, you must inform the Adjoining Owner by serving a Notice.

Excavating near neighbouring buildings:
If you plan to excavate foundations within 3 metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line down at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

rev.	amendment	date
Proposed Extension	Ex. & Pt. Plans	16/09/21
4 Queen Street	Planning	February 23
Baron	scale	1:50 & as shown
North Unconstrained	drawn by	JS

architectural building consultants energy assessors project managers

ka
keyston architecture

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11, 12 & 13, High Street, Southport, Merseyside, L49 7EJ
www.keystonarchitecture.co.uk
info@keystonarchitecture.co.uk

PA/2023/279 Existing & proposed elevations (not to scale)

NOTES: A1

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications within these drawings or associated documents are to be notified to keystonarchitecture.

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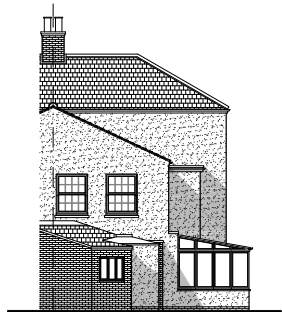
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Existing West Elevation



Existing North Elevation

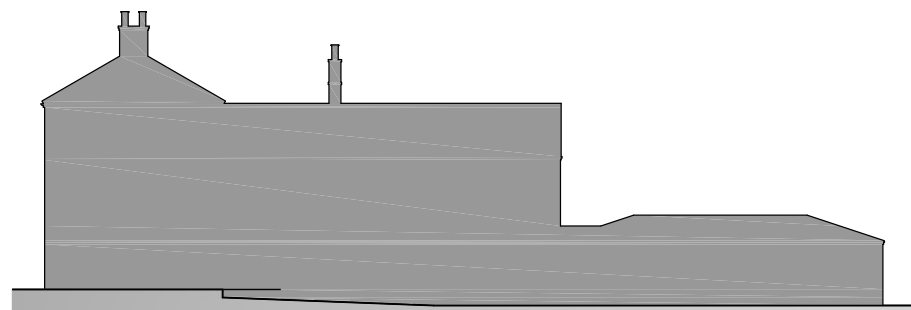


Existing East Elevation



Page 96

Proposed East Elevation



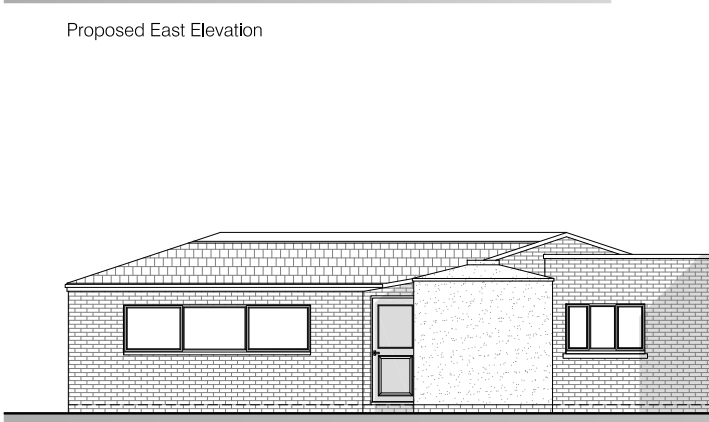
Existing South Elevation (Unaltered)

Material Schedule:

- Wall: multi facing brickwork to match existing
- Windows and Doors: White to match existing
- Gutters and Drains: Black uPVC
- Parapet Wall: Aluminium coping



Proposed West Elevation



Proposed North Elevation



PARTY WALL NOTICE(S)

Building against (A) or against (B) the boundary line:

If you plan to build a party wall against or against the boundary line, you must inform the Adjoining Owner by serving a Notice.

Excavating near neighbouring building(s):

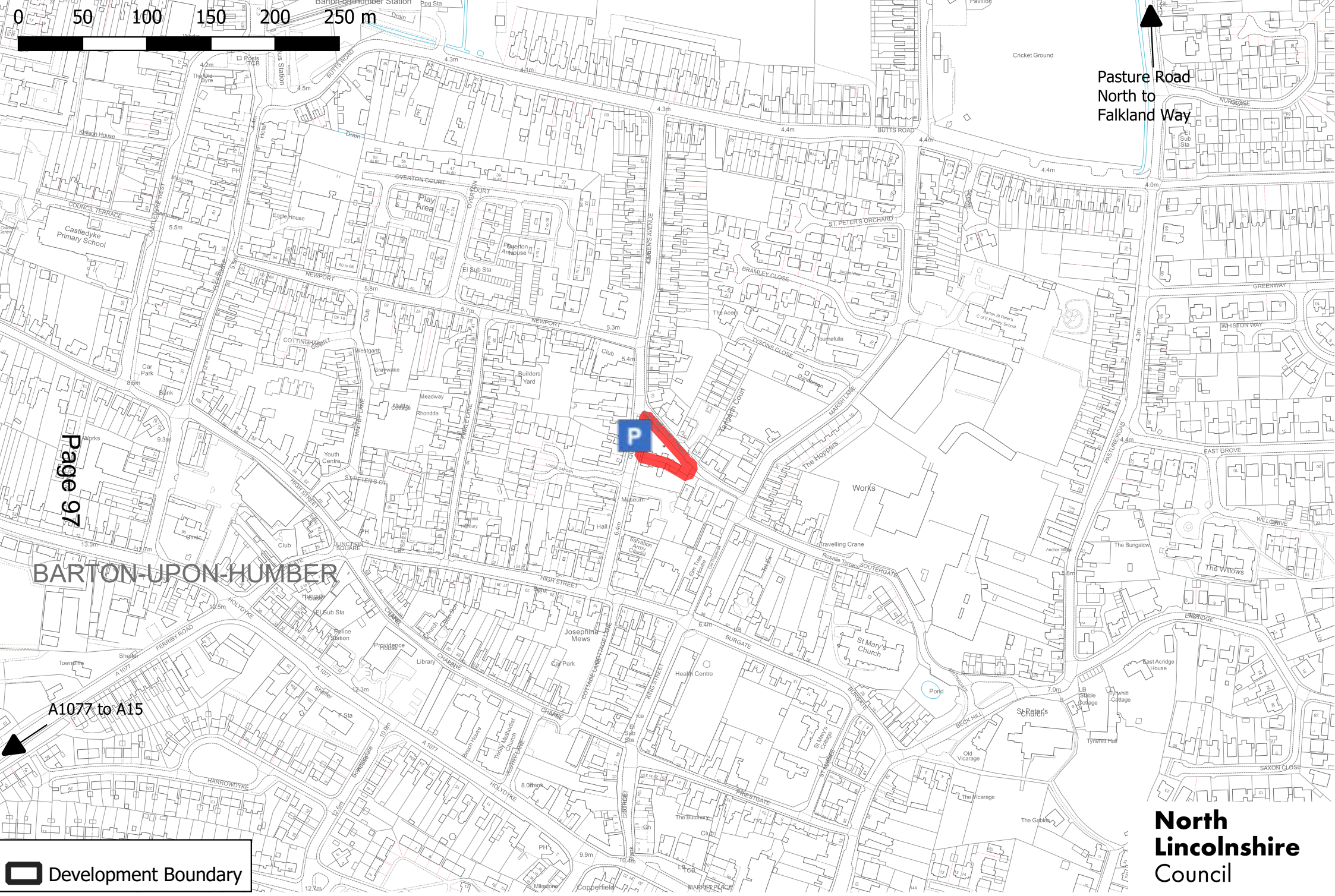
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rev.	amendment	date
Proposed Extension	Site, Ex. & Pl. Elevations	16/09/22
1	Queen Street, Barton, North Lincolnshire	February 23
2	Planning	drawn by JS
3	scale: 1:100 & 1:50	drawn by JS



Pasture Road
North to
Falkland Way



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BARTON-UPON-HUMBER

A1077 to A15

Development Boundary

PA/2023/279 Sat nav: 8 Queen Street,
Barton, DN18 5QP

**North
Lincolnshire
Council**

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

MAJOR PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

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

2. BACKGROUND

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

3. INFORMATION

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

4. RESOURCE IMPLICATIONS

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

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

5. RECOMMENDATION

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

DEVELOPMENT MANAGEMENT LEAD

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

Reference: AL/JMC/Planning committee 2 August 2023

Date: 24 July 2023

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/2022/1536
APPLICANT	Mr Lee, Adwick Caravans
DEVELOPMENT	Planning permission for additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond)
LOCATION	Epworth Fields Holiday Park, access road to farm off Blackdyke Road, Epworth, DN9 1JA
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council Member 'call in' (Cllr Tim Mitchell - significant public interest)

POLICIES

National Planning Policy Framework:

Chapter 2: Achieving sustainable development

Chapter 4: Decision making

Chapter 6: Building a Strong, competitive economy

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 16: Conserving and Enhancing the historic environment

North Lincolnshire Local Plan:

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy RD2: Development in the Open Countryside

Policy DS1: General Requirements

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

Policy R12: New Caravan and Camping Facilities

Policy LC7: Landscape Protection

Policy LC14: Area of Special Historic Landscape Interest

Policy T6: Pedestrian Routes and Footpaths

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 CS15: Culture and Tourism

Policy CS17: Biodiversity

Policy CS19: Flood Risk

Policy CS25: Promoting Sustainable Transport

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023. The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies regarding this application include:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS6: Spatial Distribution of Housing Sites

Policy SS10: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE1: Protection of Landscape, Townscape and Views

Policy DQE5: Managing Flood Risk

Policy DQE6: Sustainable Drainage Systems

Policy CSC17: Camping and Caravan Sites

Policy HE2: Area of Special Historic Landscape Interest

CONSULTATIONS

Highways: No objections subject to a condition. The officer has indicated that the proposals are for an additional 17 static lodges, but the removal of touring caravan/camping pitches will significantly decrease vehicle movements to and from the site.

Environment Agency: Has withdrawn their initial objection following the submission of an amended Flood Risk Assessment and Flood Warning Evacuation Plan and has recommended conditions.

LLFA Drainage: No objections subject to conditions. However, has commented that the revised proposals fail to provide sufficient information to enable a full assessment of the site to be carried out. For example, it is unclear as to what the existing surface water drainage arrangements/outfalls are and how the existing pond currently interacts with groundwater and what mitigation may/will be required by removing this feature.

Severn Trent Water Limited: No objection subject to conditions and informative comments.

Isle of Axholme and North Nottinghamshire Water Level Management Board: Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

Environmental Protection: Has reviewed the application in terms of noise nuisance and contaminated land and has no objections subject to conditions.

Environmental Health and Housing: There is no indication that the proposed development meets North Lincolnshire Local Plan policy CSC17: Camping and Caravan Sites, section 3c. We would request that should planning permission be granted, this is on condition that evidence is supplied that the existing sewage facilities can be upgraded to accommodate the intensified use of the site. The proposed development does not appear to include sanitation or washing provisions for visitors using the touring pitches. We would request that should planning permission be granted conditions be imposed.

Humberside Fire Brigade: No objections.

Humberside Police (Crime Reduction Officer): No observations to make.

Ecology: No objection subject to conditions.

Archaeology: Retains their initial objection to the application following the amended information. The officer has indicated that 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. No requirement for archaeological conditions.

Public Rights of Way: Neighbourhood Services have commented with regard to Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned). This heads eastwards from Blackdyke Road in the direction of West Butterwick via Newlands Cottage and Farm, the first approximately 340 metres of which, known as Newlands Lane, also apparently serves as the access to the holiday park. As a pedestrian highway maintainable as such at the public expense, the surface of this is vested in North Lincolnshire Council as highway authority. It should not, therefore, be altered or interfered with without the council's prior express approval. Furthermore, under the Road Traffic Act 1988 it is an offence to drive a mechanically propelled vehicle on a footpath without demonstrable lawful authority to do so (e.g. the owner of the site also owning the subsoil of the track bearing the footpath en route to the site, and he or she granting drivers an easement).

TOWN COUNCIL

Objects to the application. The council has commented that it has considered the additional information submitted, however, has resolved that the supporting information is in parts inconsistent with the proposed development, and there are still concerns over access from the junction of Rectory Street and Newlands Lane to the site.

PUBLICITY

A press advert and site notice have been displayed. Nine responses have been received, four from the same objector. The following concerns have been raised:

- impact on the historic landscape
- impact on the open farmland
- the proposal is not in keeping with the character of the area
- the proposal would erode the special character of the open countryside
- damage to the road
- traffic
- public safety on the road
- noise nuisance
- harm to biodiversity
- flood risk
- foul water
- the design of the mobile homes
- setting up a shop
- security of the residents of Newlands Lane

- antisocial behaviour
- Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned).

ASSESSMENT

Planning history

- PA/2015/1050: Planning permission to vary condition 6 of PA/2003/0344 to allow permanent habitation of the manager's caravan on plot 3 – refused 12/10/2015 and dismissed at appeal (APP/Y2003/W/16/3146133) 07/04/2017.
- PA/2014/0634: Planning permission to vary condition 6 of planning permission PA/2003/0344 so that plots 4 and 5 can have residential rights for the owner and manager and plots 1, 7, 8, 9, 15, 18, 22 and 24 can have a residential status for mobile homes – refused 09/01/2015.
- PA/2007/1482: Planning permission for an extension of the existing caravan holiday home park with associated roads and hardstanding (re-submission of PA/2006/1834) – refused 08/10/2007 and dismissed at appeal (APP/Y2003/A/08/206616/NWF) 04/06/2008.
- PA/2006/1834: Planning permission for a change of use of land to a static caravan holiday home park with associated roads and hardstanding – refused 12/04/2007.
- PA/2003/0345: Planning permission to excavate land to form a fishing lake and wild bird haven and use excavated material to form a windbreak/screen – approved 21/07/2003.
- PA/2003/0344: Planning permission to change the use of land to a caravan park (static and touring) – approved 24/07/2003.
- PA/2003/0240: Planning permission to convert a disused barn into 6 self-contained holiday cottages – approved 24/07/2003.

Site description and proposal

Planning permission is sought for additional and reconfigured existing static/lodge pitches, a new reception block, new parking bays and a new pond (including filling in the existing pond) at Epworth Fields Holiday Park, off Blackdyke Road, Epworth.

The site is outside the development boundary of Epworth and is an established holiday park. A field to the east of the site is currently used as a recreational park for visitors to the holiday park. The field is grassed and contains picnic tables and caravans which have permitted development rights to remain on the field for 28 days. The field is sufficiently screened by mature trees.

This proposal seeks to provide additional facilities at the site to meet the demands of the business.

By way of background, the original proposal involved moving the existing pond to the field and erecting new static/lodges within the footprint of the pond plus a new one-and-a-half-storey reception block within the site at the vehicular entry point. Furthermore, the proposal sought to erect additional static/lodges on the field to the east of the site.

Following concerns raised by the planning department, the applicant has downsized the proposed development. Currently, the revised proposal would add 17 new static/lodges to the existing site. The pond would be relocated to the field as originally proposed to enable the 17 new static/lodges to be located within the existing site.

Currently, there are a total of 24 static/lodges on the site. With the addition of 17 new static/lodges, the overall number of static/lodges on the existing site would be 41. There would be no static/lodges on the grass field to the east of the site as originally proposed.

Discussions took place between the applicant and the planning department with regard to the one-and-a-half-storey reception block. The planning department recommended it be lowered to single-storey, but the applicant responded that the proposed one-and-a-half-storey reception block was recommended by the Environment Agency in the interest of public safety, as a safe refuge area. Accordingly, the planning department accepted the Environment Agency's recommendation as the justification for a one-and-a-half-storey reception block on the site.

Regarding the planning history of the site, planning permission PA/2003/0240 was approved on 24/07/2003 to convert a disused barn on the site into six self-contained holiday cottages. PA/2003/0344 was also granted for planning permission to change the use of land to a caravan park (static and touring) on 24/07/2003. This established the principle of a caravan park (static and touring) on the site.

Furthermore, planning permission PA/2007/1482 for an extension of the existing caravan holiday home park with associated roads and hardstanding (a resubmission of PA/2006/1834) was refused on the basis that the site is located within the open countryside and the Isle of Axholme Area of Historic Landscape Interest. The proposed siting of the caravans in this exposed position does not benefit from adequate landscaping, and the number of caravans proposed would harm the character, setting and appearance of the historic landscape.

In addition, in determining PA/2007/1482 the local planning authority did not consider that this type of development could be regarded as a small-scale tourist and recreational development that is related to the historic landscape and features by the number of caravans proposed and the siting of the site in such a prominent location within this area of an open flat landscape. The proposal was therefore contrary to policies RD2, LC14 and DS1 of the North Lincolnshire Local Plan and Planning Policy Statement 7: Sustainable Development in Rural Areas.

Planning appeal APP/Y2003/A/08/206616/NWF was also dismissed.

In this case, while the site is in the countryside, the current proposal is not an extension of the caravan park per se, but more lodges are to be placed within the existing caravan park site and therefore the reasons for refusal of the above application and the dismissed appeal would not apply.

In support of the proposal, the applicant has indicated that they purchased Epworth Fields Holiday Park in October 2021 as an investment opportunity to continue the operation of the

site as a caravan park and invest in the reconstruction of the holiday cottages, infrastructure of the roads, curbing and the creation of driveways for the holiday homes.

The applicant indicated that, as part of the reconstruction of the caravan park, the proposed reception block would serve as the first place of call by visitors and its primary function is to greet visitors and provide information or advice.

The reception block would be constructed in the same brickwork, tiled roofs, doors, and windows as the holiday cottages adjacent to the site.

Regarding the pond, the applicant has indicated that the current pond area was not constructed correctly and does not hold water, which is not good for the fish, wildlife, or the visual appearance of the park. The design of the pond is not appropriate because it is a bowl shape and the fishing pegs are sited too close together, which is not a good design of a pond and is not suitable for public safety. Furthermore, the pond is not cost-effective, and it is better to move it to the field to the east of the site which is currently a camping field.

The business model would be to concentrate on the holiday lodges rentals market, therefore ceasing caravanning and camping. The business would provide employment opportunities, such as receptionists, sales teams, cleaners, maintenance teams and groundskeepers, which would hopefully be sourced from the surrounding villages.

The business would promote Epworth's fantastic tourist attraction, not only because of the history of the Wesley brothers, the old rectory, and the attractive market town but with the addition of accommodation.

Key issues

The main planning considerations in assessing this application are:

- **principle of development**
- **impact on character and appearance**
- **impact on residential amenities**
- **Contaminated land and noise impact**
- **Highway safety**
- **Flood risk and drainage**
- **archaeology**
- **ecology.**

Principle of the development

As indicated earlier, planning permission PA/2003/0240 to convert a disused barn on the site into six self-contained holiday cottages and PA/2003/344 to change the use of the land to a caravan park (static touring) were both approved on 24/07/2003. This proposal does not involve an extension of the site, as the proposed statics/lodges are located within the existing site area where the current statics/lodges are located. The pond would be relocated

to the field to the east (the camping field). The proposed new pond would serve as a fishing pond and wildlife zone. Ponds are important breeding grounds for different wildlife species and serve as shelter and even drinking/feeding locations for other wildlife. The pond is therefore an appropriate development in the countryside.

Furthermore, the increase in the overall number of static/lodges plus the new reception block would be located within the existing site. Accordingly, the principle of a caravan park (static touring) on the site has already been established.

The National Planning Policy Framework (NPPF) places a strong emphasis on economic development in rural areas, noting that the sustainable growth and expansion of all types of business in rural areas should be supported. Paragraph 84 Section (c) of the NPPF supports sustainable rural tourism and leisure developments which respect the character of the countryside.

Chapter 2 (Achieving sustainable development) of the NPPF also notes that development proposals should be considered in the context of a presumption in favour of sustainable development. This should be considered carefully in the context of the rural location of the application site.

Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is essential to the efficient operation of agriculture or forestry, and employment-related development appropriate to the open countryside among other criteria.

Policy R12 (New Caravan and Camping Facilities) supports new caravan and camping facilities for both touring and static provided the development is closely associated with existing or proposed recreational and tourist attractions and is of an appropriate scale having regard to the size and type of attraction with which it is associated, and the site can be suitably screened by existing landforms and or the provision of a scheme of landscaping. The provision of any built development would be restricted to those essential facilities which are required to service the site.

Epworth Fields Holiday Park is an established rural business looking to improve its facilities and diversify the business with on-site holiday accommodation. The facilities will offer local and rural visitor-based businesses. The business will create additional employment opportunities, vital in rural locations and would make a valuable contribution towards providing inexpensive visitor accommodation in the area.

Overall, the proposal is considered an appropriate development on the established site and will promote the existing business operations.

Based on the above policies, the principle of development is acceptable.

Impact on character and appearance

Policy DS1 (General Requirements) is concerned with the impacts of development on 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.’

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) requires that 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 that is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

In considering the layout of the site, it is judged acceptable as an overall 41 static/lodges (the existing 24 static/lodges plus 17 new static/lodges) would fit well into the site.

In considering the design, the scale would be acceptable as the development would not be significantly increased to the detriment of the site and the environment.

Static/lodges tend to have simple and subtle designs, finished in timber effect cladding with low-pitched roofs. Conditions would be applied to any permission granted requiring details of the design of the static/lodges to be submitted for approval to ensure that they do not become an intrusive feature within the site and surrounding area and are designed to a high standard.

In terms of the proposed one-and-a-half-storey reception block, as indicated earlier, the applicant has confirmed that it was proposed to meet the requirements of the Environment Agency in the interest of public safety. The scale of the reception block is acceptable.

Turning to the existing use of the field to the east of the site for recreational purposes, this proposal would not alter the current use and therefore does not require a change of use of the land.

The grass field would be retained as it stands and touring caravans and tents could continue the use of the site under permitted development rights, which allows caravans to remain on the field for 28 days. It is also worth noting that the field is sufficiently screened by mature trees and therefore does not raise any additional issue of landscape impact as existing. The proposed pond on the grass field is acceptable as it is appropriate development in the countryside and would be appropriately managed by the applicant.

Overall, the siting and layout of the lodges would be acceptable, and planning conditions will be used to secure acceptable details of the lodges/static; therefore, the proposal would comply with policies DS1 of the local plan and CS5 of the Core Strategy.

Impact on residential amenity

The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy DS11 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 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.

Policy DS1 (General Requirements) expects a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. It requires that all proposals be considered against the quality of the design and amenity, among others.

This proposal is well distanced from any neighbouring dwelling and therefore would not result in any concern in terms of overbearing impact, overlooking or privacy on any residential amenity.

Regarding the impact on neighbouring land, it is not anticipated the pond would raise an issue because there are no properties nearby. In general, the creation of the pond would not affect any neighbour's drainage system or property.

Contaminated land and noise impact

The Environmental Protection team has commented on contaminated land and noise and has no objection.

On noise, the Environmental Protection team officer has indicated that the applicant has now submitted additional information and has amended the site layout resulting in an additional 17 static caravans/lodges instead of the previously proposed 47.

The applicant has also submitted photographs to demonstrate that the access road to the site has been recently tarmacked. Furthermore, a noise management plan and site rules document has been submitted with the application, which places controls on the site to limit noise disturbance to nearby residents. A condition was recommended that no vehicles shall enter or leave the site between 11pm and 7.30am except in the case of emergency. This condition would not meet all the six tests set out in the PPG for planning conditions and is not recommended to be imposed on the planning permission. It must also be noted that planning permission PA/2003/0344 for the existing static and touring caravans does not include this condition.

On contaminated land, the proposals include the infilling of an existing pond which will then be relocated within the southern part of the site. The department then recommends the inclusion of a condition should planning permission be granted.

It is therefore judged that the proposal would accord with policy DS11 of the North Lincolnshire Local Plan.

Highway safety

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

Highways have reviewed the proposal and have no objection subject to a condition requiring that the internal access roads and parking facilities serving the site are provided. Once provided these facilities shall be retained.

Flood risk and drainage

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

Section 14 (Meeting the challenge of climate change, flooding and coastal change) requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where

development is necessary for such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

The above policies aim to steer new development to flood zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in flood zone 1, local planning authorities in their decision making should consider the flood risk vulnerability of land uses and consider available sites in flood zone 2 (areas with a medium probability of river or sea flooding), applying the exception test if required. Only where there are no reasonably available sites in flood zones 1 or 2 should the suitability of sites in flood zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the exception test if required. Within each flood zone, surface water and other sources of flooding also need to be taken into account in applying the sequential approach to the location of the development.

The site lies in flood zone 2/3a and is therefore at high risk of flooding. A Flood Risk Assessment (FRA) has been submitted, along with a Flood Warning & Evacuation Plan.

The FRA contains an assessment of the sequential and exception tests.

The report confirms that the development site lies partly within zone 3 of the Environment Agency Flood Map (version 2.8.2), being the zone with a risk of 1 in 200 year (0.5% AEP) or greater for tidal/coastal flooding. The proposed development is for short-term holiday lets and as such is more vulnerable. Because of the above, an exception test is required.

Mitigation measures have been proposed. These include:

- raising floor levels/land raising;
- emergency access and egress;
- flood resilience measures;
- flood warnings;
- a flood evacuation plan; and
- control of run-off.

In conclusion, the report has demonstrated that there is a risk of flooding from the nearby River Trent; however, the mitigation measures recommended in the report should provide betterment and ensure that the risk is reduced.

The planning department has no adverse comments to make on the assessment of the sequential and exceptional tests as the applicant has successfully demonstrated that there are no reasonably available alternative sites at lower risk of flooding, especially as this proposal is an extension to the existing holiday let static caravan business operating on the site. While the proposed development is for short-term holiday lets, and as such is considered to be more vulnerable, the flood risk assessment indicates that the Groundwater Vulnerability Map and Source Protection Zones produced by the Environment Agency show that the district is not underlain by an aquifer and are therefore unlikely to be a source of significant flood risk. Accordingly, the proposed uses of the site are acceptable in terms of their vulnerability.

The LLFA has commented that the revised proposals still fail to provide sufficient information to enable a full assessment of the site to be carried out. For example, it is unclear what the existing surface water drainage arrangements/outfalls are, and how the existing pond currently interacts with groundwater and what mitigation may/will be required by removing this feature. Taking the above into consideration, they have recommended conditions.

The Environment Agency has commented following the submission of an amended Flood Risk Assessment and a Flood Warning and Evacuation Plan. The amended FRA now proposes raising the floor levels of the caravans slightly higher than previously and includes further consideration of the 'safe refuge' area on the first floor of the reception building. The Environment Agency has removed their initial objection subject to conditions.

In general, the proposal complies with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the Core Strategy, and paragraphs 155, 157, 163 and 165 of the NPPF.

Archaeology

The Archaeology officer has been consulted on the revised drawings. Initially, they objected to the application on the basis that the site 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.

The officer indicated that the application site is within the Recent Enclosed Land character type and the setting of the Early Enclosed Land. The proposed development introduces static residential units and an amenity building into a grass field and would be an unacceptable extension and intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility.

Accordingly, 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 officer was reconsulted on the revised drawing, however, retained their objection. The officer noted that the amended layout shows the removal of the pitches and structures within the eastern field. Though, the proposed fishing pond has remained within the eastern field. In addition, the officer was concerned that the proposed two-storey reception block resembles a dwelling and is oversized for the proposed function (i.e., reception for the business and refuge area in case of flooding).

The planning department has reviewed and considered the comments from the Archaeology officer. Following discussions with the applicant, the initial two-storey reception block has been revised to a one-and-a-half-storey reception block and should be supported because it is an improvement over the initial two-storey reception block proposed. It is worth noting that the ground floor would be the reception area where people can get information or advice, and the first floor would be the refuge area as requested by the Environment Agency in the event of flooding.

The planning department also believes that the scale and position of the current reception block would not be worse than the impact of the two-storey six self-contained holiday cottages nearby.

Overall, the scale of the current one-and-a-half-storey reception block would not significantly impact the landscape.

Regarding the comments on the proposed fishing pond on the field, the site is a grass field, sufficiently screened by mature trees. The field has picnic tables and caravans which are allowed on the field for 28 days under permitted development rights. Planning conditions would be applied to the decision notice to ensure that it is retained.

The planning department acknowledges that pond creation can be both a threat and an opportunity for archaeology. Digging holes in areas that are scheduled ancient monuments raises concerns. Notwithstanding the above, the creation of the pond is not anticipated to raise an archaeology issue. HER have confirmed that no archaeological conditions are required for the proposed pond.

Overall, the appearance and quality of the landscape would not be significantly harmed by the creation of the pond. Furthermore, it would create beneficial features such as new habitats and would be in keeping with the landscape. The pond is unlikely to impact negatively on the Area of Special Historic Landscape Interest of the Isle of Axholme, though designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle. On balance, the proposal will not result in demonstrable harm to the LC14 area in this location due to the screening around the site and its overall siting.

Ecology

Policy CS17 (Biodiversity) is primarily about conserving and enhancing North Lincolnshire's wildlife, including intertidal and peat moor locations and supporting a richness of biodiversity that will underpin the creation of sustainable neighbourhoods and green tourism.

The applicant has submitted a Preliminary Ecological Appraisal.

The ecology officer has reviewed the proposal and the Preliminary Ecological Appraisal and has no objection subject to conditions and informative comments. The officer has indicated that the proposal is unlikely to affect protected or priority species, other than nesting birds. The officer has recommended conditions be applied to minimise harm to protected and priority species and habitats and to seek a measurable net gain in biodiversity in accordance with policy CS17, the National Planning Policy Framework and Biodiversity Metric 3.1.

The officer has commented that with this proposal, biodiversity enhancement should be secured by:

- planting locally appropriate trees, shrubs and hedgerows of high biodiversity value and perhaps local heritage varieties of fruit trees;
- assuming the new pond will be stocked with fish, considering creating additional unstocked ponds for wildlife;
- enhancing the grassland sward and pond margins with UK origin wildflower seeds, plugs or plants, appropriate to the local area;
- installing bat boxes and nest boxes in retained trees; and

- the use of pollinator-friendly plants in any formal planting areas.

To make sure that biodiversity net gain is quantified and deliverable, the applicant is advised to make use of Defra's Biodiversity Metric Version 3.1.

The proposal, therefore, complies with policy CS17.

Public comments

The concerns raised in the public comments such as the impact of the proposal on the historic landscape, on open farmland, on the character of the area and the open countryside, as well as damage to the road, traffic and public safety, noise nuisance, harm to biodiversity, flood risk and foul water have all been addressed in this report.

Concerning security and antisocial behaviour concerns for residents of Newlands Lane, as indicated earlier, Epworth Fields Holiday Park is an established rural business and the council has received no complaints of security issues or antisocial behaviour affecting residents of Newlands Lane because of the business.

Turning to concerns about Public Footpath 77 on the Isle of Axholme definitive map (the statutory register of public rights of way in the area concerned), this proposal does not affect any public right of way.

Town council comments

Epworth Town Council has objected to the application on the basis that the proposal is inconsistent with the local development plan. They have raised concerns over access from the junction of Rectory Street and Newlands Lane to the site. Highways have not raised any issues or made any adverse comments regarding the proposal in general or any street or road maintained by the council.

Environmental Health and Housing comments

The comments made are noted. Conditions in relation to sewage disposal are recommended in this report. Comments in relation to touring pitches facilities are noted but touring pitches do not form part of this application. The applicant will need to ensure satisfactory refuse disposal arrangements to serve this development.

Conclusion

The principle of the development on the site has been established by the grant of planning permission PA/2003/0240 to convert a disused barn on the site into six self-contained holiday cottages and PA/2003/344 to change the use of land to a caravan park (static touring) on 24/07/2003.

Furthermore, the additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond) as submitted under the amended drawing are acceptable.

The proposal looks to enhance and protect the existing rural business, and provide new visitor facilities, for visitor enjoyment of the countryside and is acceptable.

There would be no significant harm to the landscape or rural area, in general, arising from the proposal that would warrant refusal. There are provisions within the development to mitigate any adverse impact on the site subject to conditions. The design of the lodges would match the existing lodges and is acceptable.

In terms of advantages, the proposal would result in economic benefits to the local area arising from the potential increases in visitor numbers. There are no heritage, highway safety, drainage (subject to conditions) or residential amenity impacts that would result in any demonstrable harm being caused. The proposal is therefore recommended for approval.

Pre-commencement conditions

The pre-commencement condition included in the recommendation 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:

- Topographical Survey 0482/10/001
- Existing Site Plan NLEF 001
- Viewpoints NLEF 007
- Proposed Site Plan NLEF 009
- Proposed Plan & Landscape NLEF 012
- Reception Block Dormer NLEF 013
- Materials for Reception Building October 2022.

Reason

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

3.
No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, Rev: C, submitted by: EWE Associates Ltd, Dated: January 2023.

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

arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of 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.

4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the occupation of any lodge/static caravan 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 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.

5.

No development shall take place until details of the disposal of foul sewage from the development hereby permitted have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure satisfactory disposal of foul water in accordance with policy DS14 of the North Lincolnshire Local Plan.

6.

Works shall be carried out strictly in accordance with the recommendations in sections 5.2.2 to 5.6.2 of the submitted Preliminary Ecological Appraisal report.

Reason

To conserve biodiversity in accordance with saved policy LC5 of the North Lincolnshire Local Plan, and policies CS5 and CS17 of the Core Strategy.

7.

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

- details of bat roosting features to be installed in retained trees;
- details of nesting sites to be installed to support a variety of woodland and farmland bird species;
- restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- prescriptions for the planting and aftercare of native trees, shrubs and hedgerows of high biodiversity value;
- proposals for grassland sward enhancement and management;
- details of the pond and wetland habitat to be created;
- details to confirm that the measures proposed will provide a measurable net gain in biodiversity value of at least 1% in accordance with the Defra biodiversity metric 3.1;
- proposed timings for the above works in relation to the operation of the caravan pitches.

Reason

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

8.

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 completion of the approved development, 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.

9.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 2022/2923, Final Report RevC January 2023, compiled by EWE Associates Ltd) and the following mitigation measures details:

- Finished floor levels of the caravans shall be set no lower than 3.1 metres above Ordnance Datum (AOD).
- The caravans shall be securely anchored to the ground.
- The caravans shall be for short-term holiday lets only.
- Finished floor levels of the reception block shall be set no lower than 2.5m AOD.

- The reception block shall have a first-floor safe refuge which will have finished floor levels set no lower than 4.1mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants and ensure the caravan units do not become dislodged during flooding.

10.

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 protect human health.

11.

No pitches/lodges/statics shall be brought into use until the internal access roads and parking facilities serving them have been provided. Once provided these facilities shall be retained.

Reason

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

12.

Approval of the siting, design and external appearance of the static/lodges shall be obtained from the local planning authority in writing before any development is commenced. Plans relating to the siting, design and external appearance shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

In the interests of the amenity of the locality and to comply with policy DS1 of the North Lincolnshire Local Plan.

13.

No more than 17 additional lodges/statics caravans are permitted on the site.

Reason

The site in the open countryside where development is strictly controlled in accordance with policies RD2 of the North Lincolnshire Local Plan and CS3 of the North Lincolnshire Core Strategy, and to safeguard the character and appearance of the LC14 area and the amenity of the locality in accordance with policies CS5 of the Core Strategy and DS1 of the North Lincolnshire Local Plan.

14.

The lodges/static caravans permitted on the site shall be occupied for holiday purposes only and not as a person's sole or main place of residence. An up-to-date register of all occupiers on the site (including details of their home address) shall be maintained and this information shall be made available at all reasonable times to the local planning authority.

Reason

To ensure the approved holiday accommodation is not used for unauthorised permanent residential occupation in this countryside location in accordance with policies RD2 of the North Lincolnshire Local Plan, and CS3 and CS8 of the Core Strategy.

15.

The use of the site shall be for short-term use only and no lodge/static caravan shall be occupied on the site for more than 28 consecutive days in any 12 months. A logbook recording full details of the occupation (including dates and length of time of each occupation) of each lodge/static caravan shall be maintained and this information shall be made available at all reasonable times to the local planning authority.

Reason

The site is for holiday use only and is inappropriate for permanent residential development, being within the open countryside in accordance with policy RD2 of the North Lincolnshire Local Plan and policies CS3 and CS8 of the Core Strategy.

16.

The reception block/building shall remain ancillary to the main use of the site as a caravan holiday park at all times and not occupied as a separate planning unit without the prior permission in writing of the local planning authority.

Reason

The site is located within the open countryside where development is strictly controlled in accordance with policy RD2 of the North Lincolnshire Local Plan. The reception block/building has only been approved on the site to support the existing tourism use operating on the site.

Informative 1

The applicant will need to be aware of their obligations under the following legislation:

- Caravan Sites and Control of Development Act 1960 (as amended)
- Model Standards 1989: Holiday Caravan Site
- Model Standards 1983: Touring Caravan Site
- Electrical Safety Regulations 2020
- The Regulatory Reform (Fire Safety) Order 2005
- The Gas Safety (Installation and Use) Regulations 1994.

Informative 2

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making all species of bat European Protected Species. Details of the legislation can be found at:

- Wildlife and Countryside Act:
<http://www.legislation.gov.uk/ukpga/1981/69/contents>
- The Countryside and Rights of Way Act:
http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81
- The Conservation of Habitats and Species Regulations 2017
http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1

Informative 3

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981 (WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under a licence.

Informative 4

The applicant should be aware that in case of extreme flood events and flood infrastructure failure, the site could be inundated with water. This would be likely to result in significant damage to these structures, with a significant impact on the development: the applicant should recognise and accept these risks.

Informative 5

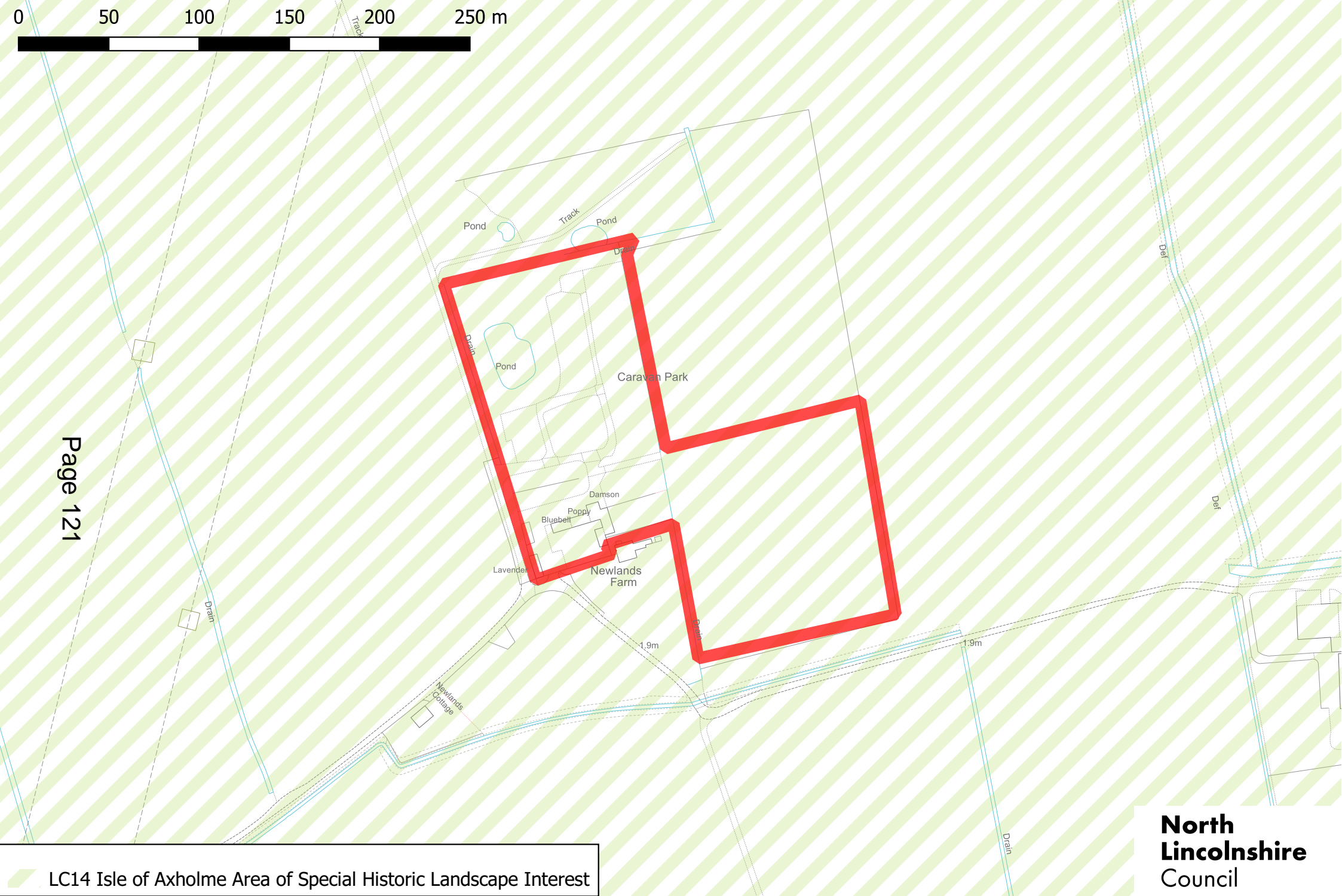
Severn Trent Water advise that although statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution which protects both the public sewer and the building.

Informative 5

In determining this application, the council, as a 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

**North
Lincolnshire
Council**



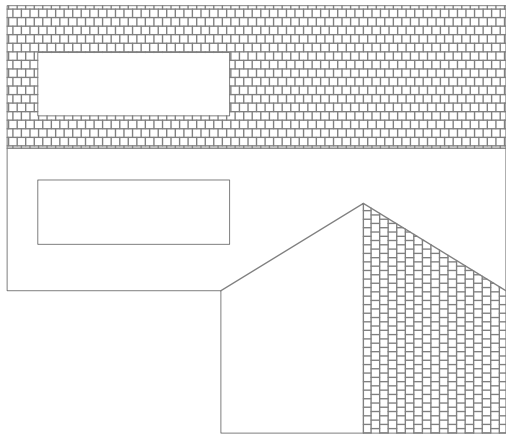
PA/2022/1536 Proposed layout (not to scale)



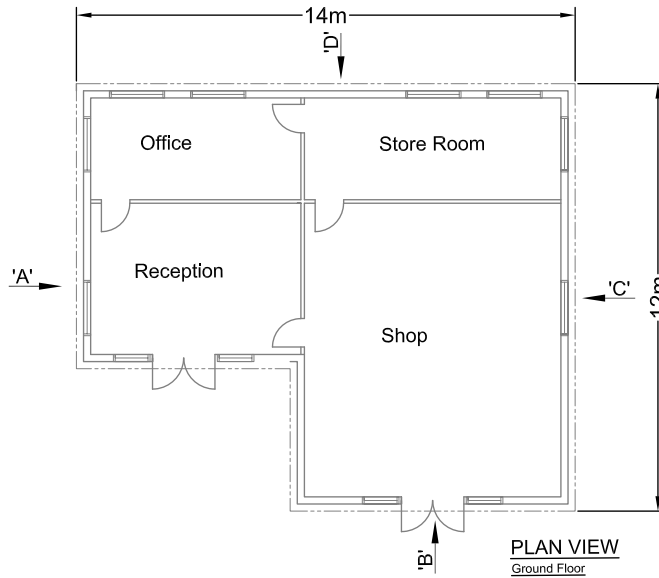
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Ref:	Scale @ A3	Date
NLEF 009	1:1250	JUL/23



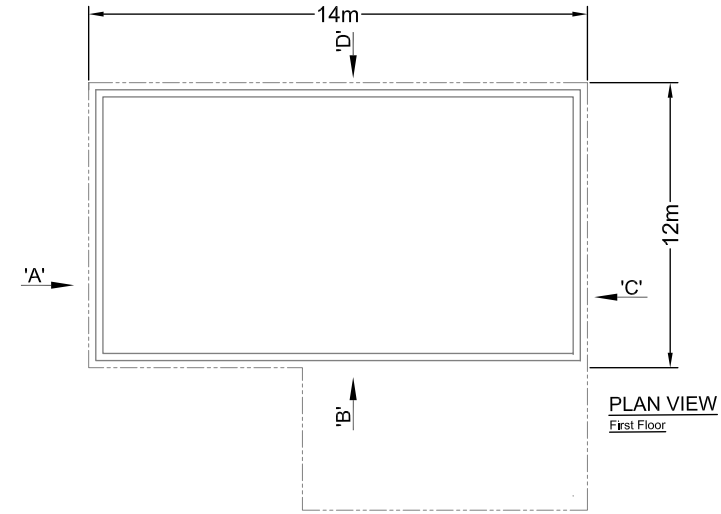
enquiries@marksimmondsplanningservices.co.uk
Mark Simmonds
Director
Mark Simmonds Planning Services Ltd
Mercury House
Willoughton Drive
Fosby Lane
Gainsborough
DN21 1DY



PLAN VIEW DETAIL

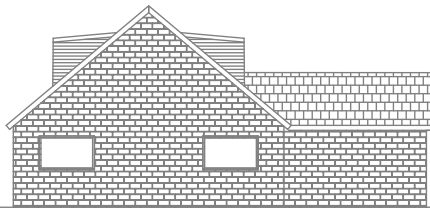


PLAN VIEW
Ground Floor



PLAN VIEW
First Floor

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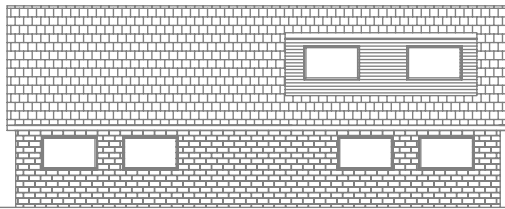


END ELEVATION
VIEW ON 'A'

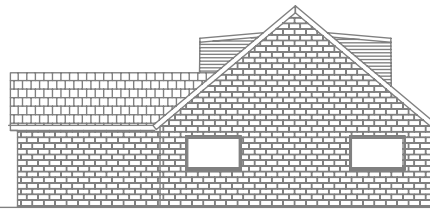


SIDE ELEVATION
VIEW ON 'B'

AMENDED



SIDE ELEVATION
VIEW ON 'D'



END ELEVATION
VIEW ON 'C'

Drawing Title			enquiries@marksimmondsplanningservices.co.uk Mark Simmonds Director Mark Simmonds Planning Services Ltd Mercury House Willoughton Drive Foxby Lane Gainsborough DN21 1DY
RECEPTION BLOCK DORMER EPWORTH FIELDS NEWLANDS LANE			
Ref:	Scale @ A3	Date	
NLEF 013	1:150	JUN/23	

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APPLICATION NO	PA/2022/1628
APPLICANT	Persimmon Homes (South Yorkshire), Persimmon Homes (Yorkshire) Ltd
DEVELOPMENT	Application for approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2019/1782 dated 03/04/2020 for a residential development of up to 200 dwellings
LOCATION	Land south of Moorwell Road, Yaddlethorpe, Bottesford
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Mick Grant, Margaret Armiger, Janet Longcake and John Davison - significant public interest) Objection by Bottesford Town Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

RD2 (Development in the Open Countryside)

H5 (New Housing Development)

H8 (Housing Design and Housing Mix)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

DS1 (General Requirements)

DS14 (Foul Sewerage and Surface Water Drainage)

H10 (Public Open Space Provision in New Housing Developments)

HE9 (Archaeological Excavation)

LC4 (Development Affecting Sites of Local Nature Conservation Importance)

LC7 (Landscape Protection)

LC12 (Protection of trees, Woodland and Hedgerows)

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)

CS6 (Historic Environment)

CS7 (Spatial Distribution of Housing Sites)

CS8 (Overall Housing Provision)

CS9 (Affordable Housing)

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

CS17 (Biodiversity)

CS18 (Sustainable Resource Use and Climate Change)

CS19 (Flood Risk)

New North Lincolnshire Local Plan:

The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

H1: Site Allocations – H1P-6 Moorwell Road (200 dwellings)

H2: Housing Mix and Density

RD1: Development in the Open Countryside

DQE1: Protection of Landscape, Townscape and Views

DQE3: Biodiversity and Geodiversity

DQE6: Sustainable Drainage System

DQE7: Climate Change and Low Carbon Living

DQE11: Green Infrastructure Network

DQE12: Protection of Trees, Woodland and Hedgerows

CSC3: Protection and Provision of Open Space, Sports and Recreation Facilities

T1: Promoting Sustainable Transport

T3: New Development and Transport

T4: Parking

DM1: General Requirements North Lincolnshire Local Plan Submission:

CONSULTATIONS

Highways:

Original response

No issues regarding the principle of the residential development. However, we have concerns that the proposed layout has the potential to create a speeding issue along the main access road from Scotter Road South. We would prefer to see either the design amended to address this, or if this isn't possible, the provision of horizontal/vertical traffic calming features. We would prefer to see this considered as an integral part of the design, rather than securing an S106 contribution to retrofit them at a later stage.

Can the applicant also clarify the rationale behind the proposed block paving shown on the site layout and confirm the width of the footways throughout the site – looking at the plan they appear to vary in width. We assume the access road will have streetlights from the

junction with Scotter Road South – can this be confirmed. Having discussed the proposals with colleagues in Street Lighting, they would view the junction as a conflict area and would require the street lighting on Scotter Road South to be extended south beyond the junction, to a point agreed with ourselves. We would need to discuss the best way to secure this as we would need to ensure that the lighting was provided in conjunction with the TRO [traffic regulation order] to amend the speed limit.

Amended plans

No technical design of the horizontal traffic calming has been provided. Recommend a condition requiring details of the proposed horizontal traffic calming features on the access road to be submitted to the council for approval.

Public Rights of Way: No comments to make.

Environment Agency: We do not wish to comment on the documents submitted in relation to the reserved matters. However, we remind you that we would like to be consulted when an application is received to discharge condition 33 of the outline permission (foul drainage scheme).

LLFA Drainage: No objections to the reserved matters application. The LLFA are currently in discussions with the developer to agree the detailed design on the discharge of condition application PA/2022/2166 but this should not affect the layout.

Severn Trent Water: No response to the consultation.

Anglian Water: No comments to make on the application.

Environmental Protection: This department has no comments to make in relation to the above reserved matters application. There are several pre-commencement conditions in relation to PA/2019/1782 which require discharging.

Archaeology: No further comments to make.

Ecology:

Original response

The site has increased in habitat value and badger field signs have been recorded (pers. obs.). The proposals are of lower biodiversity value than those presented at outline stage and do not include wetland features. Revised proposals are required to allow future compliance with condition 31 of PA/2019/1782.

Amended plans

The site has increased in habitat value and badger field signs have been recorded. The illustrative masterplan for the outline showed buffering open space all around Yaddlethorpe Fish Ponds Local Wildlife Site (LWS). The new landscape plan shows plots 196–200 very close to the LWS. However, the houses will be ‘front-on’ to the LWS, with an access road in between the properties and the LWS. This should provide passive surveillance of the LWS boundary and reduce the potential for fly-tipping that arises when back garden fences back onto semi-natural habitats. On balance, whilst the buffering of the LWS is reduced compared to the outline, this compromise is acceptable.

The originally submitted new landscape masterplan showed:

- no drainage pond or wetlands
- two different shaded areas of mixed native tree and shrub planting, with no specified tree or shrub species, numbers or spacings
- unspecified wildflower and grassland mixes. Additional tree and native hedge planting is not shown on the masterplan, which is welcomed. On balance, now that the areas of planting are shown, the details of species, seed mixes and spacings can be agreed in the biodiversity management plan for condition 31. Outlines of wet grassland scrapes have now been provided, which is appreciated. Details of soils, scrape depths, slopes and seed mixes spacings can be agreed in the biodiversity management plan for condition 31.

Conditions are recommended relating to the submission of a species protection plan to the council for approval and implementation.

Tree Officer:

Original response

The site presently has a few trees, mainly situated around the perimeter of the development. The arboricultural report submitted appears to be accurate in that regard. Where trees are being retained there appear to be distances in line with the British Standard given and I am not unduly concerned about this part of the application.

Due to the ponds close by I am presuming that the council's ecologist would need to be involved on this one, and the landscaping submission, particularly around the pond and wilder areas for the site would need to meet the constraints that he would wish to have in that regard.

The overall planting within the build areas appears to have a variety of smaller trees and shrubs that would appear to be a reasonable choice; however, there is a need to ensure that anything planted within the ground has a good chance of survival – especially in these hotter, drier summers we are likely to get. In these circumstances there is a need for maybe smaller trees that do not require such extensive watering over the first few years and may have an increased likelihood of making it through to becoming sustainable trees.

Amended plans

No further comments to make.

Citycare (CCG): On behalf of the NHS North Lincolnshire Health Care Partnership, we would like to request Section 106 funding be considered in relation to the planning application for 200 dwellings for the land south of Moorwell Road, Bottesford and the nearby town of Scunthorpe has multiple surgeries in close proximity to the proposed development, including: Cambridge Avenue Medical Centre, Ashby Turn Primary Care Centre, The Birches Medical Practice, Cedar Medical Practice, Ancora Medical Practice, West Common Lane Teaching Practice, Oswald Road Medical Surgery and Church Lane Medical Centre. These surgeries are already under pressure due to space limitations, therefore any increase in new housing is likely to impact on requests for new patient registrations, potentially increasing the list size and demand for clinical services.

We suggest the methodology used to determine a suggested amount of S106 funding is used from the Local Plan Housing and Primary Care Analysis, which uses a rate of £723.16 per dwelling: £723.16 x 200 housing units = £144,632.00. Should the S106 funding be successful, it would be used to potentially increase space for the delivery of primary care services and wider community services, which will benefit local patients. Whilst the proposal is one housing development in the local area, the cumulation of all new housing proposed will add to the pressure already faced by the nearby practices.

Waste and Recycling: General advice in relation to bin types and capacity. Vehicle access for a refuse collection vehicle (RCV), highway construction for an RCV, pulling distances for residents and collection crews, communal bins for residential flats, apartments, HMOs, refuse and recycling storage, security and bulky waste storage.

Humberside Fire and Rescue: General advice in relation to access for the fire service and access to water supplies for firefighting.

Humberside Police:

Original response

After consultation with Humberside Police Traffic Management Officer (TMO), I can confirm we have no objections in principle; however, I would be grateful if the applicant considers the following comments. The TMO does share the same concerns as North Lincolnshire Highway Development Services comments submitted on 8 November 2022, regarding the potential for speeding issues along the main access road from Scotter Road South. Likewise, at this location he would also prefer to see an engineering solution designed into the proposal to address this from the outset. The TMO also supports the observations made with regard to the street lighting and speed reduction on Scotter Road South. Regarding the footway provision, the TMO would prefer the design to include an accessible interface between the footway(s) on the proposal with the existing footway on Scotter Road South, to provide a safe link for pedestrians to and from the proposal, in line with encouraging modal shift towards more environmentally friendly modes of transport.

General guidance is also provided in relation to Secured by Design and CPTED (Crime Prevention through Environmental Design) which relate to measures taken to reduce crime through the manipulation of the physical environment.

Amended plans

After consultation with Humberside Police Traffic Management Officer (TMO), I can confirm that we have no objections; however, the TMO still supports the observations made by the local authority's highways department's previous comments.

Fisher German:

Original response

It appears from the plans submitted that the proposed development is to be constructed in close proximity to Exolum apparatus. Such works would require consent from Exolum, and in this instance consent would not be granted as the proposed development would restrict access to the pipeline both for routine maintenance and in an emergency situation. We therefore must object to the application. The interests of Exolum are conserved by means of the Energy Act 2013 and other legislation such as the Pipeline Safety Regulations 1996.

It is the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from Exolum.

Amended plans

Objection withdrawn. We confirm that our client Exolum's apparatus will not be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes.

TOWN COUNCIL

Original response

- no provision for cycle routes, public transport or disabled access
- no proposal for reducing speed limit down to 50mph when 30mph would be more appropriate
- the proposed T-junction is inadequate and close to other junctions – traffic lights or a roundabout would be more appropriate
- detailed information is required on the provision of services, especially drainage as the area is known to flood
- affordable housing should form part of this application
- what provision has been planned for education – local schools are at full capacity
- why only 177 properties with electric vehicle charging points – this should be all 200
- increased traffic flows will cause safety issues for residents living and driving on Moorwell Road
- Yaddlethorpe Ponds and local wildlife will be adversely affected by the proposed 200 dwellings – the fields are known to flood and spill into the ponds and the development will stop this occurring
- foul water management has not been addressed in the application – a new sewer is required
- social housing has been omitted
- healthcare provision has not been outlined
- a further 200 dwellings is unsustainable.

Amended plans

It was noted that a pumping station has been added to the application which is totally inappropriate and a step back in time (why not use a main sewer?). It is potentially costly to residents and will not ease foul and surface water issues which have already been raised by the council. Object in relation to road safety (entrance and exit onto a busy road),

environmental issues and lack of infrastructure (schools, shops, doctor's surgeries), which have not been addressed.

PUBLICITY

The application and the amendments have been advertised by site and press notice in accordance with Article 15 of the Development Management Procedure Order 2015. A total of 25 letters of objection have been received in response to the original and amended plans, raising the following issues:

- inadequate footpaths and cycle paths, and provision for the disabled
- all houses should have electrical vehicle charging points
- no provision for elderly or disabled accommodation
- pumping station location not acceptable
- impact on infrastructure, doctors', schools, health
- no public transport
- main sewer inadequate
- speed limit is 50 mph
- no facility for surface water disposal/SUDS
- impact on local nature reserve
- increase in traffic
- no tenure details
- insufficient car parking on the site
- inadequate green open space
- insufficient detail on boundary treatment and access to the PROW
- flood risk
- no affordable homes
- insufficient buffer between fishing ponds and the development
- noise
- out of character.

STATEMENT OF COMMUNITY INVOLVEMENT

No information relating to community consultation has been submitted with the application.

ASSESSMENT

The proposal

This application seeks the approval of reserved matters pursuant to outline planning permission PA/2019/1782 which was granted in April 2020 for 200 dwellings. The overall application site is 8.30 hectares. The proposed built development comprises an area of 5.22 hectares alongside the provision of 2.46 hectares of public open space. The development the subject of the reserved matters application comprises 200 houses to give a residential density of 24 dwellings per hectare.

Amended plans submitted in April and May 2023 were subject to re-consultation and were publicised. The main changes to the scheme were:

- the southern boundary of the application site has been updated to more accurately reflect the existing gas main
- the housing mix has changed slightly, with all 2.5 storey units being removed from the scheme
- the drainage attenuation tank has been amended from an L-shape to be smaller and more rectangular in shape, following discussions with the LLFA
- improvements to the parking arrangements
- improvements to the public footpath provision
- increased landscaping throughout the site, with a focus on creating a high-quality entrance feature incorporating significant street tree planting
- solar panels on the roof of the dwellings.

The 200 dwellings proposed are a mix of two, three and four-bedroomed properties of the following mix:

- 10 two-bedroomed dwellings (5%)
- 112 three-bedroomed dwellings (56%)
- 78 four-bedroomed dwellings (39%).

The 200 dwellings comprise 14 housing types consisting of detached, semi-detached and terraced properties. All dwellings are two-storey and have solar panels on the front and rear roof slopes. The developer has stated within the submission that the 'proposals provide 100% M4(2) compliant housing, ensuring that the development will be accessible to as many people as possible and that the proposed dwellings will meet national space standards.' Each dwelling will have its own car parking space(s) and private amenity area secured by boundary treatment. The dwellings will be constructed from three different types of brick which will be buff, red and brown colours. All roof tiles will be flat greys with windows to be white UPVC and external doors will be finished in white.

The site comprises 200 dwellings with substantial open space to the western side of the site. A LEAP is set within an area of open space within the main body of the development.

Open space runs along the southern boundary of the site which provides a link to the adjacent PROW on the south side of the application site. An emergency access only from Moorwell Road is shown on the layout with the main access from Scotter Road (determined at outline stage). The site entrance is from Scotter Road. Located close to the main access will be a small substation and pumping station to provide essential infrastructure for the development proposed. The road layout comprises the main access from Scotter Road which wraps and weaves around the application site providing permeable routes around the site with cul-de-sacs/private drives within the road layout for vehicles, pedestrians and cyclists.

The landscaping for the site comprises public open space, and hedgerow alongside the southern and western site boundaries; a wetland area towards the south-western corner, tree belts along the north-eastern site boundary; and hedgerow and tree belts along the north-western site boundary surrounding Yaddlethorpe Pond. Planting for the scheme comprises trees ranging from light standard to extra heavy standard from 19 species of trees; beech, evergreen and evergreen flowering hedging; native hedge planting; mixed native species shrubs; ornamental shrubs; turf, amenity grass and mown species rich grass mix; wildflower and wetland grass seed; and seasonal bulb planting.

The site

The application site obtained outline planning permission for the residential development of up to 200 dwellings under PA/2019/1782 in April 2020. The site area is 8.25 hectares.

The site currently comprises agricultural fields. The site, whilst abutting the settlement boundary for Scunthorpe and Bottesford, is located within the open countryside as identified by the Housing and Employment Land Allocations (HELA) DPD 2016. The site is within flood zone 1 in the North and North East Lincolnshire Strategic Flood Risk Assessment. Adjoining the site on its northern boundary is a local wildlife site known as Yaddlethorpe Fish Ponds covered by policy LC4 in the North Lincolnshire Local Plan. The site adjoins housing to its north and north-eastern boundaries. Further north are the Moorwell Road and South Park industrial estates. To the south is open countryside and beyond is the M180.

An intermediate pressure gas main has been found to run diagonally across the scheme and is shown on the layout for the site. An oil pipeline is also located across part of the site and electricity pylons cross the southern part of the site. The site is not level and exhibits a gradual east to west fall.

The site, in the new local plan for North Lincolnshire, is located within the proposed new development limit for the Scunthorpe and Bottesford urban area. The site is covered by housing allocation H1P-6 which has an allocation for 200 dwellings. The new local plan can be given some weight in the decision-making process as examination on the new local plan has now commenced. Therefore, it is clear that the council considers this site is a suitable and sustainable location for new residential development.

Relevant planning history

PA/2019/1782: Outline planning permission for up to 200 dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration – approved 03/04/2020

PA/2022/1741: Non-material amendment to planning permission PA/2019/1782 to add the following condition: 'The development hereby permitted shall be carried

out in accordance with the following approved plans: Location Plan 8365-L-101 and Site/Block Plan 8365-L-102 both dated 23 September 2019 – approved 14/11/2022

PA/2022/1702: Application to modify/discharge the S106 Agreement attached to PA/2019/1782 relating to the request for contributions to be removed for viability reasons – pending consideration

PA/2022/1470: Application to discharge conditions attached to outline planning permission PA/2019/1782 (condition 5) – discharged 04/10/2022

PA/2022/2166: Application to discharge conditions attached to outline planning permission PA/2019/1782 dated 03/04/2020 (conditions 28 and 34) – pending consideration.

Principle and procedural matters

Members will recall that this application was deferred from planning committee on 4 July 2023 to allow consultations to take place on a linked application, PA/2022/1702, which is an application to modify/discharge the S106 Agreement attached to PA/2019/1782 relating to the request for contributions to be removed for viability reasons.

The principle of the development in this location is established by the extant outline planning permission on the site (PA/2019/1782) which was granted on 03/04/2020 (see attached decision notice). The outline planning permission was approved with all matters reserved apart from access. The main vehicular access to the site (approved at outline stage under PA/2019/1782) is from Scotter Road. There is an access for pedestrian, cycle and emergency vehicles only from Moorwell Road

The only details to be considered as part of this reserved matters application are the appearance, landscaping, layout and scale of the proposed residential development.

Layout, appearance and scale

Layout relates to the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. The layout also relates to access roads, footways and car parking within the application site.

Appearance relates to aspects of a building or place which affect the way it looks, including the exterior of the development.

Scale relates to the size of the development, including the height, width and length of each building proposed within the development in relation to its surroundings.

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development.

Paragraph 'c' of the policy states:

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

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

Policy CS7 of the Core Strategy seeks to ensure that housing development will be 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.

Policy H5 of the local plan, which is concerned with new housing development, is also considered relevant (although parts 'i' & 'ii' are superseded by policy CS1 of the Core Strategy, the remainder of the policy is intact).

Policy H8 of the local plan is concerned with housing design and mix. Through policy H8 new residential development will be permitted provided it:

- (i) respects and reflects the form, scale, massing, design and detailing, materials, and nature of the local environment; and
- (ii) incorporates a high standard of layout which maintains and where possible improves and enhances the character of the area; and
- (iii) protects existing natural and built features, landmarks or views that contribute to the amenity of the area; and
- (iv) prioritises the needs of pedestrian movement and takes into account the safety, health and security of residents, neighbours and the community; and
- (v) provides for residents a sense of identity and variety;
- (vi) creates an appropriate mix of dwelling size and type.

Paragraph 130 of the NPPF states, '...Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

The layout of the site comprises 200 dwellings consisting of a mix of 14 housing types and designs with significant areas of open space and a network of roads to serve the proposed dwellings. Links to the adjacent PROWs and to Moorwell Road are proposed. The dwellings front the access roads with parking provided on the frontages. Each dwelling has its own secure, private amenity space at the rear of the dwellings. The dwellings, whilst 'following' the road layout, are arranged in interesting patterns of differing densities to create a vibrant and integrated development across the site.

Close to Moorwell Road on Hurst Lane is a bus stop providing a circular route around Scunthorpe and beyond, further increasing the permeability and the sustainability of the site. Although there are no designated cycle routes within the site, it is accessible by bicycle and the road layout will provide a permeable cycle link from the site onto Moorwell Road.

A pumping station and substation are also proposed on the site near the main access entrance. These buildings are small and low in height and will be screened by the proposed hedging. Significant areas of open space (including a LEAP) are proposed within the layout, including a large area of open space adjacent to the site entrance. Native hedge planting along the Scotter Road boundary will also mitigate some of the visual impact once matured. This all creates a softer, semi-rural development from Scotter Road with a large expanse of green open space with the residential dwellings set well back onto the site from Scotter Road. A central area of public open space allows the LEAP to be accessible to all of the development and will act as a focal point for social interaction within the development.

The scheme makes good provision for landscaping within and around the site boundaries. The proposed layout will safeguard the adjacent LWS due to the landscape buffer and natural surveillance of the LWS by the proposed properties adjacent to the LWS. The layout, with its green open spaces and landscaping (once mature), will soften the development and mitigate some of the impacts of the development on the area.

In terms of scale, the scheme has been amended so that all the dwellings are two-storey comprising a mix of semi-detached, detached and terraced properties. The proposed dwellings are of differing heights and sizes depending on the house type. The scale is fairly representative of the adjoining residential areas which are primarily two-storey dwellings. The 200 dwellings do not create a 'cramped' appearance on the site due to the generous amount of open space proposed. The scheme has been designed in such a way that the scale of the development would not be out of character with the surrounding area. In terms of scale, the proposal complements this part of Bottesford and would therefore not have an adverse impact on the amenity of the locality or the amenity of residents. It should also be

noted that the overall size of the development has been dictated by the number of dwellings approved on the site (200 dwellings) through outline planning permission PA/2019/1982.

In terms of appearance, 200 dwellings are proposed comprising a mix of housing types and designs. Fourteen house types are proposed on this site. A materials layout has been submitted with the application. The dwellings will be constructed from three different coloured brick types with flat grey roof tiles. The dwellings vary in terms of appearance with hipped roofs, porches over doors, canopies on the front elevation, casement windows, sash windows, dormer windows, gable roofs, differing fenestration details and gable-ended dwellings, for example. Each dwelling has some unique detailing, adding interest to the scheme. Some of these features can be seen on adjoining and surrounding dwellings.

There are en-suite/bathroom/WC windows in the elevations of the dwellings. These will be conditioned to be obscure glazed to ensure the privacy of occupiers of the dwellings is safeguarded. Overall, in terms of appearance, a good quality residential scheme is proposed that is in character with the semi-rural area it is located in and the urban area of Bottesford. Boundary treatment to rear gardens is shown on the site layout and comprises 1.8 metre high open-boarded fencing and 1.8-metre-high screen wall/fencing. This will secure privacy for occupants.

The pumping station and sub-station are located close to the main site entrance on Scotter Road. These are small, functional utilitarian buildings. They are single storey, of low height and will be screened by the hedging and landscaping proposed on the site.

Highways have no objections to the proposals. Their initial response has largely been addressed by the amended plans. Their comments relating to a condition requiring details of traffic calming measures to be submitted for approval are noted. As the traffic calming details form part of the layout and appearance of the development, it is appropriate to impose this condition on any approval of this reserved matters application.

Overall, the proposal comprises 200 dwellings with significant green open space and landscaping, creating a spacious development which will be in character with this semi-rural area and the adjoining urban development to the north. Furthermore, the development will safeguard Yaddlethorpe Ponds, a LWS, due to the extensive landscape buffer proposed. This proposed residential development is considered to align with policies RD2, T2, DS1, LC4, LC7, H5 and H8 of the North Lincolnshire Local Plan, and CS5 and CS7 of the Core Strategy, as well as the aforementioned paragraphs of the NPPF.

Landscaping

Landscaping relates to the improvement or protection of the amenities of the site and the area, and the surrounding area; this could include planting trees or hedges as a screening.

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

Policy LC12 of the North Lincolnshire Local Plan seeks to ensure that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

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

Paragraph 174 (b) of the NPPF states that (decisions should contribute by) ‘... recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.’

The landscaping for the site comprises significant areas of open space (2.46 hectares) along with the retention of some existing trees and hedges and the provision of new green infrastructures in the form of extensive tree, hedge and shrub planting. Differing grass mixes are proposed together with wildflower seeding, wetland seed mixes and seasonable bulb planting. There is an extensive landscaping area to the entrance of the site which softens the development when viewed from Scotter Road and there is a substantial landscape buffer between the application site and Yaddlethorpe Ponds (LWS) with passive surveillance of the LWS from properties on the application site.

The council’s tree officer considers that the scheme is reasonable for the area and the council’s ecologist has also found the landscaping acceptable. It should also be noted that condition 31 of PA/2019/1782 requires the submission of a biodiversity management plan. From the submitted landscaping scheme it is considered that the requirements of condition 31 could be achieved subject to the submission of satisfactory details.

The landscaping, once mature, will soften the residential development and will work well in assimilating the scheme into its rural setting, and will safeguard the adjacent LWS. The landscaping scheme overall will allow the development to be more easily absorbed into the locality. The landscaping is therefore considered to be acceptable and aligns with the relevant paragraphs in the NPPF mentioned above, policy CS5 of the Core Strategy and policies RD2, H5, LC4, LC7 and LC12 and of the North Lincolnshire Local Plan.

Other matters raised

Comments in relation to S106 contributions for the site are noted. The S106 contributions were agreed at outline stage for education, affordable housing, leisure, open space and a TRO. It is noted that CCG have requested a S106 contribution for health. However, the S106 contributions cannot be re-considered as part of this reserved matters application as the only matters for consideration are layout, scale, appearance and landscaping. It is also noted that the applicant has submitted an application to modify/discharge the S106 Agreement attached to PA/2019/1782 relating to the request for contributions to be removed for viability reasons which is pending consideration.

To clarify matters, the speed limit on Scotter Road is to be reduced to 40mph through the TRO required by the S106 agreement attached to PA/2019/1782. No more than one dwelling can be occupied until payment for the TRO is received by the council.

The council's ecologist has requested planning conditions requiring a species protection plan to be submitted. Planning conditions can only be placed on a reserved matters application if they directly relate to those reserved matters (paragraph 025, Reference ID: 21a-025-20140306 of the PPG). Therefore, the aforementioned conditions cannot be recommended to be placed on the reserved matters approval. However, the applicant has agreed to submit details on species protection within the biodiversity management plan required by condition 31 of PA/2019/1782.

Comments in respect of surface and foul water drainage are subject to conditions on outline permission PA/2019/1782. Conditions requiring details of surface and foul water drainage are 'pre-commencement' planning conditions and require discharging by the council before development can proceed. The council has received an application to discharge the surface water drainage for the site (PA/2022/2166) and this is currently pending consideration. The reserved matters scheme has been designed to take into consideration surface and foul water drainage for the site.

Comments in relation to infrastructure capacity are noted; however, these matters were assessed within outline application PA/2019/1782 for 200 dwellings and are not pertinent to this reserved matters application – only the reserved matters themselves can be considered.

The town council's comments are noted and have largely been addressed in this report. The issue of electric vehicle (EV) charge points only being provided for 177 dwellings is noted; however, that drawing does not form part of this reserved matters application. Under Part S of the Building Regulations the following applies: where associated parking spaces are provided for a new residential building, the number of associated parking spaces that have access to an EV charge point must be a minimum of either: a) the number of associated parking spaces; or b) the number of dwellings that the car park serves. Therefore, under this legislation, all the dwellings will be served by an EV charge point. The applicant has also confirmed that all units will feature EV charging provisions.

Pre-commencement planning conditions

The applicant has agreed to the pre-commencement condition (2) below.

Conclusion

Overall, the proposed reserved matters scheme, pursuant to outline planning permission PA/2019/1782, is considered to be acceptable.

RECOMMENDATION Grant approval subject to the following conditions:

1.

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

- Drawing schedule received on 23/05/2023
- Pumping Station Elevations and Floor Plan
- Substation Elevations and Floor Plan
- Visibility Splays 22049-LE-ZZ-ZZ-DR-D-0999 Rev P01.

Reason

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

2.

No development shall take place until details of the proposed horizontal traffic calming feature(s) on the site access road, including timescales for installation, have been submitted to and approved in writing by the local planning authority. Once approved, the horizontal traffic calming feature(s) shall be installed in accordance with the approved details and timescales.

Reason

In the interests of highway safety and to accord with policies T1 and T2 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy.

3.

Before any dwelling is first occupied any bathroom, en-suite or WC windows shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions of the occupants of the approved dwellings in accordance with policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

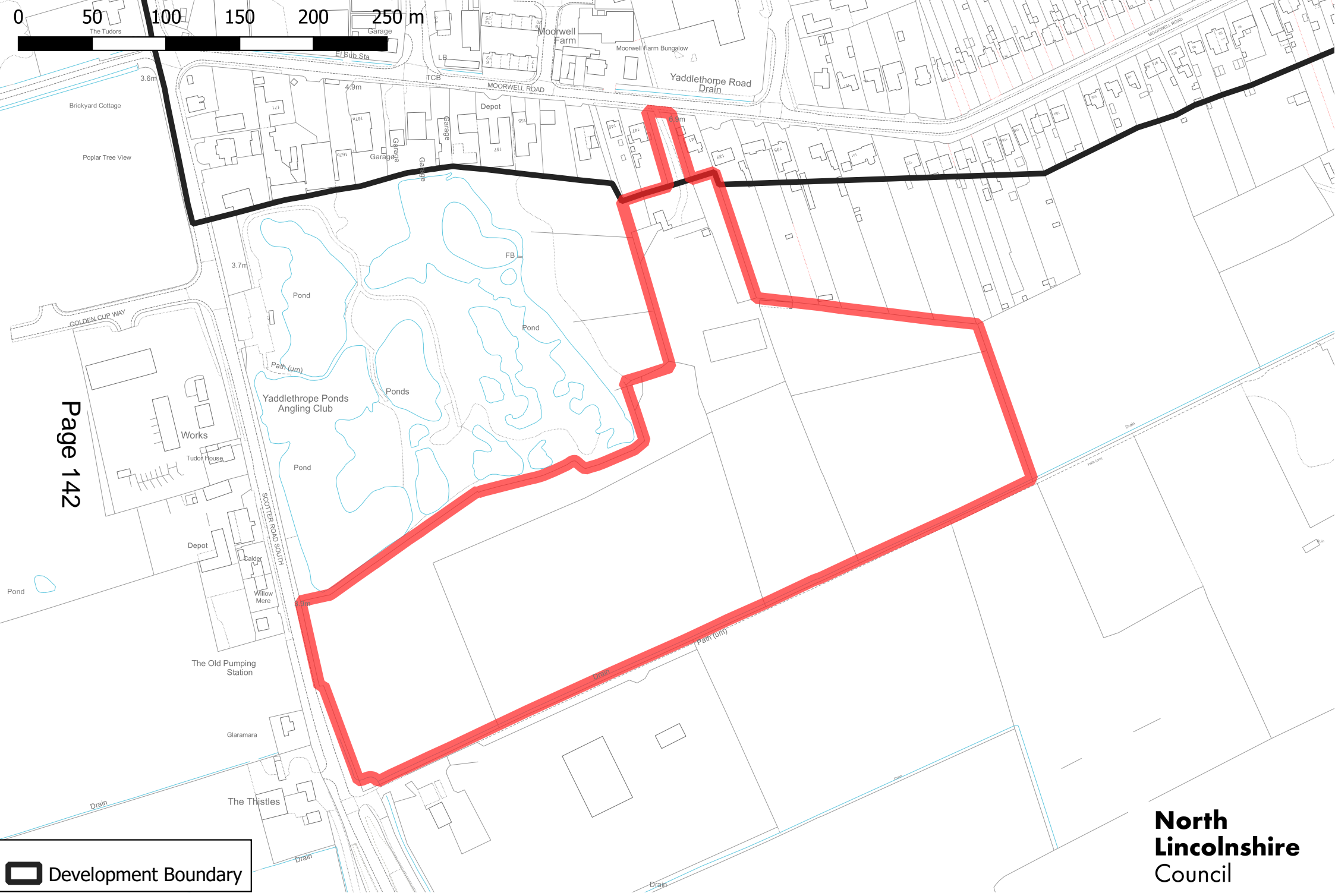
Informatives

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.

2.

The applicant's attention is drawn to the comments made by Fisher German dated 31/05/2023.



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 Development Boundary

PA/2022/1628

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2022/1702
APPLICANT	Persimmon Homes
DEVELOPMENT	Application to modify/discharge the S106 Agreement attached to PA/2019/1782 relating to the request for contributions be removed for viability reasons
LOCATION	Land south of Moorwell Road, Yaddlethorpe, Bottesford
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Millie Arden
SUMMARY RECOMMENDATION	The S106 be modified
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Margaret Armiger and Janet Longcake – significant public interest)

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development and that '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 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.

Chapter 3 – Plan making

Paragraph 34 explains that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.

Chapter 4 – Decision making

Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:

- (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.

Paragraph 58 states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

National Planning Guidance:

Paragraph 8 explains that the weight given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.

North Lincolnshire Local Plan:

Policy H10 (Leisure and Open Space)

Policy C1 (Educational Facilities)

Policy R2 (Open Space and Area of Play)

North Lincolnshire Core Strategy:

Policy CS7 (Overall Housing Provision)

Policy CS9 (Affordable Housing)

Policy CS27 (Planning Obligations)

Policy CS23 (Leisure and Open Space)

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

CSC3: Protection and Provision of Open Space, Sports and Recreation Facilities

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

H1: Site Allocations

TOWN COUNCIL

Bottesford Town Council objects to this proposal on the grounds of significant loss to the community, the removal and loss of affordable housing, and the reduction in previously agreed S106 contributions to mitigate the overall impact of the development.

PUBLICITY

The application has been advertised by site notices in accordance with Article 15 of the Development Management Procedure Order 2015. Over eighty letters of objection have been received to this application to modify the planning obligations raising the following issues:

- loss of funding towards local recreation provision, for example swimming pools
- lack of affordable housing for those in need
- increased council tax for existing residents
- loss of funding required for over-subscribed local schools
- children being sent to schools further afield
- no play provision for children
- no nearby public transport access
- NHS services over-subscribed (doctors, hospitals, dentists)
- sewerage and drainage concerns
- safety concerns over the highway access to the development

- high volume of traffic and excess speeds on Scotter Road and Moorwell Road
- traffic concerns – speeding, animal casualties, accidents, congestion
- proposed development is out of character for the area
- inadequate connectivity – roads, footpaths, cycleways
- environmental and ecological impact
- risk of flooding
- loss of investment into local area and businesses
- lack of bungalows in the proposed development
- overwhelming local services.

ASSESSMENT

The proposal

This is not an application seeking planning permission but rather an application to modify the existing Section 106 agreement attached to outline planning permission PA/2019/1782 for up to 200 dwellings by virtue of section 106A(2)).

The submitted viability appraisal has been independently assessed by a qualified assessor in accordance with the NPPF, the Royal Institution of Chartered Surveyors (RICS) Financial Viability in Planning Guidance Note (1st Edition) and the PPG guidance on Viability. The independent assessment explored the increased abnormal costs and states, ‘the increase in abnormal costs is due to both further items which have come to light following subsequent site investigations, together with a general increase in construction costs as a whole’, subsequently making the site unviable. The independent assessment carried out by Carter Jonas then goes on to explain that further discussion took place with their own in-house Planning and Development Department, who confirmed ‘the costs appear to be in line with current expectations’.

This application requests the removal of the following planning obligations due to viability:

- £716,800 towards secondary education
- £490,512 towards primary education
- the provision of 20% affordable housing of the total dwellings (equalling 40 dwellings if all 200 are built)
- £2,000 towards a traffic regulation order (TRO) contribution.

The proposal does retain:

- the leisure contribution of £172,382.00 to support the delivery of a 3G sports pitch at Birch Park;
- informal open space on-site, totalling an area of 2.46ha (equalling 30% of the gross site area);
- the on-site area of play requirement, providing a park with five pieces of equipment.

The key issues in determining this request are whether the development is viable with the current planning obligations identified within the original Section 106 in order to warrant the removal of contributions relating to the provision of education spaces and affordable homes to the detriment of the local community.

Relevant planning history

PA/2019/1782: Outline planning permission for up to 200 dwellings with appearance, landscaping, layout and scale reserved – approved 03/04/2020

PA/2022/1628: Application for approval of reserved matters following outline planning permission PA/2019/1782 dated 03/04/2020 for the erection of up to 200 dwellings, namely appearance, landscaping, layout and scale – validated 16/09/2022 but remains undetermined.

Principle

This application requests the removal of the following planning obligations due to viability:

- £716,800 towards secondary education
- £490,512 towards primary education
- the provision of 20% affordable housing of the total dwellings (equalling 40 dwellings if all 200 are built)
- £2,000 towards a traffic regulation order (TRO) contribution.

The proposal does retain:

- the leisure contribution of £172,382.00 to support the delivery of a 3G sports pitch at Birch Park;
- the informal open space on-site, totalling an area of 2.46ha (equalling 30% of the gross site area);
- and the on-site area of play requirement, providing a park with five pieces of equipment.

The site has outline planning permission. The reserved matters application is yet to be determined, and the highways and drainage concerns raised in the objectors' comments will be considered as part of the reserved matters application.

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) 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). Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire.

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, or alternatively, where appropriate, to provide commuted payments for this provision to be made off-site, either individually or in combination with existing or other proposed recreational sites and facilities...'

Paragraph 57 of the NPPF concludes obligations must meet all the following tests:

- (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.

Within policy CS27 it is clear that if developments are unable to support the costs of a planning obligation (other than those essential to allow development to proceed) then negotiations can occur. Paragraph 58 of the NPPF allows local planning authorities to assess the weight that is given to a viability assessment having regard to all the circumstances in the case.

Within policy CS27 (Planning Obligations) the supporting text for this policy states, 'It is important that development costs, including the cost of implementing planning obligation agreements, should not prejudice development that supports North Lincolnshire Council's aspiration to see the regeneration, improvement and revitalisation of the area. If it is claimed that a development is unable to support the costs of a planning obligation (other than those essential to allow the development to proceed) then this could be the subject of negotiations. In such cases, the developer will have to demonstrate non-viability via an 'open book' approach.' The applicant has concerns that the S106 contributions required would make the scheme unviable. As a result the applicant has submitted a viability report. This has been independently assessed as requested and instructed by North Lincolnshire Council. Mark Williams MRICS, a professional expert in this field on behalf of Carter Jonas LLP, concluded that the scheme is unable to support any of the S106 contributions. The independent assessment was carried out in accordance with the NPPF, the Royal Institution of Chartered Surveyors (RICS) Financial Viability in Planning Guidance Note (1st Edition) and the PPG guidance on Viability.

Therefore, on balance, the removal of the education, affordable housing and TRO S106 contributions will allow for the delivery of this residential scheme on this site. The development would contribute positively to the council's housing land supply and would provide a mix of housing types on the site. These benefits are considered to outweigh the loss of the education contribution, TRO contribution and 40 affordable dwellings on the site in this case. The scheme therefore complies with the relevant policies in the NPPF and Core Strategy which confirm that there can be flexibility with regard to obligations that would make a scheme financially unviable.

Other matters raised

Residents have raised a number of issues that relate to the approved development on the site for up to 200 dwellings (PA/2019/1782 – outline) and the undetermined application (PA/2022/1628 – reserved matters). These matters have all previously been assessed, or are currently being assessed, within the outline and reserved matters applications associated with the site. These issues are not material to this application which is for the modification of the existing S106 agreement to remove the education contribution, TRO contribution and affordable housing contribution attached to the planning permission.

Conclusion

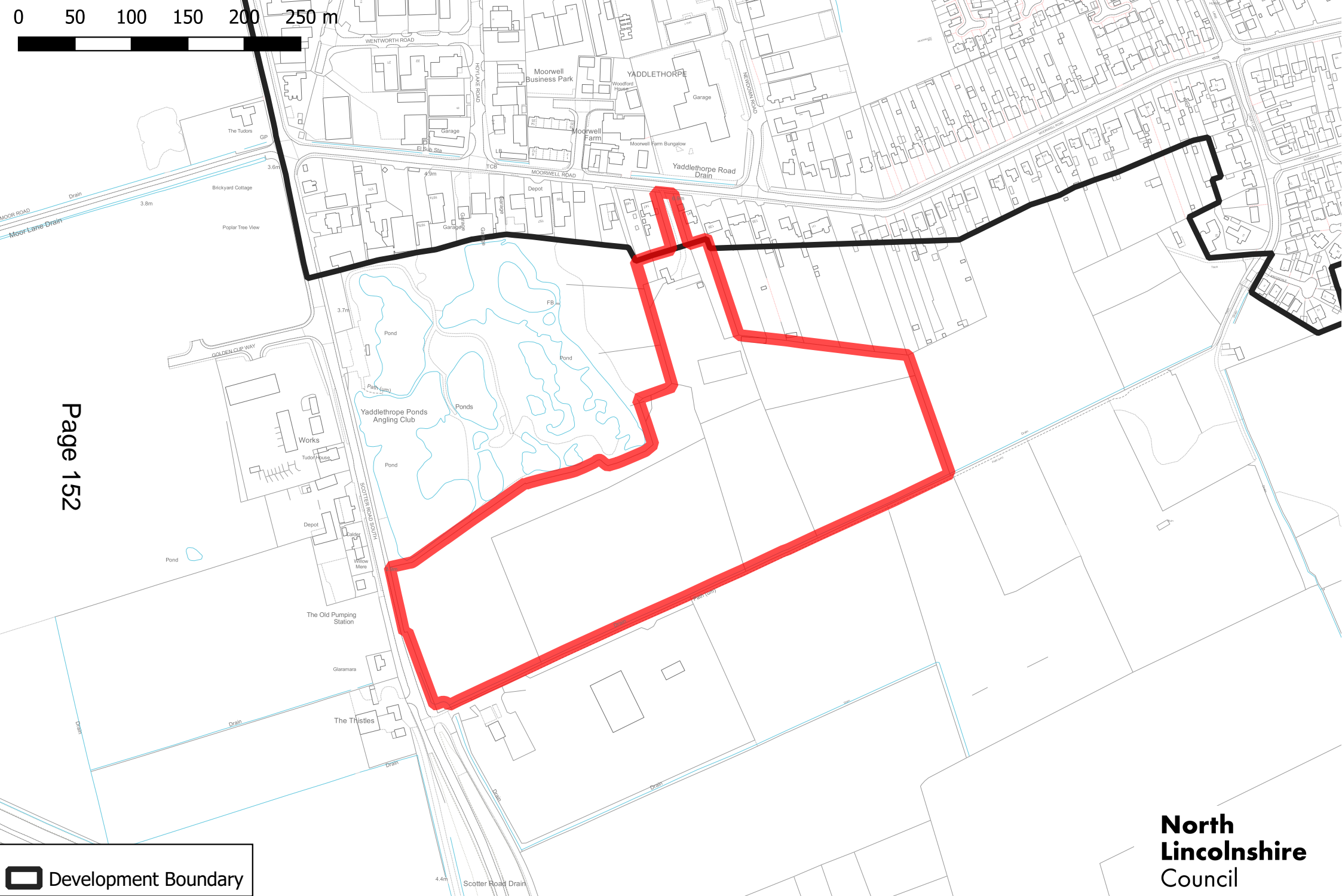
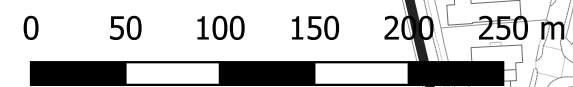
The removal of the S106 contributions will allow for the delivery of this residential scheme on this site, thereby increasing the council's housing land supply and will provide mix of housing types to meet housing needs in North Lincolnshire. The scheme complies with the relevant policies in the NPPF and Core Strategy which confirm that there can be flexibility with regard to obligations that would make a scheme financially unviable. It is therefore considered that non viability has been demonstrated and the Section 106 agreement should therefore be modified to remove the education contribution, TRO contribution and affordable housing contribution attached to planning permission PA/2019/1782.

RECOMMENDATION

The existing Section 106 agreement be modified as proposed:

- **removal of the education contribution, TRO provision and affordable housing provision, as per the viability report.**

The financial leisure contribution, and open space and recreation on-site contribution, will remain in the S106 agreement.



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 Development Boundary

PA/2022/1702

**North
Lincolnshire
Council**

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APPLICATION NO	PA/2023/503
APPLICANT	Mr Nim Mattu
DEVELOPMENT	Application for approval of reserved matters (appearance and landscaping) pursuant to outline planning permission PA/2018/2416 dated 03/04/2020 for 11 dwellings
LOCATION	Sir Solomon Inn, King Edward Street, Belton, DN9 1QN
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 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:

LC14 (Area of Special Historic Landscape Interest)

RD2 (Development in the Open Countryside)

H5 (New Housing Development)

H8 (Housing Design and Housing Mix)

H10 (Public Open Space Provision in New Housing Development)

T2 (Access to Development)

T19 (Car Parking Provision and Standards)

DS1 (General Requirements)

DS14 (Foul Sewerage and Surface Water Drainage)

H10 (Public Open Space Provision in New Housing Developments)

LC7 (Landscape Protection)

LC12 (Protection of Trees, Woodland and Hedgerows)

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)

CS6 (Historic Environment)

CS7 (Spatial Distribution of Housing Sites)

CS8 (Overall Housing Provision)

CS9 (Affordable Housing)

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

CS17 (Biodiversity)

CS18 (Sustainable Resource Use and Climate Change)

CS19 (Flood Risk)

CS23 (Sport, Recreation and Open Space)

CS27 (Planning Obligations)

Housing and Employment Land Allocations DPD (2016):

The site (apart from the access) is outside the defined development limits within the open countryside and is covered by policy LC14.

New North Lincolnshire Local Plan: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

H2: Housing Mix and Density

H3: Affordable Housing

CSC3: Protection and Provision of Open Space, Sports and Recreational Facilities

RD1: Development in the Open Countryside

HE2: Area of Special Historic Landscape Interest

DQE1: Protection of Landscape, Townscape and Views

DQE3: Biodiversity and Geodiversity

DQE6: Sustainable Drainage System

DQE7: Climate Change and Low Carbon Living

DQE12: Protection of Trees, Woodland and Hedgerows

T1: Promoting Sustainable Transport

T3: New Development and Transport

T4: Parking

DM1: General Requirements

ID1: Delivering Infrastructure

CONSULTATIONS

Highways: The site access with King Edward Street was secured under PA/2018/2416. All the highways conditions applied to the outline permission are still applicable and no additional conditions are required.

Drainage (Lead Local Flood Authority): The LLFA Drainage Team would like to make the following additional note: ...5. The drawing (page 63/70 of the attached Flood Risk

Assessment) indicates highway surface water drainage storage tanks located within private properties. This is unacceptable, unless this is adopted by the water company or a public body and not remain in private ownership.

Environment Agency: Does not wish to comment on the application.

Severn Trent Water: No response received.

Environmental Protection: No comments to make but adds a note to the applicant that there are several pre-commencement conditions in relation to PA/2018/2416 including 26 (land contamination), 27 (construction environmental management plan) and 29 (electrical vehicle charging).

Historic Environment Record: No further recommendations.

Trees and Landscape:

Original response: The landscaping for this location appears to be very sparse; I was hoping for more substance and quality landscaping for this site.

Amended plans: No objection.

Humberside Police: No objection.

Humberside Fire and Rescue: General comments in relation relating to access for the fire service and to water for fire-fighting.

NHS North Lincolnshire Health Care Partnership: We would like to request consideration of Section 106 funding in relation to the planning application for 11 dwellings at Sir Solomon Inn, King Edward Street, Belton.

The nearby surgery, South Axholme Practice, is already under pressure due to limitations with space. The practice has a total of five sites across the Isle of South Axholme, with Belton Surgery the closest to the proposed development. Any increase in new housing is likely to impact on requests for new patient registrations, potentially increasing the list size and demand for clinical services. We suggest the methodology used to determine a suggested amount of S106 funding is used from the Local Plan Housing and Primary Care Analysis, which uses a rate of £825.56 per dwelling:

$£825.56 \times 11 \text{ housing units} = £9,081.16.$

Should the 106 funding be successful, it would be used to potentially increase space for the delivery of primary care services and wider community services, which will benefit local patients. Whilst the proposal is one housing development in the local area, the cumulation of all new housing proposed will add to the pressure already faced by the nearby practices. We hope this request is reasonable at the scale in relation to this application.

PARISH COUNCIL

Belton Parish Council share the concerns of the local flood authority that the storage tanks are situated on private property.

PUBLICITY

The application and the amendments have been advertised by site and press notice in accordance with Article 15 of the Development Management Procedure Order 2015. Two letters of objection have been received raising the following issues:

- landscaping inadequate
- gardens don't reflect the size of the houses
- gardens are needed for children to play, nature to thrive and surface water to drain
- access is inadequate and close to the roundabout
- the site is outside the settlement boundary of Belton.

STATEMENT OF COMMUNITY INVOLVEMENT

No information relating to community consultation has been submitted with the application.

ASSESSMENT

The proposal

This proposal is for the erection for 11 dwellings served by an access from King Edward Street (approved under outline planning permission PA/2018/2416). The 11 dwellings comprise 9 detached dwellings and 1 pair of semi-detached dwellings arranged around a cul-de-sac. The dwellings are a mix of 3- and 4-bedroom properties. Six of the dwellings comprise detached dormer bungalows. The semi-detached dwellings (plots 10 and 11) have rooms in the roof space lit by rooflights. Each dwelling has its own car parking arrangements – garage and driveway or just driveway. Each dwelling has a private rear garden area. The submitted scheme primarily conforms with the access, layout and scale submitted and approved at outline stage under PA/2018/2416.

The site

The site (apart from the main access) is outside the development boundary of Belton within the open countryside. The site is washed over by the Area of Historic Landscape Interest (LC14). The site primarily lies within flood zone 1 of the council's SFRA with a small area of the site to the north lying in flood zone 2/3a. Some of the dwellings (part of them) are within flood zone 2/3a. The adjoining vacant site to the south is owned by the same developer (outlined in blue on the submitted site location plan); a separate planning application on that site for 5 detached dwellings is currently pending (PA/2023/98). To the north are open fields, to the east are fields and residential gardens, and to the west are dwellings and Goose Green Farm along the A161.

Relevant planning history

Application site:

2018/2416: Outline planning permission to erect 11 dwellings, with appearance and landscaping reserved for subsequent consideration – approved 03/04/2020

Adjoining site to the south:

- PA/2023/98: Planning permission to erect five detached dwellings (re-submission of PA/2021/2255) – pending
- PA/2021/2255: Planning permission to erect five detached dwellings – refused 11/02/2022
- PA/2018/313: Outline planning permission for 15 detached dwellings – withdrawn 14/05/2018
- PA/2016/1907: Outline planning permission to erect five detached dwellings – approved 08/02/2017.

Principle and procedural matters

The principle of the development in this location is established by the extant outline planning permission on the site (PA/2018/2416) which was granted by the planning committee on 03/04/2020. The outline planning permission was approved with access, layout and scale considered, the only matters reserved for future consideration being appearance and landscaping.

The only details that can be considered as part of this reserved matters application are therefore appearance and landscaping for the approved 11 dwellings on the site.

Appearance

Appearance relates to aspects of a building or place which affect the way it looks, including the exterior of the development.

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 relevance here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor quality 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 CS7 of the Core Strategy seeks to ensure that housing development will be 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.

Policy H5 of the local plan, which is concerned with new housing development, is also considered relevant (although parts 'i' & 'ii' are superseded by policy CS1 of the Core

Strategy, the remainder of the policy is intact). Policy H5 requires new housing developments to be in keeping and compatible with the character and amenity of the immediate environment and with the settlement as a whole.

Policy H8 of the local plan is concerned with housing design and mix. Through policy H8 new residential development will be permitted provided it:

- (i) respects and reflects the form, scale, massing, design and detailing, materials, and nature of the local environment; and
- (ii) incorporates a high standard of layout which maintains and where possible improves and enhances the character of the area; and
- (iii) protects existing natural and built features, landmarks or views that contribute to the amenity of the area; and
- (iv) prioritises the needs of pedestrian movement and takes into account the safety, health and security of residents, neighbours and the community; and
- (v) provides for residents a sense of identity and variety;
- (vi) creates an appropriate mix of dwelling size and type.

Paragraph 130 of the NPPF states, ‘...Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

In this case, 11 dwellings are proposed on the site arranged around a cul-de-sac. The number and layout of the dwellings has already been approved as part of outline planning permission PA/2018/2416. The dwellings are a mix of housing types and designs. King Edward Street comprises a full range of housing types and mixes of differing designs. The proposed development will not therefore appear to be out of character with the surrounding area. The dwellings are shown to be brick built with detailing on the principal elevation such as gables, bay windows, canopies, headers above windows, and hipped dormer windows, which adds interest and variety to the development as a whole.

Materials are not shown on the submitted plans but these can be conditioned and agreed prior to any above-ground works taking place on the dwellings. The applicant is advised that a palette of materials will need to be submitted to retain and further enhance the character and appearance of the area. No overlooking or loss of amenity issues have been

identified and the proposed development will not result in loss of amenity to potential occupiers of the dwellings or to adjacent dwellings.

Comments about the small size of gardens are noted. The size of the gardens was shown on the layout approved through PA/2018/2416 and are not for consideration as part of this application. Plots to the eastern side of the site do have smaller gardens, but two of these plots serve semi-detached dwellings. The other plots have fairly substantial garden areas. Overall, the plots have sufficiently sized garden areas to provide functional private outdoor amenity space for future occupants.

In terms of impacts on the Area of Special Historic Landscape Interest (ASHLI), the council's Historic Environment officer has been consulted on the proposals and has no further recommendations to make. The development will be visible in relation to the ASHLI, but the scale, layout and access for this development of 11 dwellings has already been approved through outline planning permission PA/2018/2416. The appearance of the proposed 11 dwellings, together with the landscaping and boundary treatment proposed, and a condition requiring the submission of all external materials to be submitted to the council for approval, will mitigate the visual impacts on the ASHLI to an acceptable level.

It should be noted that the site the subject of the separate application pending consideration (PA/2023/98) for 5 detached dwellings, which adjoins this one, is also owned by the applicant. For clarity, the applicant has shown this separate application on the site block plan and the dwellings are of similar design and appearance as those proposed under this application. If PA/2023/98 is approved, there would be a cohesive development across both sites which would respect the character and appearance of the surrounding area.

This proposed residential development is considered to align with policies RD2, DS1, LC7, LC14, H5 and H8 of the North Lincolnshire Local Plan, and CS5 and CS7 of the Core Strategy, as well as the aforementioned paragraphs of the NPPF.

Landscaping

Landscaping relates to the improvement or protection of the amenities of the site and the area, and the surrounding area; this could include planting trees or hedges as a screening.

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

Policy LC12 of the North Lincolnshire Local Plan seeks to ensure that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows. In this case, no conditions were placed on outline planning permission PA/2018/2416 to safeguard any of the existing hedging and trees on the site. There is no protection afforded to trees and hedgerows on the site and the layout approved under PA/2018/2416 did not show any trees or hedgerows to be retained.

Paragraph 131 of the NPPF states, '...Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-

term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highway and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highway standards and the needs of different users.'

Paragraph 174 (b) of the NPPF states that (decisions should contribute by) '...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

In this particular case, the original landscaping plan submitted was not acceptable as very little landscaping was proposed, with all existing trees and hedgerows to be removed. Following intervention from the case officer, a much more robust landscaping scheme has been submitted. All gardens will be lawned and 13 new trees will be planted. The majority of the plots will have some shrub planting on them containing a variety of species. The tree officer has no objections to the scheme. The landscaping, once mature, will soften the visual appearance of the development on the ASHLI. Therefore, on balance, the proposed landscaping is considered to be acceptable and will align with DS1, RD2, H5 and LC14 of the North Lincolnshire Local Plan, policy CS5 of the Core Strategy. and paragraphs 131 and 174 of the NPPF.

Other matters raised

This application is solely to determine if the appearance and landscaping for the site is acceptable. Concerns over surface water drainage for the site are noted, but are not pertinent to this reserved matters application. Surface water drainage conditions have been imposed on the outline planning permission and must be discharged before development commences on this site. The council is working with the applicant to ensure a satisfactory surface water drainage scheme is submitted pursuant to condition 21 of the outline planning permission. If PA/2023/98 is approved, which has been submitted by the same applicant, then the council will seek to ensure an acceptable overarching drainage strategy across both sites. The surface water drainage conditions will not be discharged until an acceptable surface water drainage strategy has been submitted to and approved by the council.

The NHS North Lincolnshire Health Care Partnership has requested an S106 contribution towards health services. However, no S106 contributions were requested or imposed when outline planning permission PA/2018/2416 was granted. S106 contributions cannot now be re-considered as part of this reserved matters application as the only matters for consideration are appearance and landscaping.

Conclusion

Overall, the proposed reserved matters scheme, pursuant to outline planning permission PA/2018/2416, is considered to be acceptable.

RECOMMENDATION Grant approval subject to the following conditions:

1.
The development hereby permitted shall be carried out in accordance with the following approved plans:

C2000/A1/101 Rev A site layout
C2000/A1/102 Rev B Landscaping Site Layout

C2000/ A1 /107 rev A Plots 5,6,7 and 8 House Type 4-GA
C2000/ A1 /110 rev A Plots 10 and 11 House Type 6 and 7 GA
C2000/ A1 /108 rev A Plot 9 House Type 5-GA
C2000/ A1 /109 rev A Plot 9 Garage GA
C2000/ A1 /106 rev A Plots 3 and 4 House Type 3 GA
C2000/ A1 /105 rev A Plot 2 House Type 2 GA
C2000/ A1 /104 rev A Plot 1 House Type 1 GA
C2000/ A1 /103 rev A Location Plan.

Reason

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

2.

Before any above-ground works take place on the site, details of the make, type and colour of all external facing materials to be used on the development shall be submitted to the local planning authority for approval in writing and thereafter 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.

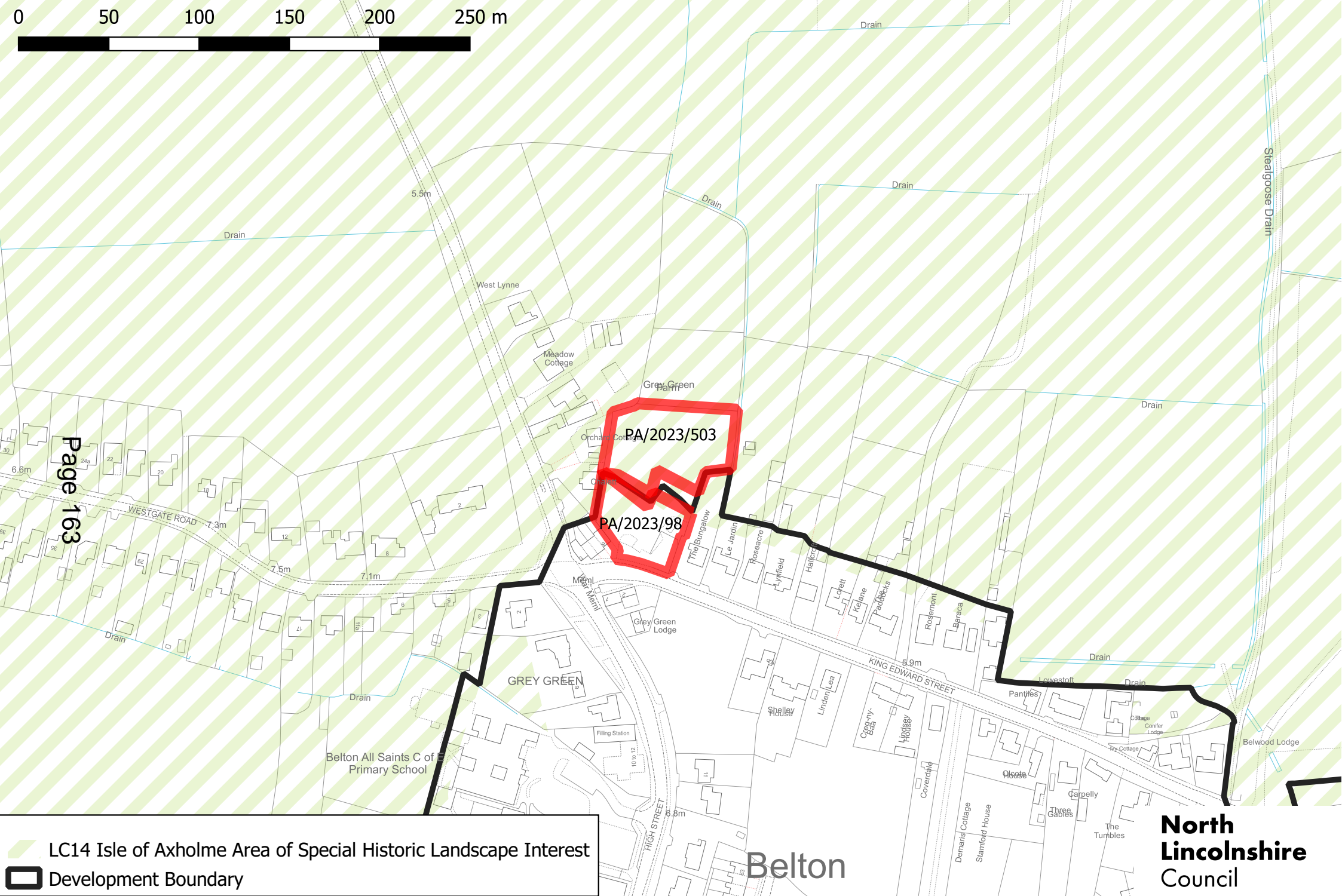
Informatives

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.

2.



The applicant is advised that an overarching surface water drainage strategy pursuant to condition 27 of PA/2018/2416 will need to be submitted if PA/2023/98 (application for 5 dwellings) is approved to cover both sites.



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PA/2023/98

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

Belton

North
Lincolnshire
Council

PA/2023/503

AMENDED PLAN

EXTERNAL WORKS LEGEND

- REVISED DEVELOPMENT BOUNDARY LINE
- 1800 HIGH FEATHER EDGE TIMBER FENCING WIT H150 HIGH GRAVEL BOARD
- CONCRETE BRINDLE PAVERS IN HERRINGBONE PATTERN
- SERVICE STRIP RED PAVERS LAID STRETCHER COURSE 500 MM WITH PAVER KERB EDGE
- 600 SQ CONCRETE SLABS
 600 SQ CONCRETE SLABS WITH PEA GRAVEL SURROUND

LANDSCAPING WORKS LEGEND

- ROWAN - SORBUS ALUCUPARIA - 2no.
- FIELD MAPLE OR CRAB APPLE - ACER CAMPESTRE OR MALUS SYLVESTRIS 1no.
- SILVER BIRCH - BETULA PENDULA - 4no.
- LORNAISEAM - CARPINUS BETULOSA - 2no.
- MOUNTAIN ASH - SOBUS JOSEPH ROCK - 1no.
- MELISK - AMELANCHER ALINFOLA - 3no.
- TREE PLANTING SIZE 1.5M MAX 100cm GIRTH
NEED TO BE CHECKED WITH TOPSOIL DOUBLE STAKED, CROSSBAR & RUBBER SPACERS
ALL TREES TO BE PLANTED BEFORE MARCH AFTER OCCUPATION
- LAWNED AREA
- SHRUB PLANTING SEE SPEC.
- SHRUB PLANTING SEE SPEC.
- SHRUB PLANTING SEE SPEC.
- SHRUB PLANTING SEE SPEC.

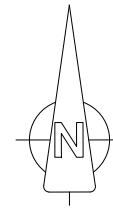
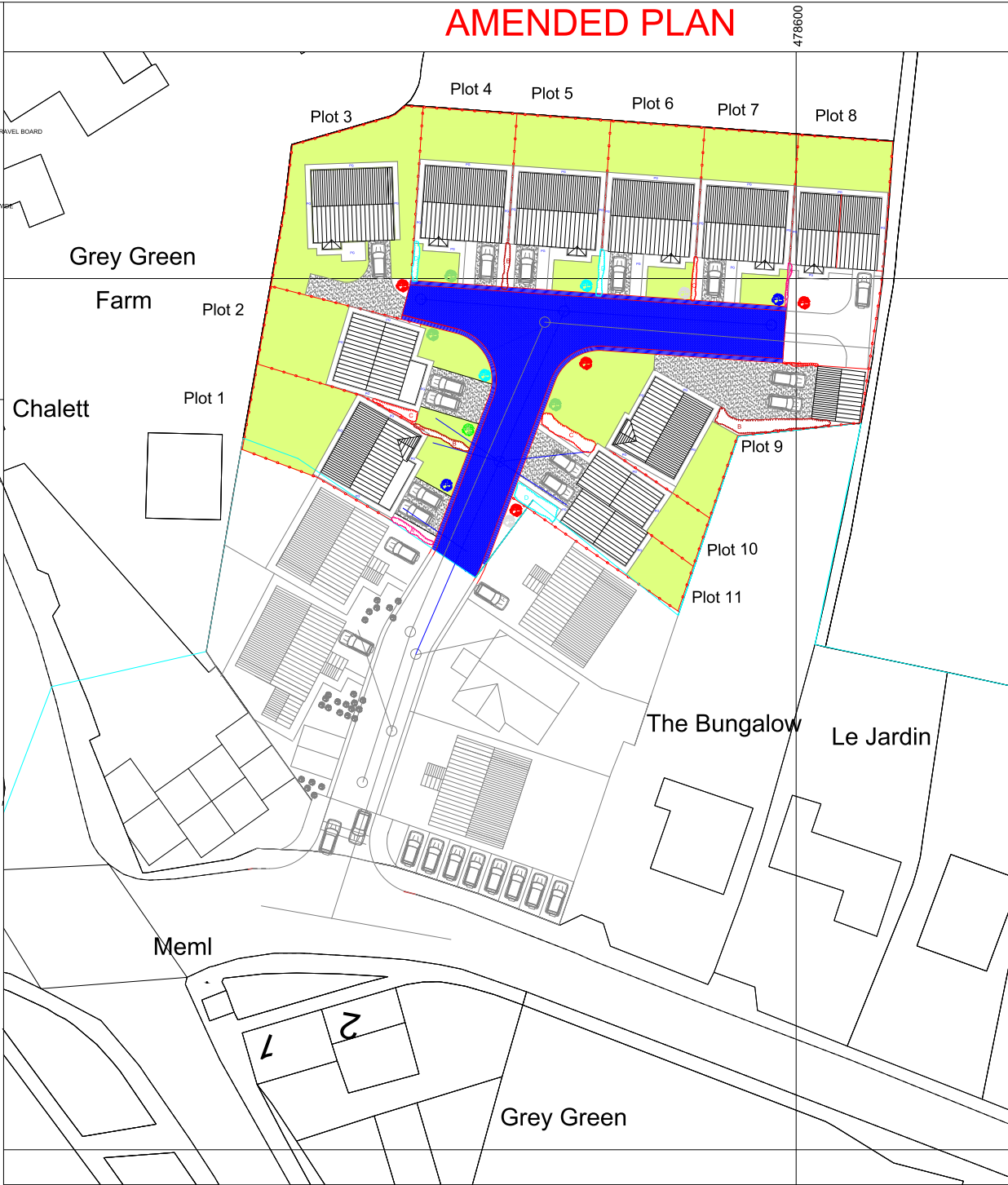
LANDSCAPING MANAGEMENT PLAN

DEVELOPER TO BE RESPONSIBLE FOR IMPLEMENTING - FIRST PLANTING SEASON AFTER OCCUPATION

5 YEAR MANAGEMENT PLAN TO BE IMPLEMENTED TO COVER THE SEASONAL & ANNUAL MAINTENANCE OPERATIONS

TREES
WATER ON MONTHLY BASIS APRIL TO SEPTEMBER IN PERIODS OF DROUGHT
IN WINTER UNDERTAKE FORMATIVE PRUNING OF YOUNG TREES TO
ENCOURAGE GROWTH & SHAPE
ALL TREE STAKES & BASES TO BE CHECKED FOR STABILITY AFTER STRONG WINDS
TREE TREES TO BE CHECKED ON NEW TREE PLANTING AND TO BE REPLACED, ADJUSTED AS NECESSARY
APPLY FERTILISER TO BASE OF TREE ANNUALLY (50g PER TREE MAR-APR)

SHRUB PLANTING
OWNER/OCCUPIERS TO BE RESPONSIBLE FOR UPKEEP AFTER 2 YEAR PERIOD
DEVELOPER TO BE RESPONSIBLE FOR FIRST 2 YEAR PERIOD TO INCLUDE:
WATERING MONTHLY APR-SEPT
REMOVE WEEDS & DEAD PLANTS TO ALL PLANT BEDS
TRIM PRUNE PLANTS TO KEEP OFF LAWN & PATHS
PRUNE PLANTING & HEDGES CLEAR OF ANY SIGHT LINES
ENDICATE ANY OCCURRENCES OF JAPANESE KNOWLEDGE
ALL DEAD PLANTS TO BE REPLACED IN THE FOLLOWING GROWING SEASON



NOTES
THIS DRAWING IS FOR BUILDING REGS. & PLANNING PURPOSES ONLY
ALL DIMENSIONS & DETAILS TO BE CHECKED ON SITE PRIOR TO
COMMENCEMENT OF WORKS ON SITE
THIS DRAWING IS THE COPYRIGHT OF SHEPHERD TECHNICAL SERVICES
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE
FOLLOWING DRG. NO.
C2000/A1/01 PROPOSED SITE LAYOUT
C2000/A1/02 LANDSCAPING SITE LAYOUT
C2000/A1/03 LOCATION PLAN
C2000/A1/04 HOUSE TYPE 1 - PLOT 1 - GENERAL ARRANGEMENT
C2000/A1/05 HOUSE TYPE 2 - PLOT 2 - GENERAL ARRANGEMENT
C2000/A1/06 HOUSE TYPE 3 - PLOTS 3&4 - GENERAL ARRANGEMENT
C2000/A1/07 HOUSE TYPE 4 - PLOTS 5, 6, 7 & 8 - GENERAL ARRANGEMENT
C2000/A1/08 HOUSE TYPE 5 - PLOT 9 - GENERAL ARRANGEMENT
C2000/A1/09 GARAGE - PLOT 9 - GENERAL ARRANGEMENT
C2000/A1/10 HOUSE TYPE 6&7 PLOTS 10 & 11 - GENERAL ARRANGEMENT
SS-AWP-ZZ-XX-DR-C-3001 FRDA DRAINAGE LAYOUT

PHASE 2
PA/2023/503

SHRUBS-BED A						
NAME - SPECIES	ROOT	POT	DENSITY	MIX	HEIGHT	GIRTH
COTONEASTER DAMMERI	2L	2litre	5m2	20%	20-30cm	20-30cm
PYROCANTHA	2L	2litre	2m2	20%	30-40cm	20-30cm
AUCUBA A. JAPONICA	2L	2litre	1m2	15%	30-40cm	20-30cm
HEBE RED EDGE	2L	2litre	4m2	15%	20-30cm	20-30cm
VIBURNUM DAVIDI	2L	2litre	3m2	15%	20-30cm	20-30cm
CHOIS YA TEMATA	2L	2litre	1m2	15%	20-30cm	20-30cm

SHRUBS-BED B						
NAME - SPECIES	SIZE	POT	DENSITY	MIX	HEIGHT	GIRTH
COTONEASTER DAMMERI	2L	2litre	5m2	20%	20-30cm	20-30cm
PYROCANTHA	2L	2litre	2m2	20%	30-40cm	20-30cm
AUCUBA A. JAPONICA	2L	2litre	1m2	15%	30-40cm	20-30cm
SEDUM SPECTACLE STAMBURIT	2L	2litre	3m2	15%	20-30cm	20-30cm
PERISCANA AFFINIS SUSPENSIA	2L	2litre	2m2	15%	20-30cm	20-30cm
LAVANDULA ANGSTIFOLIA HIBICOTE	2L	2litre	2m2	15%	20-30cm	20-30cm

SHRUBS-BED C						
NAME - SPECIES	SIZE	POT	DENSITY	MIX	HEIGHT	GIRTH
COTONEASTER DAMMERI	2L	2litre	5m2	20%	20-30cm	20-30cm
PYROCANTHA	2L	2litre	2m2	20%	30-40cm	20-30cm
AUCUBA A. JAPONICA	2L	2litre	1m2	15%	30-40cm	20-30cm
MAHONIA AQUIFOLIUM	2L	2litre	3m2	15%	20-30cm	20-30cm
HYPERICUM CALYCONIUM	2L	2litre	2m2	15%	20-30cm	20-30cm
SEDUM HERBSIFRUEDE	2L	2litre	2m2	15%	20-30cm	20-30cm

SHRUBS-BED D						
NAME - SPECIES	SIZE	POT	DENSITY	MIX	HEIGHT	GIRTH
COTONEASTER DAMMERI	2L	2litre	5m2	20%	20-30cm	20-30cm
PYROCANTHA	2L	2litre	2m2	20%	30-40cm	20-30cm
AUCUBA A. JAPONICA	2L	2litre	1m2	15%	30-40cm	20-30cm
GENISTA CLIVIA	2L	2litre	3m2	15%	20-30cm	20-30cm
CYSTIUS PRAEOX ALBOLO	2L	2litre	2m2	15%	20-30cm	20-30cm
HEBE H AUTUM GLORY	2L	2litre	2m2	15%	20-30cm	20-30cm

A 20.05.23 Landscaping added Released for Approval of Reserved Matters

B 24.03.23 Issued for Approval of Reserved Matters

Rev Date Description

Issued for: **Approval of Reserved Matters**

Client-Scheme
Mr. G & M. Mattu
PROPOSED RE-DEVELOPMENT OF LAND TO THE REAR OF FORMER SIR SOLOMON PH TO CREATE 11no. RESIDENTIAL BUILDING PLOTS KING EDWARD ST. BELTON NORTH LINCS PHASE 2

Landscaping Site Layout

Shepherd Technical Services
2 Church Lane
Southrop
North Lincolnshire
DN15 7AE
Tel : 01724 330769
Mob: 07988 215614

SHEPHERD TECHNICAL SERVICES
Architectural, Civil & Structural Design Consultants

Date Mar 23
Scale 1:250(A1) 1:500(A3)
Drawn DS
Checked

C2000/ A1 /102 rev B

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: AL/JMC/Planning committee 2 August 2023

Date: 24 July 2023

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/2022/1884
APPLICANT	Mr Sam Waddington
DEVELOPMENT	Application for a non-material amendment to PA/2020/602 namely to amend the siting of proposed building
LOCATION	22 Bigby High Road, Brigg, DN20 9HD
PARISH	Brigg
WARD	Brigg and Wolds
CASE OFFICER	Alan Redmond
SUMMARY RECOMMENDATION	Approve
REASONS FOR REFERENCE TO COMMITTEE	Manager discretion

POLICIES

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 12 – Achieving well-designed places

North Lincolnshire Local Plan:

Policy DS1 – General Requirements

Policy DS5 – Residential Extensions

Policy T19 – Car Parking Provision and Standards

SPG1 – Design Guidance for House Extensions

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering more Sustainable Development

Policy CS3 – Development Limits

Policy CS5 – Design

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022.

Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some limited weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 – Presumption in Favour of Sustainable Development

SS3 – Development Principles

DM1 – General Requirements

CONSULTATIONS

This application is for a non-material amendment and as such there is no statutory duty to undertake consultation.

TOWN COUNCIL

No comments received.

PUBLICITY

Advertised by site notice – 24 letters of representation have been received and can be summarised as follows:

- object to its use for air BnB accommodation and it is being used contrary to the original consent
- permission was granted on the original application which was not adhered to, which makes a mockery of the planning process
- the siting of the annexe is in the wrong place and cannot be altered by changing the permission
- approval would set a precedence for future commercial business in residential areas
- the granny flat results in loss of privacy
- adverse impact on neighbouring property through overbearing impact and massing
- the proposal should not be permitted in a conservation area
- contrary to policies NS27 and S53 of the emerging local plan
- dispute the measurements submitted with the amended drawings.

The majority of responses make reference to the proposed use of the building as an air BnB. These comments are not relevant to this application, which relates to the siting of the building only and not its use.

ASSESSMENT

Planning history

PA/2020/0602: Planning permission to erect a single-storey granny flat at the rear of the property – approved 08/07/2020

PA/2022/1708: Planning permission for the change of use of an ancillary annexe to an ancillary annexe and short-term holiday let – withdrawn.

Material considerations

This application seeks a non-material amendment to the siting of a granny annex approved under planning reference PA/2020/0602. For clarity, this proposal does not seek to change the lawful use of the approved building, which would remain as ancillary to the main house.

Section 96A was inserted into the Town and County Planning Act by section 190(2) of the Planning Act 2008 with effect from 1 October 2009. It empowers a local planning authority to approve 'non-material' amendments (NMA) to planning permissions it has granted.

In so doing, the local planning authority 'must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.'

There is no statutory definition of a 'non-material amendment'. The PPG sets out at paragraph 002 Reference ID: 17a-002-20140306, that it 'will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.'

In the context of this development, the only alteration to the annex, over that approved under PA/2020/602, is the siting of the building. The proposal remains as previously approved in terms of scale and design. The proposal re-positions the annex approximately 1.83m further south than approved.

The submitted drawings show the eastern side elevation of the annex to be approximately 2.2m from the shared boundary with number 24, consistent with the original approval. Concern has been raised that the annex is built approximately 1.8 metres from the shared boundary. However, the council's enforcement officer has visited the site and confirmed that the measurements as shown on the submitted drawings are correct (within accepted tolerances). Notwithstanding this, the case officer has visited the site and viewed the annex building in its built position, which has enabled them to make an accurate assessment of the building and its impacts. It is considered that there is an acceptable separation distance to neighbouring properties given the single-storey scale of the building and its authorised use as ancillary residential accommodation.

The siting of the annex further south by 1.83m results in the annex building being sited further from the dwelling at 22a than originally approved under PA/2020/602. Overall, this is considered to be an improved relationship that would not result in any undue additional impacts in terms of amenity over and above the original approval and is in accordance with the requirements of saved policy DS5 of the local plan and CS5 of the Core Strategy. It is considered, on balance, that the proposal constitutes a non-material amendment.

The annex has been used as a holiday let without the benefit of planning permission and the council was considering a separate application under planning reference PA/2022/1708 to regularise the use of the annex as a holiday let. This application was withdrawn and the applicant is no longer pursuing a consent for the use of the annex as holiday accommodation. It is understood that the use for holiday accommodation has now ceased.

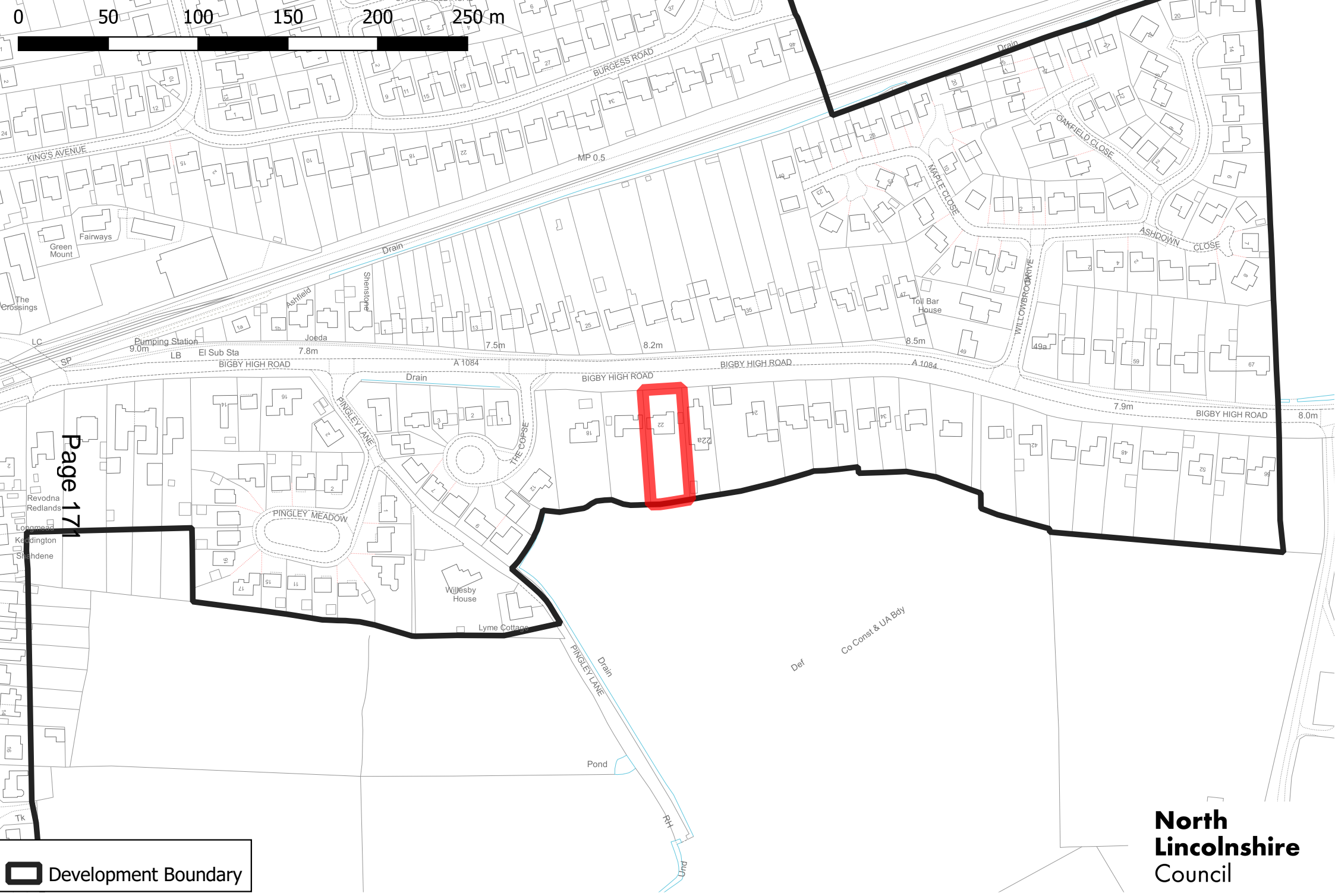
The lawful use of the annex is as ancillary accommodation to the main dwelling and is controlled by condition 3 of PA/2020/0602 which restricts its use to ancillary accommodation. This application for a non-material amendment needs to be considered on this basis. The principle of development has been established through planning permission PA/2020/0602 and is not for consideration as part of the non-material amendment process. The majority of objections received in relation to this application refer to the proposed change of use for holiday let accommodation and these comments are not relevant to the determination of this application.

Concern has been raised that the proposal does not adhere to policy NS27 (Residential Annexes) and S53 (Design and Amenity). These policies are not part of the North Lincolnshire Local Plan or Core Strategy and instead are policies from the Central Lincolnshire Local Plan which does not apply to North Lincolnshire and are therefore not relevant in the consideration of this application. Saved policy DS5 of the local plan and CS5 of the Core Strategy deal with residential extensions and design. As considered above, the proposal is in accordance with these policies.

Concern has been raised that the proposal will adversely affect a conservation area. The proposal is not located within, or adjacent to, a conservation area.

RECOMMENDATION Approve a non-material amendment.

0 50 100 150 200 250 m



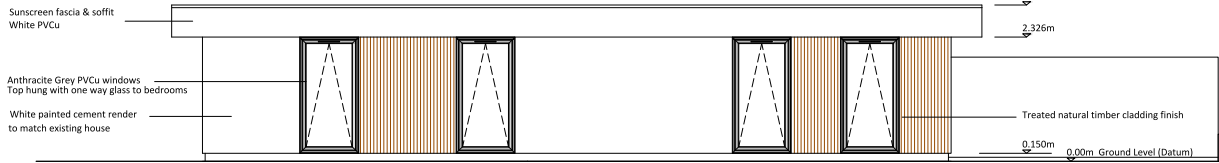
Page 17

 Development Boundary

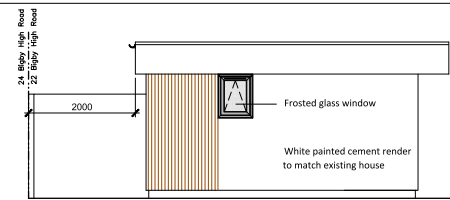
PA/2022/1884

**North
Lincolnshire
Council**

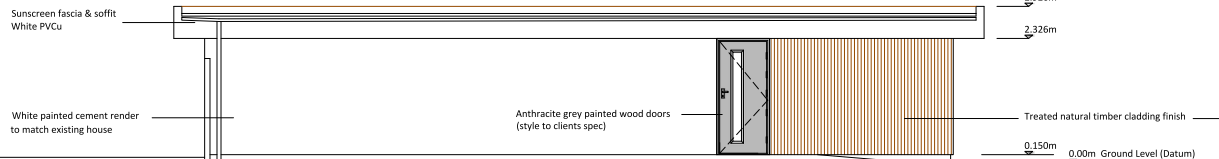
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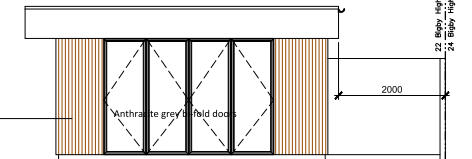
PROPOSED WEST ELEVATION (A)



PROPOSED NORTH ELEVATION (B)



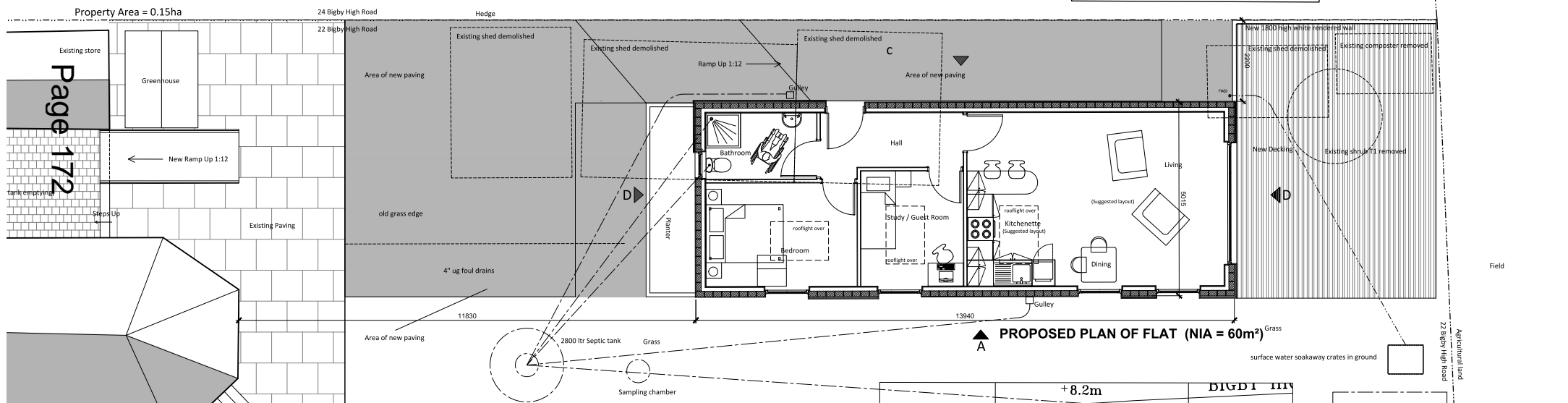
PROPOSED EAST ELEVATION (C)



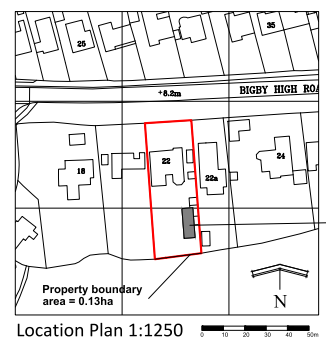
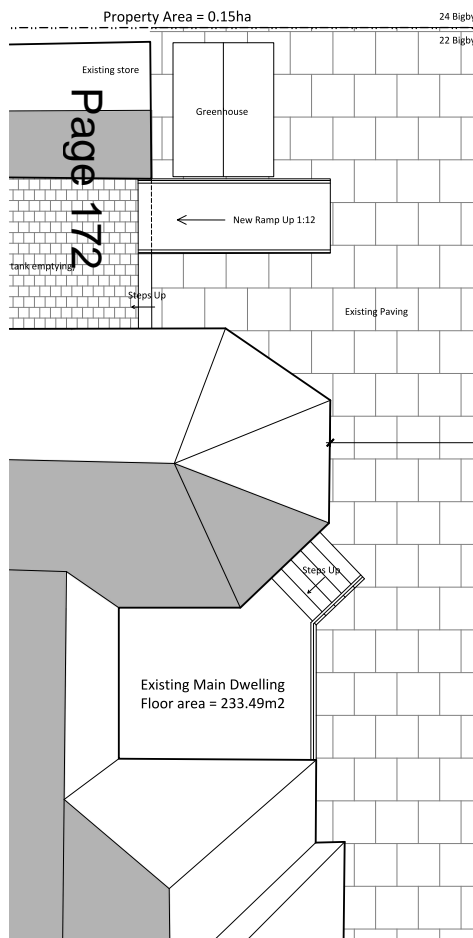
PROPOSED SOUTH ELEVATION (D)

- NOTES**
- These notes to be read in conjunction with latest plans and details.
 - Do not scale off the project drawings. Refer to figured dimensions only.
 - All dimensions to be checked on site. If in doubt ask.
 - Please refer to Structural Engineers drawings and calculations, where applicable.
 - These drawings are to be used for Local Authority Approval purposes only.
 - All work to be carried out in accordance with current Building Regulations, DEFRA - Limiting thermal bridging and air change: Robust Construction details for dwellings and similar buildings together with all relevant British Standards and Codes of practice and to the satisfaction of the respective Building Inspector.
 - It remains the responsibility of the building contractor to ensure that all components and materials used are of specification and size etc. to suit the proposed application and are installed/used in strict accordance with the relevant manufacturer's recommendations
 - Positions of any existing services and drains etc. are assumed only. The investigation/research and excavation of same remains the responsibility of the building contractor
 - Contractor to liaise with Client regarding alterations to electrical and central heating requirements as these will generally not be shown on the drawings.

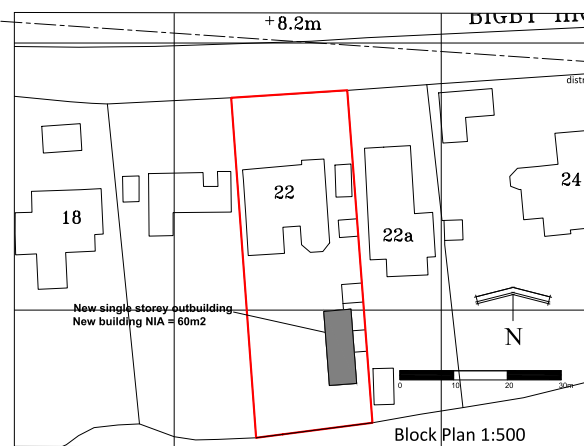
This drawing to be read in conjunction with HAS/20/201/200, 400, 401 & 402



PROPOSED PLAN OF FLAT (NIA = 60m²)



Produced on 30 March 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
 This map shows the area bounded by 501045.406899 501045.407041 501187.407041 501187.406899
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Block Plan 1:500

Rev B As built SO of building altered to 11.83m from existing house. Apr 22
 Rev A Sampling chamber to septic tank added, drain field shown. Soakaway size shown Sept 20

HAS
 HARDY ARCHITECTURAL SERVICES
 4 South Way
 South
 Wakefield
 West Yorkshire
 WF2 6SQ
 T: 01924 242116
 M: 0746222192
 E: hardyarch3@yahoo.com

CLIENT:	MR & MRS WADDINGTON
PROJECT:	PROPOSED SINGLE STOREY OUTBUILDING 22 BIGBY HIGH ROAD, BRIGG, DN20 9HD
DRAWING TITLE:	PROPOSED PLANS & ELEVATIONS
PROJECT REF:	2020-201
DRAWING NO:	HAS/20/201/201
DRAWN BY:	R. HARDY
SCALE:	1:50@A1
DATE/REV:	APR 22 Rev B

APPLICATION NO	PA/2022/2011
APPLICANT	Mr Peter O'Reilly
DEVELOPMENT	Planning permission to create a new access and paved driveway
LOCATION	Carrdale, 10 Saxby Hill, Saxby All Saints, DN20 0QL
PARISH	Saxby All Saints
WARD	Brigg and Wolds
CASE OFFICER	Paul Skelton
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Saxby All Saints Parish Council

POLICIES

North Lincolnshire Local Plan:

T2 – Access to Development

T19 – Car Parking Provision and Standards

HE2 – Development in Conservation Areas

DS1 – General Requirements

DS14 – Foul Sewage and Surface Water Drainage

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

CS6 – Historic Environment

Housing and Employment Land Allocations Development Plan Document

Policy PS1 – Presumption in favour of sustainable development

Inset 90 – Saxby All Saints

Saxby All Saints Conservation Area Appraisal 2004

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 – Presumption in Favour of Sustainable Development

SS2 – A Spatial Strategy for North Lincolnshire

SS3 – Development Principles

DQE1 – Protection of Landscape, Townscape and Views

HE1 – Conserving and Enhancing the Historic Environment

DM1 – General Requirements

National Planning Policy Framework:

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving well-designed places

Chapter 16 - Conserving and enhancing the historic environment

CONSULTATIONS

Highways: No objection subject to a note relating to works on the highway.

LLFA Drainage: Recommend planning conditions to secure effective methods of preventing surface water run-off to and from the highway and the development site, and an informative note regarding drainage.

Tree Officer: No comments.

PARISH COUNCIL

Objects for the following reasons:

- Due to the steep nature of the site and adjacent highway, any new access point onto this road should be prevented as it cannot be considered safe.
- There is no explanation as to how the site would be backfilled given its steepness.

- Water run-off is going to be significantly increased due to the amount of hardstanding created and run-off is indicated as being into a soakaway and into the lawned areas. The additional volume is, however, likely to be into the adjoining farmer's field, and then the houses on Main Street below as it exits the field.

PUBLICITY

The application has been advertised by site and press notice. Four objections have been received from members of the public which are summarised below:

- During heavy rainfall, natural springs from the hillside appear in gardens of houses on Main Street. Additional run-off from hardstanding parking into the fields will worsen these problems and result in flooding of the houses below.
- Consideration has not been taken of protected species such as newts found in this area due to the ponds.
- Due to the steep nature of this area, backfill will be needed, which will change the nature of the landscape.
- This is a steep, narrow road used by agricultural machinery – additional entrances/exits and on-street parking could impact on safety.
- The application is only due to the application for a dwelling which is contrary to policy.
- The rural character of this part of the conservation area is being overdeveloped, changing existing views which the council has promised to protect.
- The gradient of the hill means that a retaining wall would be required.

ASSESSMENT

Planning history

7/1982/0349: Outline planning permission for a single dwelling – refused 29/07/1982

PA/1997/0217: Extension to single garage to make double – approved 16/04/1997.

Outline planning permission has also been sought (PA/2022/2018) for a single dwelling; this application is pending and is yet to be determined.

The site and its location

The application site comprises the property known as Carrdale, 10 Saxby Hill. Saxby Hill itself is a steep lane rising up from the main village street. Other than the application site there are just a pair of semi-detached dwellings facing Saxby Hill, with the dwelling permitted in 2020 also proposed. There are no dwellings facing Saxby Hill on the opposite side of the road, however a large house (Field House) is set back from the road with its access opposite the application site.

The site benefits from mature planting and a double garage set to the east of the existing house. The garage is served by an existing concrete drive. This garage and access drive

are proposed to be utilised to provide a new dwelling as proposed under the application referred to above. Hence the need for a new access to serve the existing dwelling.

There are open fields sloping down towards Main Street to the rear.

The development

The application proposes the provision of a new in/out access to serve the existing dwelling, Carrdale. The access would be paved in red block paving. The application notes that surface water run-off from the new driveway is proposed to fall into an ACO drain that shall separate the highway from the driveway, to avoid any surface water discharging onto the highway.

The submitted plans indicate two access points. The 'entry only' access would be 3.5m wide and the exit point 3m wide. These would be connected by a paved driveway with two parking spaces adjacent to the exit point. The driveway would follow the existing contours of the land and no retaining walls are proposed.

Material considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, any local finance considerations, so far as material to the application, and any other material considerations.

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). Other material planning policy considerations include the National Planning Policy Framework (the NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

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

- **heritage/visual impact;**
- **highway safety; and**
- **drainage.**

Heritage/visual impact

The site lies within the Saxby All Saints conservation area. Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in the North Lincolnshire Local Plan, Core Strategy and the NPPF, which also promote good design and require development to have an acceptable impact on the character and appearance of an area.

The existing site does not share the characteristics of many of the more traditional properties in the conservation area which tend to have walls or hedges delineating the boundary. This is very much an 'open-plan' style plot with a gravelled area and domestic paraphernalia dominating the front of the house. There is also a small 'lay-by' area set in from the line of Saxby Hill. This area, in addition to areas of manicured lawn, would be replaced by the accesses/driveway which would be surfaced with pavements. Given the existing aspect, which does not contribute in any meaningful way to the quality of the conservation area, it is considered the proposals would have a neutral impact on the conservation area and the overall quality of the street scene. The development would be low-key and only visible for a short distance when travelling along Saxby Hill.

Overall, it is not considered that the proposal would result in any harm to the conservation area, in accordance with s72 of the 1990 Act and policy HE2 of the local plan and Core Strategy policy CS6, and would not have a harmful impact on the character and appearance of the area more generally in accordance with local plan policy DS1, Core Strategy policy CS5 and paragraph 130 of the NPPF.

Highway safety

Local plan policy T2 requires all development to be provided with a satisfactory access. The NPPF, at paragraph 110(b), requires safe and suitable access to the site to be achieved for all users. Paragraph 111 advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

A number of concerns have been raised in respect of the potential highway safety implications of the creation of an additional access on Saxby Hill, due to the steep nature of the road and the fact that it is used by agricultural machinery/vehicles. Nevertheless, this is a minor road and lightly trafficked. Locals, including drivers of agricultural vehicles, will be familiar with the road and will be aware of the existing accesses serving the application site as well as that serving Field House opposite.

The highways officer (HO) has been consulted on both the current application and the application for the new dwelling, so is fully aware of the complementary proposals. The HO raises no objection subject to an informative note regarding works on the highway.

In light of the above, there is no objection on transport/highway safety grounds.

Drainage

Local plan policy DS16 and Core Strategy policy CS19 reflect the advice in section 14 of the NPPF which aims to direct development to areas of lowest flood risk. Paragraph 159 of the NPPF similarly states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

The site is located in flood zone 1, the area at least risk of flooding. Nevertheless, concerns have been raised due to the sloping nature of the site and Saxby Hill, and previous drainage issues. However, it must be recognised that the development cannot be required to resolve existing issues.

It is recognised that the site is located on a steep slope, however this is not by any means an unusual scenario. Nevertheless, careful consideration needs to be given to the prevention of surface water run-off to and from the developed site. In this context, the LLFA

raises no objection subject to conditions aimed at preventing surface water flow from hard surfaces within the site onto the highway and prevention of surface water run-off from the highway entering the site and potentially causing flood risk to future occupiers.

Whilst local concerns regarding the existing issues on Saxby Hill are noted, it is not considered that the proposed development would make conditions worse, and if anything would be likely to improve the existing situation.

Other matters

Comments have been made by members of the public in relation to the absence of any details of retaining walls which they say will be required given the gradient of the site. Nevertheless, the applicant has confirmed that, given the contours of the land (shown on the submitted levels survey and proposed layout plan), the access will essentially follow the contours of the land and, because of this, there would be no need for retaining walls.

Conclusions and planning balance

Overall therefore, in principle the proposal would constitute sustainable development in accordance with the development plan. The access as proposed is acceptable in safety terms and there would be no harm to the conservation area character and appearance of the area. Any concerns regarding drainage can be adequately addressed by planning conditions. It is therefore recommended that permission is granted subject to the conditions set out below.

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: HLAD – DR-03-304 Rev B.

Reason

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

3.

The development hereby permitted shall be carried out in accordance with surfacing materials which have first been submitted to and approved in writing by the local planning authority.

Reason

In the interests of good design.

4.

The development hereby permitted shall not be brought into use until a scheme to prevent surface water run-off from hard paved areas within the site onto the highway has been

implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The development shall thereafter be retained and maintained in accordance with the scheme so implemented.

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.

5.

The development hereby permitted shall not be brought into use until a scheme to prevent surface water run-off from the highway onto the developed site has been implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The development shall thereafter be retained and maintained in accordance with the scheme so implemented.

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.

Informative

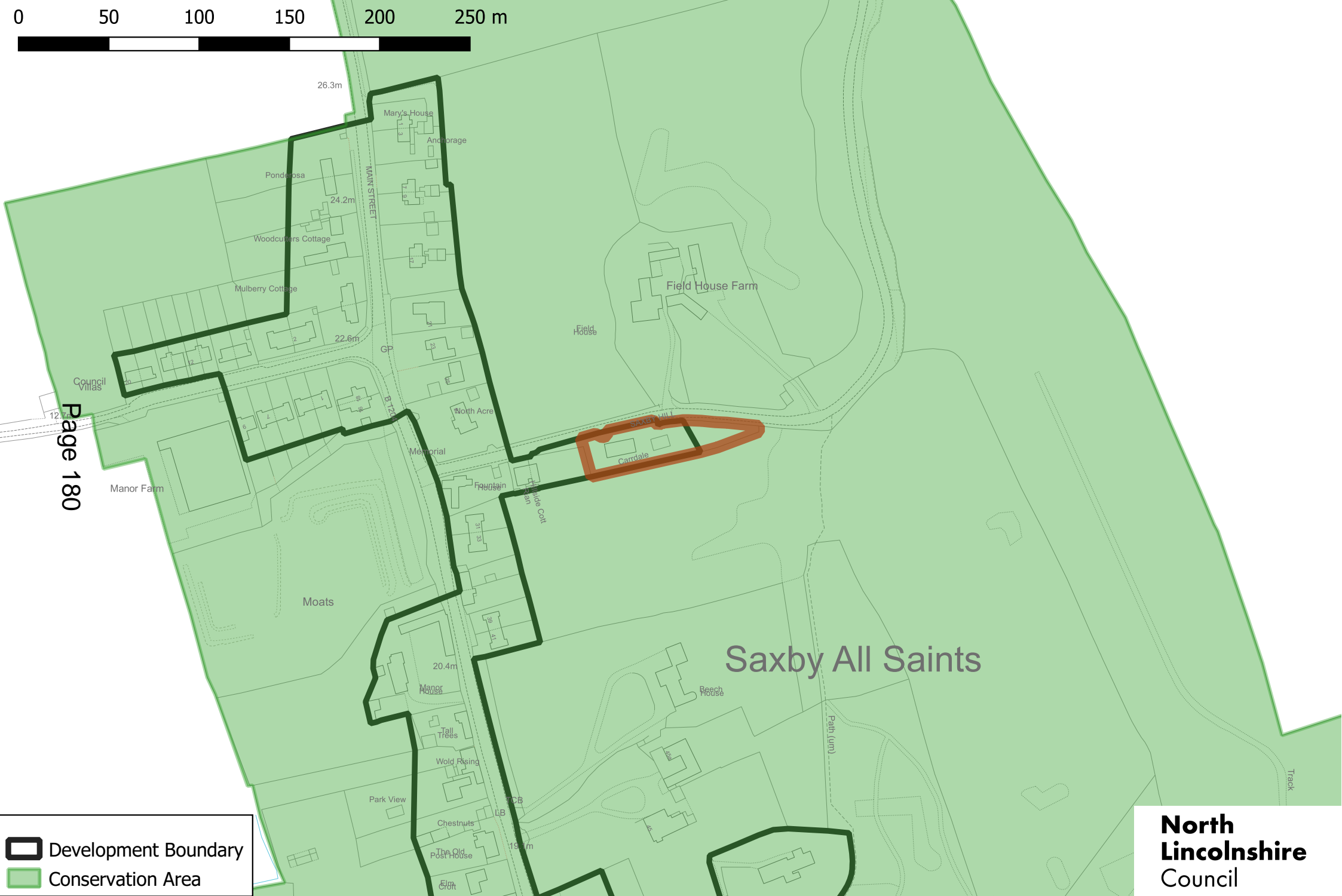
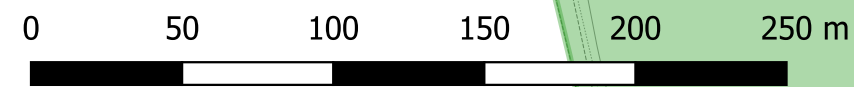
1.

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.


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.



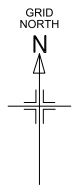
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 Development Boundary

 Conservation Area

**North
Lincolnshire
Council**

PA/2022/2011 Site layout (not to scale)



Survey Legend:

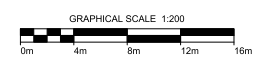
	Bank Top/Bottom		Building
	Canopy/Shrub line		Building canopy
	Trunk line		Surface changes
	Hedge		Well defined
	Wall		Floorly defined
	Fence		Unfinished
	Sewer - Foul		Overhead electric
	Sewer - Surface		Overhead telephone

	Borehole		Mail PO		Survey Station
	BO Bored		GP Gate Post		SIP Sign Post Lit
	CT Cable TV		IL Invert Level		SV Stop Valve
	CL Cover Level		KO Kerb Offset		Svp Soil Vent Pipe
	EL Electric Cover		LP Lamp Post		TC Telecom Cover
	EP Electric Post		MH Man Hole		TL Traffic Light
	ER Earth Point		MP Marker Post		TP Telegraph Pole
	FRL Floor Level		PO Post		UTL Unable to Lift
	FH Fire Hydrant		RE Rodding Eye		VP Vent Pipe
	FP Flag Pole		RS Road sign		WM Water Meter
	G Gully		RW Rain water pipe		WO Wash Out
	GA Gas Cover		SP Sign Post		

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- Notes:**
- Survey of 4 Hillside undertaken November 2021.
 - Survey of 10 Carrdale undertaken September 2022.
 - All manhole chamber pipe sizes and inverts are estimations made from surface level only.
 - Pipe inverts shown are outgoing pipes unless otherwise stated.
 - Whilst every effort has been made to locate all visible features it should be noted that at the time of survey some items may have been obscured and therefore not located.
 - Physical boundary features shown on this survey do not necessarily represent the legal boundaries.
 - Levels are orthometric heights relative to Ordnance Datum Newlyn measured by GPS and transformed via OSGM15. Antenna phase centre offsets: Rinec data = OS supplied, Site data = GCS.
 - Survey orientated to Ordnance Survey National Grid, OSGB36 (via OSN15).
 - Transverse Mercator Projection scale factor applied to this survey = 1.0000



Topographical Survey
 4 Hillside Cottage & 10 Carrdale
 Saxby Hill, Saxby All Saints

Client: **Adams O'Reilly Ltd**

Date:	30.09.22	Scale:	1:200	Size:	A1
Project:	2084	Drawing:	002	Rev:	-

shire surveys
 email: office@shiresurveys.com
 website: www.shiresurveys.com

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APPLICATION NO	PA/2023/67
APPLICANT	Mr Christopher Dove
DEVELOPMENT	Planning permission to erect a front boundary wall and gate pillars
LOCATION	47A Top Road, Worlaby
PARISH	Worlaby
WARD	Brigg and Wolds
CASE OFFICER	Matthew Gillyon
SUMMARY RECOMMENDATION	Refuse
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Carl Sherwood – significant public interest)

POLICIES

National Planning Policy Framework:

Part 12: Achieving well-designed places

North Lincolnshire Local Plan:

T2: Access to Development

DS1: General Requirements

DS5: Residential Extensions

North Lincolnshire Core Strategy:

CS1: Spatial Strategy for North Lincolnshire

CS2: Delivering More Sustainable Development

CS5: Delivering Quality Design in North Lincolnshire

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

DQE1: Protection of Landscape, Townscape and Views

Worlaby Parish Neighbourhood Plan 2016-2038:

Policy WNP2: Small Scale Housing Sites

Policy WNP4: Design

CONSULTATIONS

Highways: The wall pillars are in excess of 1.8m tall, the wall being 1.4m from the kerb edge. It is recommended the application be refused on highway safety grounds (restricted visibility) with the original maximum height of 1.05m for a distance of 2m from the highway boundary recommended.

LLFA Drainage: No comments or objections.

PARISH COUNCIL

Strongly opposes the development on grounds of breaching conditions on the original planning application, not in keeping with the character of the surroundings and significant harm to the appearance of the street scene, and whether this complies with the Worlaby Parish Neighbourhood Plan 2016–2038. There is also a threat to highway safety.

PUBLICITY

Advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015. One comment has been received objecting to the application as it is contrary to policies WNP2 and WNP4 of the Worlaby Parish Neighbourhood Plan. It would impact the character of the area as Top Road is dominated by frontage comprising hedges, wooden fences and brick walls less than 1.1m in height, which provide a strong sense of connection, encourages social contact, and contributes to the strength of the community; this development would be contrary to this character.

ASSESSMENT

Planning history

PA/2017/576: Planning permission to erect a dwelling – approved 10/07/2017

PA/2019/817: Planning permission to install a dropped kerb – approved 30/08/2019

PA/2020/77: Planning permission to erect a dwelling (resubmission of PA/2017/576 granted on 10/07/2017) – approved 16/04/2020

PA/2021/477: Planning permission to vary condition 2 of PA/2020/77, namely to amend house type – approved 16/04/2021.

Retrospective planning permission is sought to retain an existing front boundary wall and gate pillars. The site was granted planning permission for a detached dwelling under PA/2020/77 and the house type subsequently varied under PA/2021/477; the house has now been built and is occupied. The wall has been built in the same brickwork as the new dwelling to the following dimensions: the lower front wall is 1150mm high, with the pillars and higher side wall 1750mm, plus the ball finials at either end of the boundary wall.

Permission was granted under PA/2021/477 for an open driveway for access and egress with no built boundary treatment. A condition was attached to that permission to prevent anything being 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. The wall was not part of this original plan and as such has been built without planning permission. This retrospective application seeks to regularise the currently unlawful development.

The main issues in the determination of this application are impact on the character and appearance of the area, and impact on highway safety.

Impact on the character of the area

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, 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.

Policies WNP2 and WNP4 of the Worlaby Parish Neighbourhood Plan require the boundary treatment to be in keeping with the character of its surroundings, reinforcing the local character and distinctiveness of existing housing.

Planning permission is sought retrospectively for the wall along the front boundary of the property, which has been built to match the brickwork of the new dwelling, the dimensions of the lower front wall being 1150mm high, and the pillars and higher side wall being 1750mm plus the ball finials which are on the pillars at either end of the wall.

There is a mix of boundary treatment along Top Road, including hedges, fences and walls of varying heights, the majority of built front boundary treatments just over 1m high. The immediate vicinity of the site is characterised predominantly by hedging and low, open timber fencing which results in an open and rural aesthetic when travelling along the road and makes a significant contribution to the character and appearance of this rural settlement. The wall is significantly higher compared to other walls and fences in the vicinity and has a much more hard and imposing appearance due to its scale and materials, which contrast with the soft, rural character of the area.

In considering this development against policy DS5 of the North Lincolnshire Local Plan, and policies WNP2 and WNP4 of the Worlaby Parish Neighbourhood Plan, the wall is not sympathetic to the existing character of the surrounding area and would have a detrimental impact in terms of both the character and appearance of the area. This concern is also expressed in objections received from Worlaby Parish Council and a member of the public.

Highway safety

Policy T2 of the North Lincolnshire Local Plan requires all developments to be provided with a satisfactory access. Paragraph 111 of the NPPF also confirms that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe.

Attached to planning permission PA/2021/477 was a condition recommended by the council's highways team stipulating that nothing shall be erected, retained, planted or

allowed to grow over 1.05m in height above the level of the adjoining carriageway for a distance of 2m from the highway boundary across the site frontage. This condition was imposed to protect highway safety and in particular to allow adequate visibility of both pedestrians and vehicles when entering and leaving the site.

The highways team has been consulted on this application and recommends refusal on highway safety grounds, the wall pillars being in excess of 1.8m and the wall being set only 1.4m away from the kerb edge, which restricts visibility and poses a danger to highway users. They have commented that the wall is a similar height to the mature hedge on the adjoining property, however this is a historic situation, and the hedge could be cut back in the event of any visibility issues. The hedge on the neighbour's property is set away from the driveway of the applicant property and does not affect visibility from the application site, whereas the proposed wall does have a detrimental impact upon visibility when leaving the site.

The wall is sited on the inside of a bend, opposite a junction, and has the potential to impact visibility along Top Road, particularly when leaving the property, the height of the wall blocking views along the road and of any pedestrians using the footpath.

Conclusion

In conclusion, the proposed wall is not in keeping with the character of the area, and is considered to be contrary to policy CS5 of the adopted core strategy, policies DS1 and DS5 of the North Lincolnshire Local Plan and policies WNP2 and WNP4 of the Worlaby Parish Neighbourhood Plan.

The highways team has also recommended refusal on grounds of highway safety due to restricted visibility, the wall being on the inside of a bend, opposite a junction and of a height and design that would obscure views when leaving the site. Planning permission PA/2021/477 included an open driveway with a condition being attached advising a maximum height of 1.05m of anything erected or planted within 2m of the highway boundary; the built wall was not part of that application and directly conflicts with this condition. Considering this, the application does not comply with policy T2 of the North Lincolnshire Local Plan.

Considering this information, it is recommended that the retrospective application is refused due to the impact on the character and appearance of the area, and impact on highway safety.

Considering this information, it is recommended that the retrospective application is refused due to the impact on the character and appearance of the area, and impact on highway safety.

RECOMMENDATION Refuse permission for the following reasons:

1.

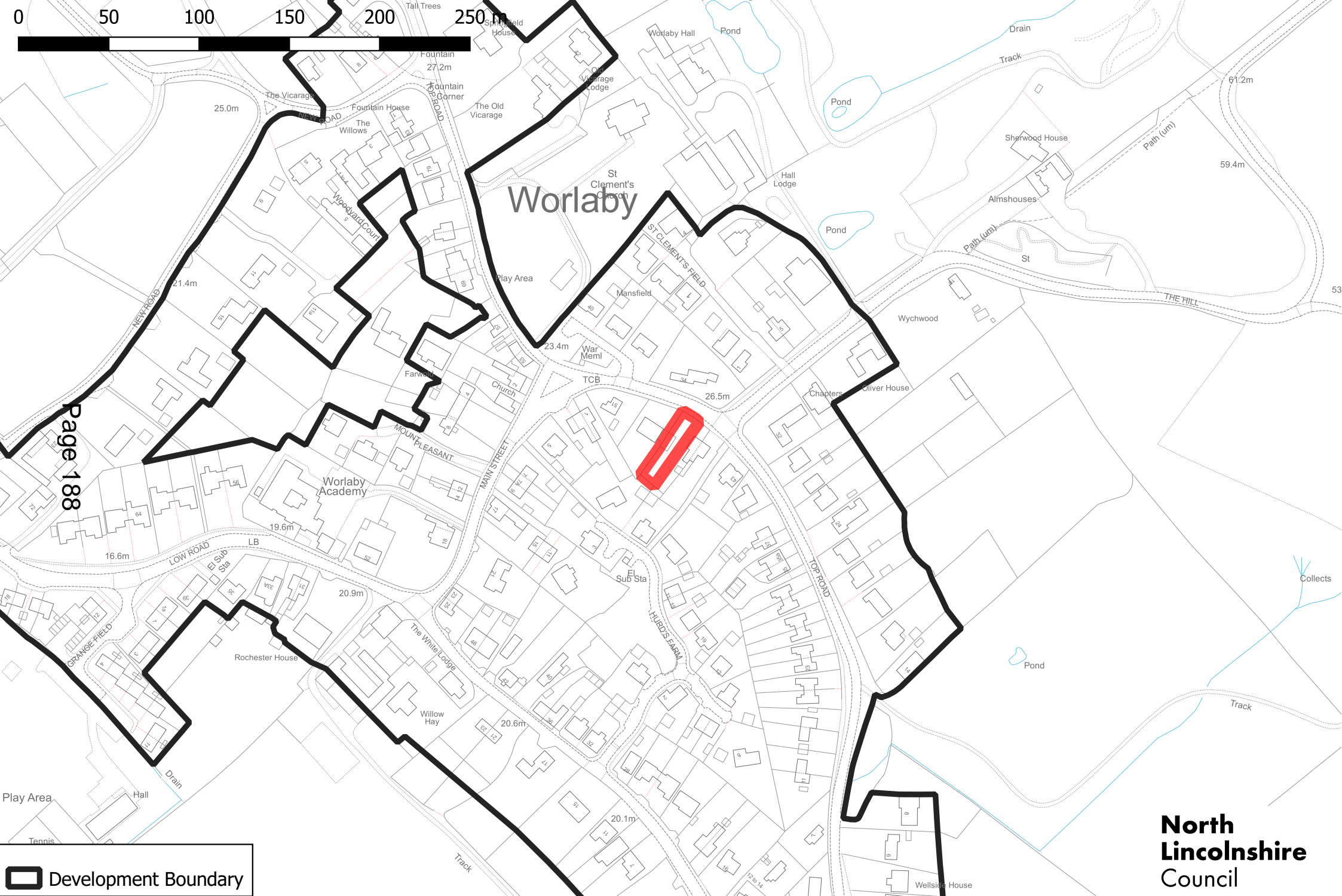
The proposed wall and brick pillars, by virtue of their height, location and materials, are considered to form a harsh and visually prominent form of boundary treatment which is out of keeping with the character and appearance of the street scene, exacerbated by their position adjacent to the public highway. Accordingly, the proposal is considered contrary to policies DS1 and DS5 of the North Lincolnshire Local Plan, CS5 of the adopted Core Strategy, and policies WNP2 and WNP4 of the Worlaby Parish Neighbourhood Plan.

2.

The proposed boundary wall and pillars, by virtue of their height and position to the front of the dwelling and adjacent to the public highway, are considered to be detrimental to highway and pedestrian safety by reducing visibility, exacerbated by the position of the site on a bend in the public highway and its proximity to the junction of Top Road and The Hill. Accordingly, the proposed development is considered contrary to policy T2 of the North Lincolnshire Local Plan and paragraph 111 of the NPPF.

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.



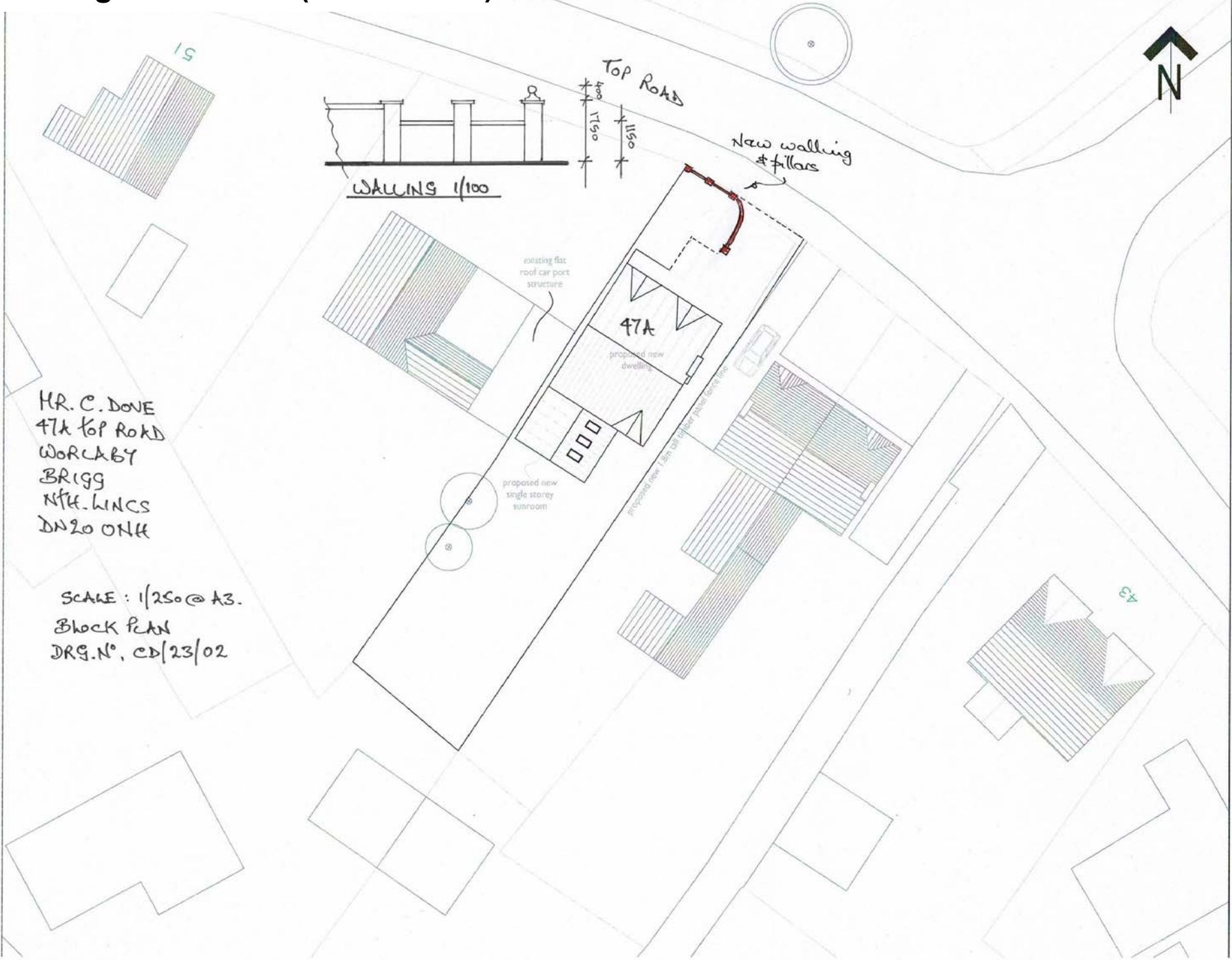
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 Development Boundary

**North
Lincolnshire
Council**

PA/2023/67

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MR. C. DOME
47A TOP ROAD
WORCABY
BRIGG
NTH. Lincs
DN20 0NH

SCALE : 1/250 @ A3.
Block PLAN
DRG. N°, CD/23/02



PA/2023/67 Photograph of wall in situ

APPLICATION NO	PA/2023/446
APPLICANT	Mr Reynolds
DEVELOPMENT	Planning permission for side extension and attic conversion including dormers
LOCATION	Netherhaven, 34 Nethergate, Westwoodside, DN9 2DL
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Daniel Puttick
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Section 9: Promoting Sustainable Transport

Section 12: Achieving Well-designed Places

Section 16: Conserving and Enhancing the Historic Environment

North Lincolnshire Local Plan:

Policy DS1: General Requirements

Policy DS5: Residential Extensions

Policy LC14: Area of Special Historic Landscape Interest

Policy T2: Access to Development

Policy T19: Car Parking Provision & Standards

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

Supplementary Planning Guidance SPG1: Design Guidance for House Extensions

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS3: Development Principles

Policy SS11: Development Limits

Policy DQE1: Protection of Landscape, Townscape and Views

Policy HE2: Area of Special Historic Landscape Interest

Policy DM1: General Requirements

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

Archaeology: The site is within the Area of Special Historic Landscape Interest of the Isle of Axholme (Local Plan Policy LC14). I do not consider that the nature and scale of this proposal would adversely affect the character of the landscape heritage asset or its setting at this location.

Environmental Protection: This department has reviewed historical maps which has identified the presence of former unknown structures. Therefore, due to the potential for made ground, this department would recommend the following condition should the application be approved:

'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 protect human health.'

PARISH COUNCIL

Objects to the proposal on the following grounds:

The proposal is an area of mixed housing types. The parish council has concerns relating to the proposed balcony to the rear as it will overlook the neighbouring garden and restrict privacy. It is on the junction of Nethergate, Brethergate and Tower Hill on a sweeping bend which restricts visibility; permission was granted for access and a garage with turning space (PA/2018/2165). This proposal would significantly reduce parking and turning space and impact on highway safety. This Parish council objects until detailed plans are submitted showing access and parking provision for this proposal that sufficiently allows for amenity space. The parish council notes that NLC Highways have not commented, which is disappointing, in that the previous application has not been read as part of their assessment.

PUBLICITY

A site notice has been displayed. No comments have been received from members of the public or neighbouring residents as part of this consultation process.

ASSESSMENT

Planning history

- 2/1981/0465: Temporary siting of a mobile home for aged relative – approved 10/07/1981
- 2/1985/0158: Retention of a mobile home – approved 02/04/1985
- 2/1988/0357: Retention of a mobile home (renewal of temporary permission approved under planning permission 2/0158/85) – approved 14/06/1988
- PA/2015/0345: Planning permission to erect a single-storey extension to side of existing garage to form additional living accommodation and increase roof height of existing dwelling – approved 14/05/2015
- PA/2015/1424: Outline planning permission to erect a single dwelling with associated access and create a new access at 34 Nethergate – refused 10/02/2016 (appeal allowed 12/12/2016)
- PA/2018/2165: Planning permission to erect a detached garage and relocate vehicular access – approved 21/12/2018.

The site and proposal

The application site comprises an existing single-storey bungalow which has been altered and extended in previous years. The property features two bedrooms, a bathroom, kitchen and living room, with the proposals seeking to extend outwards and upwards into the roof space.

The proposed development would see the creation of a dormer bungalow with integral garage at ground-floor level. The ground floor would be remodelled, with a new utility and WC accessed from an open plan kitchen and dining room. One bedroom and the existing living room would be retained, with two bedrooms and a bathroom at first-floor level.

Three dormer windows are proposed in the front-facing roof slope, and three at the rear. Of those at the rear, two are proposed to be slightly larger. Amended plans have been

received which have removed a previously proposed external balcony, which would have overhung the rear of the property. The proposals now seek a glass balustrade, forming a Juliet balcony serving inward opening doors in the bedrooms.

Materials proposed would match those used in the existing building, with the ground floor seeing the introduction of a series of bi-folding doors across the rear elevation.

The main issues in determining this application are:

- impact upon the character and appearance of the area;
- impact upon residential amenity; and
- highway safety.

Impact upon the character and appearance of the area

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, overbearing impact or loss of privacy to adjacent dwellings. It states that the proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

Policy CS5 of the Core Strategy states that all development should be well designed and appropriate for their context. It expects development to contribute towards creating a positive and strong identity for North Lincolnshire by enhancing and promoting the image of the area through the creation of high quality townscapes and streetscapes.

The application site is within Westwoodside, within the Isle of Axholme Area of Special Historic Landscape Interest. Policy CS6 of the Core Strategy indicates that the council will promote the effective management of North Lincolnshire's historic assets through various means, including safeguarding the national significant medieval landscapes of the Isle of Axholme (notably the open strip fields and turbaries).

Policy LC14 of the local plan states that within the area of special interest, development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features.

The existing building is modern and simple in form. Constructed of red brick, it is double-fronted with a steeply pitching roof. The alterations would result in the creation of a dormer bungalow, with a series of dormer windows proposed within the roof. Whilst this would change the appearance of the property, the changes would not be considered harmful to the overall character and appearance of the area.

The features proposed are prevalent throughout the settlement, which accommodates a range of house types and styles. The street scene in this location is varied, and the property would be seen in context with some older and some more modern houses, some of which incorporate dormer windows into their design.

The council's HER Officer has considered the application and concludes that the nature and scale of the proposal would not adversely affect the character of the landscape heritage asset or its setting at this location. For the reasons set out above, the proposed

development is considered to be acceptable in terms of its design, and whilst there would be changes imposed upon the property, they can be accommodated without resulting in adverse impacts upon the character and appearance of the area. The proposed development is considered acceptable in this respect in accordance with policies DS1, DS5 and LC14 of the North Lincolnshire Local Plan, and policies CS5 and CS6 of the Core Strategy. Conditions are recommended to ensure that the materials used in the extension closely match those in the existing building to ensure the development successfully integrates with the property.

Impact upon residential amenity

Policy DS5 of the North Lincolnshire Local Plan 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, overbearing impact or loss of privacy to adjacent dwellings.

The proposed development initially incorporated the construction of a large, raised balcony situated at the rear of the building, which would be accessed from one of the proposed bedrooms within the roof space. Following discussions with the applicant's agent, this element of the scheme has been removed in favour of Juliet balconies, which enable doors on the upper floor to be opened.

Whereas the original proposals would have resulted in a significant degree of overlooking of the garden area of the neighbouring property and afford views directly into the adjacent property, the revised scheme would not be considered to result in a harmful degree of overlooking. The removal of the balcony would ensure no overlooking of the adjacent property, and views across the rear garden would be limited. Owing to the restricted headspace and layout of the bedrooms within the roof, views into and out of the windows would be limited. The arrangement would provide for light and air circulation, as opposed to a seating area overlooking neighbouring gardens.

For these reasons, the revisions to the scheme would not be considered to result in adverse impacts upon living conditions for occupants of neighbouring dwellings, and would provide suitable standards of amenity for occupants of the application site. The proposals are considered acceptable in this respect in accordance with policy DS5 of the local plan.

Highway safety

Policy T2 of the local plan requires all development to be provided with a satisfactory access, whilst policy T19 of the local plan, in conjunction with Appendix 2, provides parking guidelines for new development.

The Parish council has raised concerns in relation to parking and highway safety, noting that the proposed development would reduce parking and turning space as part of the approved scheme under PA/2018/2165. This application authorised the creation of a new access to the property, which previously had an access driveway leading to a garage to the south of the property. The garage has since been demolished and a new dwelling constructed in its place, with planning permission granted under application PA/2018/2165 securing permission for a new access and replacement garage.

The new access has been partially implemented and would be capable of serving the proposed development. Sufficient space would be retained within the curtilage of the property for the parking and manoeuvring of vehicles.

Paragraph 111 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

From discussions with the applicant's agent, it is understood that access arrangements at the site would be similar to those secured under application PA/2018/2165. These arrangements have previously been found acceptable in highway terms, with no objections being raised against this application by the highway authority. However, owing to the lack of precise details provided as part of the application, it is considered necessary to impose a condition in the event that permission is granted. Such a condition would seek details of the access position, the layout of the internal driveway, and the provision of adequate turning space for vehicles to enter and leave the property in a forward gear.

Subject to accordance with such a condition, the proposed development would be acceptable and would not result in adverse impacts upon highway safety in accordance with policies T2 and T19 of the local plan.

Conclusion

The principle of the development is considered acceptable in planning terms. Revisions to the scheme have addressed concerns in relation to potential impacts upon residential amenity arising from overlooking from balconies previously proposed at the rear of the property. The revised scheme is considered acceptable in its design, and would not result in adverse impacts upon living conditions for neighbouring residents or any adverse impacts upon the character and appearance of the area or area of historic landscape interest. Subject to conditions, in absence of any objection from the highway authority the proposed development would not be considered to give rise to severe impacts upon road safety.

The proposed extension is considered acceptable in accordance with policies DS1, DS5, LC14, T2 and T19 of the local plan, policies CS1, CS2, CS3, CS5 and CS6 of the Core Strategy and the aims of the NPPF. It is therefore recommended that planning permission be granted subject to standard conditions.

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:

Drawing No. 001 Rev A – Location Map and Site Layouts

Drawing No. 003 Rev B – Proposed Plans & Elevations.

Reason

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

3.

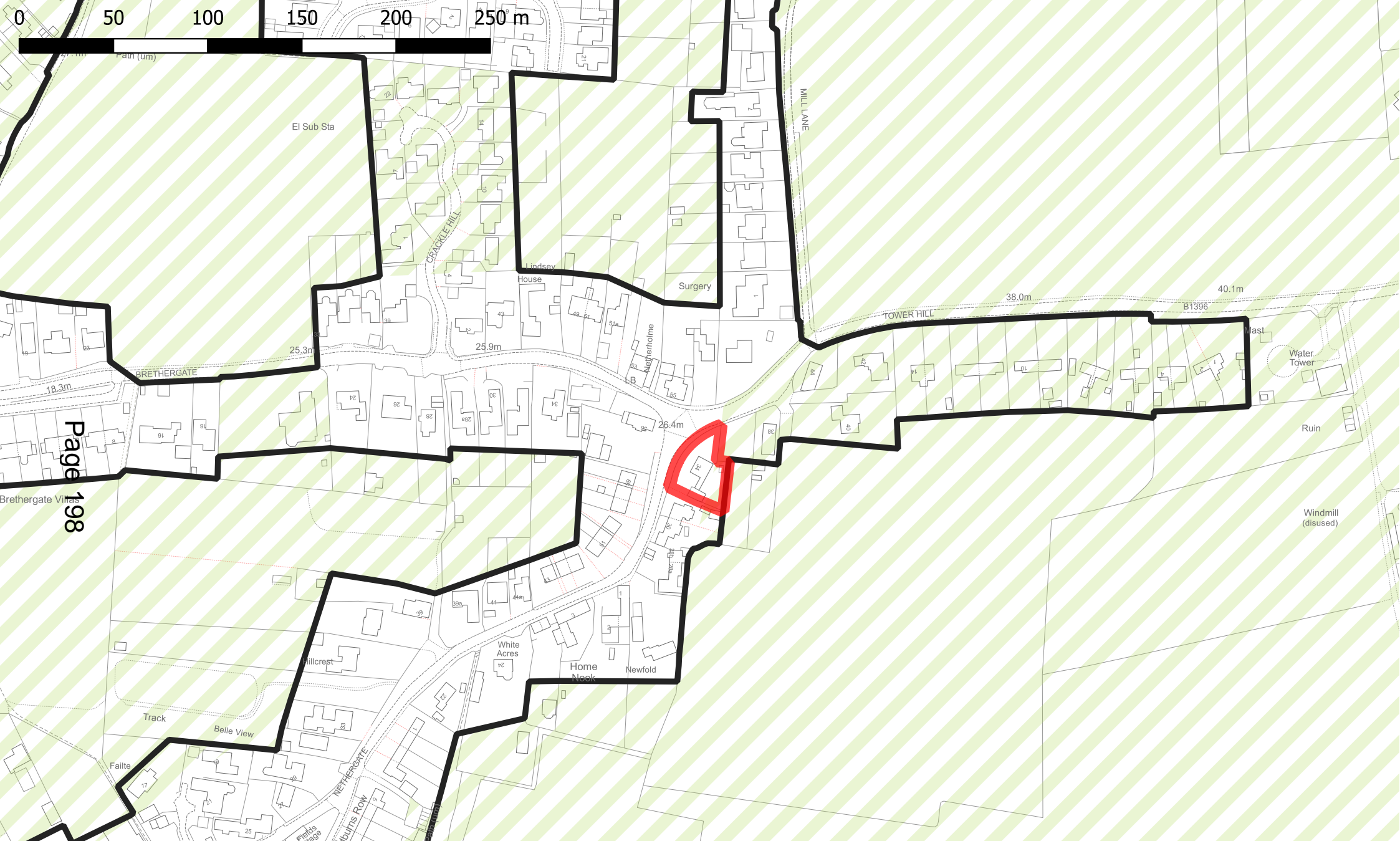
Notwithstanding the detail contained within the application, the development hereby permitted shall not be occupied until precise details for the access, driveway and turning area to serve the property have first been submitted to and approved in writing by the local planning authority, and subsequently implemented in accordance with the approved details.

Reason

To ensure safe and suitable access is provided for the property, in the interests of highway safety in accordance with policies T2 and T19 of the North Lincolnshire Local Plan.

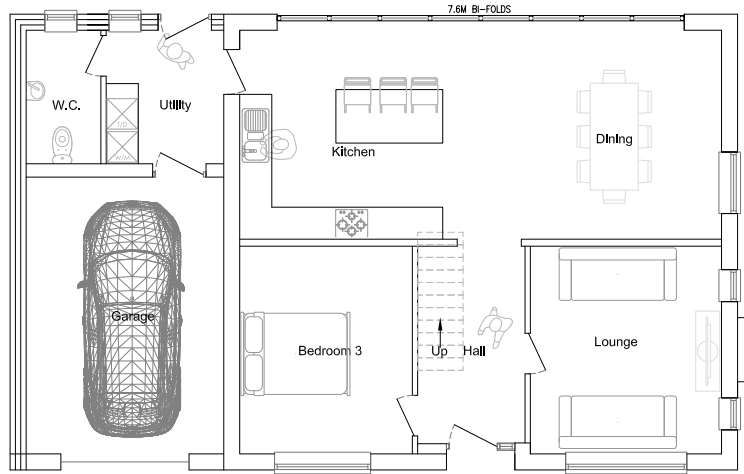
Informative

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.

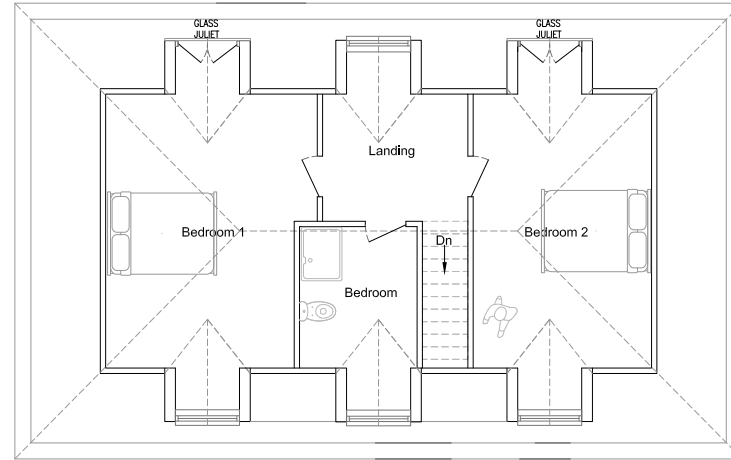


LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

Project Name: **Side extension & attic conversion**
 Project Address: **34 Nethergate, Westwoodside DN9 2DL**
 Drawing Title: **Proposed Plans & Elevations**
 Drawn: **CH** Checked: **KD** Approved: **CH**

Date: **MAR 2023** Rev: **B**
 Scale: **1:50 & 1:100 @ A1**

CENTRELINE
 DESIGN CONSULTING LTD.

003
 Centreline Design Consulting Ltd.
 Plot 10, The Old Mill, Westwoodside, DN9 2DL
 T: 01724 410100 M: 07534 910720
 E: info@centrelinedesign.co.uk

APPLICATION NO	PA/2023/611
APPLICANT	Mrs Pauline Sutton
DEVELOPMENT	Outline planning permission to erect three dwellings with appearance, landscaping and scale reserved for subsequent consideration
LOCATION	Land to the rear of 20 Burton Road, Flixborough, DN15 8RW
PARISH	Flixborough
WARD	Burton upon Stather and Winterton
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework:

Section 2 – Achieving sustainable development

Section 4 – Decision making

Section 5 – Delivering a sufficient supply of homes

Section 12 – Achieving well designed places

North Lincolnshire Local Plan:

DS1 – General Requirements

DS7 – Contaminated Land

DS14 – Foul Sewage and Surface Water Drainage

DS16 – Flood Risk

H5 – New Housing Development

H8 – Housing Design and Housing Mix

T2 – Access to Development

T19 – Car Parking Provision and Standards

LC7 – Landscape Protection

LC12 – Protection of Trees, Woodland and Hedgerows

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

CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

CS17 – Biodiversity

CS19 – Flood Risk

Housing and Employment Land Allocations Development Plan Document:

PS1 – Presumption in Favour of Sustainable Development

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

RD1 – Supporting Sustainable Development in the Countryside

SS1 – Presumption in favour of Sustainable Development

SS3 – Development Principles

SS6 – Spatial Distribution of Housing Sites

SS11 – Development Limits

DQE1 – Protection of Landscape, Townscape and Views

DM1 – General Requirements

CONSULTATIONS

Ecology: No objections subject to conditions.

Archaeology: No objections or recommendations.

Highways: No objection subject to conditions.

Drainage (Lead Local Flood Authority): No objection subject to conditions.

Environmental Protection: Pre-commencement conditions recommended.

PUBLICITY

Advertised by site notice. One comment has been received raising the following concerns:

- The land is outside the development boundary.
- The entrance to the site is unsuitable.
- There is a safety issue due to the proximity of the land to drains and a stream, with the potential for land slippage.

ASSESSMENT

Proposal and site characteristics

The proposal seeks outline permission to erect three dwellings including consideration of access and layout, whilst reserving other matters, namely appearance, landscaping and scale. The site is located to the rear of dwellings 16 to 32 Burton Road in Flixborough. The land has a polygonal shape with a narrow existing access from Burton Road, with the proposed access to be taken from Lammings Close to the north.

Site constraints

- The development is outside, but directly adjacent to the development boundary for Flixborough according to the HELA DPD 2016.
- The site is within SFRA flood Zone 1 (low risk).
- The site is not within or adjacent to a conservation area; nor are there any listed buildings on or adjacent to the site.

Main considerations

- **Principle of development**
- **Character and appearance**
- **Impact upon amenity**
- **Impact upon highways**
- **Flood risk and drainage**
- **Land contamination**
- **Ecology**

Principle of development

Policy CS1 states, 'Rural settlements will be supported as thriving sustainable communities with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility.'

Policy CS2 sets out a sequential approach for development. Development should be focused on: Small-scale developments within the defined development limits of rural settlements to meet identified local needs. The policy further states, '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.'

Policy CS7 states, 'Housing development will be 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 policy seeks to achieve a net density of 30 to 35 dwellings per hectare within rural settlements and the countryside.

Policy CS8 relates to spatial distribution of housing sites and states, 'The first priority is to re-use previously developed land and buildings within North Lincolnshire's built-up areas. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built-up areas. The policy further states, 'New housing within the rural settlements 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 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is immediately outside the defined development boundary of Flixborough and so it is considered to be in breach of policies CS2 and CS3 of the Core Strategy and RD2 of the local plan.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 10 of the NPPF states, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which were most important to determining the application should not be considered up to date.

In a recent appeal decision dated 20 July 2022 (PA/2020/554) the inspector concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

Accordingly, the 'tilted balance' in paragraph 11 of the NPPF is triggered, whereby there is a presumption in favour of sustainable development and development proposals should be approved unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case, the site is not known to be a protected area or asset, therefore an assessment on sustainability is required.

There are three dimensions to sustainable development as set out in paragraph 8 of the Framework: economic, social and environmental.

Investment in construction and related employment would represent an economic benefit, as would the additional population within the local economy. Notably, the site would be situated close to High Street which is a main road through the settlement. As such, the centre of Flixborough could be readily accessed by walking or cycling as it would be within a two minute walk from the site.

In terms of social benefits, the nearby All Saint's Church is also within a two minute walk. The village retains other amenities like the conference centre and children's play area. Importantly, the site is served by an adjacent footpath (to the front of number 23) which is well connected to the surrounding locality and would encourage footfall connectivity.

In terms of environmental benefits, the site is situated along a bus route with multiple bus stops available to the east and west which are adjacent to High Street. It is considered the location of the proposed three dwellings would not be totally dependent on car travel given the availability of other forms of travel (i.e. walking, cycling or bus), with Flixborough being a short distance from the larger settlements of Scunthorpe and Burton upon Stather.

The above matters weigh heavily in favour of the proposal in terms of the economic, social and environmental dimensions of sustainability given the council's lack of five-year supply of housing land. As a result, it is considered the proposed three dwellings would be situated within a sustainable location and the principle of the development is considered to be acceptable in this instance.

Character and layout

Policy DS1 states that a 'high standard of design is expected' and proposals will be considered against two criteria:

- (i) The design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area, and
- (ii) The design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy 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.’

The application site is immediately adjacent to the development boundary, which wraps around its south, west and northern sides, and shares all of its boundaries with existing residential plots on all but a small extent of the northern side. Due to the enclosed nature of the site, the proposed development would not result in significant encroachment into the countryside and its visual impact will be limited. The site is proposed to site three one-and-a-half-storey detached dwellings with access taken from Lammings Close – a more suitable access route to the site than the narrow access via Burton Road. To the rear of Burton Road there are examples of dwellings and outbuildings outside the development boundary, including Lilac Cottage to the east of the application site. The proposed dwellings, once completed, could be read as part of Lammings Close, and nevertheless would be enclosed by existing residential development, which they would be viewed in the context of. Hence the proposal will not be at odds with the character of the area.

Details of the appearance of the dwellings will be assessed at the reserved matters stage and subject to the approval of these details, the proposal is considered to be in accordance with policies DS1 and CS5.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.’

Policy H5 also seeks to require that proposals do not result in adverse impacts upon neighbouring amenity.

The proposal would result in three additional dwellings in Flixborough. The indicative landscaping plan, which includes spacing and the retention of neutral grassland to serve as a buffer to the adjacent residential properties, would mitigate the potential for impact upon the amenity of surrounding dwellings. Although the final details are reserved for future consideration, it is considered that a suitable scheme that respects neighbours’ residential amenity is achievable, subject to appropriate design at the reserved matters stage.

The proposal is therefore considered to be acceptable in this regard and complies with policies DS1 and H5.

Highway safety

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

Access is proposed to be taken from Lammings Close to the north via an extension to the existing turning head at the end of the cul-de-sac. The indicative layout demonstrates that there is plenty of space to allow for appropriate parking and turning areas to be provided to serve the proposed development. The highways department has been consulted and conditions to control the access and parking on site, amongst others matters, are recommended. These conditions would be applied to any permission granted. Highways have raised no objection to the proposed development subject to the imposition of the recommended conditions. Vehicular access from Burton Road would not be realistic given the narrowness of the site where it meets this road. For these reasons, the proposed access is considered to be acceptable and the development is in accordance with the requirements of policies T2 and T19.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst DS14 and DS16 of the local plan are concerned with flood risk, drainage and foul water. Policy CS19 in particular states, 'The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere.'

The proposed site is situated within SFRA flood zone 1 and is therefore a suitable location for development, although the area is known to be prone to groundwater/springs seepage. The LLFA drainage team has raised no objections to the proposal subject to a condition that will require an acceptable scheme to be submitted at the reserved matters stage. This drainage scheme will need to provide mitigation for the whole site.

A resident has raised a concern regarding the potential impact of the spring in the area. It is considered that this issue is known and that the detailed surface water scheme will include an assessment of the existing hydrological context of the site and address this concern, as advised by the council's drainage team. Subject to the submission and approval of an acceptable detailed surface water drainage scheme for the site, which will be secured by condition, the proposal is considered acceptable.

Land contamination

Policy DS7 of the local plan relates to 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 council's Environmental Protection team recommends conditions to secure a contaminated land assessment prior to commencement of development due to the land being former agricultural land with potential for contamination. Residential development is a sensitive end use and these conditions are recommended to be attached to any permission granted.

Ecology

Policy CS17 relates to biodiversity. In this regard, a biodiversity assessment and an indicative landscaping scheme have been submitted as part of the application. The indicative landscaping scheme includes mixed scrubland to connect with existing scrub area to the east and neutral grassland to provide a buffer for adjoining residential sites along Burton Road and Lammings Close. The biodiversity assessment has been evaluated by the council's ecologist and conditions have been recommended which would be attached to any planning permission granted. These conditions will ensure that the proposed development does not have any unacceptable impact on protected or priority species and that a gain in biodiversity is achieved. Subject to the fulfilment of the conditions, the proposal is considered to comply with Core Strategy policy CS17.

Conclusion

Whilst the application site is outside the defined development boundary for Flixborough, it does directly adjoin the boundary, in a sustainable location, served by existing services and infrastructure nearby. According to the applicant, the site was host to storage buildings until recently in the last decade when the structures were removed. The site is now underutilised and enclosed by dwellings to the north, south, west and a portion in the east. The NPPF encourages the effective use of land. This application, if approved, could bring into viable use an enclosed site and provide a contribution towards meeting the council's housing need by providing a well designed scheme of three one-and-a-half-storey bungalows. On this premise, the benefits of the proposal are considered to outweigh the identified conflict with adopted policy, the proposed development is considered to be acceptable and is recommended for approval.

Pre-commencement conditions

These have been agreed with the applicant.

RECOMMENDATION **Grant permission subject to the following conditions:**

1.
Approval of the details of the 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.

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 21034/001-v03

Proposed block plan 21034/010-v02.

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 works which 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) a 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, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increase
- (i) SuDS must be fully considered in accordance with current PPG guidance. If a full sustainable urban drainage system (SuDS) scheme is incapable of being delivered, then comprehensive justification of this must be submitted.

Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 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 159 to 169 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 paragraphs 159 to 169 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 159 to 169 of the National Planning Policy Framework.

10.

No development shall take place until details of:

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

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

Reason

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

11.

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.

12.

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.

13.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

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

14.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

which have been agreed in writing by the local planning authority. Once constructed the private driveway shall be retained.

Reason

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

15.

No dwelling on the site shall be occupied until the private driveway has been completed, to a standard to be agreed beforehand in writing with the local planning authority, up to its junction with the vehicular access to that dwelling.

Reason

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

16.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

17.

Works shall be carried out strictly in accordance with the recommendations set out in sections 5.1.2 to 5.3.2 of the submitted Preliminary Ecological Appraisal report dated January 2023.

Reason

To safeguard protected and priority species in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

18.

Prior to the approval of reserved matters, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall cover a period of at least 30 years from the commencement of development and shall include:

- (a) details of at least two bat roosting features to be installed;
- (b) details of nesting sites to be installed to support a variety of bird species;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the creation and ongoing management of neutral grassland, and scrub of high biodiversity value;
- (f) prescriptions for the creation and management of any additional habitats required to achieve target biodiversity values;
- (g) procedures for monitoring and ongoing management of created habitats;
- (h) details to confirm that the measures proposed will provide a measurable net gain in biodiversity value of least 1% in accordance with the Defra biodiversity metric 3.1;
- (i) proposed timings for the above works in relation to the completion of the buildings.

Reason

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

19.

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 completion of the approved development, 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. Thereafter, monitoring reports shall be submitted to the local planning authority every five years for thirty years to provide evidence of compliance with the biodiversity management plan and monitoring and management measures carried out to maintain target condition.

Reason

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

20.

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

Part 1: Site Characteristics

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

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

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

Part 2: Submission of Remediation Scheme

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

contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

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

21.

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 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 in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informatives

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.

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.

3.

For your information, the LLFA Drainage Team no longer permits the use of connected private surface water drainage systems which are reliant on one outfall/property owner, unless a robust adoption and maintenance plan is produced and made known to all property owners (see proforma below). The reliance on one owner to maintain a drainage system, if not maintained, can cause civil and legal disputes moving forward with several neighbouring properties. This is an approach that other local authorities are adopting. There is no reason why each property cannot have their own individual surface water drainage outfall. This is not a good solution unless it is a public sewer and adopted by the water company.

Responsibilities/ownership of the drainage system

The owners and parties with responsibilities for the surface water drainage system on this development may comprise the following stakeholders: the relevant water company; a private management company; private house owners; North Lincolnshire Council, all of which is clearly defined on the surface water drainage plan included within your handover pack and property deeds package. As you are a house owner on this development you have responsibilities for the maintenance of the surface water drainage system which fall within the extent of the title which you own. Failure to maintain or removal of surface water drainage features may result in civil litigation with neighbouring owners if flooding occurs as a result.

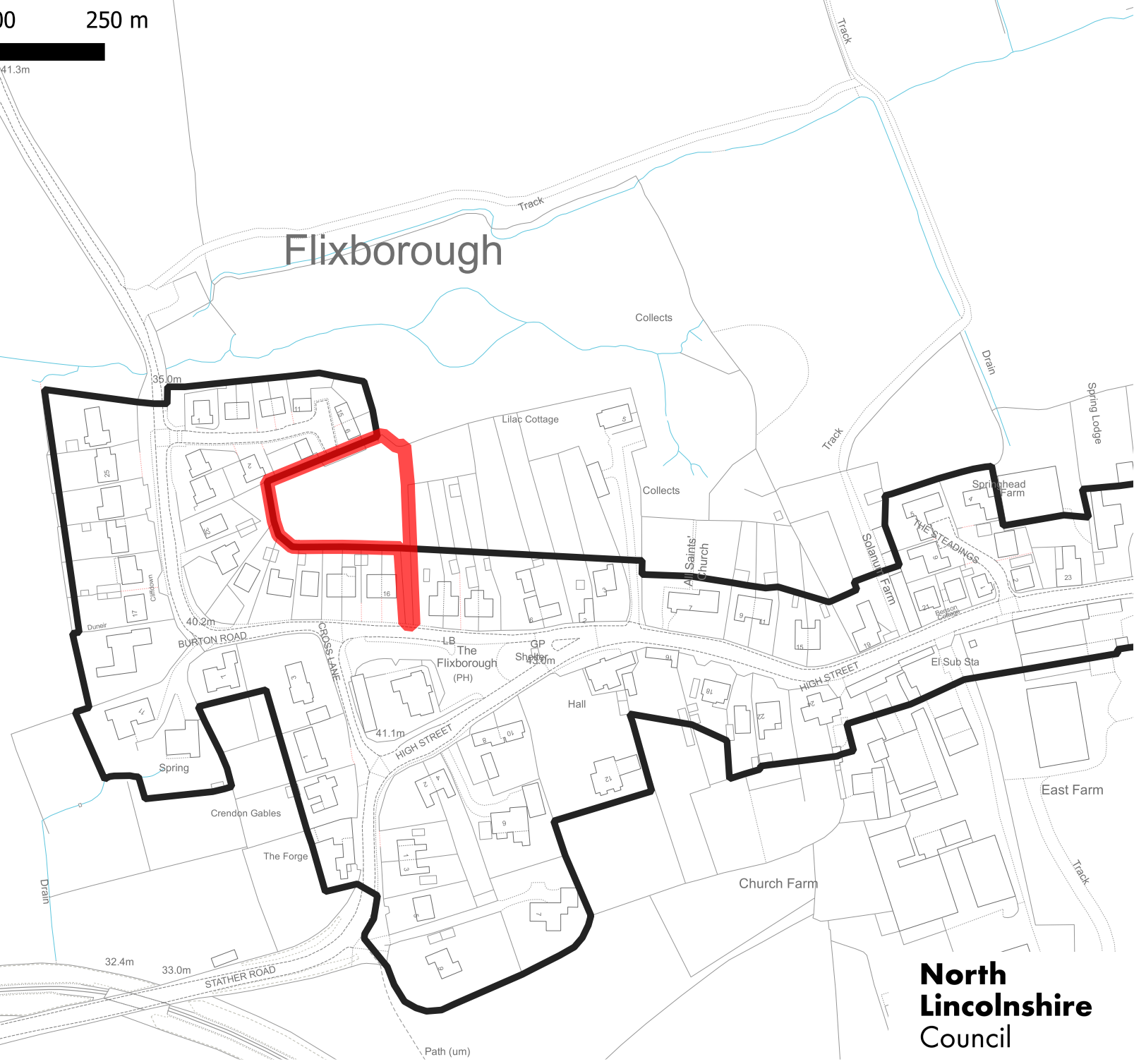
Surface water drainage pipes and inspection chambers within the title of your property are owned by you as owner and as such responsibility for maintenance/repairs and replacement are yours as the house owner. Private drainage is identified in red on the attached plan.

The plan may identify that your property has upstream and/or downstream surface water drains and as such the system is reliant on you (as the owner of the property) to maintain the drains that are within your property. The surface water mains drainage sewers, manholes, attenuation tank and headwall (including lateral connections/inspection chambers) generally within the adopted highway or open space will be adopted by Anglian Water. A formal section 104 agreement is in place for this. These are identified in blue on the attached plan.

0 50 100 150 200 250 m

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Flixborough



 Development Boundary

PA/2023/611

**North
Lincolnshire
Council**

PA/2023/611 Proposed layout (not to scale)



- 01 Private shared access and turning head with 1 in 10 nominal gradient rising from Lammings Close
- 02 Mixed scrubland located to connect with existing scrub area to east
- 03 Neutral grassland providing a buffer to the adjacent residences
- 04 3 No new one-and-a-half storey dwellings based on a single house type of approx 130m² gross. Each to benefit from private parking for two cars, and a south-facing private garden that overlooks the grassland area

AREAS WITHIN RED EDGE

	New dwellings (3 @ 88m ²)	264m ²
	Domestic hardstanding	180m ²
	Shared access road	138m ²
TOTAL SEALED SURFACES		582m ²
	DOMESTIC GARDENS	440m ²
	NEUTRAL GRASSLAND	1422m ²
	MIXED SCRUB	406m ²
		2850m ²

PROPOSED BLOCK PLAN
1:500



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APPLICATION NO	PA/2023/729
APPLICANT	Chris Walters
DEVELOPMENT	Planning permission to raise roof height and install first-floor extension, and erect extensions (alterations to previously approved application PA/2020/229)
LOCATION	56 Eastoft Road, Crowle, DN17 4LR
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Crowle Town Council

POLICIES

National Planning Policy Framework:

2: Achieving sustainable development

4: Decision-making

12: Achieving well-designed places

North Lincolnshire Local Plan:

DS1: General Requirements

DS5: Residential Extensions

T2: Access to Development

T19: Car parking Provision and Standards

DS14: Foul Sewage and Surface Water Drainage

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

Housing and Employment Land Allocations DPD:

The site is unallocated and within the development limits of Crowle as shown on the Proposals Map.

Supplementary Planning Guidance:

SPG1: Design Guidance for House Extensions

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS11: Development Limits

DM1: General Requirements

CONSULTATIONS

Highways: No comments or objections.

LLFA Drainage: No comments or objections.

TOWN COUNCIL

Objects on grounds of perceived intrusion of neighbour's privacy.

PUBLICITY

The proposal has been advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015. Three responses have been received objecting to the proposals on the following grounds:

- Objected to previous application. Daylight has been much reduced by the previous development and further development will vastly reduce privacy and daylight to the bungalow to the rear.
- All surrounding properties are bungalows.
- The planning permission which was passed (PA/2020/229) has not been followed. There should be no windows on the first-floor side elevation. Three windows have been installed which look down on our bungalow losing all our privacy; on the proposed new drawing only two windows are shown.

- On the rear elevation another window has been added which also looks onto the rear properties.
- White UPVC cladding has been added to two of the external walls.
- The plans now show six bedrooms; this is overdevelopment of the property.
- Raising the roof line even further than the inappropriate height that has already taken place in an area surrounded by low build bungalows is completely unacceptable. Further addition to this will add to what is already an eyesore.

ASSESSMENT

Planning history

PA/2015/1121: Planning permission for part first-floor, part single-storey extension to rear, raising of roof height and associated external alterations, and alterations to garden levels – refused 10/02/2016

PA/2020/229: Planning permission to erect single-storey front and rear extensions, and raise roof to accommodate a first-floor extension – approved 11/05/2020

PA/1997/1180: Erection of side and rear extension – approved 28/10/1997.

Proposal and site characteristics

The application site comprises a detached property accessed off Eastoft Road. The surrounding area is largely residential with properties to the north, east and west being detached and semi-detached bungalows. The application site benefits from an earlier permission to raise the height of the existing bungalow to two storeys with alterations to windows and a single-storey extension to the rear.

At the time objections were raised by neighbours due to concerns of overlooking, overshadowing, loss of light and privacy impacts. Permission was subsequently granted (PA/2020/229). The applicant has commenced development and completed the rear part of the works, albeit with additional windows, which are subject to approval as part of this new application. Part of the site has been completed with white UPVC cladding which has been added to protect seal the site from the weather; however, this is not part of the approved design.

This new application seeks to make amendments to the previous application.

A review of previous permission PA/2020/229 shows that the following changes are proposed:

- Front elevation – changes to first-floor and ground-floor windows and doors.
- Rear elevation – changes to first-floor windows: a change from one to two windows; property extended to rear boundary at ground floor only.
- Side elevation (east) – change from 3 small rooflights to 2 larger rooflights on main house and removal of 3 rooflights on rear element; inclusion of 3 first-floor windows and

2 windows to ground floor on rear element; replacement of 1 single window and Introduction of a door and two windows on ground floor of main property.

- Side elevation (west) – change 8 rooflights to 6 rooflights and remove flue.
- Changes to internal layout to create 6 bedrooms (one with en-suite), a dressing area and family bathroom at first floor, and garage space, office/snug, lounge, study, utility and open-plan kitchen/dining/family area at ground floor.

There will be no further raising of the roof height from previously granted permission PA/2020/229.

The following considerations are relevant to this proposal:

- **principle of development**
- **residential amenity**
- **design, character and appearance historic environment**
- **highway safety**
- **flood risk.**

Principle of development

This proposal relates to an existing residential property in a residential area within the development limits of Crowle. The site benefits from an earlier planning permission for the majority of the works proposed. The principle of development is therefore considered acceptable.

Residential amenity

Saved policy DS5 of the North Lincolnshire Local Plan (2003) 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, 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.

Policies DS5 and CS5 are both concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials. Both seek to improve the quality of design across North Lincolnshire.

The site is within an existing residential area. The plots in this location are mixed in size, the application site having a standard size garden in relation to the size of the property. Whilst on site it is apparent that the garden space has been extended and includes land to the rear of the adjacent property, number 58.

Permission was granted under previous application PA/2020/229 to erect single-storey front and rear extensions, and raise the roof to accommodate a first-floor extension. This would be the fall-back position should this current application not be considered appropriate. This

assessment will therefore consider the changes proposed when assessed against application PA/2020/229.

Comments raised by members of the local community relating to loss of light and overshadowing were assessed by the officer as part of the previous application. This application seeks to retain the same overall height as was granted permission under PA/2020/229.

The matters to be considered as part of this application are:

- Front elevation – changes to first-floor and ground-floor windows and doors

The proposed changes are not considered to lead to any issues of overlooking, overshadowing or privacy impacts given their location on the front elevation facing the public highway and are therefore considered acceptable.

- Rear elevation – changes to first-floor windows: a change from one to two windows; property extended to rear boundary at ground floor only

Previous application PA/2020/229 granted permission for a large 3-pane window serving a bedroom; this application seeks two smaller 2-pane windows to serve two bedrooms. The proposed changes are not considered to lead to any additional issues of overlooking, overshadowing or privacy impacts above and beyond the consented position and are therefore considered acceptable. The windows are set back within the site a sufficient distance (25m) from the rear windows of existing properties in order to prevent unacceptable overlooking to and from these properties.

- Side elevation (east) – change from 3 small rooflights to 2 larger rooflights on main house and removal of 3 rooflights on rear element; inclusion of 3 first-floor windows and 2 windows to ground floor on rear element; replacement of 1 single window and Introduction of a door and two windows on ground floor of main property

The proposed rooflights are considered acceptable. The case officer has considered the concerns raised in relation to the first-floor windows and it is considered that there is the potential for significant overlooking of the neighbouring property to the east from these windows. As such it is recommended that the proposed first-floor windows should be obscure glazed and non-opening. Following discussions with the applicant, the proposed plans have been updated to reflect this. These windows are close to the adjacent property (number 58) and whilst this property is within the applicant's ownership, it may not be in the future. Whilst on site it is clear that the two properties' boundaries had been altered, a 1.8m (6ft) fence being erected very close along the western boundary of number 58. The ground-floor windows of number 58 are visible over the fence. There is only 13m between the proposed first-floor windows and windows on the side elevation of number 58. Were the windows to be transparent and opening this would lead to concerns of overlooking and privacy impacts. A condition is therefore recommended to secure the obscure glazing of the three first-floor windows in the east elevation and to ensure that they remain obscure glazed in the future. The case officer has spoken with the agent who has updated the plans to reflect this change. The plans have also been updated to include the third smaller window on this elevation which was missing from the originally submitted plans.

- Side elevation (west) – change 8 rooflights to 6 rooflights and remove flue

The proposed changes are not considered to lead to any issues of overlooking, overshadowing or privacy impacts and are therefore considered acceptable. The proposed changes result in a reduction in the number of rooflights, 5 of which serve non-habitable rooms (en suite, dressing room and roof void) and 1 of which serves a bedroom. Due to being within in a sloping roof with a relatively shallow pitch, the rooflights will direct views up rather than out and down into neighbouring properties.

- Changes to internal layout to create 6 bedrooms (one with en-suite), a dressing area and family bathroom at first floor, and garage space, office/snug, lounge, study, utility and open-plan kitchen/dining/family area at ground floor

Comments have been raised in relation to 6 bedrooms being considered overdevelopment. The size of the first-floor accommodation has not altered when compared with previous permission PA/2020/229. Planning permission is not required for internal alterations to this property. The proposed layout is therefore considered suitable.

The council's Highways officer has not raised concerns regarding the increased number of bedrooms proposed to serve the dwelling. The dwelling is served by a large parking area to the front and a driveway to the side (following the moving of the party boundary) as such the additional 2 bedrooms will not result in additional on-street parking.

The ground floor rear extension has been extended to the rear boundary of the site. The single-storey nature of this extension and the fact that the roof is hipped away from the neighbouring property to the rear means that no unacceptable loss of light or overbearing impact will result.

The applicant has confirmed within the application form that the proposed materials would match those existing. Part of the works have been completed on site and the roof tiles are different, being a dark grey flat tile compared to a red Roman ridge tile. It is important that the materials used in the completed extension match those of the extension yet to be constructed and a condition is recommended to secure this.

Subject to the recommended conditions, it is considered that the proposed development will not result in any significant additional amenity impacts above and beyond the existing consented position. It is therefore considered that the proposal would align with policies DS5 and CS5.

Flood risk

Policy DS16 of the local plan, which relates to flood risk, states that development will not be permitted within floodplains where it would:

- (i) increase the number of people or buildings at risk; or
- (ii) impede the flow of floodwater; or
- (iii) impede access for the future maintenance of watercourses; or
- (iv) reduce the storage capacity of the floodplain; or

- (v) increase the risk of flooding elsewhere; or
- (vi) undermine the integrity of existing flood defences unless adequate protection or mitigation measures are undertaken.

Policy CS19 of the Core Strategy notes that the council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere.

The LLFA Drainage team have considered the proposals and do not have any comments or objections to the proposed development. Other than the small single-storey extension to the rear, the footprint and form of the development will not alter from the existing consented position and as such there will be no significant change to the permeability of the site or the generation of surface water.

Highways

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 proposed development will not affect the access to the site or parking provision therein. The council's Highways department has raised no objection to the application. It is considered that there will be no/limited changes to the movement of vehicles to and from the site. Therefore, the proposal will not be harmful to highway safety in the area.

It is therefore considered that the scheme is in accordance with policies T2 and T19 of the local plan.

Conclusion

The proposed development seeks to make amendments to previously approved PA/2020/229. This could have been achieved through a section 73 application; however, a new full application has been submitted. The proposed changes are not considered to have an unacceptable impact on the character or appearance of the area, the amenity of neighbouring properties, or highway safety. On this basis the application should be supported.

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

Site Location Plan – 023/010

Proposed Plans and Elevations – 023-01 rev.01

Existing Plans and Proposed Site Plan – 023-01 rev.01.

Reason

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

2.

The materials and finishes of the extensions not yet constructed shall match those of the rear extensions that form part of this application in colour and texture. No UPVC, plastic or other cladding shall be used on the external walls of the building.

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.

Before the extension is first occupied the three first-floor windows in the eastern side elevation shall be non-opening and obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

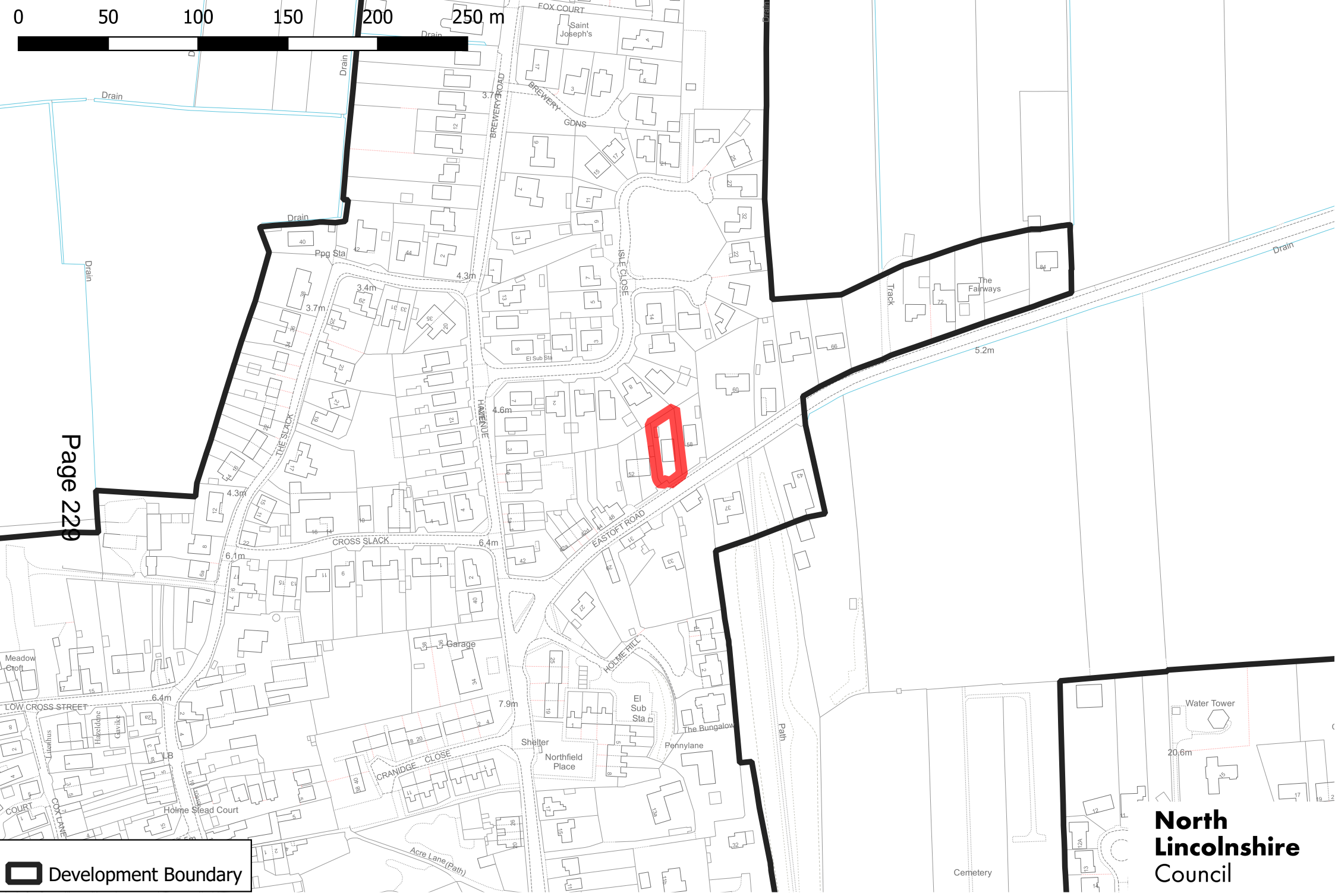
Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 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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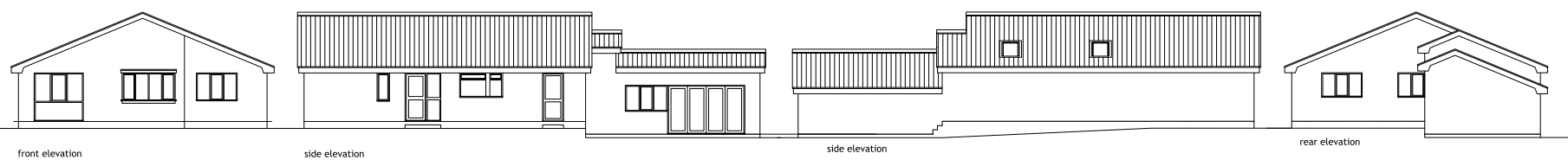
 Development Boundary

PA/2023/729

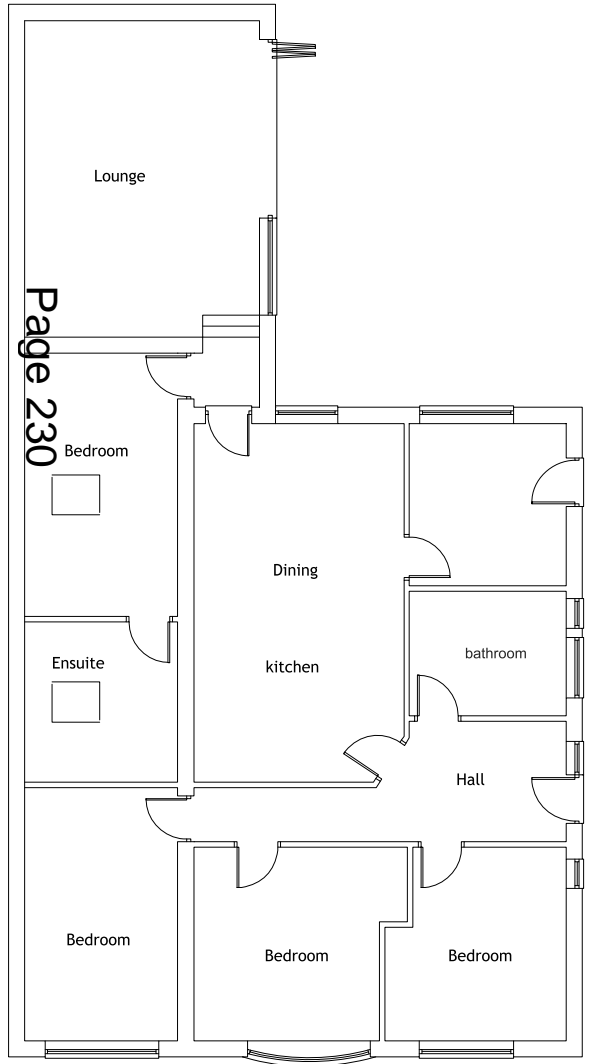
**North
Lincolnshire
Council**

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PA/2023/729 Proposed layout (not to scale)



REVISIONS			
REV	DATE	DESCRIPTION	APPROVED
01	30.08.23	Planning alt	--



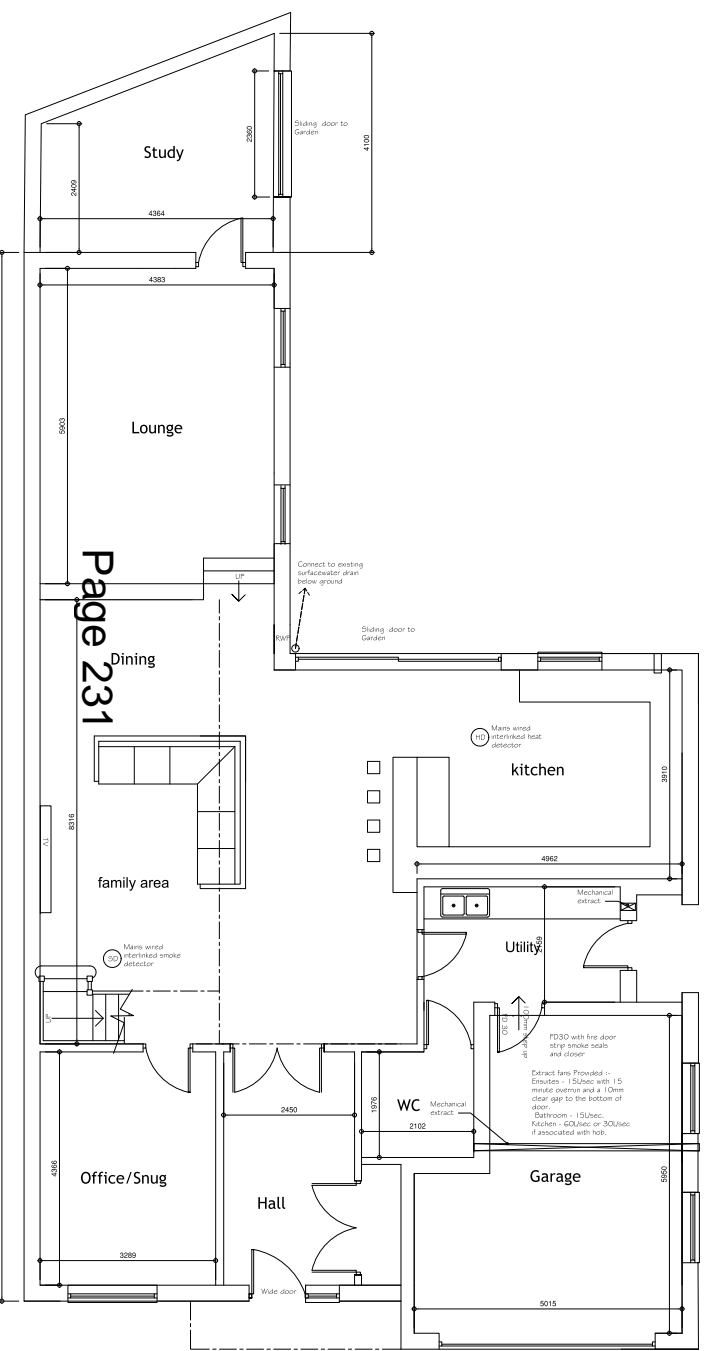
Floor Plan



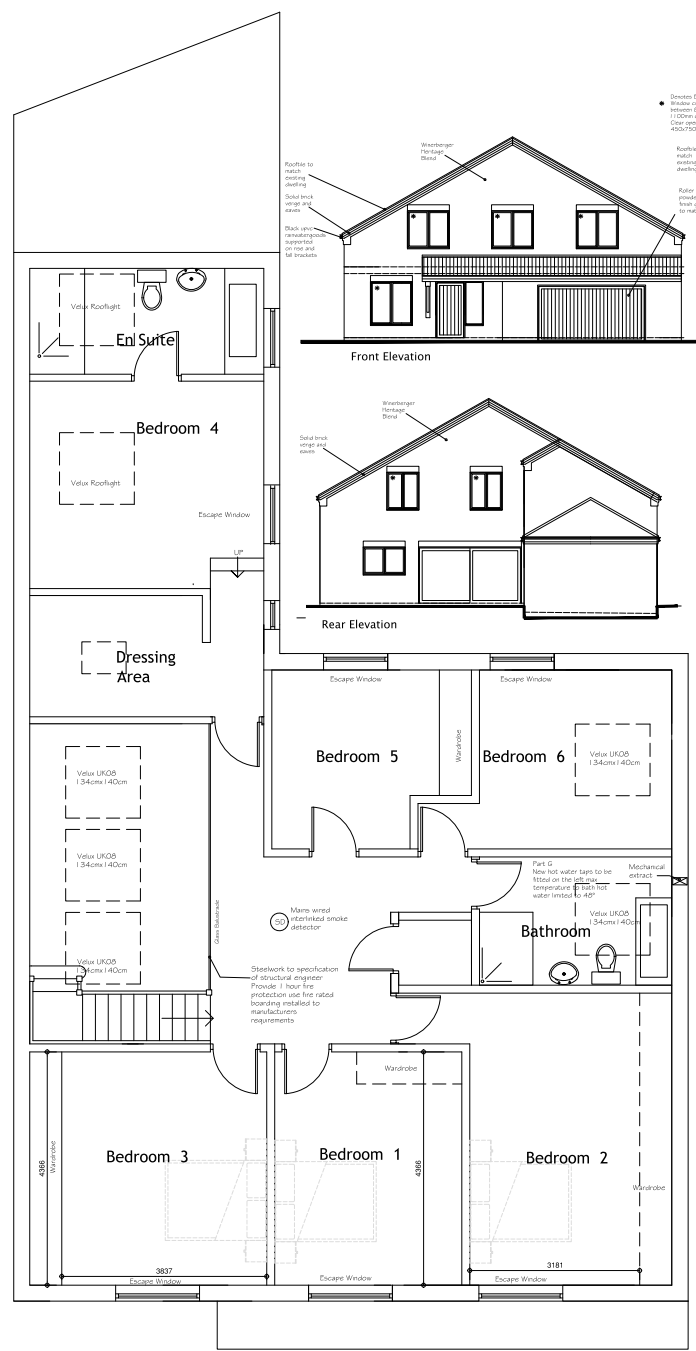
SITE PLAN 1:500

CLIENT MR C WALTERS		
PROJECT TITLE PROPOSED EXTENSION AND ALTERATION TO 56 EASTOFT ROAD CROWLE DN17 4LR		
DRAWING TITLE PROPOSED SITE PLAN AND SITE LOCATION PLAN EXISTING PLANS AND ELEVATIONS		
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SCALE 1:50		
PROJECT NO. 023	DRAWING NO. 01	REV. 01

PA/2023/729 Proposed elevations (not to scale)



Ground Floor Plan



First Floor Plan



REV	DATE	DESCRIPTION	CHECKED	APPROVED
01	15 01 20	Client Apts	--	--
02	21 01 20	Client Apts	--	--
03	05 03 20	wc window added for elevations	--	--
04	28 09 20	Layout alteration	--	--
05	17 09 21	Client amendments	--	--
06	23 09 22	Client amendments	--	--
08	08 23 23	Client amendments	--	--
07	12 03 23	Client amendments	--	--
08	30 06 23	Client amendments	--	--

New Windows
 All windows are to be argon filled double-glazed frames to be spec finish. Windows to all habitable rooms are to have a minimum unobstructed opening of 1/20th of the floor area of the room. All windows are to incorporate 800mm² trickle vents to habitable rooms and 400mm² to other rooms satisfying the necessary requirements for background ventilation. All glazing situated in critical locations (in windows less than 180mm from floor levels, in doors or skylights, less than 150mm from floor level) is to be safety glazing to BS6262.
 All windows to first floor habitable rooms shall be suitable for emergency egress, with a minimum clear opening of 400mm x 700mm, 50% to be between 300mm and 1100mm over all.
 Glazing to have a U value of 1.5.
 All internal doors to be undercut by 10mm to ensure good air transfer.
 Building Regulations, Part L.
 All double glazed units must include one pane of Low E glass, and shall have a cavity width of 16mm minimum (e.g. 4"16.4).
 Dwelling is to be built in accordance with the Robust Construction Details: Air Leakage and Thermal Bridging.

Electrical Installation
 Wiring to latest I.E. Regulations... Sockets and switches shall be fitted within a zone between 450mm and 1500mm from floor level. Mechanical ventilation should be provided to the kitchen area to be capable of extracting a rate of not less than 40 litres per second or incorporated within a cooker hood capable of extracting at a rate of 30 litres per second which may be operated intermittently. The bathroom require mechanical ventilation at a rate of 15 l/s. All in accordance with Part F1 of the latest revised building regulation... Self contained smoke alarms to be positioned where indicated on plans, permanently wired to a separately fused circuit wired to latest I.E. Regulations and interconnected. Smoke alarms, where fitted to ceilings, to be at least 150mm from any wall or light fitting. There shall be a minimum of one detector per floor, and a detector shall be situated in the circulation space within 7.5m of any door to a habitable room.
 Energy efficient lighting is to be provided at a rate of 1 in 4 fittings or 1 per 25m² wherever in greater.
 All electrical work is required to meet the requirements of Part P and be designed, inspected and tested by a person competent to do so. Prior to completion an appropriate BS 7671 certificate is to be issued.

Fire Protection
 Provide 30min hour fire protection to all steelwork supporting first floor.
 Existing balustrade to be replaced spec to be confirmed. Existing system to be extended. All new restrooms to be fitted with thermostatic control valves.

Foundations
 Full foundation to engineers spec.

External Walls - NEW
 Above ground to front and rear to be in 300mm cavity wall construction. 102.5mm facing to brickwork and 100mm Plaster Strata, 4.2N/m² block inner leaf with 12.5mm plasterboard and not steel panels. Use 70 blockwork below positions. See structural engineers specification for all steelwork. Insulation to wall taken down below floor insulation to avoid cold bridging.
 Wall ties are to be stainless steel and spaced at 750mm centre horizontally. 400mm centres vertically and staggered with ties at 300mm vertical centres within 25mm of an unobstructed joint. The OPC is to be provided to heads of all external wall openings, and wall/lower roof abutments provide cavity tray to wall abutments. Code 4 lead flashing provided to abutments.
 Provide lead flashings (and lead solakers where necessary) to 150mm upstands. Continuous OPC are to be provided to both leaves of the cavity wall, 150mm above ground level.
 Insulated PCU formers are to be provided to all external wall openings. Linets to external walls are to be Cantu (resistors) or similar, steelwork calculations shall be provided where necessary.
 Internal Walls
 To be 100mm solid blockwork, with 12.5mm plasterboard (dot and dabbed to the blockwork) and 5mm skim. Non load bearing bricks are to be 100 x 75 pre-stressed concrete or Cantu CH10. Load bearing or point load (i.e. floor joints, etc.) to be 150/225 x 100 concrete bricks or Cantu CH9.

Drainage
 100mm diameter PVCU pipework with flexible joints in accordance with BS4640 to a minimum gradient of 1 in 40 where possible. Pipework bedding is to be with granular fill to a depth of 100mm with a minimum of 100mm below base of pipe. Backfill is to be a minimum of 150mm selected fill (free from stones larger than 40mm, lumps of clay over 100mm, timber, frozen material, vegetable matter). Lay to the appropriate depth allowing a minimum cover of 300mm. Where drains pass through external walls provide concrete fixings to finished building. Provide proprietary gaskets, maximum fix depth of 90mm with 100mm covers to garden. For manholes over 900mm deep to be precast concrete rings, chamber seats to comply fully with BS8051. Surface water to discharge to soak away - see drainage report. Inspection chambers to be fitted with a screw down lid.
 A double sealed cover to manhole within the dwelling.
 All gutters removed to have air tight seal/covers.
 Foundations to be taken down to street level of any drains within 1m and drains under the building to be encased in 150mm concrete.

Rainwater Goods
 112mm half round or square section PVC guttering and 60mm square section downpipes to tapered gully then to hollow brick or rubble soakaway, a min of 5m from dwelling where applicable. See site layout for details. Soakaway design to be submitted before work carried out.

Flashing
 100mm diameter PVC up to terminate a min. of 1m above any window head with vent. 30mm per bath waste. Separate 30mm PVC bath sink and shower waste. Separate connectors to tap and gully where indicated. 75mm re-entrant traps to all appliances. Provide access to bring in bathroom where applicable. Roping for concealed services to be sealed at floor and ceiling levels and services pipes penetrating into floor construction or walls to be sealed. S.V pits to be encased with 3 layers 12.5mm plasterboard and skim.

CLIENT	MR C WALTERS		
PROJECT TITLE	PROPOSED EXTENSION AND ALTERATION TO 56 EASTOFT ROAD CROWLE DN17 4LR		
DRAWING TITLE	PROPOSED FLOOR PLANS ELEVATIONS SITE PLAN AND SITE LOCATION PLAN		
© ANTHONY SNOWDEN ARCHITECT 2021	RIBA		
SCALE	1:50		
PROJECT NO	023	DRAWING NO	02
		REV.	08

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APPLICATION NO	PA/2023/1006
APPLICANT	Mr and Mrs Wilson Kannampuzha John
DEVELOPMENT	Proposed single and two-storey rear, side extension, front canopy, car port, dropped kerb and new boundary wall
LOCATION	19, Cheltenham Close, Bottesford, DN16 3SJ
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Daniel Puttick
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Bottesford Town Council

POLICIES

National Planning Policy Framework:

Section 12: Achieving Well-designed Places

North Lincolnshire Local Plan:

Policy DS1: General Requirements

Policy DS5: Residential Extensions

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

Supplementary Planning Guidance SPG1: Design Guidance for House Extensions

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS3: Development Principles

Policy SS11: Development Limits

Policy DM1: General Requirements

CONSULTATIONS

Highways: No objection or comments.

LLFA Drainage: No objection or comments.

TOWN COUNCIL

Objects to the proposals, making the following comments:

Two Bottesford town councillors have visited the site. The application is to add an extra 3m to the rear of the property (measured from the drawing at first-floor level and 4m at ground-floor level for the whole width of the property and also of the proposed side extension). Lesley Liddle (author) and Councillor Mathieson feel that this proposed extension will have a negative impact on the properties behind the applicant's property. With a potential loss of privacy as the first-floor windows will become 3m closer to the rear boundary, we would class the proposed extension as overbearing.

PUBLICITY

A site notice has been displayed. Two letters of objection have been received from members of the public. The following is a summary of the material considerations raised:

- The proposed development is too large in its mass and scale. The property is within a dense residential area and the extensions will be overbearing on the rest of the properties on the street. The design is not sympathetic to the area.
- The proposals will overshadow neighbouring properties and first-floor windows will overlook neighbouring gardens and buildings.
- The proposals will lead to overlooking and loss of privacy for occupants of properties on Timberland to the south.

ASSESSMENT

Planning history

7/1976/0651: Erection of 14 detached houses and garages – approved 19/08/1976

7/1978/0442: Erection of a porch – approved 16/06/1978

PA/2005/0349: Erection of a conservatory – approved 06/04/2005.

Site description and proposal

The application site comprises an existing detached dwelling located in Cheltenham Close, a small enclave of residential dwellings comprising of a mix of bungalows and two-storey properties. The application site is on the eastern portion of the street, south of the access road and positioned adjacent to a pedestrian walkway leading southward to Timberland.

The property is at the end of the row of houses occupying the southern portion of Cheltenham Close. It sits on an irregular plot, with gardens to the front and rear and access to a detached garage taken from the turning head within the street.

Accommodation within the house comprises an entrance hallway with large lounge, living room, extended kitchen and conservatory at ground-floor level. Four bedrooms and a shared bathroom are located at first-floor level.

The application proposes a single-storey side extension to provide a car port with roof cover extending across the principal elevation to provide shelter above the entrance doorway. A new extension is proposed to the rear to accommodate an enlarged open-plan kitchen and dining area. The existing kitchen would be repurposed to provide a study and downstairs shower room, with minor internal alterations to provide a hallway from the entrance lobby through to the kitchen. At first floor, the two bedrooms to the rear are proposed to be enlarged and incorporate en-suites, extending approximately 2.6m from the rear elevation of the existing dwelling, set back from the eaves of the ground floor addition below.

Materials proposed would match those of the existing dwelling, the plans indicating the use of obscure glazing for windows overlooking neighbouring buildings. The design would incorporate pitched and flat roof elements, with the portion of the two-storey extension projecting beyond the existing gable wall (side) having a flat roof.

The main issues in determining this application are:

- **impact upon the character and appearance of the area; and**
- **impact upon residential amenity.**

Impact upon the character and appearance of the area

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, overbearing impact or loss of privacy to adjacent dwellings. It states that the proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

Policy CS5 of the Core Strategy states that all development should be well designed and appropriate for their context. It expects development to contribute towards creating a positive and strong identity for North Lincolnshire by enhancing and promoting the image of the area through the creation of high-quality townscapes and streetscapes.

The application site is in an area which is predominantly residential in nature. The cul-de-sac comprises detached properties of modern construction, on generously proportioned plots with a regular layout and arrangement to the street. Cheltenham Close features a mixture of bungalows and two-storey properties, many of which have undergone alteration

and extension since their construction. The street scene possesses a coherent palette of materials but exhibits variety through the different styles of houses and level of changes imposed upon them over time. Some of the estate's original features, such as portico door surrounds and bay windows, have been retained, whilst other properties, including the application site, have seen such features removed.

The proposed development seeks the construction of a wrap-around extension at ground-floor level to provide a car port with canopy above the entrance doorway, and two-storey rear extensions to provide additional ground and first-floor accommodation. Some concerns have been raised in respect of the design of the proposed extension, with one comment suggesting that the proposals are not sympathetic to the area.

As set out above, the street scene is varied, and a number of properties have undergone alteration through the introduction of front and rear extensions. These have effected change upon the character and appearance of the area, with the once cohesive design of properties now diluted. The positive characteristics of the estate are reflected in the palette of materials and similar styles of original properties, and whilst many have been subject to alteration over time, extensions to properties have ensured that the original dwelling is discernible.

The alterations and extensions proposed as part of this application would appear subordinate in scale and appearance to the existing dwelling. The main body of the house would remain the focus within the site, with extensions set back from the principal elevation and set down from eaves and ridge level where visible. At the rear, the ground floor extension is modest in size and the first-floor addition above is set well back from its edge. The change in roof slopes combined with these factors helps to minimise the mass of the extensions, ensuring they do not appear as bulky or obtrusive additions to the property. The use of matching materials would help ensure the proposals blend in with the street scene, helping it to assimilate with the existing building.

The introduction of the car port would introduce a new element to the property. Whilst this isn't a common feature within the street, there are a small number of similar structures, all of which are viewed in context with the application site. The design is similar to those found on properties within the street and would therefore not appear out of keeping or unsympathetic to its surroundings. For similar reasons, the changes to boundary treatments would not result in any adverse impacts upon the character or appearance of the area and draw inspiration from boundary treatments found elsewhere in the street.

The proposed development is considered acceptable in terms of its design. The alterations and extensions presented as part of the application are considered to be sympathetic to the host property and in keeping with the pattern of existing development in Cheltenham Close, and similar to a number of alterations and extensions introduced to properties elsewhere within the street. The application is considered to be in accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan, and policies CS5 and CS6 of the Core Strategy.

Impact upon residential amenity

Policy DS5 of the North Lincolnshire Local Plan 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, overbearing impact or loss of privacy to adjacent dwellings.

Concerns have been expressed about overdevelopment of the site and resultant impact upon the amenity of neighbouring residents in terms of loss of sunlight, overshadowing and loss of privacy. Specific concerns are raised by the town council about impact on neighbouring properties to the south, due to a perceived overbearing impact and potential loss of privacy.

The separation distance between the rear elevations of original properties in Cheltenham Close and Timberland is generally between 23m and 25m. Distances between dwellings in both streets have been reduced over time, primarily by the introduction of single-storey extensions at ground-floor level. Whilst there are no standards contained within supplementary planning guidance for household extensions, the separation distances at the site are generous. The introduction of the first-floor element would see this distance reduced by 2.6m, a distance which would not be considered to result in significant adverse impacts for occupants of neighbouring properties in terms of privacy.

Owing to the scale of the extension, its design and setback from the neighbouring properties to the south, the extensions would not appear overbearing. Whilst concerns have been raised by members of the public, the proposals are not of a scale which would result in any loss of outlook, and the changes would not appear unduly oppressive to such a degree that the standards of living afforded to occupants of nearby buildings would be materially harmed.

The extensions are modest in scale and would retain a generously sized garden to the rear. For reasons set out previously, the proposed extensions would not appear as an overdevelopment of the site and would therefore not be harmful to the living conditions of neighbouring residents to a degree which would justify withholding planning permission.

There already exists a degree of intervisibility between neighbouring properties and overlooking of adjacent gardens throughout the street. The proposed extensions would not be considered to exacerbate any existing issues associated with overlooking or loss of privacy, nor would they be considered to have significant adverse effects. New windows located in side elevations are proposed to serve bathrooms rather than habitable rooms, and in the interests of privacy for occupants of the dwelling and to prevent overlooking of neighbouring properties it is recommended that a condition be imposed to ensure they are obscurely glazed. Any new windows inserted into the extension at a later date would be required to be obscurely glazed in order to constitute permitted development. Any further conditions restricting the addition of new openings is therefore not considered necessary.

For these reasons, subject to accordance with a condition to secure obscure glazing to new windows in side elevations of the extended property, the proposals would not result in any harm to the amenity of local residents. The proposals are considered acceptable in this respect in accordance with policy DS5 of the local plan.

Conclusion

The proposals are considered to be sympathetic in their design and would utilise a palette of materials consistent with the appearance of the existing property and wider street. The proposals are subordinate in scale and have been designed to ensure that they are in keeping with their surrounding context. The design is considered to be acceptable in

accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan, and CS5 of the Core Strategy.

It is therefore recommended that planning permission be granted subject to standard conditions, and a further condition to secure obscure glazing to new windows in the side elevation.

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

PP/23/0690-03

PP/23/0690-05

PP/23/0690-07

PP/23/0690-08.

Reason

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

3.

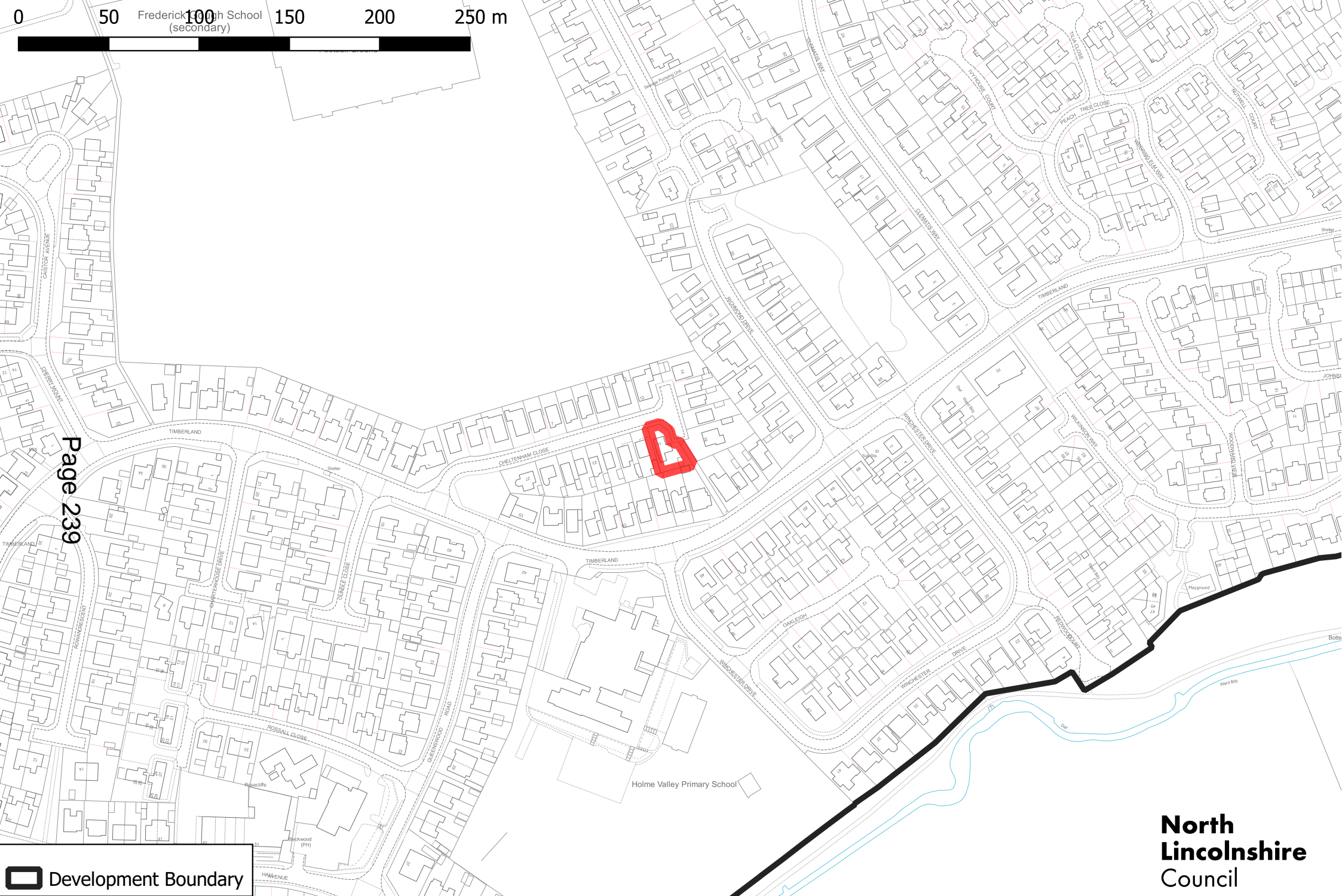
Notwithstanding the details contained within the application, new windows on the side elevation of the extensions hereby permitted shall be obscurely glazed to a minimum of Level 4 on the Pilkington scale (or equivalent) and shall be retained as such in perpetuity.

Reason

To ensure the privacy of occupants of the dwelling and of neighbouring buildings, in accordance with policy DS5 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.

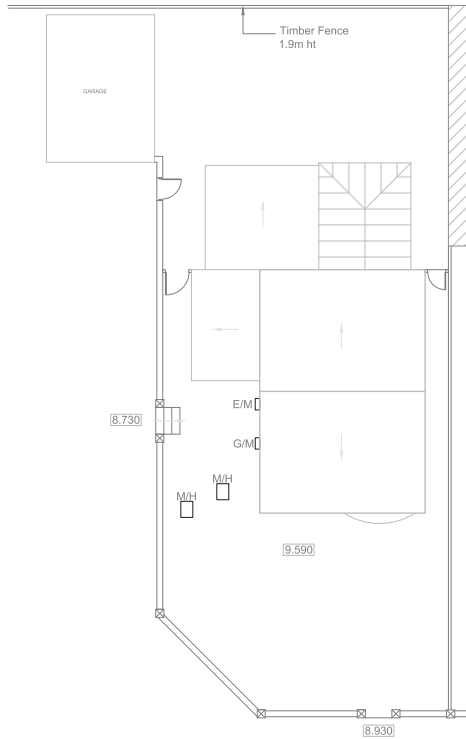


Page 239

 Development Boundary

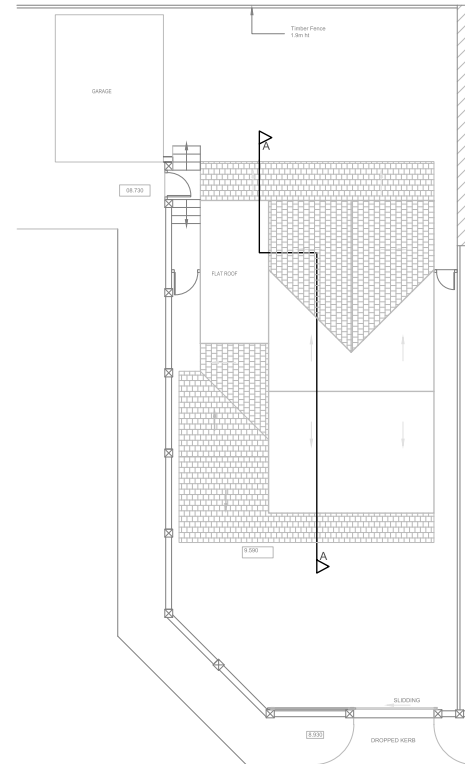
PA/2023/1006

**North
Lincolnshire
Council**



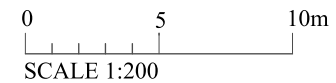
EXISTING BLOCK PLAN

Scale 1:200



PROPOSED BLOCK PLAN

Scale 1:200



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 5. ALL NEW PROPOSED MATERIALS TO MATCH EXISTING.
 6. ALL STEEL BEAMS/COLUMNS SHOWN ON DRAWING ARE ALL SUBJECT TO CONFIRMATION FROM STRUCTURAL ENGINEER.
 7. ALL PROPOSED WINDOWS OVERLOOKING OTHER NEIGHBORS IF SHOWN SHOULD BE OF OBSCURE GLAZING.
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ALL PERSONS ASSOCIATED WITH THIS PROJECT IN PARTICULAR (BUT NOT EXCLUSIVELY) THE INSTRUCTING CLIENT, THE PRINCIPAL CONTRACTOR, SUB-CONTRACTORS AND OTHER DESIGNERS ARE HEREBY NOTIFIED AND/OR REMINDED OF THEIR OBLIGATIONS UNDER HEALTH & SAFETY LEGISLATION IN GENERAL AND IN PARTICULAR UNDER THE CONSTRUCTION (DESIGN & MANAGEMENT) REGULATIONS 2007 (AND ANY SUBSEQUENT AMENDMENTS THAT MAY BE ISSUED FROM TIME TO TIME).
IN DEVELOPING THEIR DESIGN OF THE WORKS, THE HEALTH & SAFETY OF THE BUILDERS AND THE USERS OF THE CONSTRUCTION HAVE BEEN CONSIDERED IN ACCORDANCE WITH THE ABOVE REGULATIONS AND DECLARE THAT ALL REASONABLE EFFORTS HAVE BEEN MADE TO SEE THAT THE CONSTRUCTION AND USE OF THE WORK/BUILDING WILL BE WITHOUT ANY RISKS GREATER THAN THOSE ASSOCIATED WITH THE NORMAL CONSTRUCTION AND USE OF A BUILDING OF THIS TYPE AND SIZE.
 9. THE PROPOSED WORK WILL FALL UNDER THE PARTY WALL ACT 1996 AND PARTY WALL NOTICE NEED TO BE SERVED ON YOUR ADJOINING OWNER OR OWNERS IN ACCORDANCE WITH THE ACT 1996. THE ISSUED NOTICES OUTLINING THE PROPOSED WORK WILL NEED TO BE SANCTIONED BY THE ADJOINING OWNER PRIOR TO THE ASSOCIATED PARTY WALL WORK COMMENCING ON SITE, IN ACCORDANCE WITH THE ACT 1996.



Client :
**19 Cheltenham Close,
Bottsford, Scunthorpe,
DN16 3DJ**

Site :
**Proposed Single And Double
Storey Rear, Side Extension,
Dropped Kerb & New boundary
wall to 19 Cheltenham Close,
Bottsford, Scunthorpe, DN16 3SJ**

Drawing Title
Block Plans

BRETWAY
DESIGNS LTD
Pinnacle House Business Centre, Newark
Road, Peterborough, PE1 5YD, U.K.
Tel : 01733857631, 07852332121
e-mail: info@bretwaydesigns.com

May 2023 Scale : **As Noted**

Print @ A3 Sheet Size

PP/23/0690-03

PA/2023/1006 Existing elevations (not to scale)



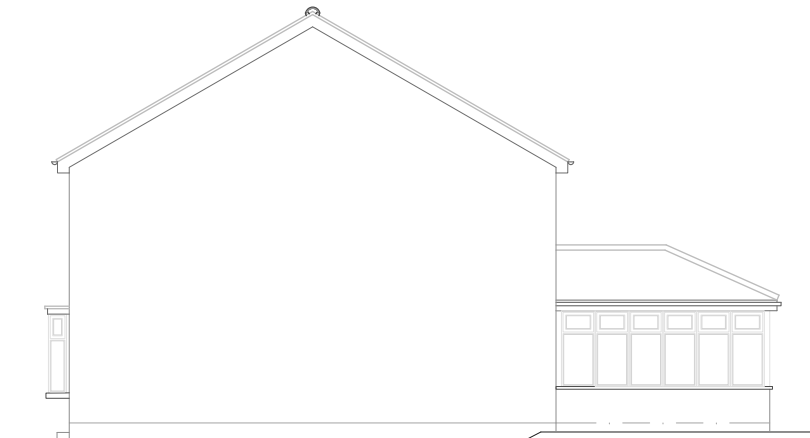
Front Elevation
Scale 1:100



Side Elevation
Scale 1:100



Rear Elevation
Scale 1:100



Side Elevation
Scale 1:100

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8. IN DEVELOPING THEIR DESIGN OF THE WORKS, THE HEALTH & SAFETY OF THE BUILDERS AND THE USERS OF THE CONSTRUCTION HAVE BEEN CONSIDERED IN ACCORDANCE WITH THE ABOVE REGULATIONS AND DECLARE THAT ALL REASONABLE EFFORTS HAVE BEEN MADE TO SEE THAT THE CONSTRUCTION AND USE OF THE WORK/BUILDING WILL BE WITHOUT ANY RISKS GREATER THAN THOSE ASSOCIATED WITH THE NORMAL CONSTRUCTION AND USE OF A BUILDING OF THIS TYPE AND SIZE.
9. THE PROPOSED WORK WILL FALL UNDER THE PARTY WALL ACT 1996 AND PARTY WALL NOTICE NEED TO BE SERVED ON YOUR ADJOINING OWNER OR OWNERS IN ACCORDANCE WITH THE ACT 1996. THE ISSUED NOTICES OUTLINING THE PROPOSED WORK WILL NEED TO BE SANCTIONED BY THE ADJOINING OWNER PRIOR TO THE ASSOCIATED PARTY WALL WORK COMMENCING ON SITE, IN ACCORDANCE WITH THE ACT 1996.

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Client :
19 Cheltenham Close,
Bottsford, Scunthorpe,
DN16 3DJ

Site :
Proposed Single And Double
Storey Rear, Side Extension,
Dropped Kerb & New boundary
wall to 19 Cheltenham Close,
Bottsford, Scunthorpe, DN16 3SJ

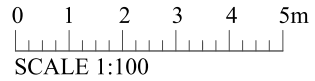
Drawing Title
Existing Elevations

BRETWAY
DESIGNS LTD
Pinnacle House Business Centre, Newark
Road, Peterborough, PE1 5YD, U.K.
Tel : 0173857631, 07852332121
e-mail: info@bretwaydesigns.com

May 2023 Scale : **As Noted**

Print @ A3 Sheet Size

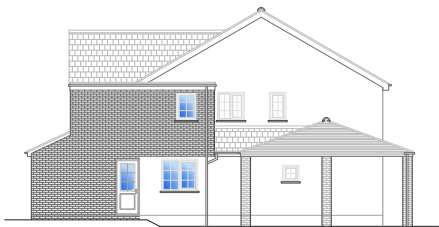
PP/23/0690-02



PA/2023/1006 Proposed elevations (not to scale)



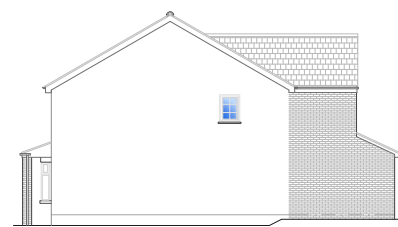
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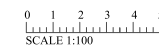
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Rear Elevation
Scale: 1:100

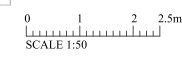
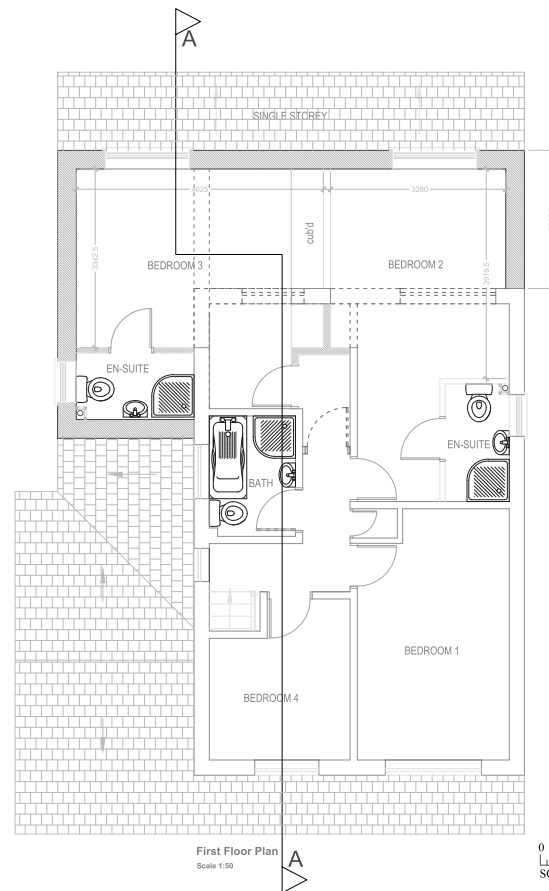
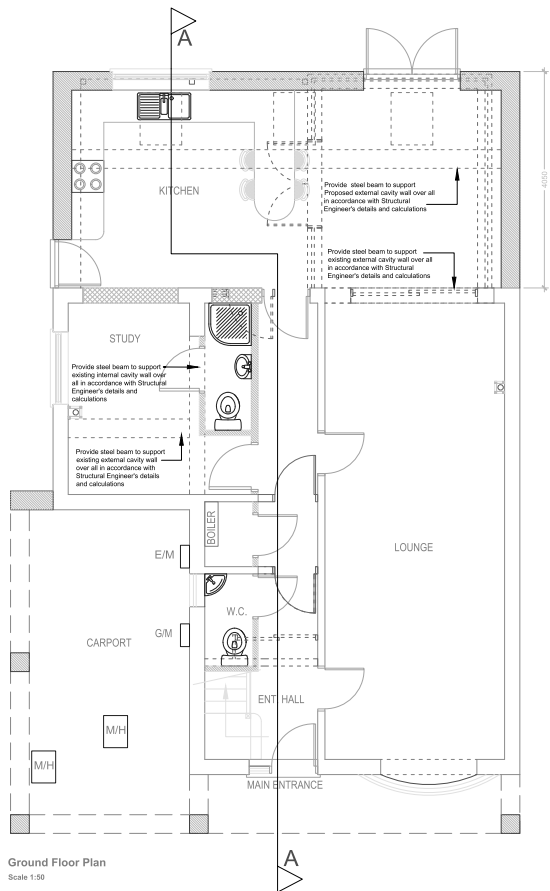


Side Elevation
Scale: 1:100



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 6. ALL STEEL BEAM COLUMNS SHOWN ON DRAWING ARE ALL SUBJECT TO CONSTRUCTION FROM STRUCTURAL ENGINEER
 7. ALL PROPOSED WORK OVER EXISTING WORK OR NEIGHBOUR'S PROPERTY SHOULD BE OF PROPER GRADE
 8. CONSTRUCTION ORDER & MANAGEMENT: REGULATIONS 2020
 ALL WORKING ASSOCIATED WITH THE PROJECT IN PARTICULAR BUT NOT EXCLUSIVELY THE ARCHITECTURAL CONTRACT THE PROVISION OF CONTRACTORS FOR CONSTRUCTION AND OTHER ELEMENTS ARE HEREIN NOTIFIED AND IN ACCORDANCE WITH THE HEALTH AND SAFETY LEGISLATION IN GENERAL AND IN PARTICULAR UNDER THE CONSTRUCTION (WORKING) AND MANAGEMENT REGULATIONS 2020 AND ANY SUBSEQUENT AMENDMENTS THAT MAY BE ISSUED FROM TIME TO TIME
 IN DEVELOPING THEIR DESIGN OF THE WORK, THE HEALTH AND SAFETY OF THE BUILDING AND THE USERS OF THE CONSTRUCTION HAVE BEEN CONSIDERED IN ACCORDANCE WITH THE ABOVE REGULATIONS AND OTHERWISE ALL RESPONSIBLE OFFICERS HAVE BEEN MADE TO SEE THAT THE CONSTRUCTION OF THE WORKS RELYING WILL BE IN ACCORDANCE WITH THE NORMAL CONSTRUCTION AND USE OF A BUILDING OF THIS TYPE AND CLASS
 9. THE PROPOSED WORK SHALL UNDER THE PARTY WALL ACT 1999 AND PARTY WALL NOTICE NEED TO BE GIVEN TO OUR NEIGHBOURHOODS OWNERS IN ACCORDANCE WITH THE ACT 1999. THE REASON FOR THIS IS THAT THE PROPOSED WORK WILL NEED TO BE SANCTIONED BY THE ADJOINING OWNERS PRIOR TO BEING ASSOCIATED WITH ANY WORK COMMENCING ON SITE, IN ACCORDANCE WITH THE ACT 1999.

Page 242



Client	19 Cheltenham Close, Botsford, Scunthorpe, DN16 3DJ
Site	Proposed Single And Double Storey Rear And Side Extension To 19 Cheltenham Close, Botsford, Scunthorpe, DN16 3DJ
Drawing Title	Proposed Section A-A
 BRETWAY DESIGNS LTD Pinacote House Business Centre, Newark Road, Peterborough, PE1 2DD, UK Tel: 01733857681 07862332131 Email: info@bretwaydesigns.com	
MAR 2023	Scale: As Noted
Print @ A1 Sheet Size	
PP/23/0690-05	

APPLICATION NO	PA/2023/1145
APPLICANT	Strawson
DEVELOPMENT	Application for a non-material amendment to PA/2018/1884 namely to revise plot 12's garage to home office
LOCATION	Land to the rear of 19, 21 and 23 West Street, Scawby, DN20 9AS
PARISH	Scawby
WARD	Broughton and Scawby
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Approve
REASONS FOR REFERENCE TO COMMITTEE	Manager discretion

POLICIES

Town and Country Planning Act 1990 Section 96A (as amended)

CONSULTATIONS

None.

PARISH COUNCIL

Objects on the following grounds:

- Replacing the garage doors with fully glazed doors will adversely affect the privacy of neighbouring properties, particularly the bungalows opposite – the glazed doors will allow an obtrusive view into these bungalows.
- Replacing the traditional garage doors with glazed doors is detrimental to the street scene – it is not in keeping with the rest of the development.
- Allowing the garage to become a home office reduces the parking facility to this property. Francis Gardens is a narrow development and all opportunities to park 'off street' should be retained.
- Requests the planning committee hold a site meeting to view/consider this planning proposal – this will give a true indication of how the neighbouring properties will be adversely affected, in terms of privacy, by this proposal.

PUBLICITY

Under the non-material amendment provision, there is no requirement for statutory consultation or publicity to be carried out. Therefore, no public or statutory consultation has taken place.

Notwithstanding the above, nine letters of objection from members of the public, and an objection from the parish council, have been received, together with a request by Councillor Janet Lee for the application to be determined by the planning committee. These objections raise the following issues:

- the deeds state no changes should be made to the exterior
- it was intended to revert to a garage once its use as a site office ceases
- it is unsympathetic to the design of the estate
- it cannot be considered as a link-detached dwelling
- overlooking to bedroom window of bungalow
- out of keeping
- replacing it with glass and uPVC is not in keeping
- reduction in parking
- it will look different from the neighbouring property
- it could be used for business purposes.

ASSESSMENT

Planning history

PA/2018/1884: Planning permission to erect eight dwellings with associated access and landscaping (including reconfiguration of part of previously approved scheme) – approved 17/06/2019.

The site consists of a dwelling which is one of a pair of semi-detached dwellings within a new residential development on the eastern side of West Street in Scawby. It is a modern dwelling constructed from a buff brick and red pantile, and has an integral garage attached to the side. The dwellings are linked via the respective garages.

The main issue in determining this application is whether the non-material amendment is acceptable in terms of its impact on the character and appearance of the area and upon residential amenity.

A non-material amendment is sought to planning permission PA/2018/1884, namely to substitute an integral garage for a home office to serve plot 12.

The plans show the garage door to the front of plot 12 to be replaced with a full height glazed window and door, and the door to the rear replaced with a full height glazed window which spans the full width of the former garage. The works are not considered to unbalance

the pair of linked detached dwellings, nor is it out of keeping with the character and appearance of the street scene and the applicant's agent has confirmed the window is to match the appearance of existing windows in the dwellings, namely Anthracite grey UPVC. The applicant can apply for changes to the approved scheme under a non-material amendment regardless of whether there are any legal restrictions in their deeds; this is separate legislation to the Town and Country Planning (Development Management Procedure) (England) Order 2015.

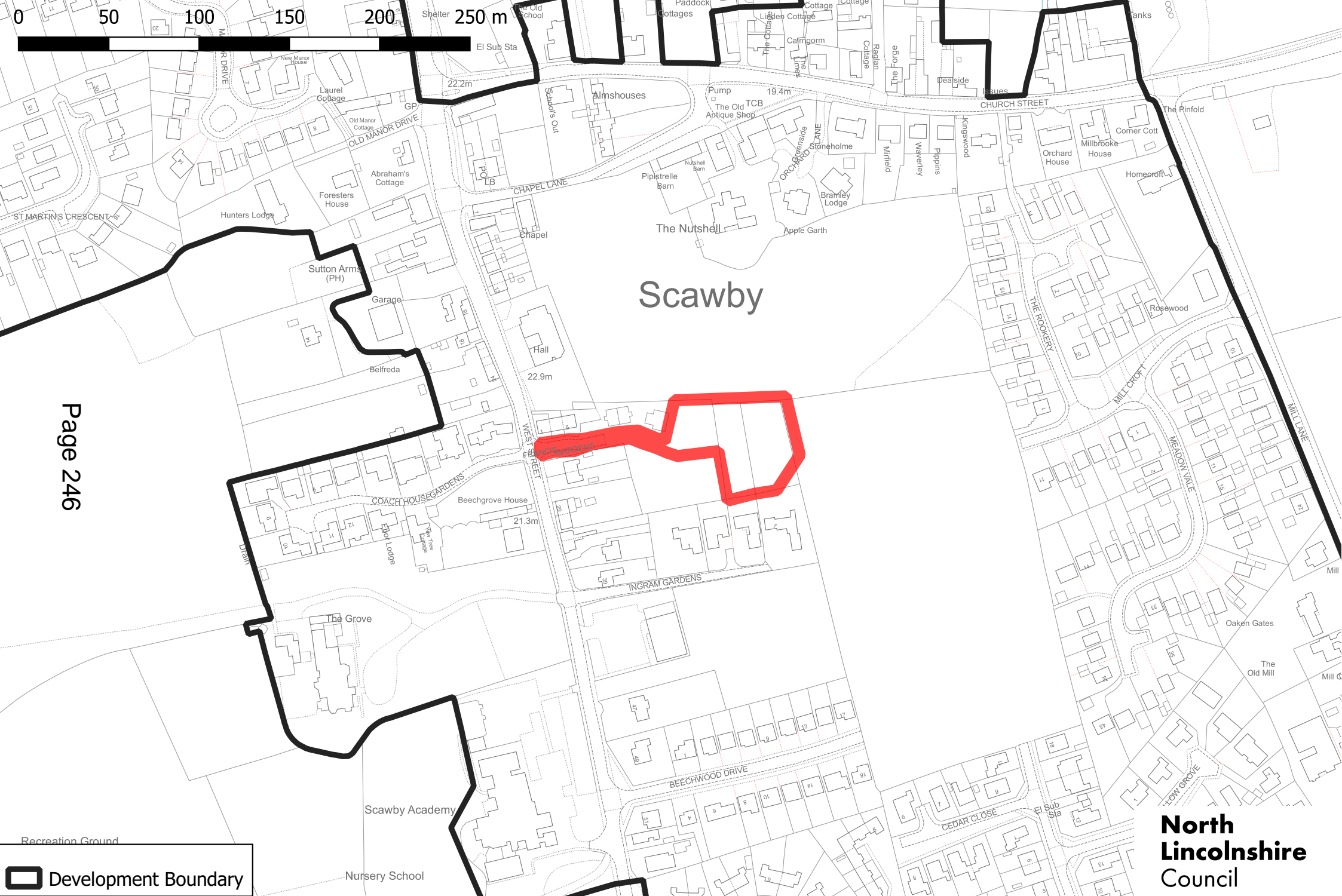
The proposals are not considered to result in loss of residential amenity or impact on highway safety and the amendment will not compromise the amount of parking provision for plot 12. The proposed materials are consistent with the remainder of the pair of semi-detached dwellings. In addition, the room will remain in use for domestic purposes, being a home office. Any material change of use to commercial use would require planning permission in its own right; such a use is not being proposed as part of this application nor would it be consented should the non-material amendment be granted. It is worth noting there are no planning conditions which restrict or remove householder permitted development rights and as such the occupier could have undertaken the same works being considered here once the dwelling was occupied without the need for planning permission. This non-material amendment application is only made necessary by the fact that the changes to the approved design were carried out prior to the building being occupied for residential purposes; however, it should be noted that the changes were originally made to facilitate the use of the dwelling as a site/sales office used by the developer, which is common practice on new housing developments. It is also noted that both the garage and home office uses fall under the same planning use class (residential) and as such the use of this part of the building as a home office does not constitute development; the only element which requires consent from the local planning authority is the external changes to the building, which amounts to the replacement of the garage door with windows.

The retention of the window to the front is not considered to result in overlooking – there is a separation distance of 15.59m from the home office window to the bungalows opposite and the new window is positioned further to the north than the lounge window in the same property – 2.7m further back. Therefore, the replacement of the garage door with a glazed window and door would not bring windows closer to neighbouring properties and would not result in a markedly different relationship between the properties given the large, glazed window already in place in the front elevation, serving the lounge.

The local highway authority does not consider garages as parking spaces to serve new properties. This is because modern garages, and in particular attached garages, tend to be small and are often used for storage as opposed to garaging. As such all new residential developments are required to provide off-street parking spaces in addition to any garaging proposed. In this instance, whilst the potential for parking within the building will be lost, there will be no loss or reduction in external car parking provision and as such the level of parking provision remains acceptable. Despite there being no statutory requirement for consultation, the council's highway department has been consulted on the application and has raised no objections with regard to highway safety or parking provision.

Therefore, the application is recommended for approval.

RECOMMENDATION **Approve a non-material amendment to substitute the integral garage for a home office to serve plot 12, including associated external alterations as shown on drawing 18-141-001.**



Scawby

FRANCIS GARDENS

Page 246

Recreation Ground

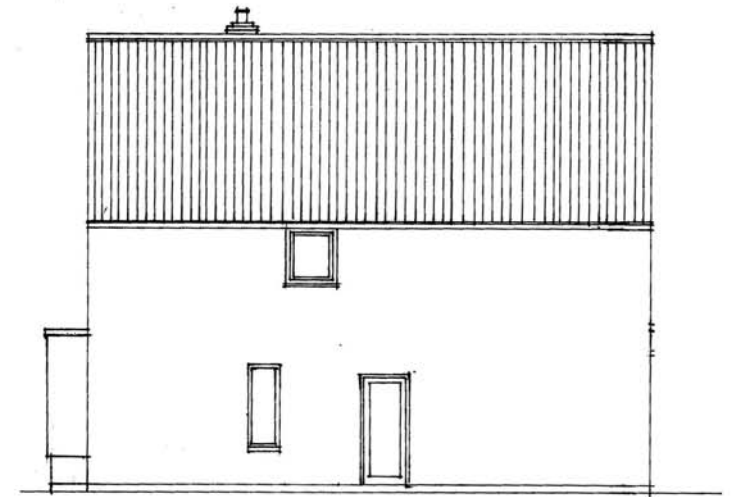
 Development Boundary

**North
Lincolnshire
Council**

PA/2023/1145



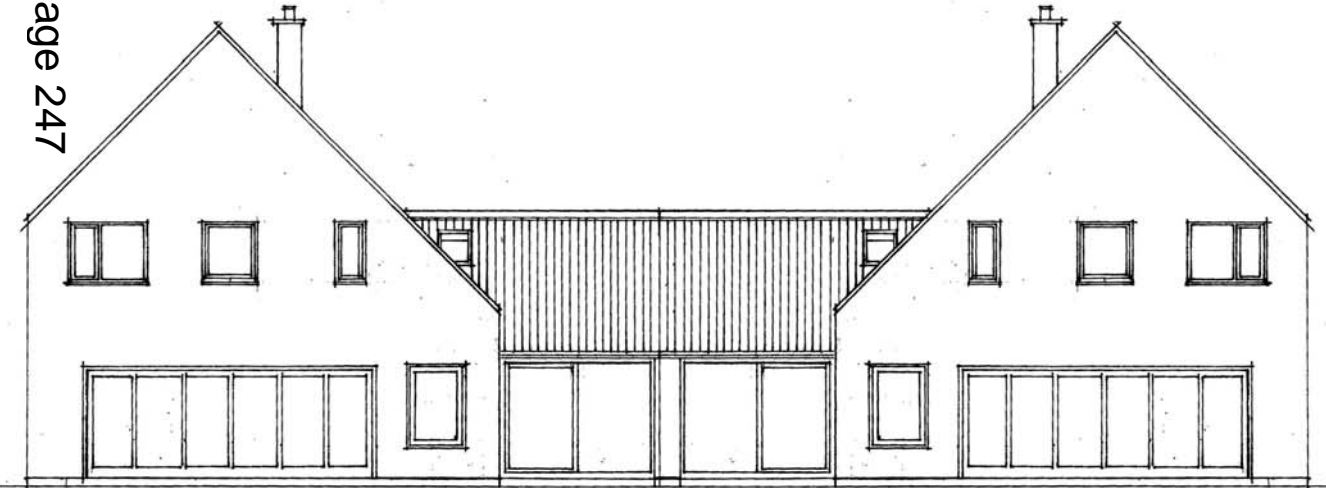
Front Elevation



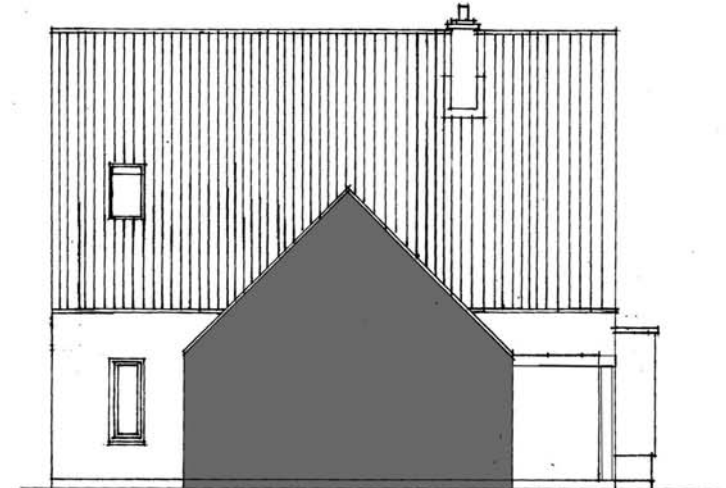
Non Garage Side Elevation

Previously approved plan

Page 247



Rear Elevation



Garage Side Elevation

PA/2023/1145 Previously approved elevations (not to scale)

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 Consultants must be informed immediately of any discrepancies before work proceeds.



10 Units, West Street, Scawby
 Qudos Homes
 Drawing 052/0073
 May 2017

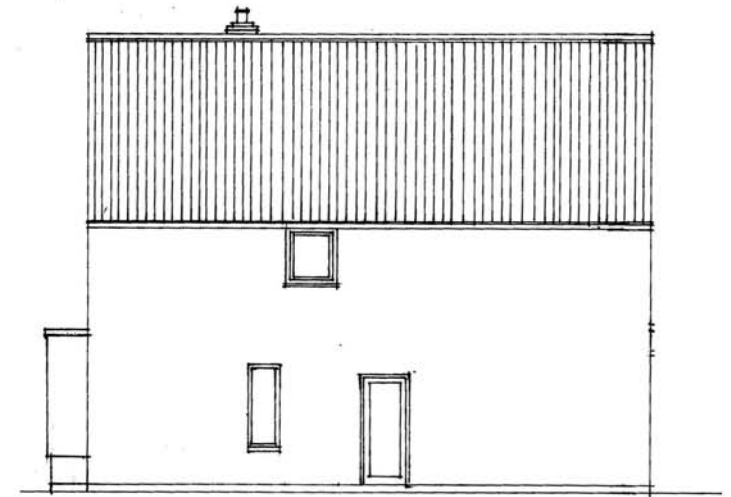
07855 828 938
 jo@motherarchitects.co.uk
 motherarchitects.co.uk

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LINK UNIT ELEVATIONS
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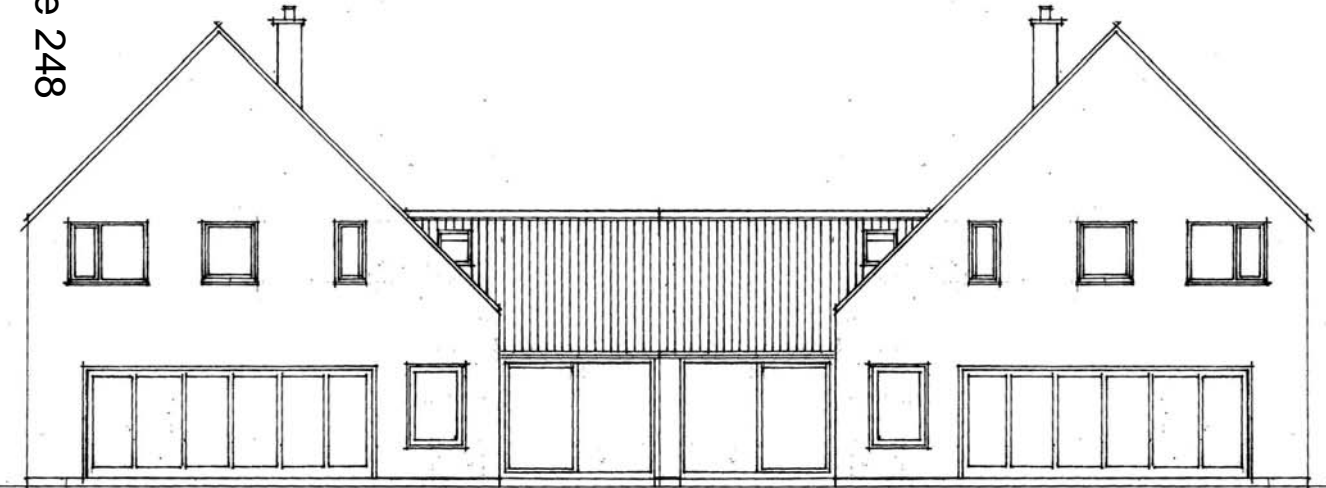


Front Elevation

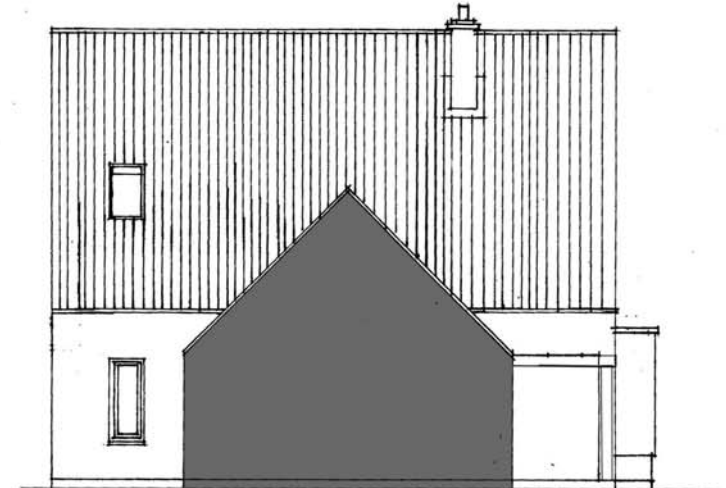


Non Garage Side Elevation

Page 248



Rear Elevation



Garage Side Elevation

Plot 11/12 | New Dwelling | Francis Gardens - Scawby

PA/2023/1145 Proposed elevations (not to scale)

18-141-001

web: hydearchitecture.com tel: 01472 869061 email: info@hydearchitecture.com	<h1>Hyde Architecture</h1>
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