

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

6 September 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 meetings held on 2 August 2023 as a correct record and authorise the chairman to sign. (Pages 1 - 8)
4. Applications deferred from previous meetings for a site visit. (Pages 9 - 10)
 - (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 (site visit 11.20am). (Pages 11 - 36)
 - (b) 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 (site visit 9.50am). (Pages 37 - 44)
 - (c) PA/2023/67 Planning permission to erect a front boundary wall and gate pillars at 47A Top Road, Worlaby (site visit 9.30am). (Pages 45 - 54)
 - (d) 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 (site visit 10.35am). (Pages 55 - 66)

- (e) 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 (site visit 10.10am). (Pages 67 - 74)
- 5. Planning and other applications for determination by the committee. (Pages 75 - 76)
 - (a) PA/2022/2210 Planning permission to erect a three-bedroomed, single-storey dwelling at Chapel House, West Halton Road, Coleby, DN15 9AL. (Pages 77 - 90)
 - (b) PA/2022/2217 Outline application for three dwellings with all matters reserved, including the demolition of existing workshop at 78 High Street, Wootton, DN39 6RR. (Pages 91 - 106)
 - (c) PA/2023/6 Outline application with all matters reserved for the erection of a dwelling at The Barn House, Main Street, Howsham, LN7 6JZ. (Pages 107 - 122)
 - (d) PA/2023/334 Planning permission for the use of land as a market on Saturdays, Sundays and Bank Holidays at Car boot sale site, Slate House Farm, unnamed road between Holme and Messingham, Holme, DN16 3RE. (Pages 123 - 128)
 - (e) PA/2023/757 Planning permission to erect a two-storey rear extension with pitched roof at the rear of the property and a single-storey side extension with pitched roof and garage extension at 6 Vicarage Gardens, Scunthorpe, DN15 7AZ. (Pages 129 - 138)
 - (f) PA/2023/1010 Planning permission to vary condition 2 of PA/2020/2026 namely to make revisions to the elevations of the dwelling at Land east of Brandon House, Luddington Road, Garthorpe, DN17 4RU. (Pages 139 - 154)
 - (g) PA/2023/1140 Planning permission for change of use of static caravan to residential (re-submission of PA/2022/2204) at Woodside Campsite, Main Street, Bonby, DN20 0PL. (Pages 155 - 164)
 - (h) PA/2023/1144 Planning permission to vary condition 2 of PA/2022/1440 namely to amend the house design to plot 7 at The Field, 7 Vicarage Lane, Wootton, DN39 6SH. (Pages 165 - 174)
- 6. Reserved matters for determination by the committee. (Pages 175 - 176)
 - (a) PA/2021/1034 Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2017/392 dated 15/06/2018 for six four bedroomed detached dwellings and integral garages at Land north of Thistle Downe, Scotter Road, Messingham, DN17 3QE. (Pages 177 - 194)

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.

This page is intentionally left blank

Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

2 August 2023

PRESENT: - Councillor N Sherwood (Chair)

Councillors: Ross (Vice Chair), Bell, J Davison, Grant, Patterson, Southern and Wells

In attendance: Councillors L Foster, Poole and C Sherwood

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

23 **SUBSTITUTIONS**

No substitutions.

24 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY).**

The following members declared a personal interest in the following:

Cllr Grant – General interest as a member of the Anglin Club.

Cllr Mitchell – General interest as a member of the Isle of Axholme Drainage Board.

The following members declare that they had been lobbied on the following applications:

Cllr J Davison – PA/2023/279, PA/2022/1628 and PA/2022/1702

Cllr Poole – PA/2022/2027

Cllr Ross – PA/2023/279, PA/2022/1628, PA/2022/1702 and PA/2022/1857

Cllr N Sherwood – PA/2023/67 and PA/2022/1884

Cllr Southern – PA/2022/1628

Cllr Wells – PA/2023 279

25 **TO TAKE THE MINUTES OF THE MEETING HELD ON 4 JULY 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN.**

Resolved – That the minutes of the meeting held on 4 July 2023, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

26 **APPLICATIONS DEFERRED FROM PREVIOUS MEETINGS FOR A SITE**

**PLANNING COMMITTEE
2 August 2023**

VISIT.

- 27 **PA/2022/1857 PLANNING PERMISSION TO ERECT 16 DWELLINGS AT 11 BURNSIDE, BROUGHTON, DN20 0HT (SITE VISIT 9.50AM).**

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

- 28 **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).**

Cllr Poole spoke as the local Ward member in favour of the application. He referred to the officer's report and recommendation to refuse due to the light intrusion. He stated it was an idea area that was safe and confined, and should be granted for a limited time of two years to obtain if there would be any light intrusion.

Cllr J Davison said it was a very remote location, with no likely intrusion and felt that granting permission for a 2-year period, to then be reviewed was acceptable.

It was moved by Cllr J Davison and seconded by Cllr Wells –

That planning permission be granted 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:

- 1:500 scale plan labelled "Proposed Secure dog park" (serial no. 251713);
and

- details of fencing, floodlighting and CCTV cameras contained within the document "Proposed Secure Dog Walking Park" by Mr C D and Mrs L J Haley received by the local planning authority on 13 January 2023.

Reason

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

**PLANNING COMMITTEE
2 August 2023**

3.

The development hereby approved shall not be brought into use until the parking area/spaces have been provided and the parking area/spaces shall be retained thereafter.

Reason

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

4.

The use hereby approved shall be discontinued on or before the expiration of two years from the date the use first takes place, unless before that date an application has been made and permission granted by the local planning authority for an extension of the time limit imposed by this condition.

Reason

To enable the local planning authority to assess the impact of the proposed use and ensure there will be no unacceptable impacts upon the amenity of the area.

Motion Carried.

29 **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).**

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

30 **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).**

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

31 **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).**

The owner of the adjoining property spoke at the committee against the application. He stated that the proposal was on a unique street of Victorian buildings, in a conservation area and the proposal would alter the character of the current building, and would not be in keeping with the area. He felt the high wall surrounding the property was insufficient to protect the character, and would cause a threat to the rest of the buildings.

PLANNING COMMITTEE
2 August 2023

The agent spoke in support of the application and said the development was hidden away from public view by a very high wall, and it was only a small single extension. He felt there would be no detrimental effect on the conservation area, and no harm to the street scene.

Cllr Ross stated that the site visit had been interesting, and also confirmed that the wall surrounding the property was high enough to screen the view and preserve the street scene.

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

32 MAJOR PLANNING APPLICATIONS.

32a 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.

Three objectors who live next to the proposed site addressed the committee with their concerns, and in doing so urged the committee to refuse the application. Their concerns included; large scale development, detrimental effect on the area, the country lane with increased traffic and speeding issues, potential flooding, the smell from commercial bins affecting their properties, less wildlife, and the increase in anti-social behaviour.

Cllr Mitchell speaking as the local Ward Member indicated he was not totally against the whole application, but did have concerns with touring caravans and camping on the site. He said there has been increased general bad behaviour on the site, loud music and thefts, and was concerned with the lack of amenities available with no hot water or hand washing facilities.

Cllr Ross said having listened to all the concerns she felt the committee needed to go visit the site before making a decision.

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

That a site visit be held and it be brought back to a future meeting of the committee for a decision.

Motion Carried.

32b 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.

Two objectors attended the meeting and spoke against the application. They raised a number of concerns with the proposal and these included the access

PLANNING COMMITTEE
2 August 2023

being very close to the development, and could cause problems with traffic in the area as it was already problematic getting out of the junction. They felt it was not in the right area being so close to the container company, and it was out of character with the area.

Speaking on behalf of the applicants the agent highlighted that the application was for reserved matters and access details was a matter for the permission granted at outline stage. He said it was a sustainable location with all the technical and policy detail compliant.

Cllr L Foster spoke as the local Ward member opposing the development. He stated that he had object to it at outline stage and for the same reasons he was objecting now. He raised concerns about the surface water, and the foul water management along with the public right of way that was adjacent. He said it was a bad development in the wrong area.

Cllr Longcake also spoke against the proposals.

Cllr Ross said she felt for the speakers and understood their concerns, but felt this was an application for reserved matters and on planning grounds had to go with the officer's recommendations.

Cllr J Davison said he could not support the application due to the layout and the issues around the safety and access road.

Cllr Grant said he was not 100% in favour of the development, however, the issues he had had already been passed at the outline stage.

Cllr Bell was disappointed at the lack of social housing, and took on board the locals concerns, and having listened to the issues suggested a deferment to get a water management report.

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

33 **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.**

In addressing the committee, four objectors raised many concerns and their unhappiness regarding the request to modify the S106 agreement. They felt it was a very dangerous precedent and a burden to the public. In their statements, they felt that another viability report should be undertaken as the scheme was financially viable, and the problem was with the developer's designs. They felt that it was just a way for the developers to make more profit.

The agent stated that the permission was approved 3 years ago and since then the site has some viability problems. He said that covid had increased

PLANNING COMMITTEE
2 August 2023

abnormal costs, and 7 million of abnormal costs had been spent on drainage and foul surface water, along with a negative land value.

Cllr J Davison felt there was a great deal of technical aspects to this, and the viability assessments, and the outline was granted with the S106 agreement. He said there was sufficient doubts on the numbers, and wanted to see an independent assessment so the application at this point should be deferred.

Cllr Grant said it should be rejected outright.

Resolved – that the application be deferred to seek another independent review of viability appraisal.

- 34 **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.**

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

- 35 **PLANNING AND OTHER APPLICATIONS FOR DETERMINATION BY THE COMMITTEE.**

- 36 **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**

In addressing the committee, an objector raised a number of concerns regarding the accuracy of the application and drawings submitted, and stated that the distance to the boundary line was incorrect, and it was built in the wrong place. He felt that a new application should be submitted,

Cllr C Sherwood spoke as the local Ward member and indicated it was no a material amendment. He said the site had been very controversial for the last 18 months, and the siting of the flat was in the wrong position. He urged the committee to visit the site before making a decision.

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

That a site visit be held and the application be brought back to a future meeting of the committee for a decision to be made.

Motion Carried.

- 37 **PA/2022/2011 PLANNING PERMISSION TO CREATE A NEW ACCESS AND PAVED DRIVEWAY AT CARRDALE, 10 SAXBY HILL, SAXBY ALL SAINTS, DN20 0QL**

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

PLANNING COMMITTEE
2 August 2023

38 PA/2023/67 PLANNING PERMISSION TO ERECT A FRONT BOUNDARY WALL AND GATE PILLARS AT 47A TOP ROAD, WORLABY.

The agent speaking on behalf of the applicants highlighted that on first visit to the site the Highways and Planning officer had no objections. Highways were then requested to re-visit, and consequently made a height objection on the wall, which in turn led to the Planning Officer changing the recommendation. He said the objections were not warranted, and the height of some boundary hedges in the street were the same size.

Cllr C Sherwood indicated he had received a significant amount of contact with regard to the application. He stated that the photographs did not justify the effect, and the committee should hold a site visit to see the highway safety.

Cllr J Davison having listened to the speakers suggested a site visit be held.

It was moved by Cllr J Davison and seconded by Cllr Ross –

That a site visit be held and the application be brought back to a future meeting of this committee for a decision.

Motion Carried.

39 PA/2023/446 PLANNING PERMISSION FOR SIDE EXTENSION AND ATTIC CONVERSION INCLUDING DORMERS AT NETHERHAVEN, 34 NETHERGATE, WESTWOODSIDE, DN9 2DL.

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

40 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.

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

41 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.

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

42 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.

Cllr J Davison having read the report and look at the plans felt that it looked overbearing on other properties, and would need to view the area before making a decision.

**PLANNING COMMITTEE
2 August 2023**

It was moved by Cllr J Davison and seconded by Cllr Ross –

That a site visit be held, and brought back to a future meeting of the committee for a decision.

Motion Carried.

- 43 **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.**

Objection to the application was a representative from the adjoining driveway as they were a linked attached property. In doing so she stated that originally she was informed when she bought the property that the garage, used for the site office would be put back to the garage door/wall. She felt that if it was not put back to the original garage it would cause massive privacy issues.

Cllr Ross said she knew the site well and felt the committee needed to look at the proposal before making a decision.

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

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

Motion Carried.

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: RL/JMC/Planning committee 06 September 2023

Date: 25 August 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

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

| | |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/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

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/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 2.5mAOD.
- 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/static caravans are permitted on the site.

Reason

The site is 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 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.

Informatives

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.

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

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.

4.

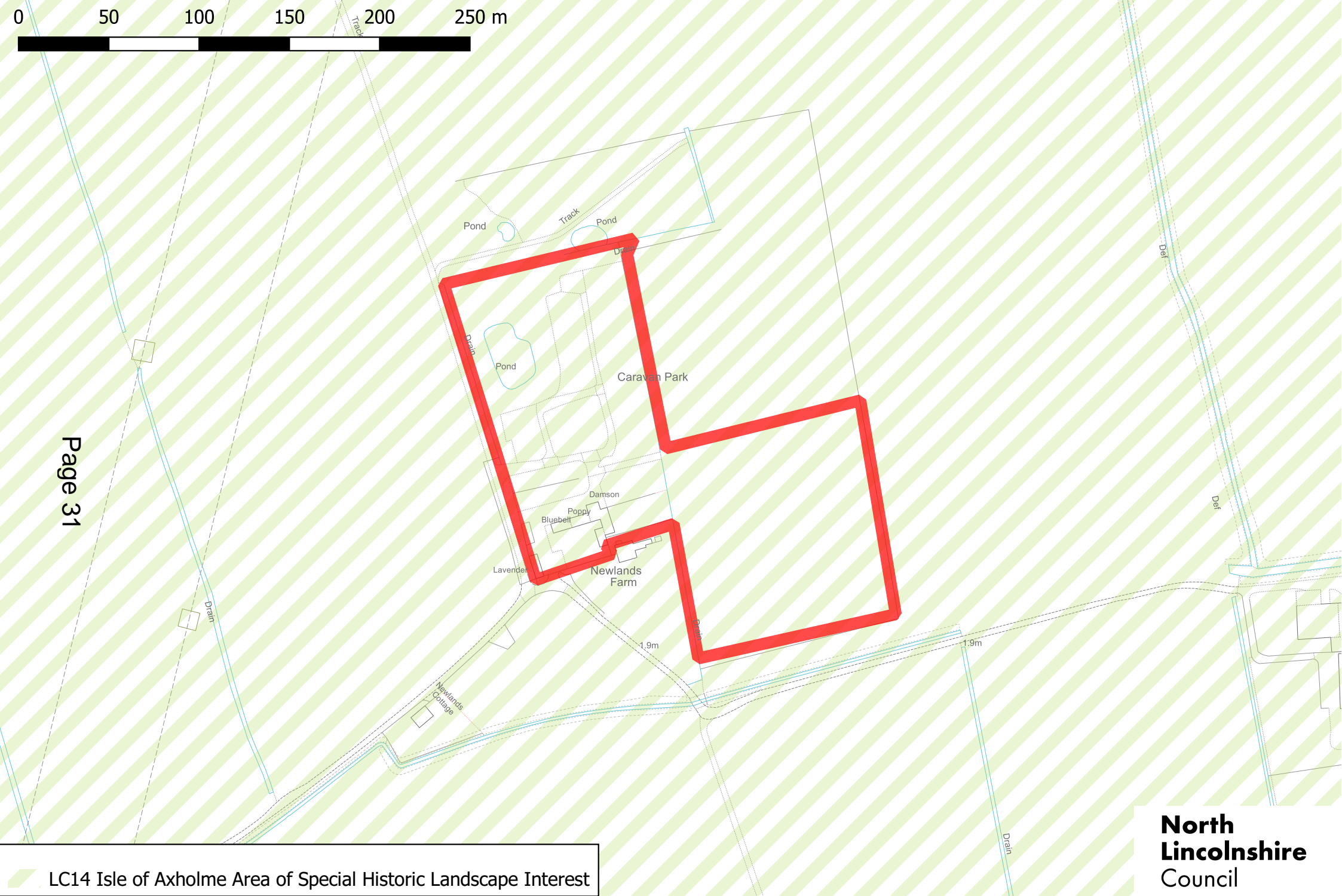
The applicant should be aware that in case of extreme flood events and flood infrastructure failure, the site could be inundated with water. This would be likely to result in significant damage to these structures, with a significant impact on the development: the applicant should recognise and accept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

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.

6.

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.



LC14 Isle of Axholme Area of Special Historic Landscape Interest

**North
Lincolnshire
Council**



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



ENTRANCE

RECEPTION
BLOCK

EXIT

POND

NEWLAND LANE

| | | |
|-------------------------------------------------------|----------------------|----------------|
| Drawing Title | | |
| PROPOSED SITE PLAN EPWORTH FIELDS NEWLANDS LANE | | |
| Ref: NLEF 009 | Scale @ A3 1:1250 | Date JUL/23 |



enquiries@marksimmondsplanningservices.co.uk

Mark Simmonds

Director

Mark Simmonds Planning Services Ltd

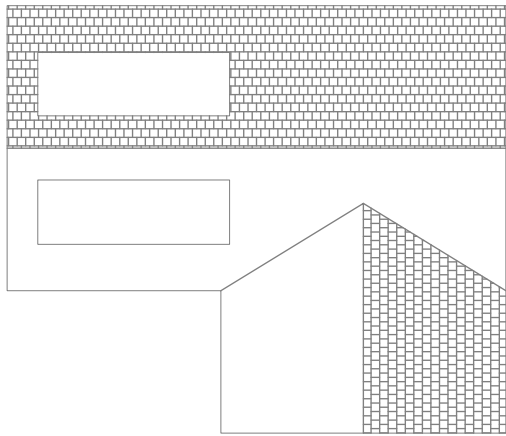
Mercury House

Willoughton Drive

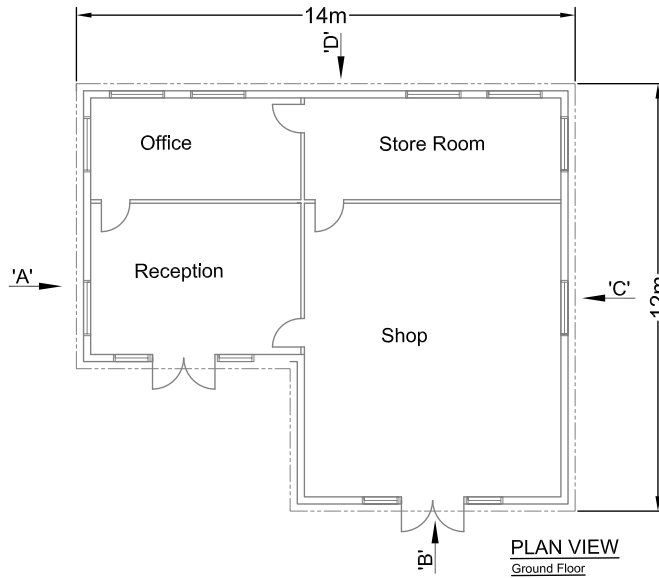
Foxby Lane

Gainsborough

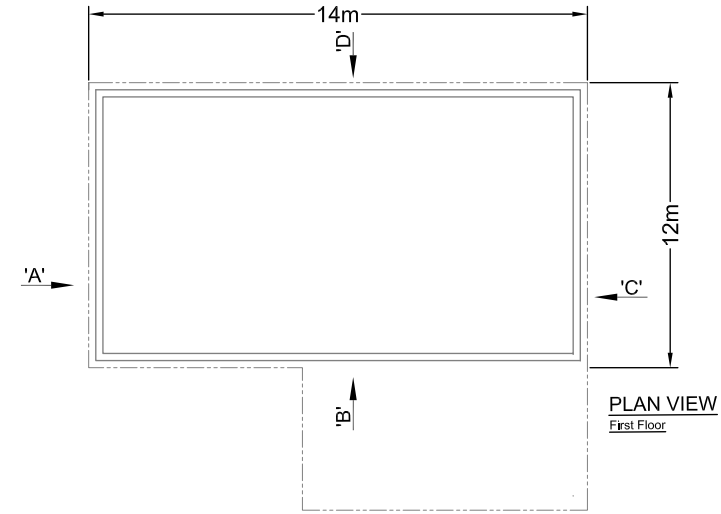
DN21 1DY



PLAN VIEW DETAIL

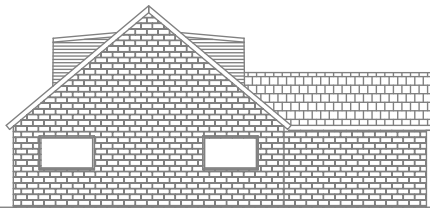


PLAN VIEW
Ground Floor

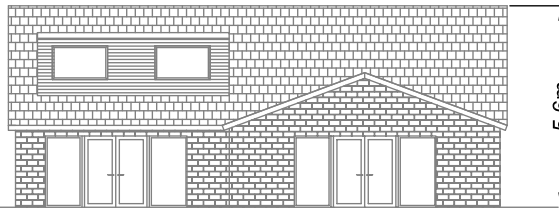


PLAN VIEW
First Floor

Page 33

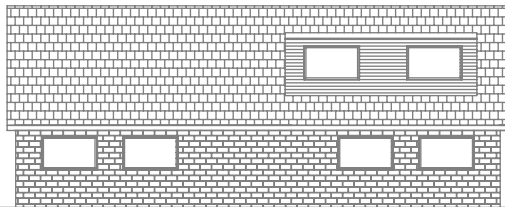


END ELEVATION
VIEW ON 'A'

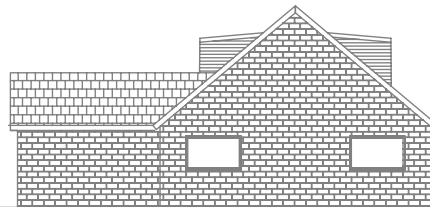


SIDE ELEVATION
VIEW ON 'B'

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 | |

This page is intentionally left blank



Page 35



LC14 Isle of Axholme Area of Special Historic Landscape Interest

North Lincolnshire Council

PA/2022/1536 Sat nav: Epworth Fields Holiday Park, Newland Lane, Epworth, DN9 1JA

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

This page is intentionally left blank

| | |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 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

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/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.

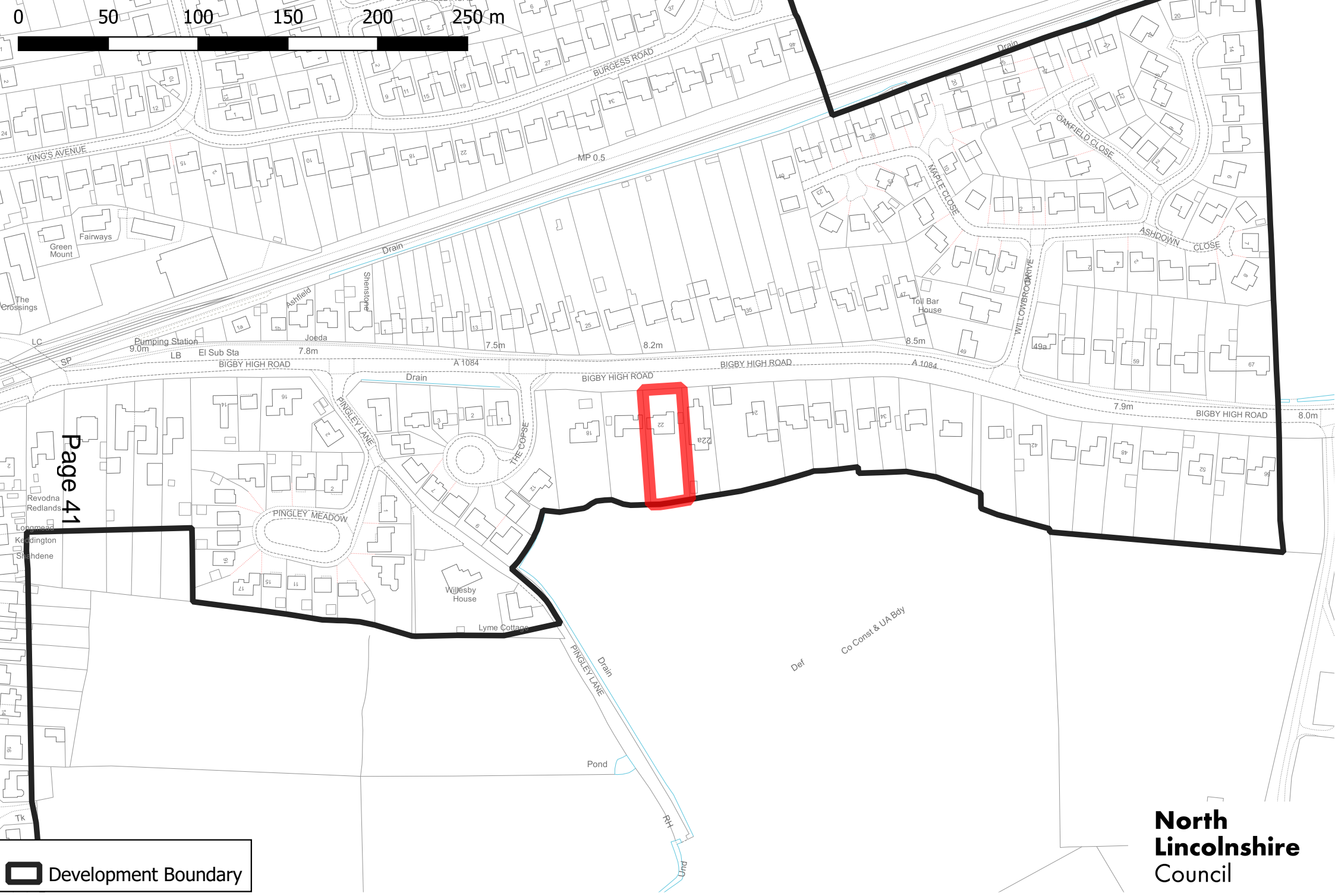
The lawful use of the annex is as ancillary accommodation to the main dwelling and is controlled by condition 3 of PA/2020/0602 which restricts its use to ancillary accommodation. This application for a non-material amendment needs to be considered on this basis. The principle of development has been 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



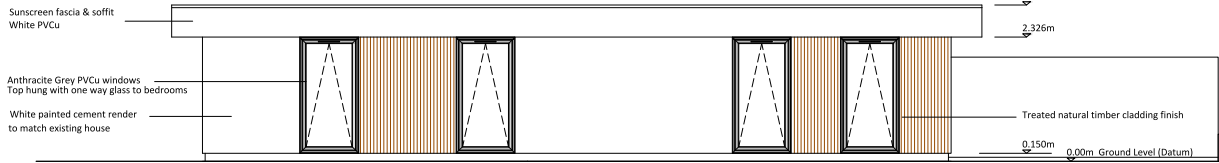
Page 41

 Development Boundary

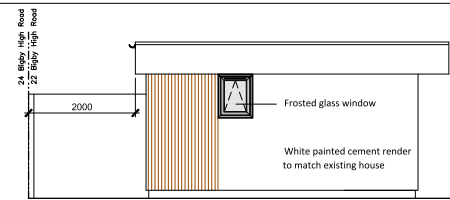
PA/2022/1884

**North
Lincolnshire
Council**

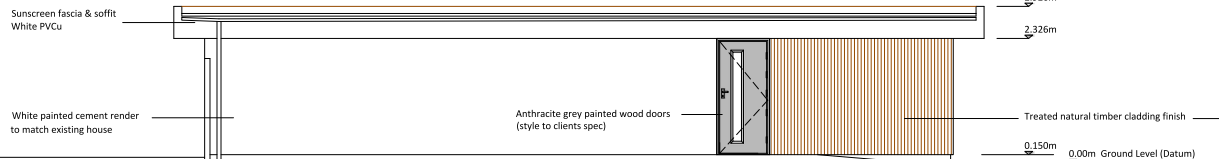
© Crown copyright and database rights 2023. Ordnance Survey AC0000819831



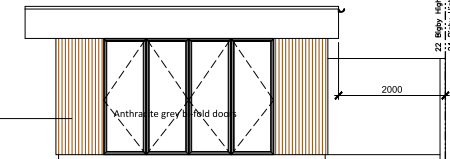
PROPOSED WEST ELEVATION (A)



PROPOSED NORTH ELEVATION (B)



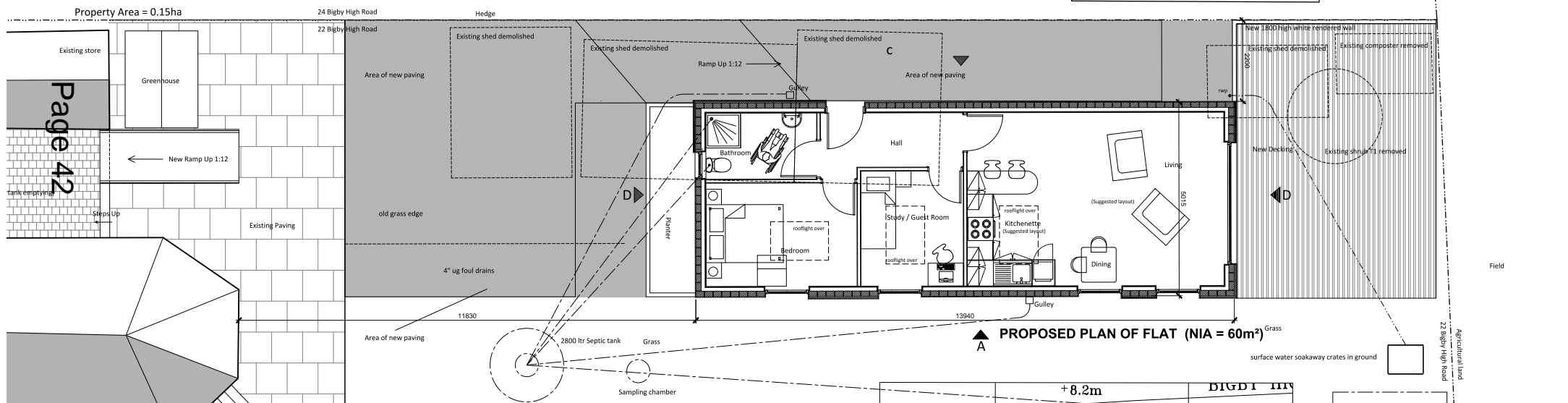
PROPOSED EAST ELEVATION (C)



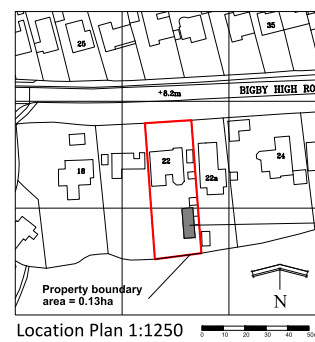
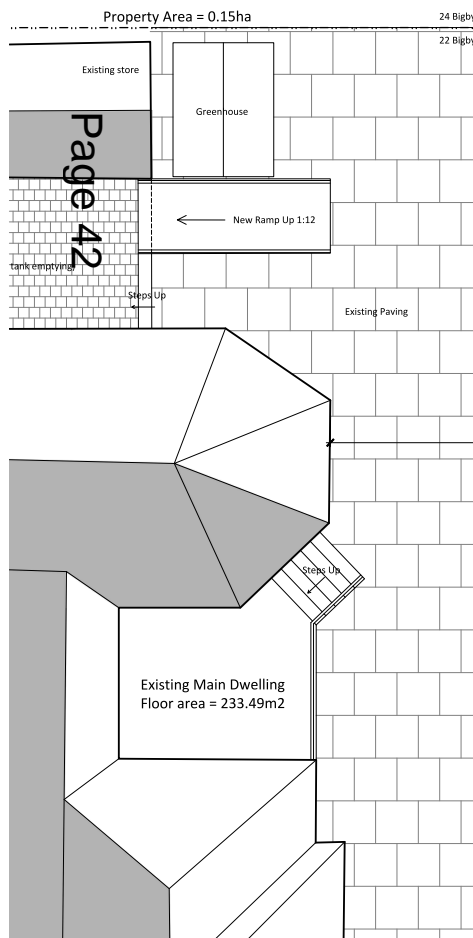
PROPOSED SOUTH ELEVATION (D)

- 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.

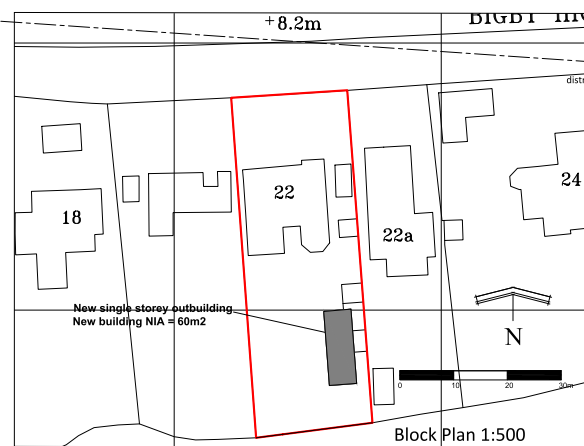
This drawing to be read in conjunction with HAS/20/201/200, 400, 401 & 402



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
 Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.
 Crown copyright 2020. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (100054135).
 Data licenced for 1 year, expiring 30 March 2021. Unique plan reference: v2z452228/613230



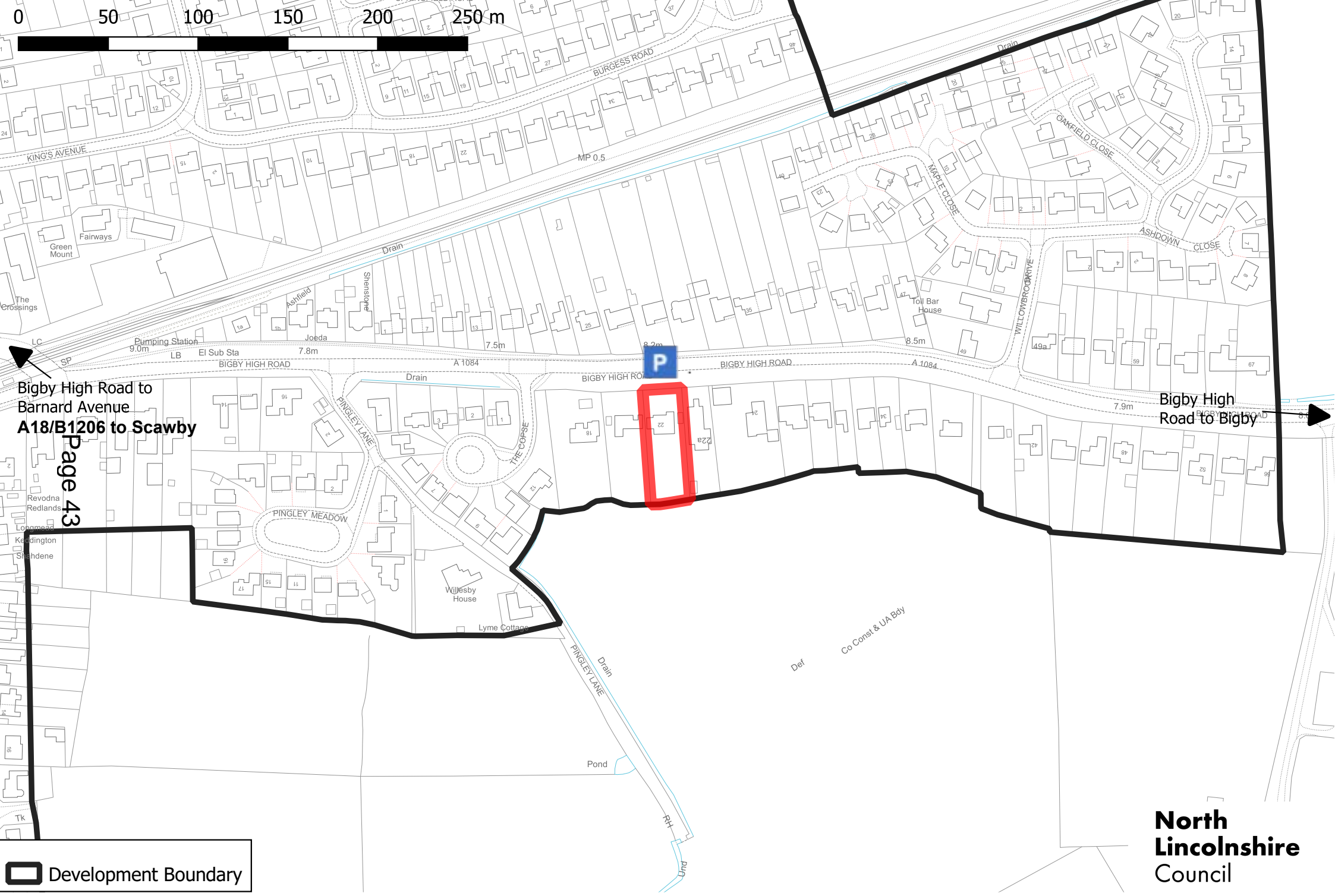
Block Plan 1:500

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 |
| SCALE: | 1:50@A1 |
| DATE/REV: | APR 22 Rev B |

0 50 100 150 200 250 m



Bigby High Road to
Barnard Avenue
A18/B1206 to Scawby

Bigby High
Road to Bigby

Page 43

 Development Boundary

PA/2022/1884 Sat nav: 22 Bigby High Road, Brigg, DN20 9HD

**North
Lincolnshire
Council**

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

This page is intentionally left blank

| | |
|-------------------------------------------|---------------------------------------------------------------------|
| 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

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/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.

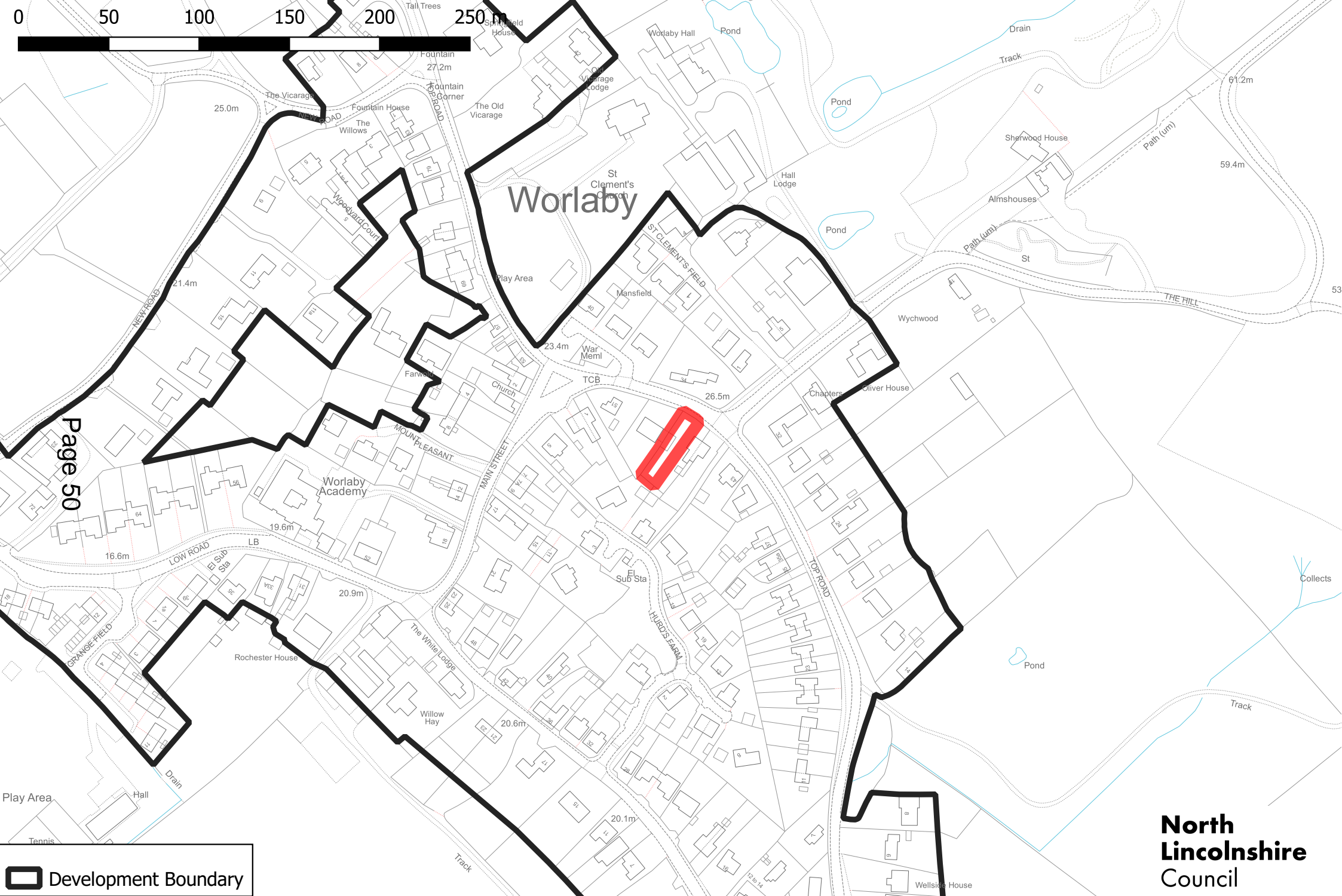
The proposed wall and brick pillars, by virtue of their height, location and materials, are considered to form a harsh and visually prominent form of boundary treatment which is out of keeping with the character and appearance of the street scene, exacerbated by their position adjacent to the public 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.



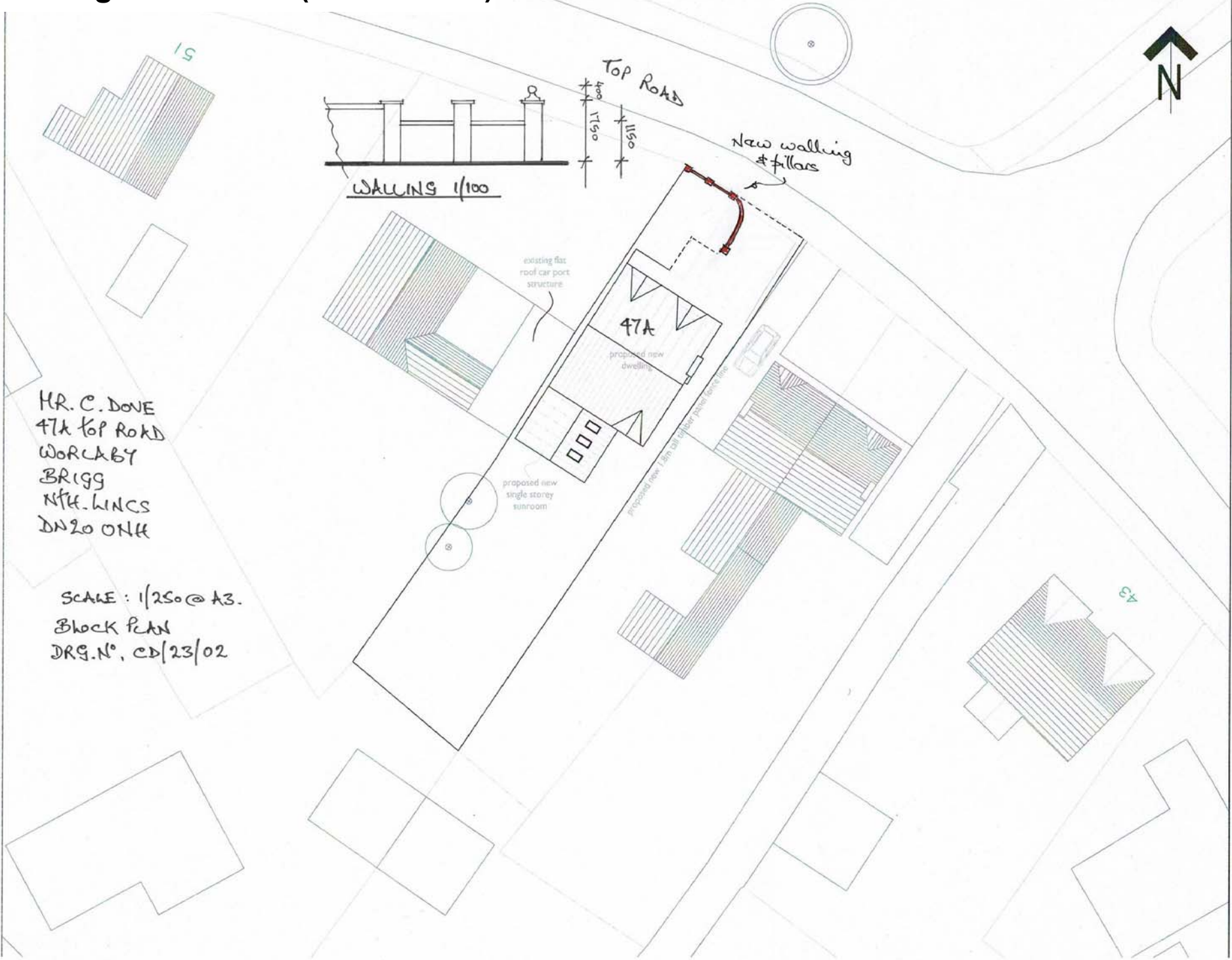
Page 50

 Development Boundary

**North
Lincolnshire
Council**

PA/2023/67

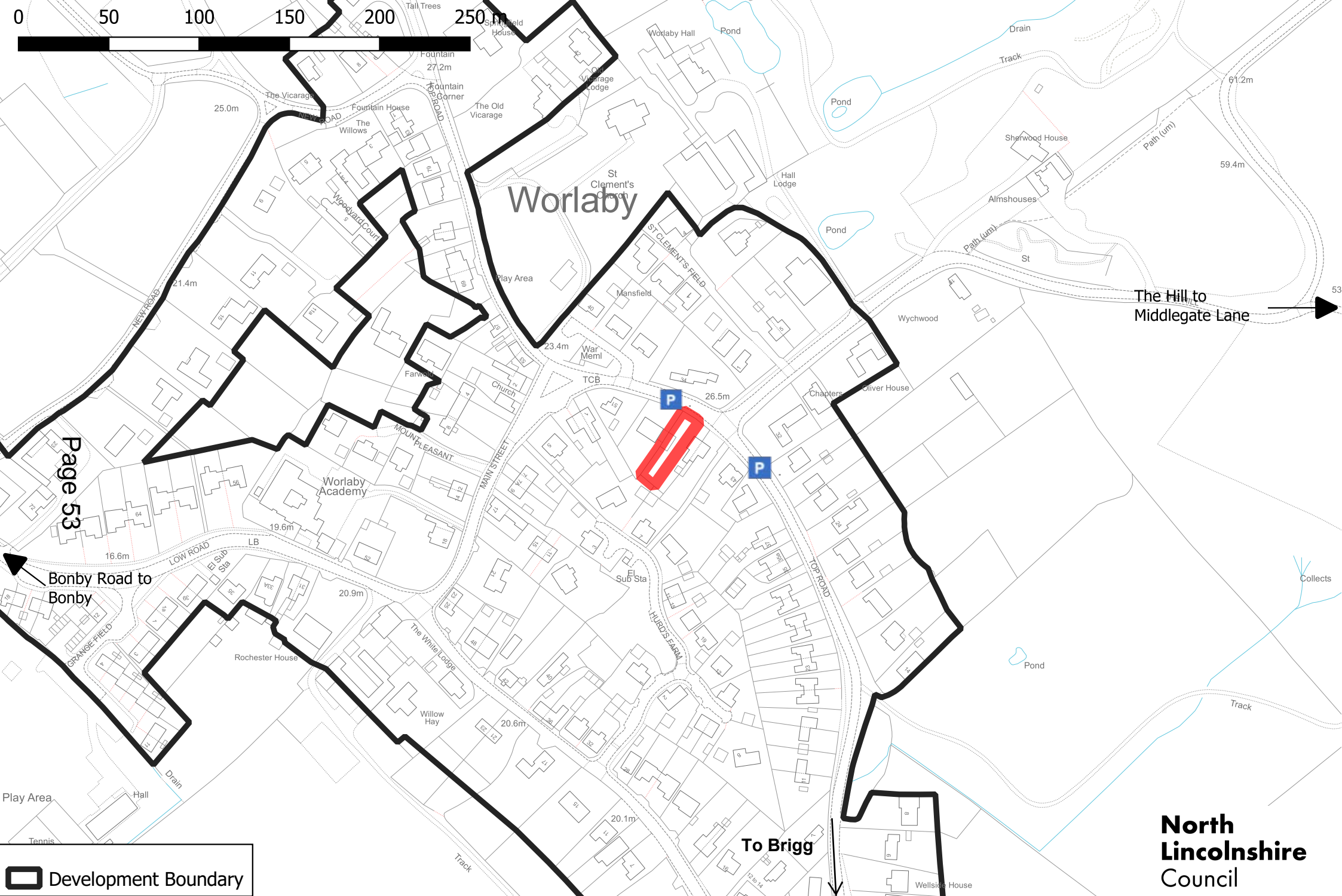
© Crown copyright and database rights 2023. Ordnance Survey AC0000819831



MR. C. DOME
47A TOP ROAD
WORCABY
BRIGG
NTH. Lincs
DN20 0NH

SCALE : 1/250 @ A3.
Block PLAN
DRG. N°, CD/23/02





Page 53

Bonby Road to Bonby

The Hill to Middlegate Lane

To Brigg

Development Boundary

North Lincolnshire Council

PA/2023/67 Sat nav: 47A Top Road, Worlaby, DN20 0NH

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

This page is intentionally left blank

| | |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 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

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

7/1976/0651: 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.

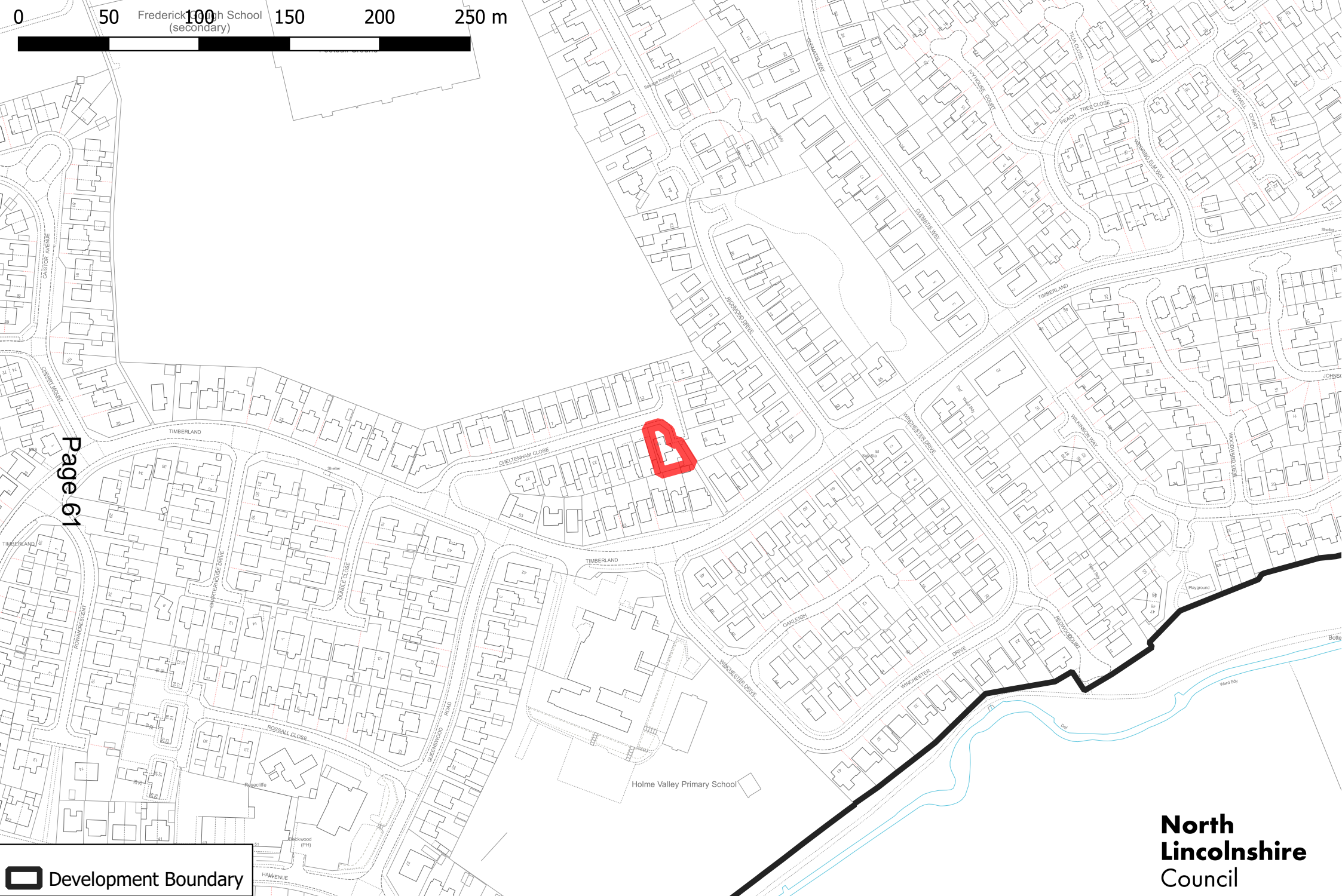
3.
Notwithstanding the details contained within the application, new windows on the side elevation of the extensions hereby permitted shall be obscurely glazed to a minimum of Level 4 on the Pilkington scale (or equivalent) and shall be retained as such in perpetuity.

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.

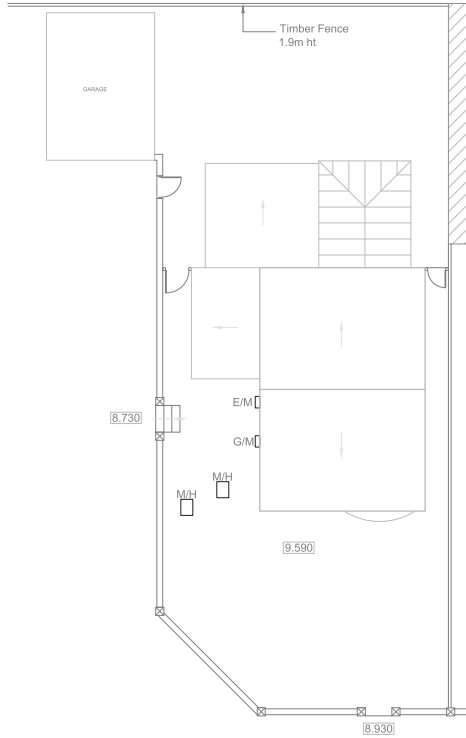


Page 61

 Development Boundary

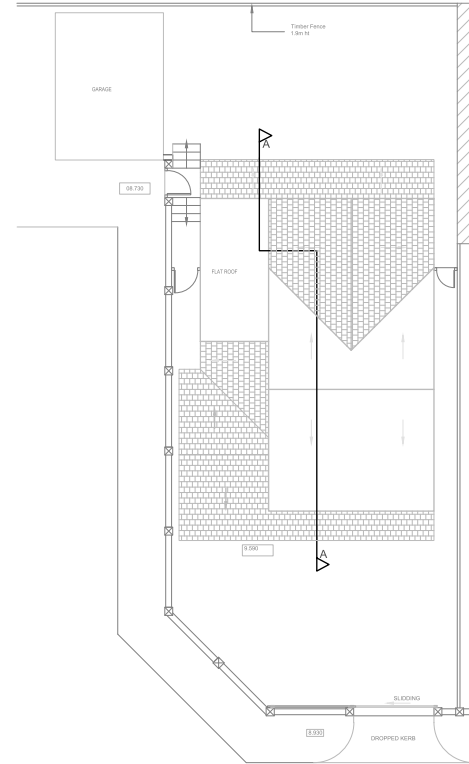
PA/2023/1006

**North
Lincolnshire
Council**



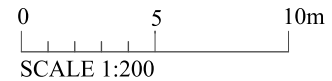
EXISTING BLOCK PLAN

Scale 1:200



PROPOSED BLOCK PLAN

Scale 1:200



- NOTE:
1. THIS DRAWING IS COPYRIGHT.
 2. CONTRACTORS MUST CHECK ALL DIMENSIONS AND DETAILS ON SITE.
 3. FIGURED DIMENSIONS ARE TO BE USED IN PREFERENCE TO SCALED DIMENSIONS.
 4. DISCREPANCIES MUST BE REPORTED IMMEDIATELY.
 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.
 8. CONSTRUCTION (DESIGN & MANAGEMENT) REGULATIONS 2007:
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



Pinnacle House Business Centre, Newark
Road, Peterborough, PE1 5YD, U.K.
Tel : 01733857631, 07852332121
e-mail: info@bretwaydesigns.com

May 2023

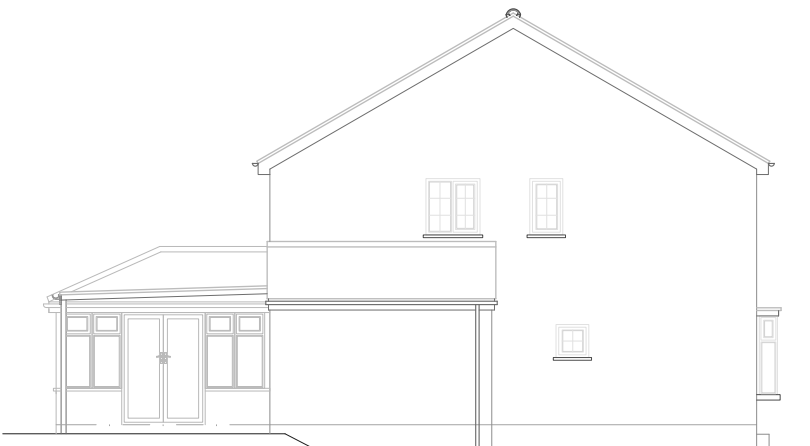
Scale : As Noted

Print @ A3 Sheet Size

PP/23/0690-03



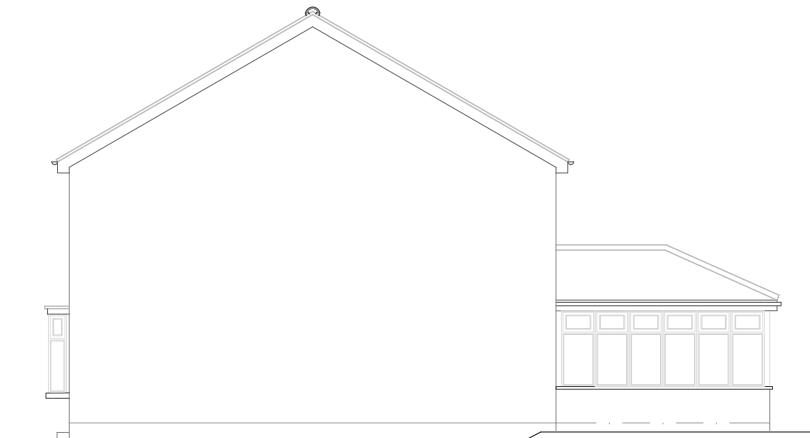
Front Elevation
Scale 1:100



Side Elevation
Scale 1:100



Rear Elevation
Scale 1:100



Side Elevation
Scale 1:100

NOTE:

1. THIS DRAWING IS COPYRIGHT.
2. CONTRACTORS MUST CHECK ALL DIMENSIONS AND DETAILS ON SITE.
3. FIGURED DIMENSIONS ARE TO BE USED IN PREFERENCE TO SCALED DIMENSIONS. DISCREPANCIES MUST BE REPORTED IMMEDIATELY.
4. ALL NEW PROPOSED MATERIALS TO MATCH EXISTING.
5. ALL STEEL BEAMS/COLUMNS SHOWN ON DRAWING ARE ALL SUBJECT TO CONFIRMATION FROM STRUCTURAL ENGINEER
6. ALL PROPOSED WINDOWS OVERLOOKING OTHER NEIGHBORS IF SHOWN SHOULD BE OF OBSCURE GLAZING
7. CONSTRUCTION (DESIGN & MANAGEMENT) REGULATIONS 2007: 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.

Page 63

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

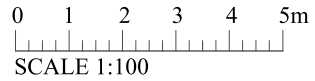
Drawing Title
Existing Elevations

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**

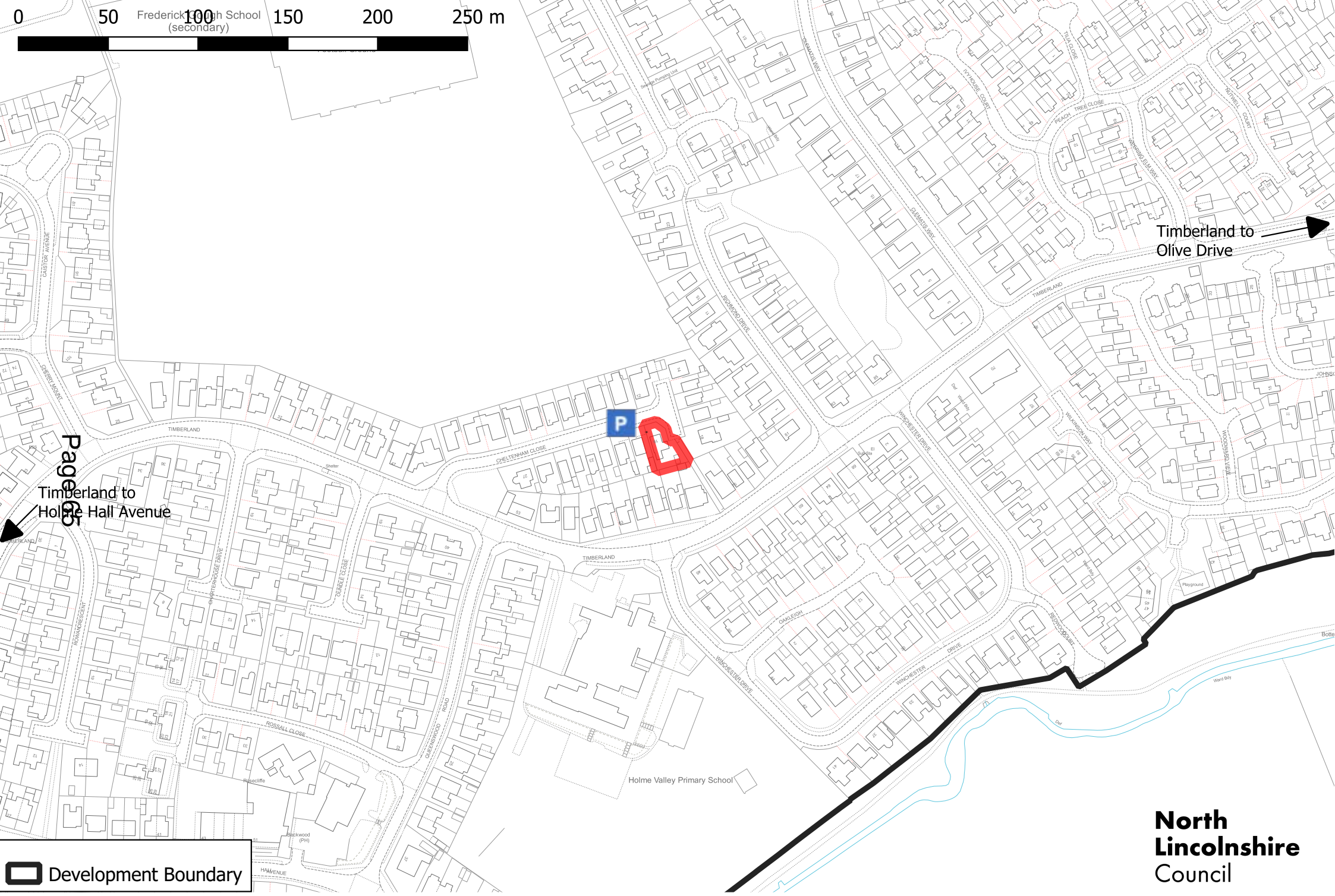
Print @ A3 Sheet Size

PP/23/0690-02





Frederick High School
(secondary)



P



Timberland to Olive Drive

Page 65
Timberland to Holme Hall Avenue

Holme Valley Primary School

 Development Boundary

PA/2023/1006 Sat nav: 19 Cheltenham Close,
Bottesford, DN16 3SJ

**North
Lincolnshire
Council**

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

This page is intentionally left blank

| | |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| 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

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/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.

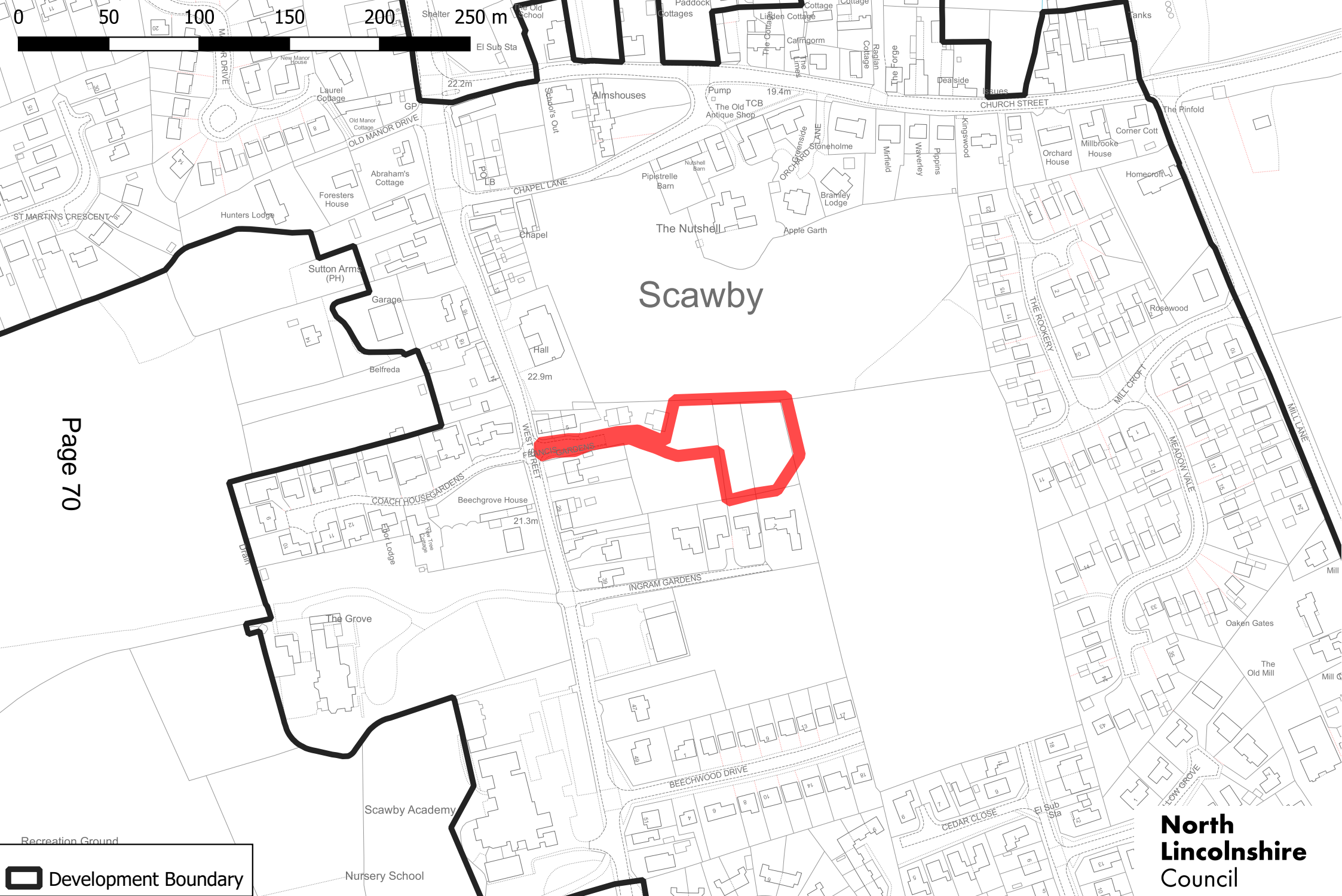
The retention of the window to the front is not considered to result in overlooking – there is a separation distance of 15.59m from the home office window to the bungalows opposite and the new window is positioned further to the north than the lounge window in the same property – 2.7m further back. Therefore, 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.**

0 50 100 150 200 250 m



Scawby

Page 70

Recreation Ground

 Development Boundary

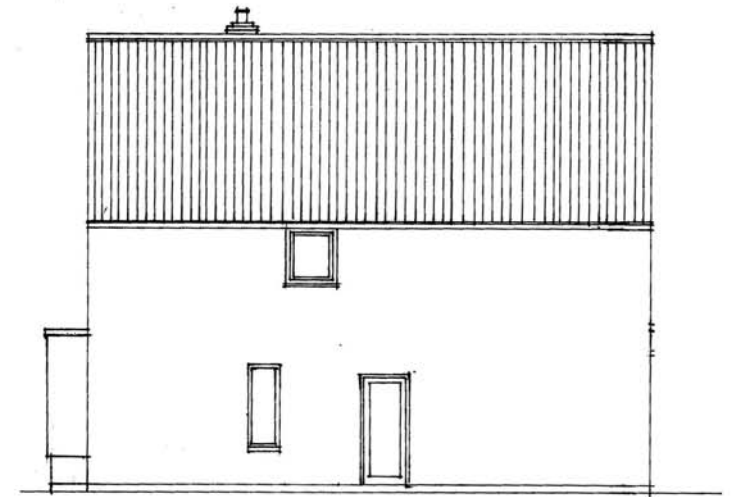
**North
Lincolnshire
Council**

PA/2023/1145

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831



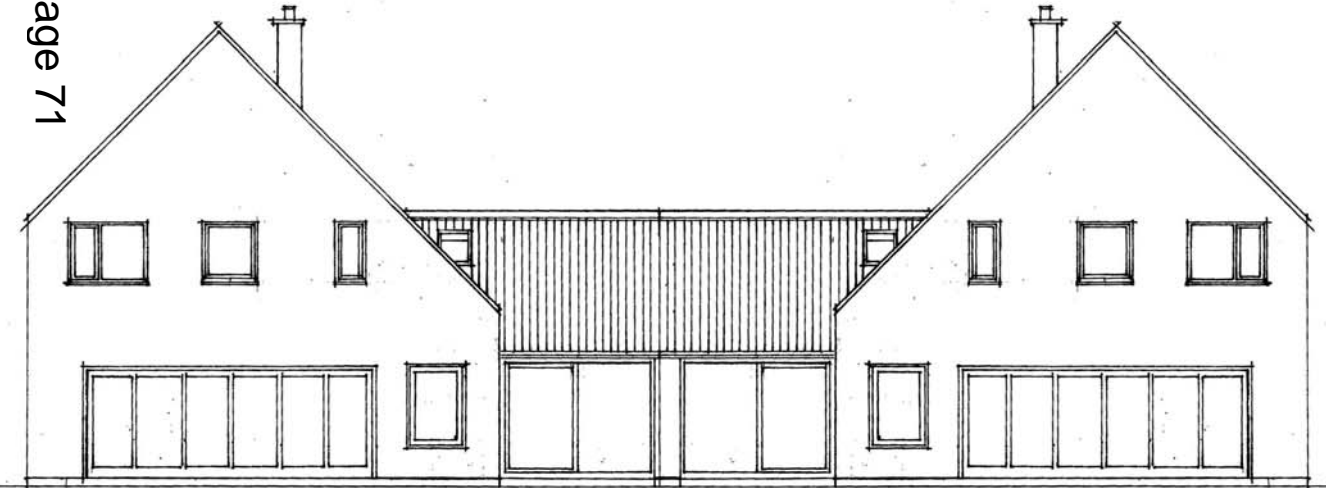
Front Elevation



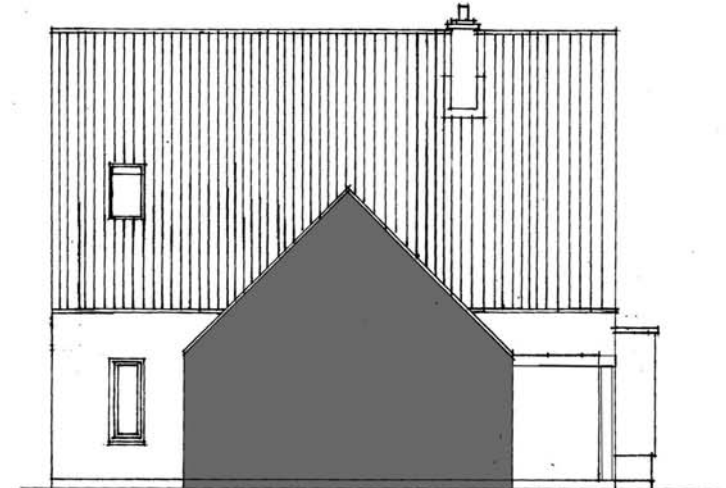
Non Garage Side Elevation

Previously approved plan

Page 71



Rear Elevation



Garage Side Elevation

PA/2023/1145 Previously approved elevations (not to scale)

© Mother Architects
 This drawing and any design hereon is the copyright of the Consultants and must not be reproduced without their written consent.
 All drawings remain property of the Consultants.

Figured dimensions ONLY to be taken from this drawing
 ALL dimensions to be checked on site.
 Consultants must be informed immediately of any discrepancies before work proceeds.



10 Units, West Street, Scawby
 Qudos Homes
 Drawing 052/0073
 May 2017

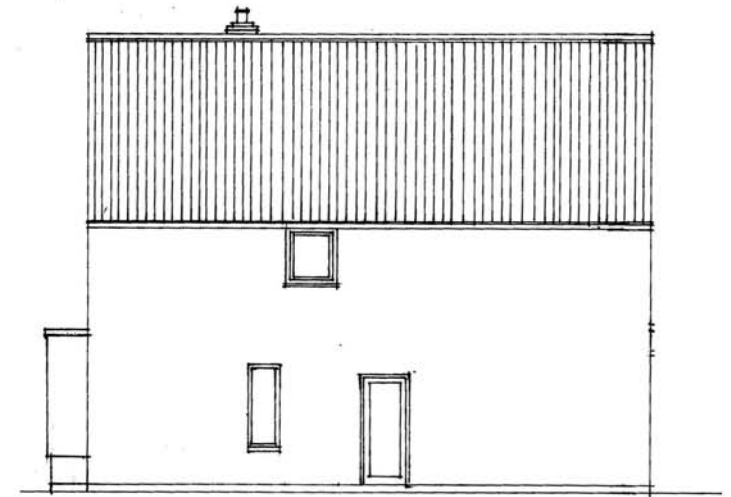
07855 828 938
 jo@motherarchitects.co.uk
 motherarchitects.co.uk

Mother
 architects

LINK UNIT ELEVATIONS
 1:100 AT 100% A3

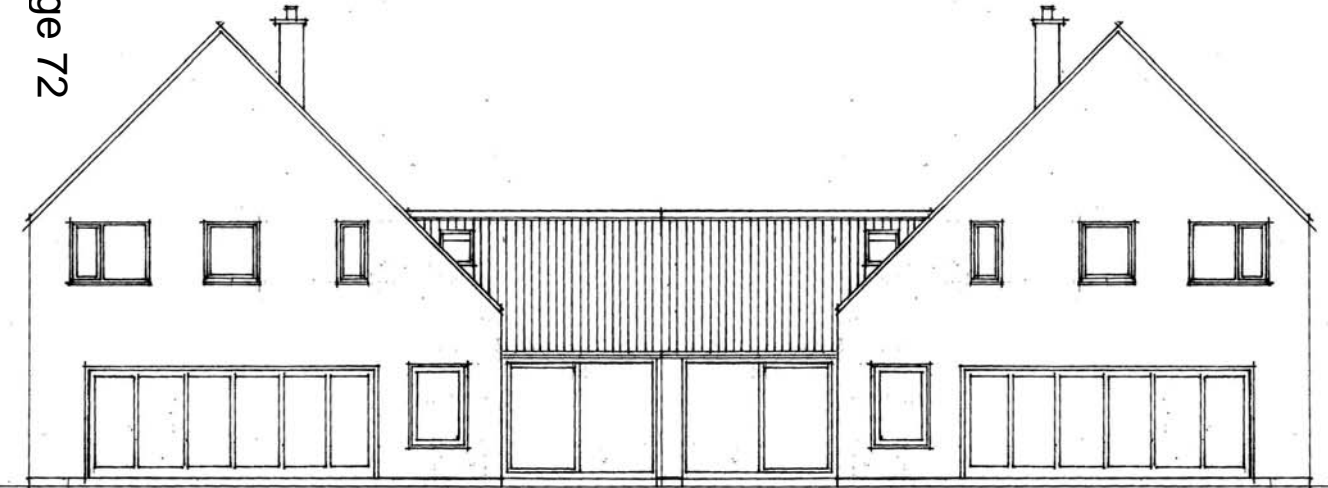


Front Elevation

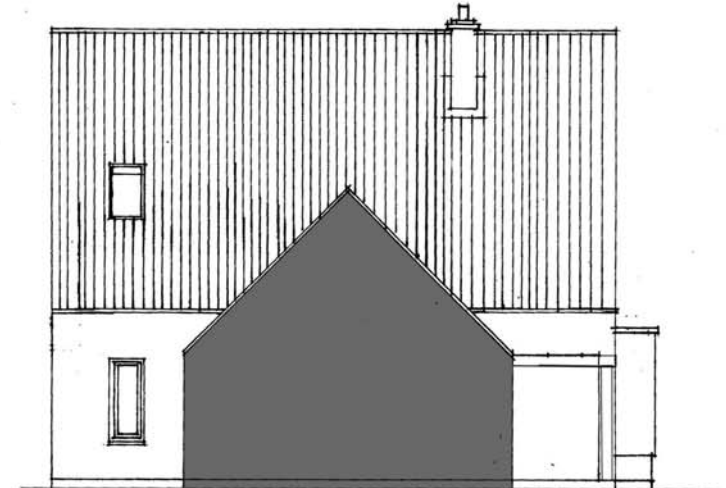


Non Garage Side Elevation

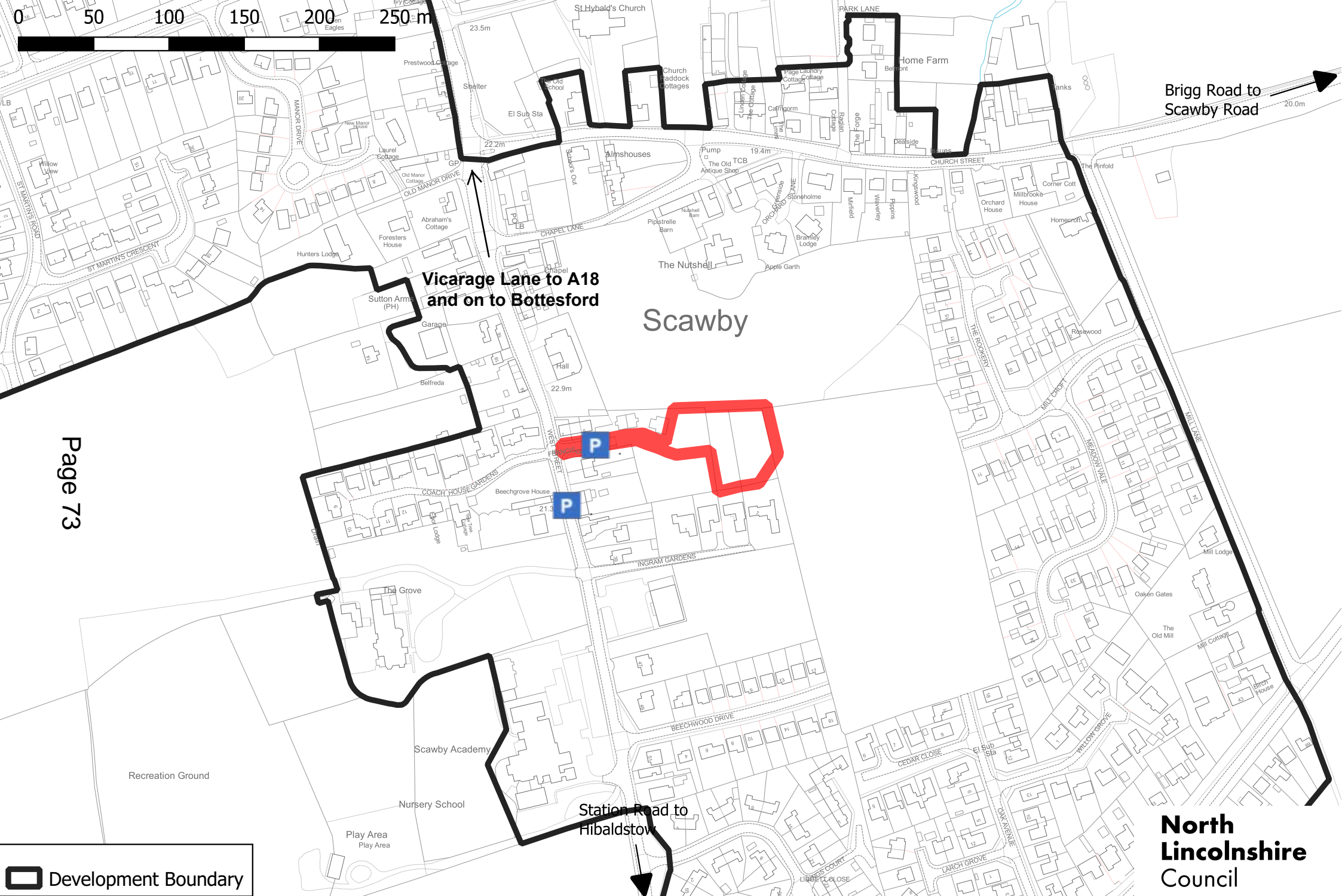
Page 72



Rear Elevation



Garage Side Elevation



**Vicarage Lane to A18
and on to Bottesford**

Scawby

**Brigg Road to
Scawby Road**

**Station Road to
Hibaldstow**

Page 73

Development Boundary

PA/2023/1145 Sat nav: 21 West Street,
Scawby, DN20 9AS

**North
Lincolnshire
Council**

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

This page is intentionally left blank

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: RL/JMC/Planning committee 06 September 2023

Date: 25 August 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

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

| | |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2022/2210 |
| APPLICANT | Mrs Pauline Seddon |
| DEVELOPMENT | Planning permission to erect a three-bedroomed, single-storey dwelling |
| LOCATION | Chapel House, West Halton Road, Coleby, DN15 9AL |
| PARISH | Alkborough and West Halton |
| WARD | Burton upon Stather and Winterton |
| CASE OFFICER | Paul Skelton |
| SUMMARY RECOMMENDATION | Refuse |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Ralph Ogg – to consider whether the site is an acceptable location for a new dwelling) |

POLICIES

North Lincolnshire Local Plan:

H5 – New Housing Development

H8 – Housing Design and Housing Mix

RD2 – Development in the Open Countryside

T1 – Location of Development

T2 – Access to Development

T19 – Car Parking Provision and Standards

LC5 – Species Protection

LC7 – Landscape Protection

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

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

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

RD1: Supporting Sustainable Development in the Countryside

DQE1: Protection of Landscape, Townscape and Views

T1: Promoting Sustainable Transport

DM1: General Requirements

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

CONSULTATIONS

Highways: No objection subject to a standard condition requiring access, parking and turning space to be provided and maintained.

LLFA Drainage: No comments to make following the submission of further information regarding the existing ponds on the site.

Environmental Protection: Following the submission of a Phase 1 Risk Assessment, no objection subject to a precautionary contamination condition.

Severn Trent Water Limited: The site is outside Severn Trent's area.

PARISH COUNCILS

Alkborough and Walcot Parish Council: No response received at time of writing.

West Halton Parish Council: No objection.

PUBLICITY

The application has been advertised by site and press notice; no comments have been received.

ASSESSMENT

Planning history

The relevant planning history for the wider site at Chapel House is as follows:

7/1990/0568: Change of use of a single room for office use in connection with a building contractors' business – approved.

7/1990/0643: Change of use of part of a domestic garden for the storage of general builders' materials – approved.

A further application was submitted to continue this use in 1992, however there is no record of the application being determined and it is understood the use ceased some time ago.

7/222/95: Extensions and the creation of a separate flat to be used by dependent relatives – approved.

The site and its location

The application site lies north of the small rural settlement of Coleby. The site is outside of any recognised development boundary and is therefore in the open countryside. There are no significant planning constraints.

The site is accessed via a driveway running north from the village street. To the west of the access drive and south of the site is a dense woodland, as there is to the west. To the east and north are open agricultural fields across which Chapel House is clearly visible. A previously tied bungalow (Manor Bungalow) lies directly east, with Manor Farm to the north of that. To the immediate north of Manor Bungalow, planning permission has been granted for a new agricultural worker's dwelling.

The site itself is part of the garden of Chapel House.

The development

The application proposes a single detached dwelling. It is indicated in the Design and Access Statement (DAS) submitted with the application that the dwelling would follow the principles and standards of PassivHaus insulation, passive solar gain and thermal mass and would require no central heating. The DAS says that the dwelling would have a low environmental impact; the application estimates that less than half the CO2 would be produced as no bricks/concrete roof tiles/steel and less cement would be used in the build, amongst other energy saving features included in the design, although this does conflict with the elevation drawing which indicates concrete tiles will be used.

The DAS indicates that the building would be easily and quickly built using panels constructed in the UK and would be watertight within 5–7 days. The building would be low cost compared to conventional builds and would be an easily copied low tech pattern for future builds. The kit arrives in one lorry load and is supplemented with locally sourced materials, and is put together by joiners and other local tradespeople.

Access would be shared with Chapel House with a parking and turning area to serve the new house. A short length of fencing to subdivide the new dwelling from the existing would be positioned along the new boundary.

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 (NPPF), the emerging North Lincolnshire Local Plan and a suite of supplementary planning documents.

The key issues to be considered in determining this application are the principle of development, accessibility, landscape impact/design and highway safety.

The principle of development

The site is located outside the settlement boundary of Coleby, as defined by the Housing and Employment Land Allocations DPD, in an area where new housing is strictly controlled by development plan policies.

Saved local plan policy RD2 sets out that development in the open countryside will be strictly controlled. This policy only supports residential development outside defined development limits in certain circumstances, none of which apply in this case.

Core Strategy policy CS2 (Delivering More Sustainable Development) sets out that 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 will contribute to the sustainable development of the tourist industry. A 'sequential approach' will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan.

Policies CS3 and CS8 similarly strictly limit housing development outside development boundaries to that which is essential to the functioning of the countryside.

In light of the above, it is clear that the proposed development would conflict with saved policy RD2 of the local plan and policies CS2, CS3 and CS8 of the Core Strategy.

The application is promoted on the basis that it would meet the requirements of paragraph 80 of the NPPF, which seeks to avoid the development of isolated homes in the countryside unless, amongst other things:

- '(e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'

In this context, 'isolated' means isolated from a settlement, so, whilst there is an existing dwelling on the site, the policy could apply in principle. Both limbs of the policy need to be successfully addressed for the policy to be met, however the Design and Access Statement only seeks to address limb 1, i.e. the 'truly exceptional design' element, concluding as follows:

'The proposed dwelling certainly gives an opportunity to demonstrate how it is possible to build house for sustainable living without draining the dwindling traditional resources required for conventional building. It also delivers an exceptional dwelling in sustainability and affordability.'

Whilst it is accepted that building techniques and building low carbon buildings can be an element of truly outstanding architecture, there is nothing out of the ordinary in the design as proposed – indeed it purports to follow a template laid out by PassivHaus. There is no

indication of how in particular the development of this property would demonstrate to others how it is possible to build a sustainable house.

The decision by the applicant to take this approach to design is commendable but, when assessed alongside what could be described as 'ordinary' architecture, it is not considered to come anywhere close to the standard of 'truly outstanding' design required by paragraph 80.

The second limb of the exception being relied upon is also important and has not been addressed by the application. Whilst the proposals would not result in significant harm to the characteristics of the local area (see 'landscape impact' section below) and could be argued to be sensitive to it, there is no argument put forward that it would 'significantly enhance' the immediate setting and it is not considered that it would do so.

Planning appeal decisions across the country have shown that paragraph 80 (and its predecessors) sets an extremely high bar for 'exceptional' and 'truly outstanding' architecture, and very few examples exist across the country. The current proposals do not come close to the standard of design expected to take advantage of the exception to normal strict policies for new houses in the countryside.

It should be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, August 2023. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

In these circumstances, paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. In this case therefore, planning permission should be refused unless material considerations indicate that the development plan should not be followed in this case.

Accessibility

The council's adopted strategy for the location of new houses is heavily predicated on locating new houses in sustainable/accessible locations. This is a common thread running through the strategic policies in the Core Strategy (as discussed above) as well as the new local plan. Policy T1 of the local plan provides that development will be permitted where there is good foot, cycle and public transport provision or where there are opportunities for foot, cycle and public transport to be provided. Core Strategy policy CS25 seeks to support and promote sustainable transport that offers a choice of transport modes and reduces the need to travel, including by managing transport demand through reducing the need to travel, improving accessibility and reducing car-based travel.

Coleby is defined as a 'countryside' settlement in the North Lincolnshire Settlement Survey 2018 (2019 Revision) which states that:

'Development away from the defined settlements is unlikely to meet all the elements of sustainable development particularly the access to a range of services, except those normally acceptable in the countryside.'

The site is outside the settlement boundary where new housing development is strictly controlled. Coleby itself ranks 72nd (out of 86) overall in the list of settlements as set out in

the 2019 Settlement Survey, with just one of the seven key facilities measured in the survey. The only service Coleby has is a daily bus with an infrequent service.

The nearest settlements with a reasonable level of services and facilities are Burton upon Stather and Winterton which are approximately 5 and 4 kilometres from the site respectively. The journey beyond normal walking distances for pedestrians and the country roads would not be an attractive proposition for most cyclists.

From the above it is clear that the occupiers of the proposed dwelling would be likely to use the private car for the majority of journeys. This locational disadvantage is at odds with the low-carbon ethos of the scheme and weighs against the proposals, contrary to the development plan strategy for new housing development, and policies T1 of the local plan and CS25 of the Core Strategy which seeks to actively reduce the need for car-based travel.

Landscape impact/design

Saved local plan policy RD2 sets out that new development in the countryside should not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design or materials. Policies H5 and DS1 include similar criteria whilst policy H8 requires, amongst other things, a high standard of layout which maintains and where possible improves and enhances the character of the area. 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.

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. Policies CS7 and CS8 reflect this need for good design, in keeping with the character of the area, and protecting the rural landscape.

All this is reflected in the NPPF which seeks high quality design (section 12), recognising the intrinsic character and beauty of the countryside (paragraph 174b).

There would be limited views of the proposed dwelling from public vantage points. Whilst there would be an increase in built form and additional residential paraphernalia arising from an additional dwelling on the site, it is not considered this would result in any significant harm given the context of the site adjacent to mature woodland.

The proposed elevations show a low-key single-storey building with a T-form plan. Glazing on the front and rear gable elevations gives a pleasing ecclesiastical nod to the name of the site. The timber cladding for the walls and concrete tiles would appear acceptable for the rural location although, as set out above, the use of concrete tiles does seem to be at odds with the purported low-carbon nature of the proposals.

Overall, the design is considered to be acceptable, although far from the truly outstanding design required by NPPF paragraph 80, and there would be no significant harmful impact to the landscape.

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.

The proposed dwelling would use the existing access which has served the wider site for many years, including when part of the site was used as a small builder's yard. The layout provides for parking and turning space; this would allow vehicles to leave the site and enter the highway in forward gear.

The Highways Officer has been consulted and raises no objection subject to the parking/turning areas being provided and maintained for the lifetime of the development. Overall it is not considered that the additional traffic arising from the provision of a single additional dwelling would result in any significant highway dangers/hazards.

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

Other matters

In terms of residential amenity, the only dwelling that could be affected would be Chapel House itself, and given the siting and single-storey nature of the proposed dwelling, there would be no undue impacts on the amenities of the occupiers of the existing dwelling. There would be sufficient space for adequate levels of private space for occupiers of the new dwelling.

The site is within flood zone 1, the area at least risk of flooding. The LLFA were initially concerned about the presence of ponds on the site; however, following clarification of the ornamental nature and design of the ponds, the LLFA raise no objections to the application.

Given the historic uses on the site, the Environmental Protection Officer (EPO) initially raised some concern about potential contamination. Following submission of a Geo-environmental Risk Assessment which identifies the risk to human health as low, the EPO is satisfied that no further investigation or remediation is considered necessary and raises no objection subject to a precautionary condition to deal with any contamination found during development.

Conclusions and planning balance

As set out above, s38(6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this case there is a clear conflict with the development plan as the site is outside of any recognised development boundary. This conflict must be given substantial weight in the overall planning balance.

Furthermore, because of the site's unsustainable location, occupiers of the proposed development would be heavily reliant on the private car to access facilities and services to meet their daily needs.

As the council is currently able to demonstrate a five-year supply of housing sites, the presumption is that planning permission should be refused unless there are material considerations which indicate that the council's policies should not be followed in this case.

The benefits arising from the proposal are clear, albeit very limited. The dwelling would contribute, in a very small way, to the council's land supply total. Limited economic benefits would arise from the construction phase (given the scale of development proposed it is likely local tradespeople would be used), and from the economic activity of future residents, who would be likely to support local businesses and facilities. Economic benefits would also arise from taxation.

Whilst the site lies within the open countryside, given its size and context, there would be no significant harm to the landscape character. The design is acceptable and, although contradictory in parts, the low carbon nature of the proposed build is positive (albeit tempered by the unsustainable location of the site). Whilst the application is promoted as 'truly outstanding' design under the exception at paragraph 80 of the NPPF, this is a high bar, and whilst the sustainability credentials are noted, the design does not come close to achieving the required standard.

There would be no undue impact on future or existing residents and there are no objections in respect of technical matters, including contaminated land, highway safety and drainage.

Overall, the proposal conflicts with the council's strategic policies for the spatial distribution of new housing in the area, and this strategy is consistent with the aims of the NPPF to deliver a sufficient supply of homes in suitable locations. Therefore, because of the open countryside location of the site, in an area where future occupiers would be reliant on the private car, the proposals would not be sustainable development in the context of the NPPF and would give rise to adverse impacts which significantly and demonstrably outweigh the very limited benefits outlined above.

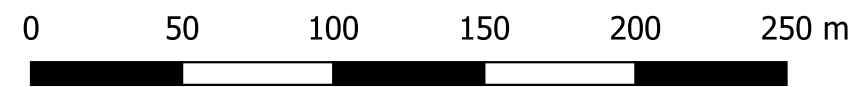
For these reasons it is recommended that the application is refused.

RECOMMENDATION Refuse permission for the following reasons:

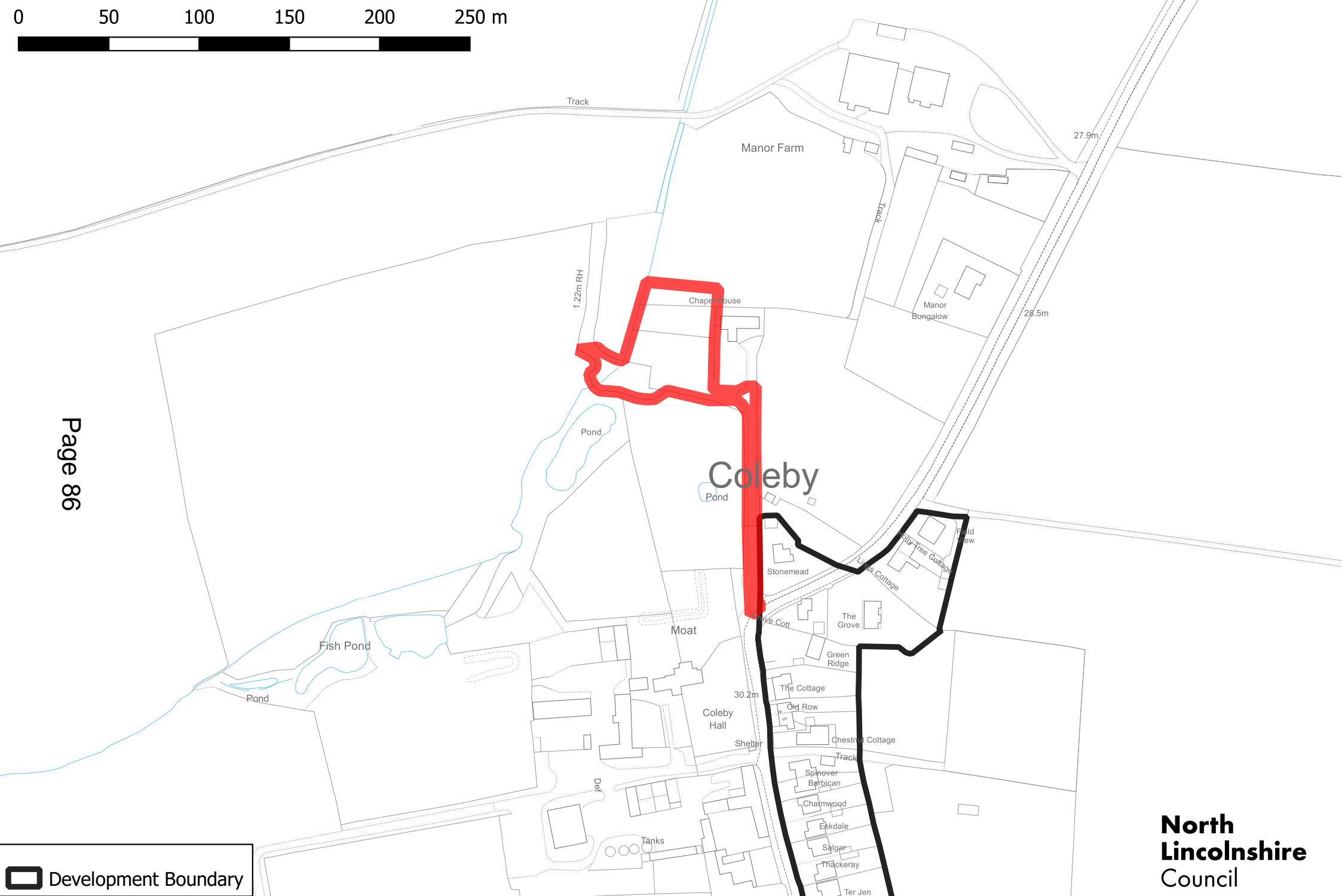
The site lies in an open countryside location where new housing development is strictly limited and there are no other specific exceptions/circumstances defined in the Development Plan which indicate that permission should be granted. The proposed dwelling would be sited in an unsustainable location that is remote from services and facilities. This would lead to an increased reliance on the private car. The proposal does not therefore meet the strategy for the distribution of new housing in North Lincolnshire and would not represent sustainable development contrary to saved policies RD2 and T1 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS8 and CS25 of the North Lincolnshire 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.



Page 86



 Development Boundary

PA/2022/2210

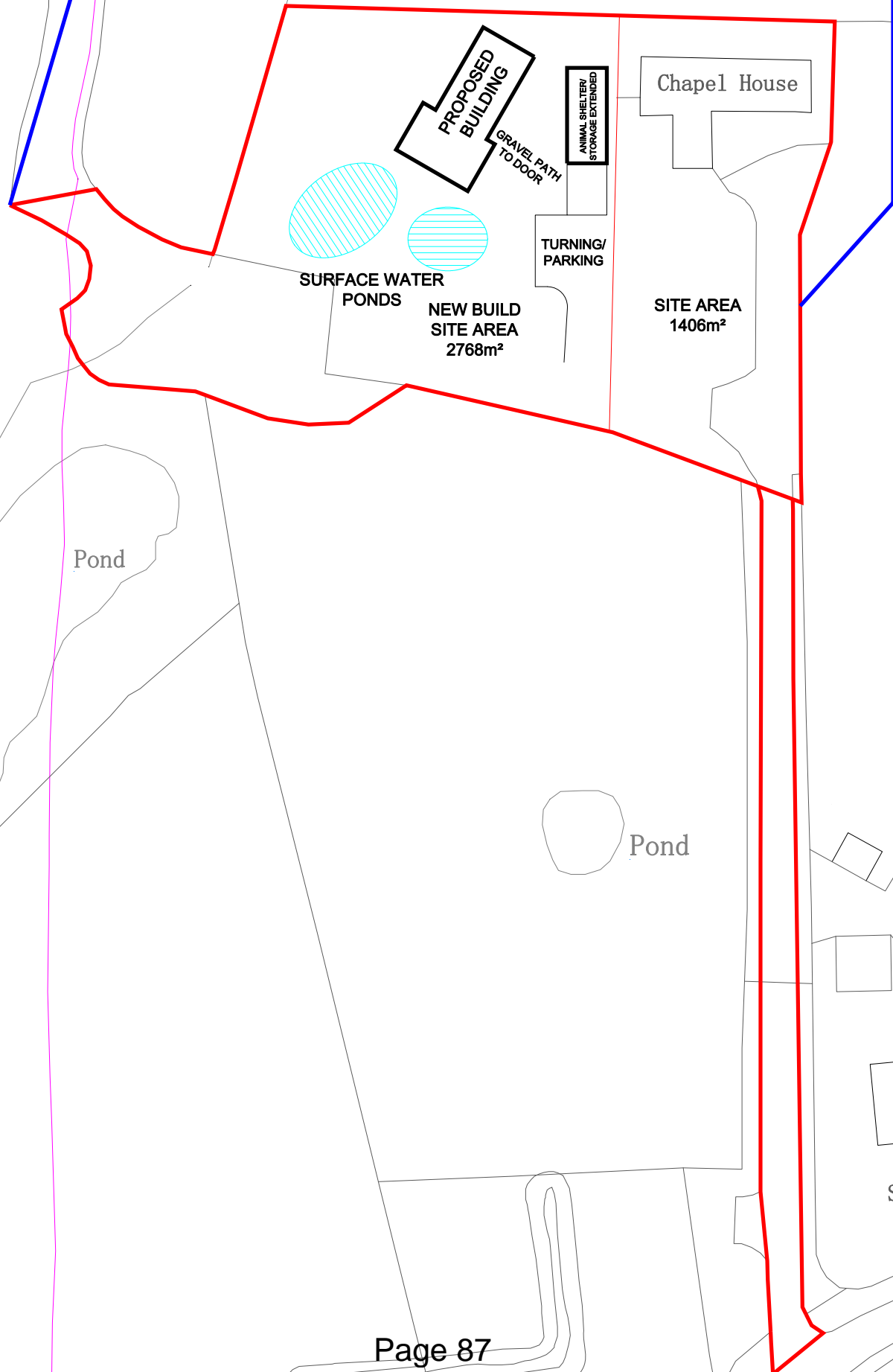
**North
Lincolnshire
Council**

PROPOSED BLOCK PLAN

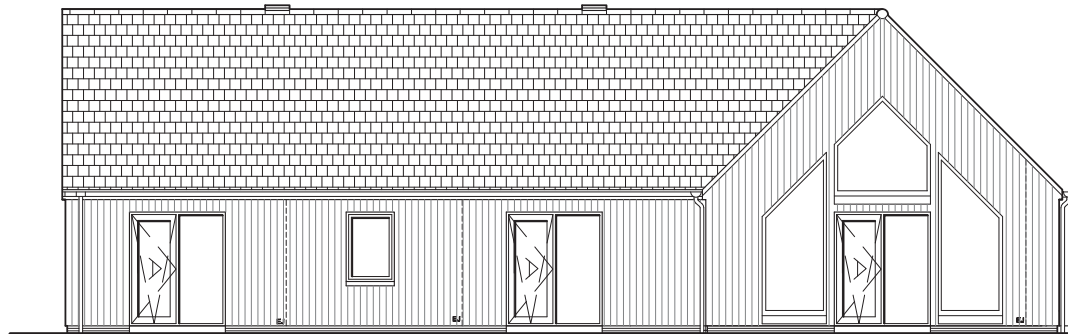


SCALE 1:500 (A3)

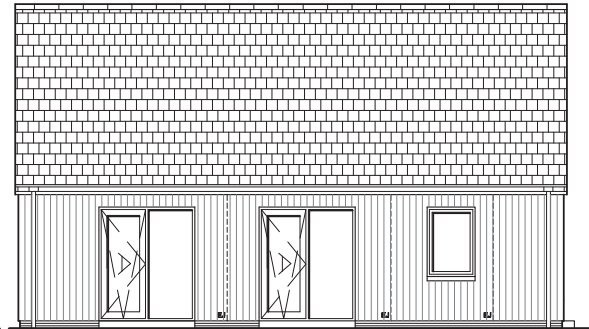
1.22m RH



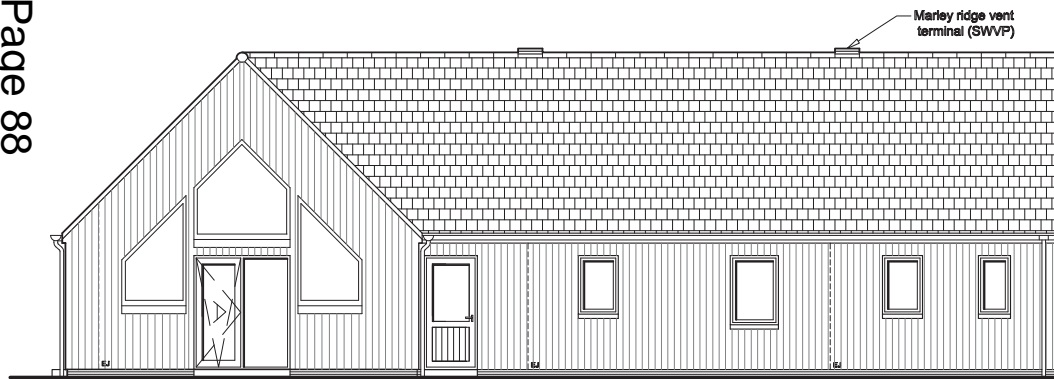
PA/2022/2210 Proposed elevations (not to scale)



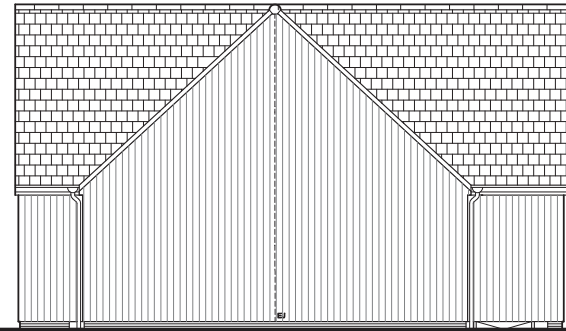
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION




NORTH ELEVATION

External Finishes:
 Roof covering: 45/43° Marley Ludlow smooth grey concrete interlocking tiles with matching dry ridge and verge.
 Finish to walls: 120mm wide Siberial Larch vertical boards.
 Fascia and Soffit: Grey PVCu finish with over fascia vent.
 Rainwater Goods: Grey Marley Rectilinear or similar.
 Windows: Grey PVCu & factory double glazing.
 Entrance Doors: Grey PVCu & factory double glazing.
 S.W.V.P. to be taken to Marley ridge vent terminal.

Page 88

Elevations

| | | | | | | |
|------------------------------------------------------------------------------------|-------------|----------------|--------------------------|--------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | Customer: | Location: | Drawn By: ??? | Scale: 1:100 | Drawing No: N08/-/03 | Norscot Joinery Limited Bower Workshops, Caithness, KW1 4TL Telephone: 01955 641303 Fax: 01955 641207 Web site: www.norscot.co.uk E-mail: info@norscot.co.uk |
| | Client Name | Client Address | Checked By: | Date: Date | Revision | |
| | | | Customer Approval: | | | |

PA/2022/2210 Proposed floor plan (not to scale)

General Notes:

Entrance doors to have a clear opening of 800mm and threshold to permit unassisted wheelchair access in accordance with clause 4.1.9 of the Building (Scotland) Regulations 2007.

Internal doors to be as per schedule.

All obscure glazing to bathrooms, en-suites to be 'Minster' pattern.

Partition around bathrooms to be filled with 60mm insulation, as denoted by hatching.

Door to Sun room to have a threshold to permit unassisted wheelchair access in accordance with clause 4.1.9 of the Building (Scotland) Regulations 2004.

Disabled access ramp to be constructed from precast, concrete, paving slabs.

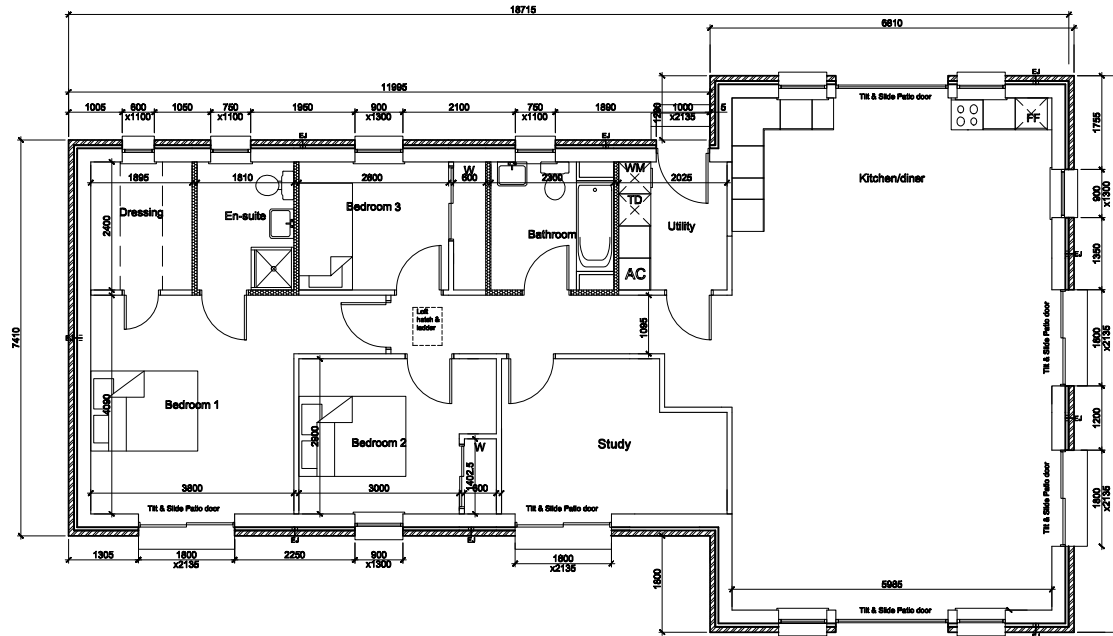
Partition around bathrooms to be filled with 60mm insulation, as denoted by hatching.

All glazing to bathrooms, en-suites and external doors to be 'Minster' pattern obscure glazing, unless otherwise stated.

Thermostatic valves to be fitted to hot water supply.

External flue terminals to be a minimum distance of 600mm from any opening (including tumble dryer outlet) and 300mm from any corner.

FS - Denotes 38x50mm treated fire stop.
EJ - Denotes expansion joint.



Ground Floor Plan

| | | | | | | |
|--|-------------|----------------|--------------------------|---------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Customer: | Location: | Drawn By: ??? | Scale: 1:100 | Drawing No: N08/-/03 | Norscot Joinery Limited Bower Workshops, Caithness, KW1 4TL Telephone: 01955 641303 Fax: 01955 641207 Web site: www.norscot.co.uk E-mail: info@norscot.co.uk |
| | Client Name | Client Address | Checked By: | Date: Date | Revision | |
| | | | Customer Approval: | | | |

This page is intentionally left blank

| | |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2022/2217 |
| APPLICANT | Mr Graham Boag |
| DEVELOPMENT | Outline application for three dwellings with all matters reserved, including the demolition of existing workshop |
| LOCATION | 78 High Street, Wootton, DN39 6RR |
| PARISH | Wootton |
| WARD | Ferry |
| CASE OFFICER | Scott Jackson |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Wootton Parish Council Significant public interest |

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
- H5 – New Housing Development
- H7 – Backland and Tandem Development
- H8 – Housing Design and Housing Mix

LC5 – Species Protection

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

CS5 – Delivering Quality Design in North Lincolnshire

CS7 – Overall Housing Provision

CS8 – Spatial Distribution of Housing Sites

CS17 – Biodiversity

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 DQE1: Protection of Landscape, Townscape and Views

Policy DQE6: Sustainable Drainage Systems

CONSULTATIONS

Highways: No objection, recommend conditions.

LLFA Drainage: No objection, recommend conditions.

Environmental Protection: No objection, recommend conditions.

PARISH COUNCIL

Objects on the grounds the access is inadequate and will create visibility problems, aggravated by on-street parking.

PUBLICITY

Original submission:

Site notices were displayed and 13 letters of objection were received (including 3 from the same address) raising similar issues as the parish council, together with the following:

- narrow entrance to the site
- it will aggravate existing highway issues
- the parking for the existing houses is unlikely to be used
- there is poor visibility along the High Street
- impact from plot 3 on residential amenity
- overlooking from the pair of semi-detached houses
- over-development
- no windows should overlook gardens
- the existing building to be demolished should be considered as a designated heritage asset
- increase in congestion and risk of accidents
- the existing building should be protected and retained
- not in keeping with the character of the area
- loss of light to conservatory
- questionable separation distances
- insufficient parking provision
- there are bats in the existing building
- impact on property prices
- there are a number of empty houses in the village
- no need for new dwellings
- the local school is oversubscribed

- impact on local services
- potential for an increase in vehicles being parked in the highway
- difference in ground levels will exacerbate potential for loss of amenity
- no backland development in Wootton
- cramped development
- backland form of development
- concern over size, scale and siting of plot 3 and potential for overlooking and overshadowing.

Following the receipt of amended plans, additional site notices have been displayed. Four further letters of objection have been received, raising similar issues to those raised by members of the public and the parish council previously, together with the following issues:

- this application should be considered on its own merits – it should not take into account any previous applications on the site
- the bat and environmental surveys have not been undertaken
- security lights will affect the privacy of neighbouring properties
- tandem, backland development
- the proposed access is narrower than the plan suggests
- there is no provision for bin collection
- it represents a significant departure from the previous application on the site
- dense form of development
- elevated ground levels for the dwelling proposed to the rear
- it will set a precedent for further development of this nature
- off-street parking has worsened in recent months
- the current site plan revision is incorrect and doesn't reflect true land ownership
- it is a fraudulent, invalid application.

ASSESSMENT

Planning history

PA/2005/1565: Outline planning permission to erect 3 dwellings (resubmission of PA/2005/1114) –refused 07/11/2005

PA/2005/1114: Outline planning permission for residential development – refused 30/08/2005

PA/2009/0501: Application for approval of reserved matters pursuant to outline application PA/2005/1565 determined by appeal dated 08/05/2006 for the erection of two linked dwellings and a single detached dwelling – approved 02/07/2009

The application site comprises a single-storey building which fronts High Street in Wootton and land to the rear. The site was used as a workshop and associated yard and the building to the site frontage has the remnants of a steel frame attached at the rear. The site at the rear is laid to hardstanding and is undulating in its ground levels, it is bordered by residential properties on three sides and is located within the defined settlement boundary for Wootton. The site extends to approximately 700m² in area, it is located in flood zone 1 and borders large sheds to the west which are used in association with a haulage yard. Outline planning permission is being sought to erect three dwellings with associated parking and amenity space; this involves the demolition of the existing workshop and the steel frame.

The main issues in the determination of this application are the principle of development, impact on residential amenity and highway issues.

Principle of development

The existing building and lean-to, together with the land to the rear, is located wholly within the defined settlement boundary for Wootton. 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 building and lean-to) and the erection of three dwellings. The whole of the application site where the dwellings are proposed is within the defined development boundary for Wootton 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 (including a school, public house, church and village hall), and with access to the local bus route which is opposite the Nags Head public house, providing a regular bus service to Barton upon Humber, Hull and Grimsby. The proposal therefore accords with the principles of sustainable development as set out in 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 Wootton, in a sustainable location. There is, therefore, a presumption in favour of residential development.

A number of objectors have questioned the need for additional housing in Wootton, taking into account recent approvals for new dwellings. However, if a developable site within the defined settlement boundary for a settlement is put forward for redevelopment (through the submission of a planning application) the local planning authority can only consider the proposal on its own merits, irrespective of whether a particular settlement has had dwellings approved within the past few years. Concerns raised in relation to the strain on existing services/utilities that would be caused by the development are noted. However, no evidence has been submitted to suggest that the proposed additional dwellings would result in any demonstrable harm to existing services/utilities in Wootton. The development falls under the threshold for contributions to be sought under a Section 106 agreement in this case.

Issues have been raised in relation to land ownership and that the application is invalid in its present form. The applicant has revised the plans to take account of the small parcel of land which is in the ownership of the neighbouring property owner, and it is the opinion of the local planning authority that the supporting drawings reflect the extent of the applicant's land ownership.

Finally, it is worth noting that planning permission was granted at appeal for the erection of three dwellings on the site under PA/2005/1565. This comprised the demolition of the building to the site frontage and the erection of a detached dwelling to the rear (together with a pair of semi-detached dwellings along the site frontage), this draws parallels with the proposals being considered in this case. It is acknowledged the previous planning permission from 2005 has expired but it serves to demonstrate the principle of redeveloping this brownfield site, including the demolition of the existing workshop, for the erection of three dwellings has previously been considered acceptable in principle by the Planning Inspectorate.

Residential amenity

A number of objections have been received on the basis the proposal has the potential to result in loss of residential amenity through the effects of loss of light, overshadowing, overlooking and having an overbearing impact. It is worth noting that this is an outline planning application with all matters reserved for future consideration (through the submission of a reserved matters application). Therefore, issues in relation to the position of windows, the heights of the dwellings and the proximity to existing residential properties will be taken into account during the assessment of any subsequent reserved matters application and cannot be accurately assessed during this application; the submission of any reserved matters would allow the local planning authority the opportunity to ensure the potential for loss of residential amenity can be mitigated and also allows for amended plans to be submitted at that stage of the planning process if the local planning authority required changes to the scheme.

Notwithstanding the above, the applicant has submitted an indicative plan with the planning application, which serves to demonstrate that three dwellings with associated off-street parking and private amenity space and a means of access to the site can be achieved.

The plan (whilst indicative) shows the developable site area to be 700m² in which three dwellings with areas for parking (six off-street parking spaces), private amenity space and a vehicular access retained for 81 High Street can be suitably accommodated. In addition, the plan shows that the existing vehicular access can be utilised to serve the development; this is proposed to be 5 metres in width. No objections have been raised on highway or pedestrian safety grounds to the development or to the means of access (although this matter is reserved for future consideration).

The indicative layout plan shows that a pair of semi-detached dwellings can be accommodated along the site frontage and can be sited a sufficient distance (20 metres) from the nearest residential property to the rear (to the south) to mitigate any potential for loss of residential amenity. It is noted a detached dwelling is shown indicatively to the rear of the site and the supporting text on the drawing states it will partly be two-storey in height; taking this into consideration, and taking into account the difference in ground levels from the front to the rear of the site (a rise of 1.7 metres from north to south), it is considered that any dwelling proposed at the rear of the site (plot 3) would need to be of a height appropriate to its position within the site. Although shown indicatively, the separation distance from the eastern elevation of plot 3 to the rear elevation (its conservatory) is 12 metres; therefore, the height of any resultant dwelling proposed on plot 3 would need to take this into account if a reserved matters application is submitted for future consideration. This would also be the opportunity for the local planning authority to accurately assess the potential for any loss of residential amenity arising from the development proposals at that time. However, it is considered that the application site can accommodate the scale of development proposed without it resulting in a contrived or cramped form of residential development and where sufficient separation distances from proposed and existing dwellings can be achieved.

Highway issues

A number of objectors have raised issues in respect of the increase in the number of vehicles, a potential increase in pedestrian and highway safety matters, the level of parking provision, the width of the proposed vehicular access and existing issues with parking within the public highway. Firstly, it is worth noting Highways have considered the proposals and raise no objection on either highway or pedestrian safety grounds. The erection of three dwellings in this residential location is not considered to result in an increase in vehicular movements over and above that reasonably anticipated in a residential area. Whilst means of access is a matter for future consideration, it is the opinion of the local planning authority that the existing vehicular access to the site can be utilised to serve the proposed development and can be widened to a sufficient width (5 metres) to facilitate this. The level of parking provision shown (two spaces per dwelling) is considered sufficient to meet the needs of each of the three dwellings proposed and the plans show the proposed access can be widened to a minimum width of 5 metres between the High Street and the parking area.

The comments made in relation to vehicles being parked in the public highway are noted; however, this is as a consequence of local residents choosing to park their vehicles within the public highway and the lack of available off-street parking. It is considered that the development proposals will provide sufficient off-street parking without facilitating additional vehicles being parked in the public highway. In addition, it is for the future occupants of these dwellings to ensure they enter and leave the site in a safe and considered manner, taking into account any existing vehicles being parked within the public highway. In conclusion, it is considered the additional traffic movements from the proposed development will not cause material harm to highway safety along High Street, the access to be widened will not impede the free flow of traffic to and from High Street and the proposed development is therefore in accordance with the provision of policy T2 of the North Lincolnshire Local Plan and the NPPF.

Other issues

Street scene and settlement character

The proposal will result in the loss of the building from the site frontage, which will be replaced with two dwellings. The building along the frontage is constructed from brick (painted white

in part) with a pantile roof and UPVC fixtures, it was used as a workshop. Whilst it is acknowledged that this building contributes to the street scene (given its position abutting the highway footpath), this is not a listed building, it is not located within a conservation area and is not listed in the Historic Environment Record (or HER) as a non-designated heritage asset. In addition, if the building was not demolished it would prevent the comprehensive redevelopment of the site for a small-scale residential development, preventing the local authority from delivering market dwellings in a sustainable location that would contribute to housing delivery targets in North Lincolnshire.

A single-storey commercial building presently occupies the site frontage, and this would be demolished to make way for the proposed development. Older properties along High Street front directly onto the back of the footway, and a pair of dwellings in this position would be fully in keeping with the character of the area. The development proposes the introduction of a new dwelling to the rear, which would constitute backland development. However, this is not necessarily harmful and there are comparable examples of such development in the vicinity of the application site. There is also a somewhat irregular pattern to the siting of dwellings along this section of the High Street which in turn breaks up what would otherwise be a regimented settlement pattern. Based on the conclusions in previous parts of this report, it is the opinion of the local planning authority that a dwelling could be positioned on the rear portion of the site at a sufficient distance from neighbouring properties to avoid overlooking and loss of privacy. It is also evident that existing development in the immediate area is quite dense in character and, as such, the proposed development would be in keeping with its surroundings.

Contaminated land

Owing to the previous operations on the site (which includes a workshop), there is potential for contamination both within the existing building and the surrounding land. Given demolition works are proposed and the proposed development will introduce sensitive receptors onto the land (residential use), it is considered both reasonable and necessary to recommend a condition for contaminated land investigation; this is consistent with the updated consultation response from Environmental Protection.

Drainage

The site is located within flood zone 1, therefore a flood risk assessment is not required in this case. The comments made by LLFA Drainage in respect of the requirement for the submission of a drainage strategy as part of any reserved matters application is noted; however, this is a site which is already laid to hardstanding and the introduction of dwellings with associated garden land and parking areas would feasibly reduce surface water run-off from the site. In addition, the online surface water drainage maps on Gov.uk show this is a site which is at very low risk from surface water drainage flooding and as such it is considered there is no requirement for the submission of a surface water drainage strategy in this case.

Conclusion

It is considered that the proposal represents sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development, particularly as the site is located wholly within the defined settlement boundary for Wootton. The proposal would have no demonstrable adverse impact on the character of the existing settlement pattern of High Street and the development proposals are not considered to have a detrimental impact on

highway safety or residential amenity. The application is therefore recommended for approval.

Pre-commencement conditions

The pre-commencement conditions in respect of contaminated land investigation and the submission of a scheme for wheel-washing facilities have been agreed by 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), the means of access thereto 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, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

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

3.
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.
The development hereby permitted shall be carried out in accordance with the following approved plans: RD:4753-02 B and RD:4753-01 D (Existing Site Plan only).

Reason

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

6.

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.

7.

No above ground works shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwellings are occupied and once built/planted it shall be retained

Reason

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

8.

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

Reason

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

9.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

10.

No above ground works shall take place until details of the private driveway serving the development have been submitted to and agreed in writing by the local planning authority. The details shall include:

- (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.

11.

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

Reason

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

12.

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

13.

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.

14.

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

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

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.

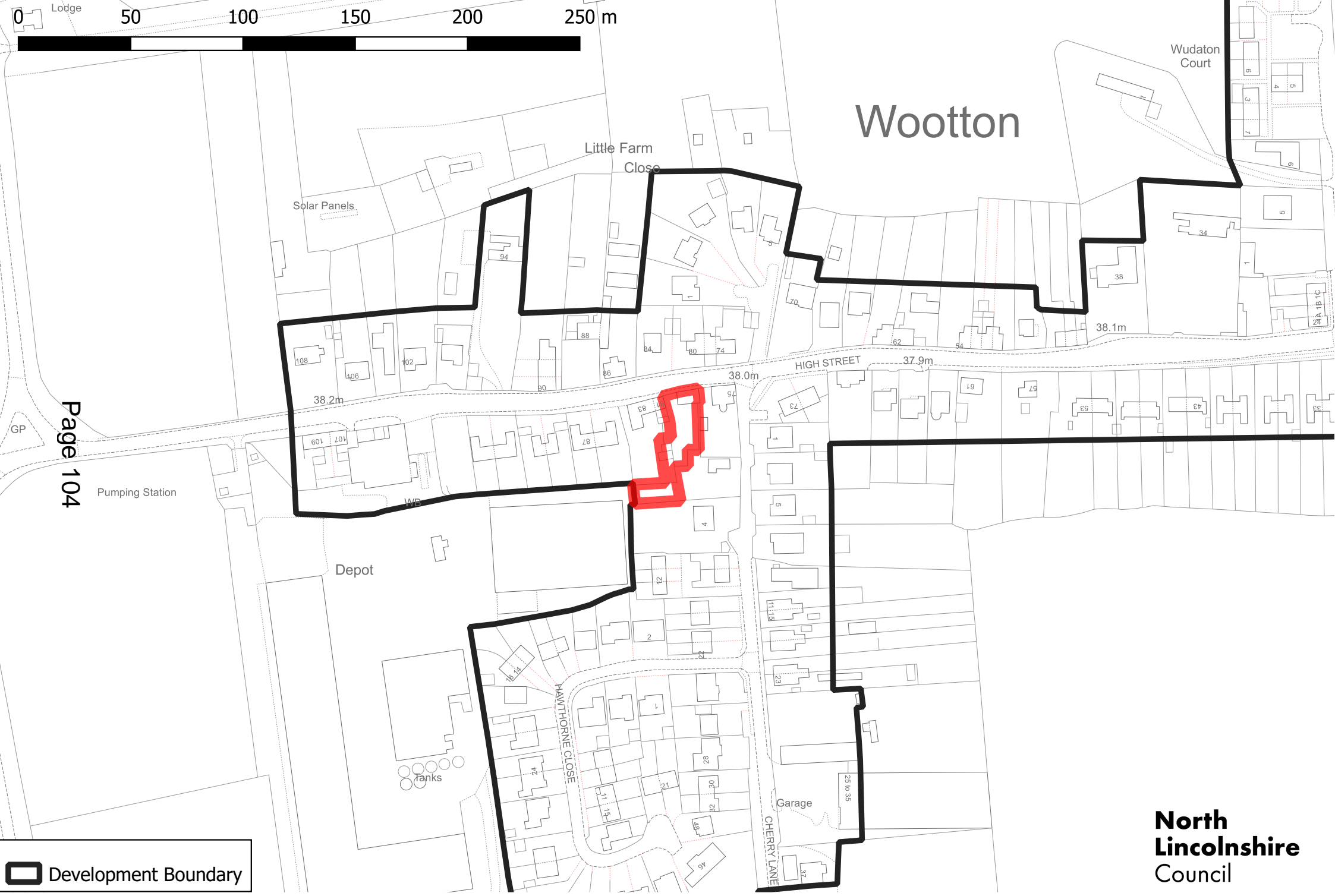
When considering the dwelling proposed on plot 3 to the rear of the site you are advised to take into account the rise in ground levels across the site from north to south with the ground levels at the rear being significantly higher. This may require the ground levels to be lowered and a plan should be submitted at reserved matters stage to demonstrate this. In addition, the height and any proposed windows in the side elevations/roof of plot 3 should also be carefully considered, particularly in relation to the proximity to 2 Cherry Lane to the east.

3.

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



Wootton



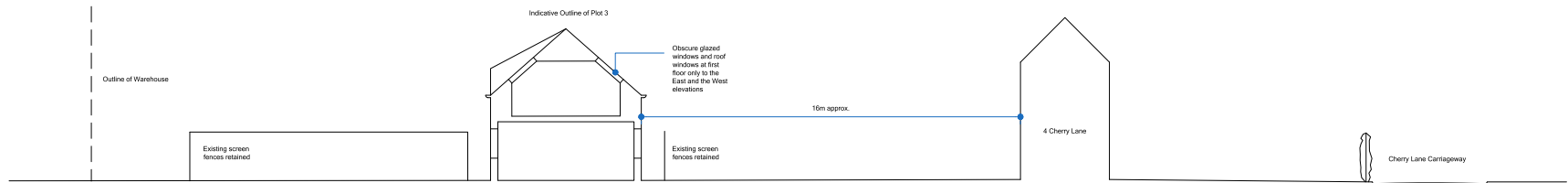
Page 104

 Development Boundary

PA/2022/2217

**North
Lincolnshire
Council**

PA/2022/2217 Proposed layout (not to scale)



Section A - A
1:100

Scale Bar

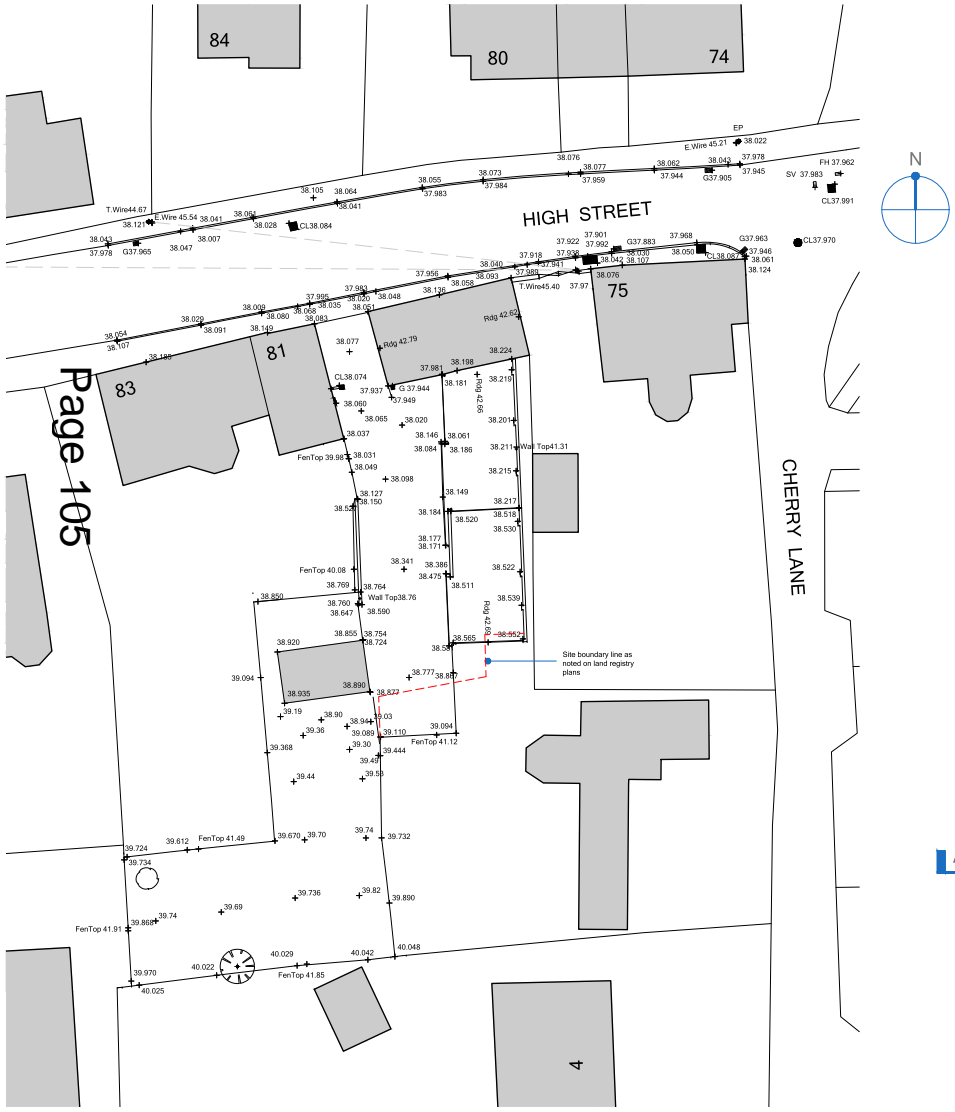
0m 5m 10m 15m

Notes

- Drawing copyright of Ross Davy Associates
- Client: Ross Davy Associates
- All retained structures are to be retained and maintained unless otherwise stated and subject to the approval of the Local Planning Authority.
- Surface water from the proposed dwelling roofs will discharge into either soakaway or subject to successful permeation tests or will discharge to the mains sewers at a controlled rate as part of a sustainable drainage system subject to LPA / Drainage Authority Approval
- Existing ground levels are to remain unaltered.

Drawing Revisions

| | |
|---|--------------------------------------------------------|
| A | 20-12-22: Further notes added for Planning Application |
| B | 14-02-23: Further notes and Section A - A added |
| C | 14-02-23: Further notes and Section A - A added |
| D | 13-07-23: Boundary revised adjacent to parking spaces |



Existing Site Plan
1:200



Proposed Site Plan
1:200

NOTES

- Foul drainage to connect to existing systems within High Street
- Surface water from the proposed dwelling roofs will discharge into either soakaway or subject to successful permeation tests or will discharge to the mains sewers at a controlled rate as part of a sustainable drainage system subject to LPA / Drainage Authority Approval
- Existing ground levels are to remain unaltered.

Ross Davy Associates

rd

Pelham House, 1 Grosvenor Street,
Grimby, N.E. Lincolnshire, DN32 0QH

Tel: 01472 347956
Email: design@rossdavytd.co.uk
Web: www.rossdavytd.co.uk

APPROVAL

Project: Proposed Development at 77-79 High Street, Wootton, North Lincolnshire

Drawing Title: Existing and Proposed Site Plans

Drawn: MD Scale: 1:200

Date: Dec 22 Size: A1

Drawing No: RD:4753 - 01 D

This page is intentionally left blank

| | |
|-------------------------------------------|---------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/6 |
| APPLICANT | Oliver Clayton |
| DEVELOPMENT | Outline application with all matters reserved for the erection of a dwelling |
| LOCATION | The Barn House, Main Street, Howsham, LN7 6JZ |
| PARISH | Cadney |
| WARD | Brigg and Wolds |
| CASE OFFICER | Paul Skelton |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Cadney cum Howsham Parish Council Departure from the development plan |

POLICIES

North Lincolnshire Local Plan:

H5 – New Housing Development

H8 – Housing Design and Housing Mix

T1 – Location of Development

T2 – Access to Development

T19 – Car Parking Provision and Standards

LC5 – Species Protection

LC7 – Landscape Protection

HE9 – Archaeological Evaluation

DS1 – General Requirements

DS7 – Contaminated Land

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 81 – Howsham

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

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

CONSULTATIONS

Highways: No objection subject to standard conditions requiring improvements to the existing access; prohibiting loose material within 10m of the highway; and requiring access, parking and turning space prior to occupation. An advisory note regarding works to the highway is also recommended.

LLFA Drainage: No objection subject to 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.

Environmental Protection: Recommend the application isn't determined unless and until a Phase 1 contaminated land report has been submitted, allowing the council to decide whether or not further assessment is needed. Alternatively, if it is decided to grant permission without the Phase 1 report, a precautionary contaminated land condition is suggested.

Archaeology: The site is in an area where archaeological remains of Roman date can be anticipated. A written scheme of investigation detailing the requisite archaeological work should be submitted prior to determination; however, this can be dealt with by condition if the council is minded to grant permission.

Anglian Water: No comments.

PARISH COUNCIL

Objects on the following grounds:

- The application is outside the building line. It is set significantly far back from the road and therefore unlike all other properties on Main Street which would alter the character of the village.
- From the environmental report there is a high potential of contamination from machinery and farm vehicles as well as chemicals. The council is also concerned about the potential of asbestos on the site.
- There are serious concerns about run off, especially when it comes to highway drainage. These issues have been repeatedly reported by the council and actioned by North Lincolnshire Highways.
- There are access concerns for the site, visibility is terrible, and in recent years there has been a huge increase in traffic especially of heavy goods vehicles. The site is close to a double bend and a junction which is obstructed; the council also feels that this will cause access issues for emergency and service vehicles.

- This proposed development is very close to and overlooking the agreed development PA2022/829.
- With the growing number of applications in this parish, it is going to put increasing strain on the utilities, services and infrastructure in the area.

PUBLICITY

The application has been advertised by site notice. No objections have been received from members of the public.

ASSESSMENT

Planning history

There is no planning history for the site itself although the land was included within an application site for wider commercial use related to the nearby café which it is understood has recently ceased trading. However, the building and land the subject of the current application did not appear to play any part in that use.

Planning permission PA/2017/997 was granted for two dwellings to the west of the site. Planning permission PA/2020/452 was granted in 2020 to increase the ridge heights of the dwellings. This permission has been implemented (albeit only one of the dwellings has currently been constructed)

Outline permission PA/2022/829 was granted for two dwellings immediately to the south of the currently proposed dwelling. No reserved matters applications have yet been submitted. The location of these proposed dwellings is shown on the illustrative plan submitted with the application.

The site and its location

This is a backland site to the rear (north and east) of existing (and proposed) properties on Main Street. The site comprises part of a former farmyard and a Nissen hut type building.

The site is accessed from the west off Main Street, between The Barn House and an existing agricultural style shed. The access as shown on the plans turns northwards behind the back of the shed, although in reality this is all currently part of an open yard. A site to the east has outline planning permission for two dwellings (PA/2020/452). The access is also shown to serve a track associated with agricultural land to the north and east of the site.

The site is on the edge of but adjacent to the development boundary, which is drawn tightly around existing residential properties. The site is not affected by any landscape designation or heritage assets, and lies in flood zone 1.

The proposed development

The application proposes a single detached dwelling with all matters reserved for future consideration. The dwelling would replace the existing building on the site.

Whilst all matters have been reserved for future consideration, an illustrative layout plan has been submitted which indicates a building on a similar footprint to the existing Nissen hut. The dwelling is indicated to be of two storeys with a blank first floor elevation facing the

proposed new dwelling and its garden immediately to the south. Alternatively, it is suggested that first-floor windows could be obscure glazed.

A parking and turning area is shown at the western end of the site with the remainder of the plot used as garden.

The key issues to be considered in determining this application are the principle of development; accessibility; landscape impact/design; living conditions; highway safety; drainage and archaeology.

The principle of development

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

The site is on the edge of, but outside, the settlement boundary of Howsham, as defined by the Housing and Employment Land Allocations DPD. Saved local plan policy RD2 sets out that development in the open countryside will be strictly controlled. This policy only supports residential development outside defined development limits in certain circumstances, none of which apply in this case.

Core Strategy policy CS2 (Delivering More Sustainable Development) sets out that 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 will contribute to the sustainable development of the tourist industry. A 'sequential approach' will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability of flooding, taking account the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan.

Policies CS3 and CS8 similarly strictly limit housing development outside development boundaries to that which is essential to the functioning of the countryside.

Despite its proximity to the settlement boundary, there is therefore a conflict with the development plan as the proposed development would conflict with saved policy RD2 of the local plan and policies CS2, CS3 and CS8 of the Core Strategy.

It should be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, August 2023. Therefore, full weight can be attributed to the Local Plan and Local

Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

In these circumstances, paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. In this case therefore, planning permission should be refused unless material considerations indicate that the development plan should not be followed in this case.

Accessibility

Core Strategy policy CS5 requires all new development to be easily accessible to all users via recognisable routes, interchanges and landmarks that are suitably connected to public transport links, community facilities and services and individual communities and neighbourhoods in North Lincolnshire. Buildings and spaces should be accessible by all sections of the community and ensure that the principles of inclusive design are reflected.

Amongst other things, the parish council has raised concerns about increasing strain being placed on utilities, services and infrastructure in the area, however no specific examples are highlighted. Howsham is in the 'smaller rural settlements' category and is ranked 46th overall in the 2019 Settlement Survey, scoring 17 points and hosting two of the seven key indicators measured in the survey overall. The survey advises that smaller rural settlements are unsuitable for accommodating a large allocation but capable of taking residential infill and development of an appropriate scale to the settlement either within or adjoining the settlement. In this case, the proposal is for a single dwelling and is adjacent to the settlement boundary, and therefore meets this definition.

It is not clear which particular utilities, services and infrastructure cause concern to the parish council, however no consultees have raised an issue in respect of an additional dwelling in the settlement and it is difficult to see how a single dwelling would have such a deleterious impact to justify refusal.

On this basis it is considered that, whilst most of the site lies outside the defined development boundary, it enjoys reasonable access to services and facilities in the context of the presumption in favour of sustainable development.

Landscape impact/design

Local plan policy RD2 sets out that new development in the countryside should not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design or materials. Policies H5 and DS1 include similar criteria. Policy H7 specifically refers to backland and tandem development and sets out that development should not affect the general quality and character of the area in which it is located by, inter alia, unacceptably increasing the density of development in that area, and resulting in the loss of important natural and man-made features. Policy H8 requires, amongst other things, a high standard of layout which maintains, and where possible improves and enhances the character of the area. It also seeks to protect existing natural and built features, landmarks or views that contribute to the amenity of the area. 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.

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 CS3 makes it clear that settlement limits will be drawn to reflect the need to protect and enhance settlement character. This means protecting areas of open space or land with the characteristics of open countryside within and adjacent to settlements by not including them within development limits. 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. Policy CS8 reflects this need for good design, in keeping with the character of the area, and protecting the rural landscape. The NPPF similarly calls for high quality design.

The site is within an historic farmyard. Whilst the parish council's comments regarding character are noted, the dwelling would in effect replace an existing Nissen hut style building. There would be limited public views of the dwelling from the open countryside beyond the settlement and views from Main Street would be read in the context of the existing residential development, bearing in mind also that three new dwellings with permission have yet to be built. In that context there would be no undue harm to the character and appearance of the countryside or the setting of Howsham village.

As all matters are reserved for future consideration, there is no detailed design to consider. The illustrative layout indicates that the proposed dwelling is intended to replace the footprint of the existing building on site and, being two-storey, would be likely to follow the form of the two dwellings permitted in 2020 to the east (the second of which has not been built yet). There is no reason to think that a well-designed building that takes into account surrounding built form cannot be achieved on the site.

In conclusion, it is considered that, subject to the details required at reserved matters stage, the proposal would have an acceptable impact on the wider area.

Living conditions

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.'

Policy DS5 of the local plan requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Proposal should not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings.

The only current dwellings with a common boundary with the application site are The Barn House and Hill Crest. The Barn House is closely related to the attached café and only shares a boundary with the access to the site which has previously been used in association with the café and the agricultural use. The use of the access by traffic generated by a single dwelling would cause no undue additional harm.

The common boundary with Hill Crest forms part of the southern boundary of the site. The illustrative layout indicates that this area could be garden; however, there is no certainty of this given the outline nature of the proposal. Nevertheless, Hill Crest has outbuildings and mature trees to the rear of its garden, between the house and the application site. There is a distance of over 20 metres between the rearmost part of Hill Crest and the common boundary.

For these reasons it is not considered there is any reason why a dwelling could not be achieved on the application site without harming the living conditions of the occupiers of Hill Crest – the detail of this will be properly assessed at reserved matters stage.

Planning permission exists for two further dwellings which would share common boundaries with the application site. To the west there is permission for a two-storey dwelling granted under outline permission reference PA/2020/452, the rear elevation of which includes large glazed screens. Some consideration would need to be given in the final design of the current proposal, however a design which would not result in unacceptable overlooking/loss of light between the two is easily achievable. A second dwelling (granted under outline permission reference PA/2022/829) is in close proximity to the common boundary and the illustrative siting of the proposed dwelling. The elevation facing the application site is shown on the illustrative layout submitted with that application to have no outlook to the rear. The site of the proposed building in this case does overlap the garden as shown on the illustrative plan for the proposed dwelling next door, however this is recognised in the current application which indicates that there would be a blank first-floor south-east elevation or opaque windows. Again, it is considered that the relationship between these two dwellings can be satisfactorily addressed at reserved matters stage.

The Environmental Health Officer has requested a noise impact assessment due to the location of the site adjacent to the café and car park at The Barn House. Nevertheless, the café and car park use was granted permission in this residential area and other dwellings have been permitted with similar relationships to them without the need for noise impact assessments. On that basis it is considered that such a request is unreasonable in the context of this application.

In light of the above, it is considered that the proposed dwellings can be achieved without causing any undue harm to existing and proposed neighbouring dwellings, the detail of which can be fully assessed at reserved matters stage.

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.

The Planning Statement confirms that the development would be accessed via the existing access to the site which served the former Clayton's Corner café, the authorised use of which generated relatively high volumes of traffic movements. The access also serves a large agricultural-style storage shed on the wider site. It is advised that, prior to the commercial café use which was granted permission in 2010, the access was used to serve the agricultural use, with farm and agricultural vehicles using the entrance. There is a (private) right of way over the site to the agricultural fields beyond the site, which would be retained.

As set out in the Planning Statement, the site is large enough to be able to accommodate vehicles associated with the proposed dwelling, and to provide parking and turning facilities to ensure vehicles can enter and leave the highway in forward gear. Whilst the parish council has raised concerns regarding the access, given the authorised use of the wider site it is not considered that the proposed development, and the traffic generated by it, would result in any significant additional highway hazards over and above the authorised use of the site. The

Highways Officer has been consulted and raises no objection subject to conditions requiring the provision and maintenance of visibility splays and parking/turning areas, and the prohibition of loose material being laid on the proposed driveway within 10m of the highway. Whilst the former condition is appropriate, the latter is not considered to be necessary as the dwelling and its parking areas are set well clear of the highway served by an existing access.

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

Drainage

Local plan policy DS16 and Core Strategy policy CS19 reflect 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 within flood zone 1, the area at least risk of flooding.

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. Similarly, a condition is recommended to prevent surface water run-off from the highway onto the site, potentially causing flood risk to future occupiers.

Archaeology

Saved policy HE9 of the local plan and policy CS6 of the Core Strategy both reflect guidance in section 16 of the NPPF, which requires an appropriate level of investigation of possible archaeological deposits.

The council's Historic Environment Officer (HEO) has reviewed the application and advises that the site has some potential for physical impacts on heritage assets of archaeological value, lying as it does in an area where remains of later prehistoric and Romano-British date may be anticipated. The HEO advises that they do not wish to object to the application subject to suitable mitigation in the form of a programme of monitoring, excavation and recording during groundworks, along with post-excavation assessment, reporting, analysis and publication of any results.

The HEO advises that this can be secured via appropriate planning conditions requiring a written scheme of investigation to be agreed and implemented. Subject to the conditions, as recommended below, the HEO has no objection to the proposals.

Other matters

The Environmental Protection Officer (EPO) has reviewed the application and whilst there is evidence of historic uses which could give rise to contamination, other dwellings have been permitted in the immediate vicinity, also on the historic farmyard, where contamination was dealt with via condition, and this same approach is considered reasonable here. Any matters relating to asbestos would be properly dealt with through Building Regulations.

Conclusions and planning balance

As set out above, there is a clear conflict with the development plan as the site is outside of any recognised development boundary. This conflict must be given substantial weight in the overall planning balance.

As the council is currently able to demonstrate a five-year supply the presumption is that planning permission should be refused unless there are material considerations which indicate that the council's policies should not be followed in this case.

The benefits are clear, albeit very limited. The dwelling would contribute, in a very small way, to the council's land supply total. Limited economic benefits would arise from the construction phase (given the scale of development proposed it is likely local tradespeople would be used), taxation, and from the economic activity of future residents, who would be likely to support local businesses and facilities.

Whilst the benefits are limited, there are no objections from the council's specialist advisors in respect of technical matters including highway safety, archaeology, environmental protection and drainage. Whilst the conflict with the development plan is not underestimated, given the location of the site immediately adjacent to the settlement boundary, the recent history of planning permission being granted for new homes on adjoining land and the absence of any significant harm to the landscape, on balance it is concluded that the proposal represents sustainable development. The application is therefore recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.
Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto, 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, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

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

3.
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The dwelling hereby permitted 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 thereafter be retained for the lifetime of the development.

Reason

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

6.

All applications for 'layout' made pursuant to condition 1 above shall include details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway and an effective method of preventing surface water run-off from the highway onto the developed site. The approved details shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained for the lifetime of the development.

Reason

In the interests of highway safety, 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 policies DS16 and 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.

All reserved matters applications for 'layout' made pursuant to condition 1 above shall include details of existing and proposed ground and floor levels in relation to a fixed, off-site, datum point.

Reason

To safeguard the character and appearance of the conservation area and the amenity of occupiers of existing and consented neighbouring residential properties.

8.

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

- (i) measures to ensure the preservation by record of archaeological features of identified importance within the footprint of the development
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses

- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories, including the ADS
- (vi) a timetable of works in relation to the proposed development, including sufficient notification. and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

9.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings. No variation shall take place without the prior written consent of the local planning authority.

10.

The dwelling shall not be occupied until the local planning authority has received written confirmation of commencement of any analysis, publication and dissemination of results following post-excavation assessment and until the archive deposition has been secured.

11.

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

Reason

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

12.

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

affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

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

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance April 2021.

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

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

Informatives

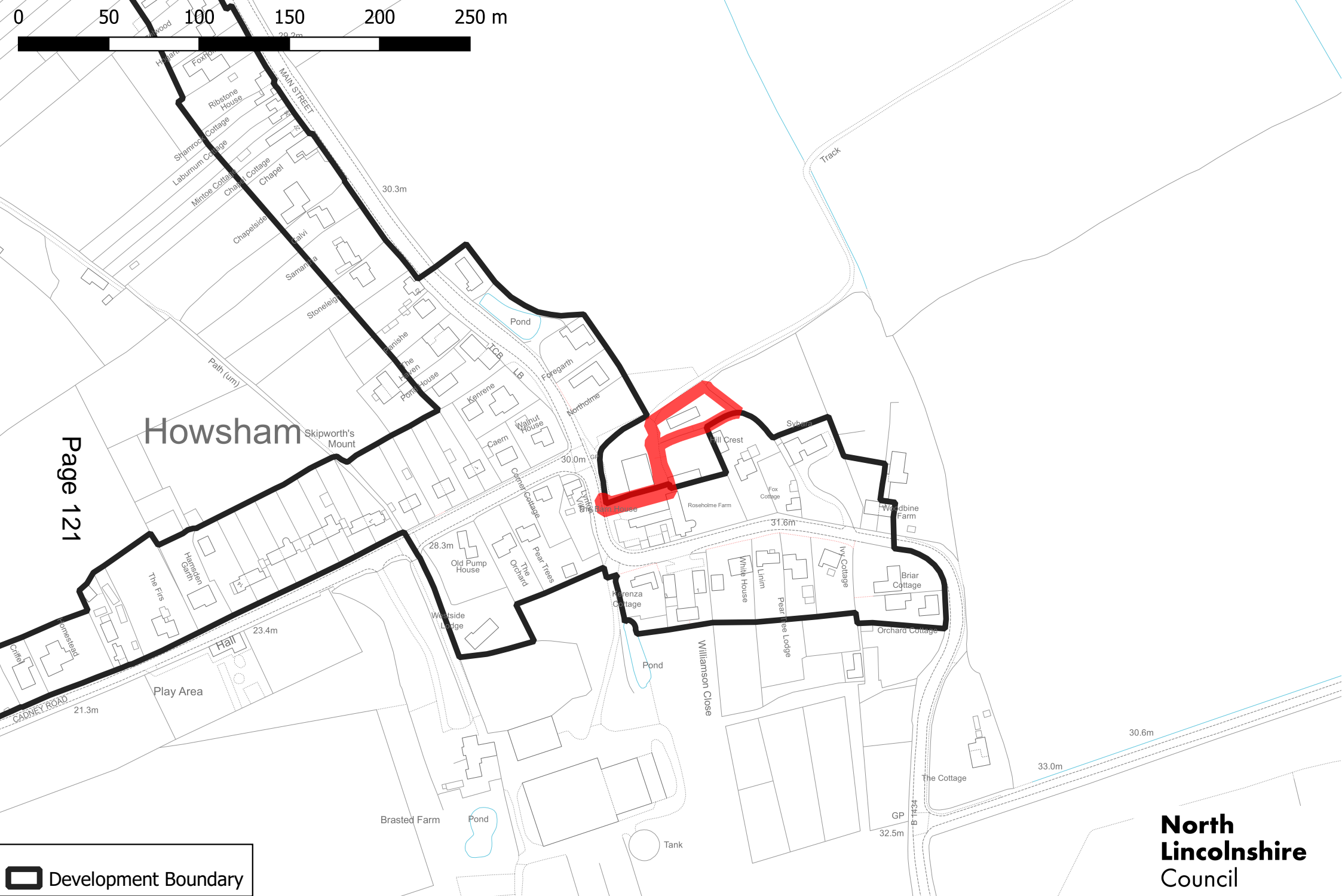
1.

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

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



Page 121

Howsham

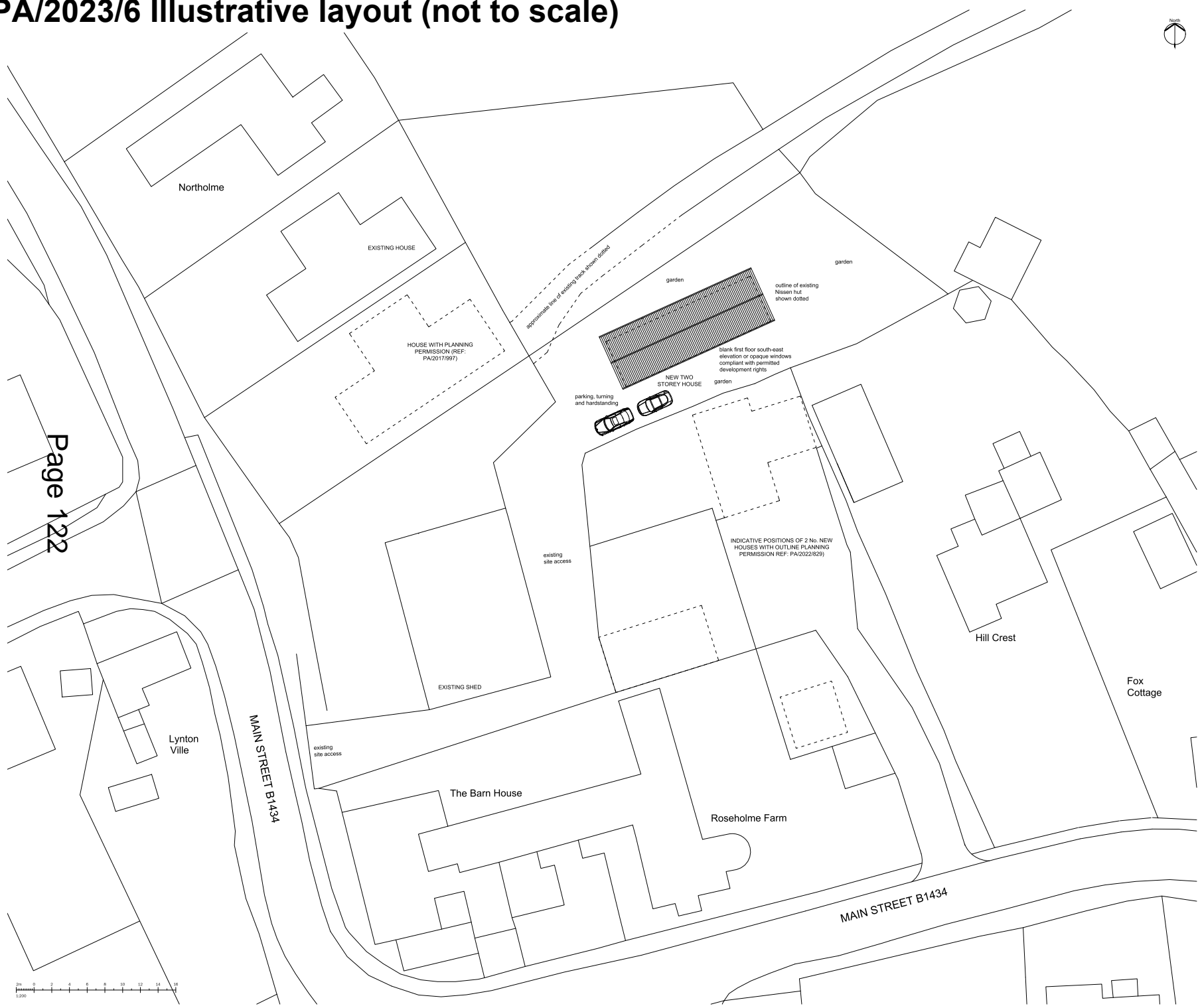
 Development Boundary

**North
Lincolnshire
Council**

PA/2023/6 Illustrative layout (not to scale)



Page 122



Issue Status:
 A (22.11.22) Planning Issue
 B (04.08.23) revised parking for further planning issue.

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------|----------|
| Client | | Mr O Clayton | |
| Project | | Land off Main Street, Howsham | |
| Drawn | Indicative Site Layout | 495.02 | B |
| Date | 22.11.22 | Scale | 1:200@A1 |
| Author | HM | Checker | KK |
| Kelly & MacPherson ARCHITECTS tel: 01472 851732 mob: 07801081799 or 07443577522 email: kate@kellymac.co.uk or hugo@kellymac.co.uk Unit 1, Colator MUG, 19 South Street, Colator LN7 6UB | | | |

| | |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/334 |
| APPLICANT | Ms Jacky Tolley |
| DEVELOPMENT | Planning permission for the use of land as a market on Saturdays, Sundays and Bank Holidays |
| LOCATION | Car boot sale site, Slate House Farm, unnamed road between Holme and Messingham, Holme, DN16 3RE |
| PARISH | Messingham |
| WARD | Messingham |
| CASE OFFICER | Scott Jackson |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Neil Poole – significant public interest and disruption to road users of Holme Lane) Objection by Messingham Parish Council |

POLICIES

National Planning Policy Framework:

6 – Building a strong, competitive economy

12 – Achieving well-designed places

North Lincolnshire Local Plan:

DS1 – General Requirements

T2 – Access to Development

T6 – Pedestrian Routes and Footpaths

RD2 – Development in the Open Countryside

S11 – Temporary Markets, Car Boot Sales and Lay-by Trading

North Lincolnshire Core Strategy:

CS1 – Spatial Strategy for North Lincolnshire

CS2 – Delivering More Sustainable Development

CS3 – Development Limits

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 SS11 – Development Limits

Policy RD1 – Supporting Sustainable Development in the Countryside

CONSULTATIONS

Highways: No objection, but recommend a condition.

Environment Agency: No comments.

LLFA Drainage: No objection, but advise consideration be given to upgrading the size of the pipe network.

Economic Development: No comments.

Humberside Fire and Rescue: It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

Humberside Police: No comments.

Trees Officer: No comments.

Environmental Protection: No comments.

Archaeology: No comments.

PARISH COUNCIL

Objects on the grounds that a traffic management plan should be put in place to mitigate any traffic impact on Holme Lane.

PUBLICITY

A site notice has been displayed; one letter of objection has been received raising the following issues:

- The land on which the application is proposed is an area where a Countryside Stewardship Scheme is being undertaken and is in separate ownership.
- The land has never been part of the car boot site.

ASSESSMENT

Planning history

- PA/2017/888: Planning permission to vary condition 1 of PA/2012/0823 to extend the time limit to a further five years to retain the use of the land as a market on Saturdays, Sundays and Bank Holidays – approved with conditions 27/07/2017.
- PA/2012/0823: Planning permission to retain the change of use of the land for use as a market on Saturdays, Sundays and Bank Holidays – approved with conditions 21/08/2012.
- PA/2010/0490: Planning permission to retain the use of land for use as a market on Saturdays, Sundays and Bank Holidays (resubmission of PA/2009/1046 dated 21/10/2009) – approved with conditions 30/06/2010.
- PA/2009/1046: Planning permission to change the use of agricultural land to land used as a market on Saturdays, Sundays and Bank Holidays – refused 21/10/2009.

The site comprises agricultural fields to the west of Holme Lane, including a cluster of brick-built agricultural buildings. The site is set back a distance of 350 metres from the public highway. This proposal is to retain the change of use of the agricultural land to use as a market on Saturdays, Sundays and Bank Holidays. This use is currently being carried out from the site and has been the subject of previous applications which are shown above. The hours of operation are 11am to 4pm on each of the days specified. The site is accessed from Holme Lane by an existing farm access track. Vehicles are directed along the access track, around the rear of the existing dwelling on the site to the pay point and into the car parking area which is a grassed field. Vehicles leave the site via the access track with some passing places.

The main issue in determining this application is the principle of development (incorporating impact on the highway network).

Principle

The site, within the open countryside, is a farm, accessed by a substantial farm track that has been upgraded with passing places to allow two-way traffic movements. In terms of the principle of the development, this is considered to be acceptable. The NPPF seeks to support rural enterprise such as this. The proposal comprises rural economic diversification and will provide some employment opportunities. This type of use tends to require a countryside location due to the amount of land required and the short time that the use operates on the site. The applicant has revised the red edge site location plan to demonstrate the site is in their ownership doesn't compromise the land which is in separate ownership subject to a Countryside Stewardship Scheme.

Policy S11 permits temporary markets and car boot sales providing that access and parking arrangements are adequate and will not result in a reduction in road safety, and there is no adverse impact on residential amenity and the character and appearance of the area. Highways have considered the development proposals for a continued period and determine the access and car parking arrangements to be acceptable. In addition, the applicant has provided a traffic management plan which sets out how traffic is typically managed (involving

on-site marshals), provision for higher volumes of traffic on busier days and for safe entry and exit from the site. This document has been considered by Highways and no objections have been received. The management plan also makes provision for the fact it is a working document and is subject to review and updates where considered necessary (for example to deal with an increase in traffic and to mitigate the potential for vehicles obstructing the public highway along Holme Lane). A condition is therefore recommended that the site is operated in accordance with the traffic management plan and is subject to review and updates when it is considered necessary by the local planning authority.

The nearest residential property is over 150 metres from the site, so no demonstrable loss of residential amenity is considered to take place in this case. The use has a limited impact on the character and appearance of the open countryside as the site does not operate on a daily basis, and on market days the hours of operation are limited to 11am to 4pm. The only structures on site are temporary fencing, litter bins and portable toilets, which have a limited impact on the countryside. The use has a minimal impact on the open countryside as all equipment is removed from the site once the market is finished.

Policy S11 of the North Lincolnshire Local Plan only allows a temporary permission to be granted for this type of use, provided parking and access arrangements are adequate and the facility is properly maintained (which, in the opinion of the local planning authority, applies in this case). Considering the above and the fact that no complaints have been received in relation to the use (which has operated since 2010), a further five-year temporary permission is acceptable. In conclusion, the proposal accords with guidance in the NPPF, policies CS1, CS2 and CS3 of the Core Strategy, and policies RD2 and S11 of the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The use shall be discontinued on or before the expiration of five years from the date of this permission unless before that date an application has been made and permission granted by the local planning authority for an extension of the time limit imposed by this condition.

Reason

To define the terms of the permission and to comply with policy S11 of the North Lincolnshire Local Plan.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2023/334_01.

Reason

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

3.

The development hereby permitted shall be undertaken in strict accordance with the submitted traffic management plan at all times when the market/car boot is in operation and the plan shall be implemented, reviewed and updated as necessary.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

4.

The use hereby permitted shall only be operated on Saturdays, Sundays and Bank Holidays between the hours of 11am to 4pm and there shall be no variation to these hours of operation unless otherwise agreed in writing by the local planning authority.

Reason

To define the terms of permission, in the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

No structures or buildings shall be installed on the site without the prior approval in writing by the local planning authority.

Reason

To define the terms of the permission and in the interests of safeguarding the character and appearance of the open countryside.

6.

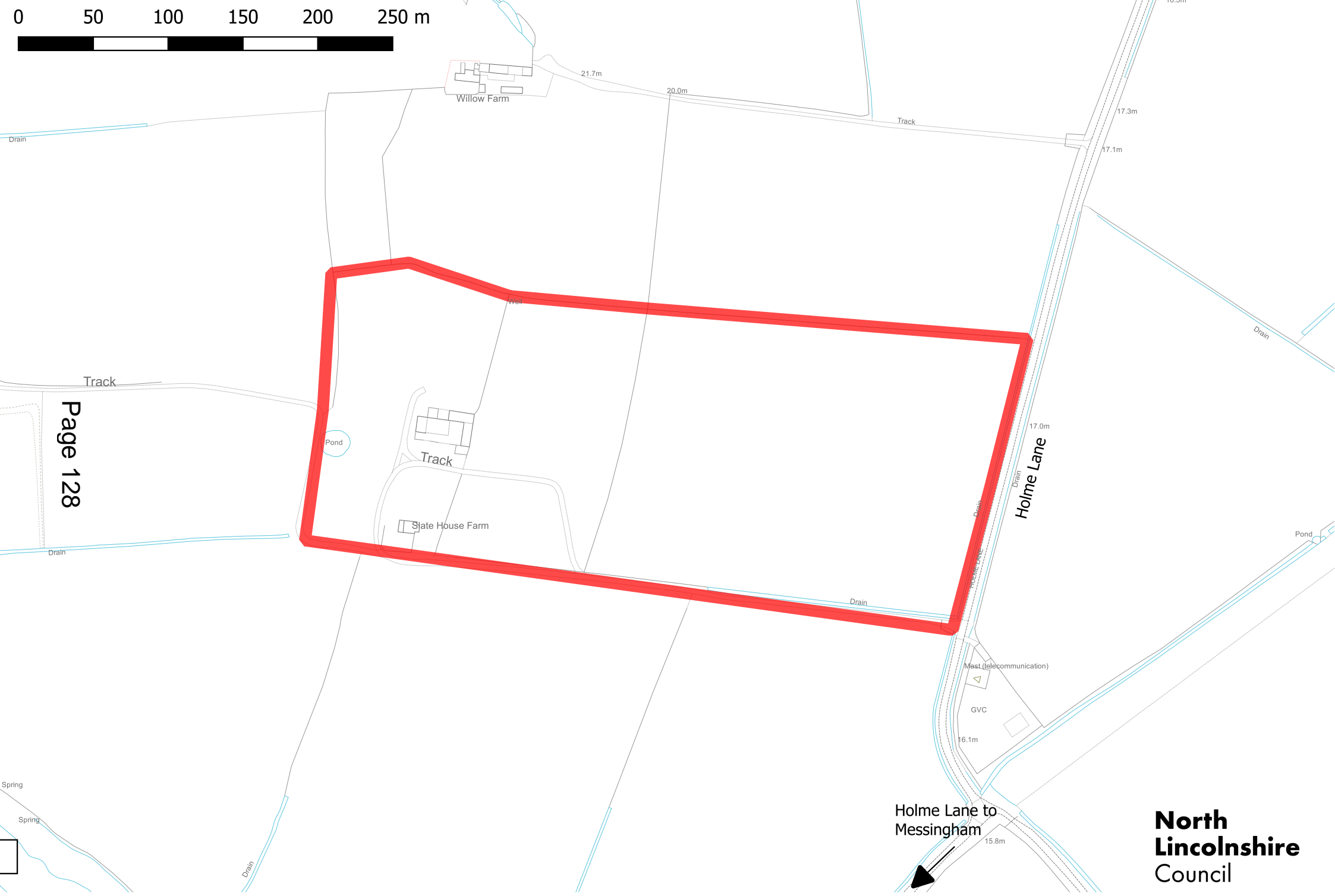
No hard surfaces shall be installed on the site without the prior written approval of the local planning authority.

Reason

To define the terms of the permission and in the interests of safeguarding the character and appearance of the open countryside.

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 128

Holme Lane to
Messingham
▲

**North
Lincolnshire
Council**

| | |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/757 |
| APPLICANT | Mrs Kulwinder Kaur |
| DEVELOPMENT | Planning permission to erect a two-storey rear extension with pitched roof at the rear of the property and a single-storey side extension with pitched roof and garage extension |
| LOCATION | 6 Vicarage Gardens, Scunthorpe, DN15 7AZ |
| PARISH | Scunthorpe |
| WARD | Town |
| CASE OFFICER | Deborah Oikeh |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Lorraine Yeadon – significant public interest) |

POLICIES

National Planning Policy Framework:

Section 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

DS16: Flood Risk

North Lincolnshire Core Strategy:

CS1: Spatial Strategy for North Lincolnshire

CS5: Delivering Quality Design in North Lincolnshire

CS19: Flood Risk

North Lincolnshire Design Guidance for House Extensions: SPG1

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

SS3: Development Principles

SS11: Development Limits

DM1: General Requirements

CONSULTATIONS

Highways: No objections or comments.

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

PUBLICITY

Advertised by site notice. Fifteen responses have been received in relation to the following:

- overshadowing, overbearing impact, overlooking impacts and reduction in daylight
- the proposal is not sympathetic in design
- negative impact of the proposal on the distinctive character of the area
- obstruction to aesthetic views to the rear by the proposed extension
- traffic and parking issues on the site
- changes to plans
- potential noise impact
- proposal would set a bad precedence.

ASSESSMENT

Planning history

PA/2022/1909: Planning permission to erect a single-storey side/rear flat-roof extension with roof lanterns and a single-storey extension to existing garage with pitched roof – approved 03/01/2023.

Proposal and site characteristics

The proposal relates to a two-storey rear extension and a single-storey side extension with lean-to wall and a pitched roof. The existing dwelling comprises a two-storey property with an outbuilding to the rear of the existing dwelling.

Site constraints

- The site is within flood zone 1 as set in the North Lincolnshire SFRA 2011.
- The site is within the development boundary as set in the HELA DPD 2016.

Main considerations

- **principle of development**
- **impact upon residential amenity**
- **impact upon the character and appearance**
- **impact upon highway safety**
- **impact upon flood risk and drainage.**

Principle of development

Policy CS1 of the Core Strategy relates to the spatial vision and spatial strategy for North Lincolnshire and states, '...Scunthorpe will be the focus for the majority of new development and growth, including housing, employment, retail, sustainable transport links, and higher order services and facilities to serve North Lincolnshire.

Policy CS5 relates to the design of new development in North Lincolnshire and requires all development to be well designed, contribute to creating a sense of place and appropriate for its context.

Policy DS5 of the North Lincolnshire Local Plan is mainly 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.

In terms of amenity, policy DS1 states, 'proposals should not result in loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing;'

The proposed development is for extensions to a residential dwelling within the development boundary and as such the principle of development is acceptable subject to an assessment of the potential impacts on the character and appearance of the area and residential amenity.

Character and appearance

Policy CS5 of the North Lincolnshire Core Strategy and policy DS1 of the local plan are both concerned with the quality of design of a proposal and impact on the appearance and character of the area. Policy CS5 states, ‘...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place’ and ‘Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy DS1 further corroborates policy CS5 and reiterates that ‘A high standard of design is expected in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused.’

North Lincolnshire Supplementary Planning Guidance: SPG1, section 1.9, encourages that extensions to houses should be in keeping with the original design of the original house in order not to appear as an ‘after thought’. Care must be taken particularly when extending older properties to ensure that their character is not spoilt through the addition of inappropriately designed extensions. Extensions should not dominate the original building in scale, material or situation. Indeed, the most successful extensions in visual terms are ones where the extension appears as if it has always been part of the house.

The main dwelling is constructed of brown/red brickworks, pitched tiled roof and white upvc windows and doors. The materials proposed for the extension are very similar to the original dwelling. These include: brickworks to match in texture and colour, pitched tiled roof and white upvc windows and doors.

The proposed rear elevation drawing shows that the existing pitched roofscape will be retained following completion of the extensions. Most of the dwellings along the lane have a uniform building line; however, one or two dwellings on the lane have extensions beyond the rear building line, although these are conservatories. The proposed two-storey component would extend beyond the rear wall of the original dwellinghouse by about 3.95m with a reasonable separation distance from the wall of 8 Vicarage Gardens. The proposed single-storey rear extension would have an eaves height of 2.55m with a lean-to roofscape. This would ensure the dwelling remains in keeping with the character of the dwelling. Whilst a significant part of the extension would not be visible from the public road, views from properties to its rear would still be possible. Nevertheless, given the reduction in depth of the two-storey extension, the choice of materials and roofscape, the impact upon the character of the area and the dwelling is mitigated.

Impact upon residential amenity

Policies DS1 and DS5 of the North Lincolnshire Local Plan are concerned with residential extensions. Policy DS5 specifically applies to residential extensions and states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed provided that the proposal does not unreasonably reduce sunlight or daylight, 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.

The application site is set between two other detached dwellings, namely numbers 4 and 8. Number 4 benefits from a greater separation distance from the proposal to the rear and so

impact upon the amenity rights is limited. Bordering dwellings 6 and 8 is a 1.5–2m timber panel fence.

The original scheme submitted, especially the two-storey component, was considered large in scale. However, the scheme was amended to reduce the depth of the two-storey component. There is also a reasonable separation distance between the two-storey component and the closest window on the ground floor of 8 Vicarage Gardens; hence, the 30 and 45 degree rules would be passed. The use of a pitched sloped roof for the two-storey, and lean-to roof for the single-storey, would permit light reception to the rear. Whilst the reduction in depth and the choice of roofscape may not completely mitigate the residential impact upon 8 Vicarage Gardens, it does reduce it to an acceptable level.

The two-storey extension would be 3.95m deep and 7m wide. This will provide two additional bedrooms to make a total of five bedrooms for the dwelling. The floor plan does not suggest that the two additional bedrooms will be used as separate living accommodation. Therefore, in terms of noise, it is considered that the impact upon neighbouring dwellings will no greater than at present.

In addition, openings to the extensions would be rear-facing with a ground-floor door to the east elevation. The positioning of openings is considered appropriate and would not provide opportunity for overlooking. Nonetheless, a condition to restrict permitted development to install windows to the side elevations will be imposed upon any permission the council is minded to grant.

Impact upon highway safety

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

The site can be accessed via Vicarage Gardens in Scunthorpe. There is provision for at least two parking spaces on the site. The council's car parking guide provides guidance on parking space requirements for residential dwellings. For dwellings with four or more bed spaces in an urban/sub-urban area, a minimum of one to two spaces is required. The highways team have raised no objections to the scheme following consultation and the proposal is therefore considered to comply with policies T2 and T19.

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.

In this regard, the site is set within SFRA flood zone 1 and so a suitable location in flood risk terms. The Lead Local Flood Authority has raised no objection following consultation. The proposal therefore complies with the above-mentioned policies.

Conclusion

Permission is sought to erect a two-storey extension and a single extension to the existing dwelling. The original scheme (two-storey extension) was considered to pose impacts on residential amenity. The scheme was, however, amended to reduce the depth of the two-storey extension and to incorporate a lean-to roof in the single-storey extension in order to

alleviate these issues. Therefore, on balance, the proposed scheme is considered to be acceptable in all respects.

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: YRGPN13691578516396

- Block plan: YRGPN13691578516396

- Existing and proposed floor and elevation plan: PA/2023/757 Rev C dated 04/08/2023.

Reason

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

3.

The external materials to be used in the construction of the extension hereby approved shall be as provided on the application form.

Reason

In the interest of the visual amenity of the area in accordance with policy DS5 of the North Lincolnshire Local Plan.

4.

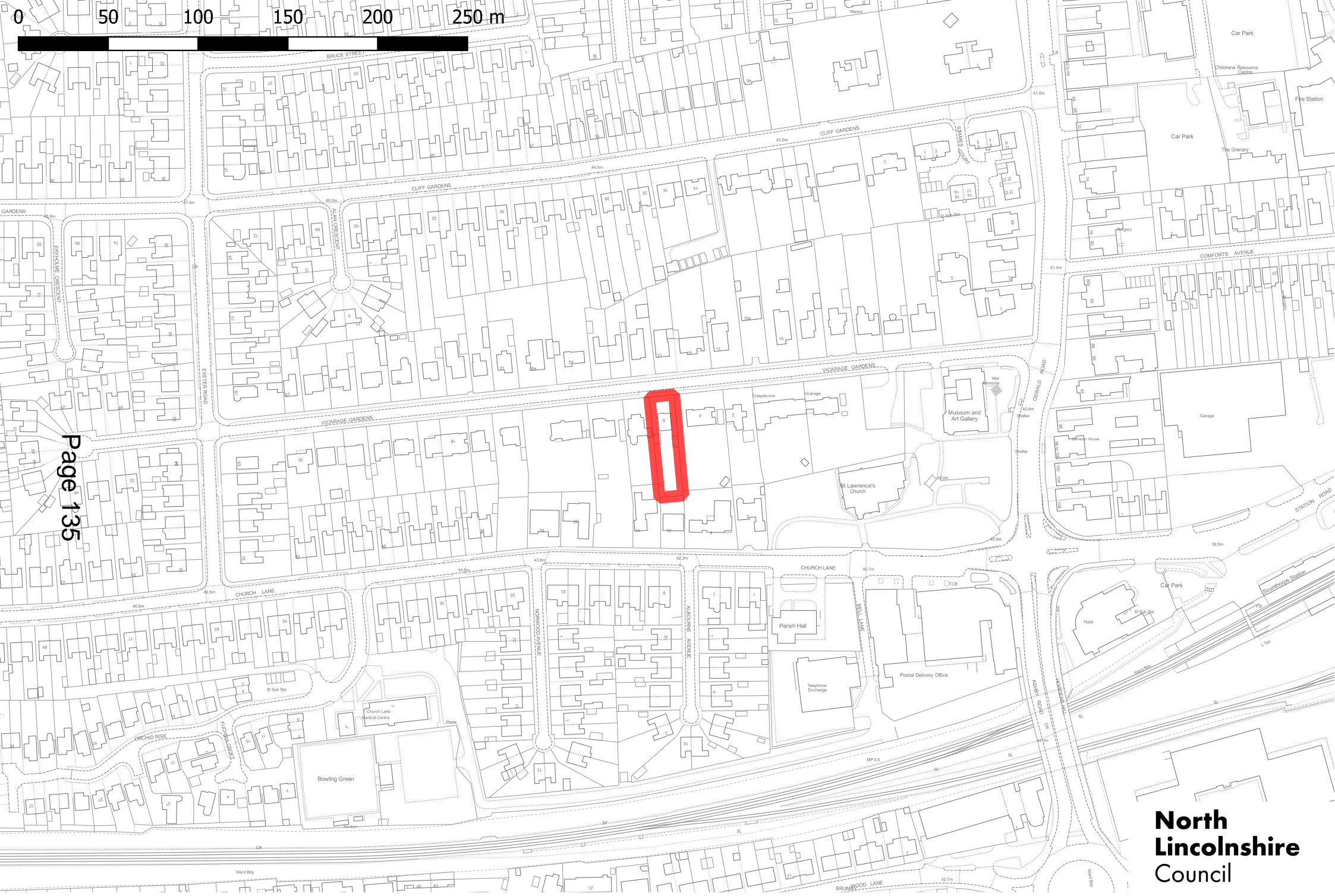
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no new window openings shall be created in the east and west elevations of the extensions other than those shown on the submitted plan.

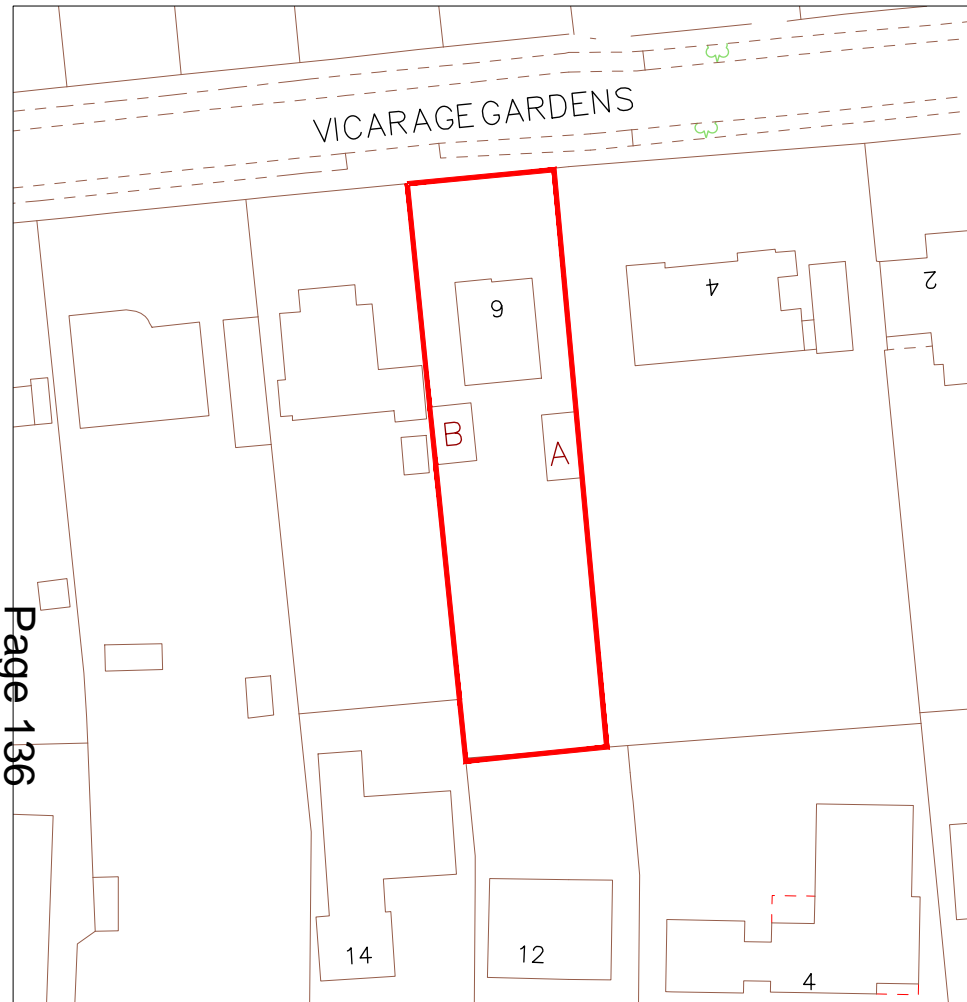
Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

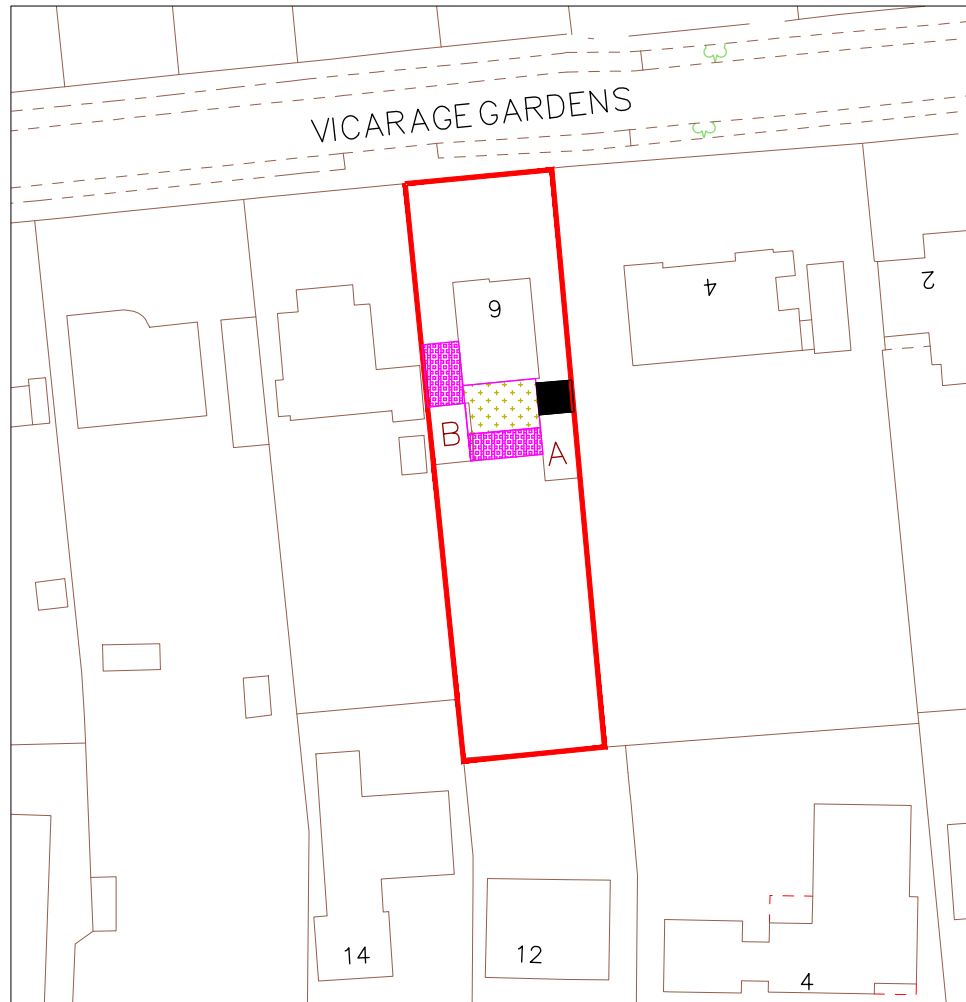
Informative

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.





EXISTING BLOCK PLAN




PROPOSED BLOCK PLAN
REV: B

SCALE: 1::500 @ A3



KEY

 APPLICATION BOUNDARY FOR DWELLING: 734m² (0.07 HECTARES)

 SINGLE STOREY SIDE/REAR EXTENSION WITH LEAN TO STYLE PITCHED (TILED) ROOF

 TWO STOREY REAR EXTENSION WITH PITCHED (TILED) ROOF

A EXISTING CONCRETE SECTIONAL GARAGE WITH CORRUGATED SHEET PITCHED ROOF

B EXISTING BRICK BUILT WORKSHOP WITH PITCHED TILED ROOF. REPLACE WITH LEAN TO STYLE PITCHED (TILED) ROOF

 FRONT EXTENSION TO EXISTING CONCRETE SECTIONAL GARAGE WITH CORRUGATED SHEET PITCHED ROOF

ReQuestAPlan

Map number: YRGPN13691578516396

Title: 6 VICARAGE GARDENS, SCUNTHORPE, NORTH Lincs, DN15 7AZ

Map Produced for: MRS KULWINDER KAUR

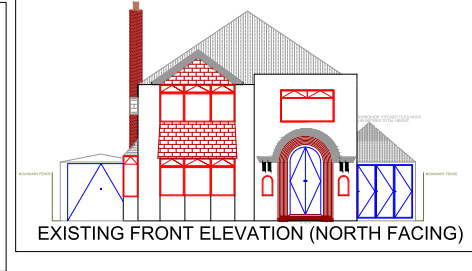
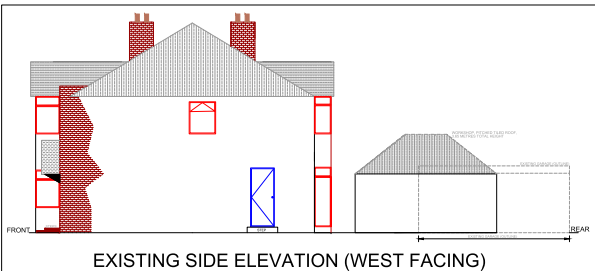
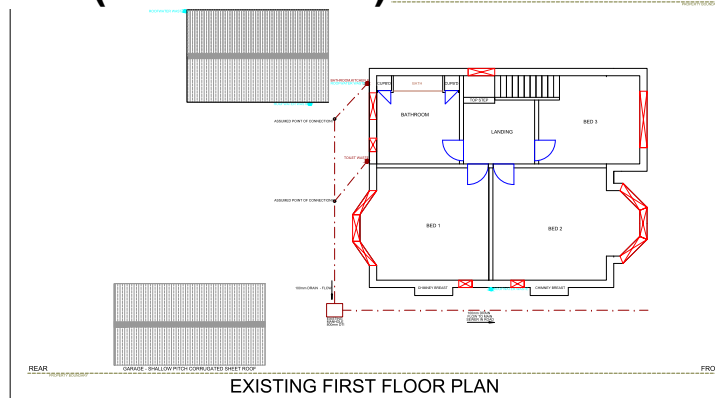
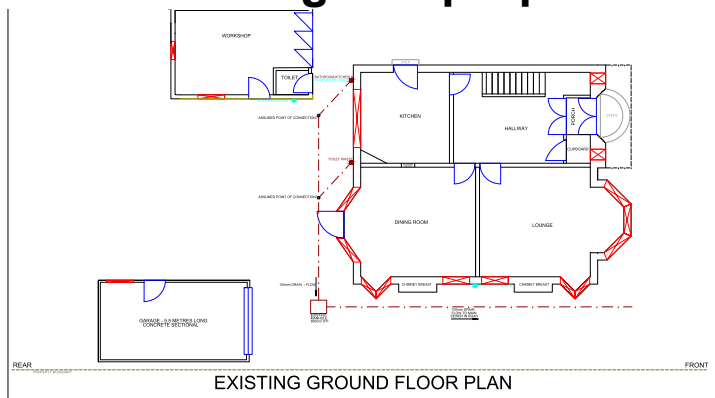
OS Licence number: 0104590161

Date of Purchase: 02-10-2022

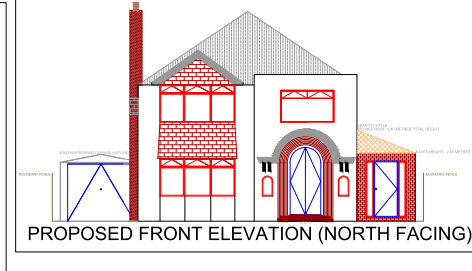
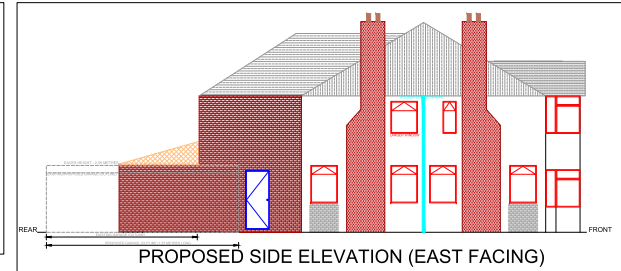
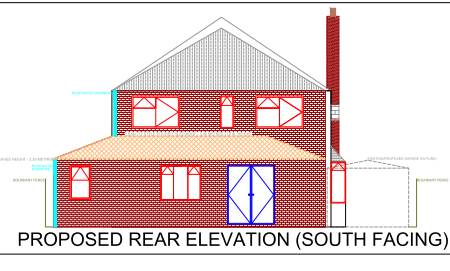
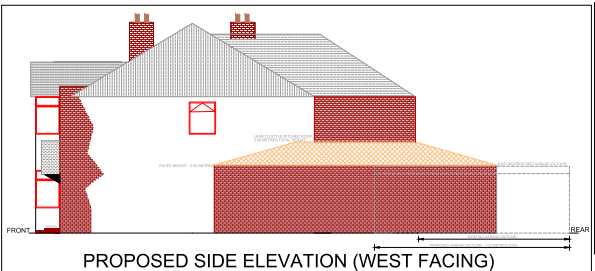
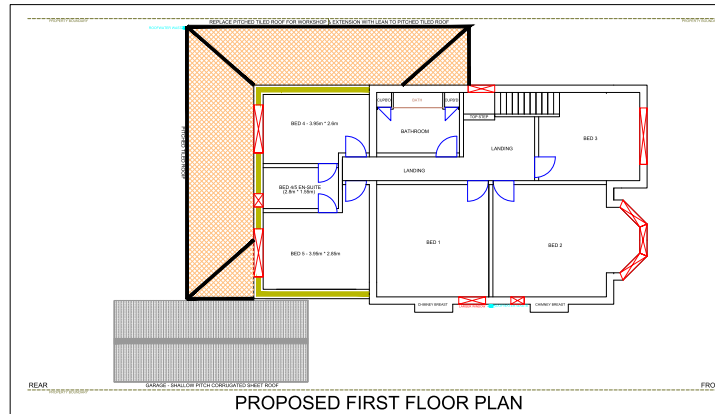
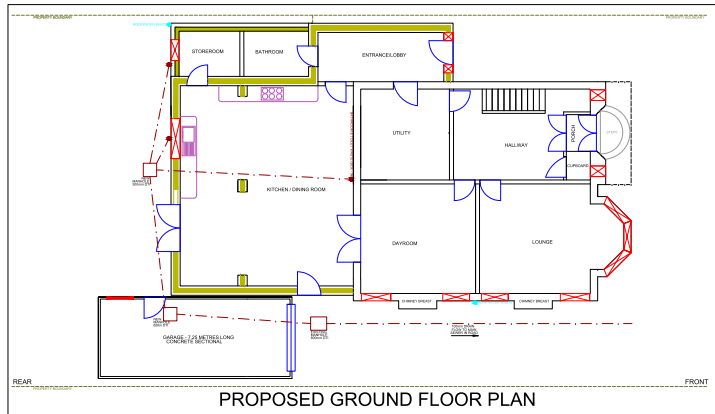
1 Years subscription from 02-10-2022 for 1 workstation.



PA/2023/757 Existing and proposed elevations (not to scale)



Page 137



PA/2023/757
 REV: C, DATED: 04/08/2023
 1) 2 STOREY EXTENSION REDUCED DEPTH BY 2.50 METRES
 2) SINGLE STOREY REAR EXTENSION REPLACES 2 STOREY
 3) PITCHED TILED ROOF CHANGES ON WESTERN BOUNDARY
 ADJACENT No8 VICARAGE GARDENS. EAVES HEIGHT 2.55m

THIS DRAWING IS PROVIDED FOR THE PURPOSE OF OBTAINING PLANNING PERMISSION AND OR BUILDING REGULATION APPROVAL. ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. THIS DRAWING MUST BE READ AND CHECKED AGAINST ANY STRUCTURAL OR ANY SPECIALIST DRAWINGS PROVIDED. THE CONTRACTOR IS TO COMPLY WITH THE CURRENT BUILDING REGULATIONS WHETHER OR NOT SPECIFIED ON THE DRAWINGS.

6 VICARAGE GARDENS, SCUNTHORPE, NORTH LINCOLNSHIRE, DN15 7AZ
 EXISTING & PROPOSED PLANS & SIDE & REAR ELEVATIONS
 DATED: 04/08/2023
 SCALE: 1/100 @ A1
 DRAWN BY: CS WRIGHT

This page is intentionally left blank

| | |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/1010 |
| APPLICANT | Mr John Walker |
| DEVELOPMENT | Planning permission to vary condition 2 of PA/2020/2026 namely to make revisions to the elevations of the dwelling |
| LOCATION | Land east of Brandon House, Luddington Road, Garthorpe, DN17 4RU |
| PARISH | Garthorpe and Fockerby |
| WARD | Axholme North |
| CASE OFFICER | Jennifer Ashworth |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Garthorpe and Fockerby Parish Council |

POLICIES

National Planning Policy Framework:

Section 12: Achieving well-designed places

North Lincolnshire Local Plan:

DS1: General Requirements

DS5: Residential Extensions

H5: New Housing Development

H8: Housing Design and Housing Mix

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

CS19: Flood Risk

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:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS11: Development Limits

DM1: General Requirements

HE1: Conserving and Enhancing the Historic Environment

CONSULTATIONS

Highways: No objection but advise a condition on any approval requiring approved access and parking to be provided prior to occupation of the dwelling.

Drainage (Local Lead Flood Authority): A highway drain exists on the footway where a new dropped crossing is proposed. This requires identifying and appropriate works to protect the drain whilst constructing the dropped crossing. The application proposes permeable surfacing but provides no details to support this proposal.

Environment Agency: No objection as the application does not seek to vary condition 7. Should the applicant consider that the proposed elevations cannot achieve a ground finished floor level of 4.1 m AOD then this should be clarified, and the Environment Agency should be re-consulted.

PARISH COUNCIL

Objection. The parish council considers that the new plans will severely impact the privacy of the two neighbouring properties.

PUBLICITY

The proposal has been advertised by means of site notice. One response has been received objecting to the proposed changes to the west elevation on grounds of overlooking and loss of privacy, making the following comments:

- The proposed changes to add windows in the west elevation will take away our right to private family life within our home and outdoor space.

- The original plans were designed in a way to minimise the invasion of privacy and overlooking on the west side, which is why no initial objections were made, despite the negative impact it will have on the natural light we currently enjoy at our home both indoors and outdoors.
- The property has had the benefit of privacy since being built in the 1930s and we feel that our family's privacy internally and externally would be greatly compromised by overlooking windows.

ASSESSMENT

Planning history

PA/2020/2026: Planning permission to erect a detached dwelling and double garage with access – approved 30 March 2021.

Proposal and site characteristics

The application site is a rectangular section of field situated to the southwest of Garthorpe and Fockerby, on the south side of Luddington Road. The site bounds open fields to the south, and residential dwellings on either side. The site is within an SFRA level 2/3a area at high risk of flooding and is within the settlement boundary as per the Housing and Employment Land Allocations DPD.

Proposed is a detached dwelling with an attached garage to the front with driveway and access from Luddington Road at the northeast of the site. Access to the west of the red line boundary would be retained for fields to the rear.

Material considerations

The main issue in the determination of this application is whether the variation of condition 2 of planning permission PA/2020/2026 (the plans condition) is acceptable.

Condition 2 reads as follows:

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

- AR267(S3) 105 Location Plan
- AR267(S3) 106 Site Plan
- AR267(S3) 124 Proposed Elevations
- AR267(S3) 122 Proposed Ground & First Floor Plans
- AR267(S3) 123 3D Views.

Reason: For the avoidance of doubt and in the interests of proper planning.'

The applicant seeks to vary condition 2 namely to alter the design and layout and therefore the positioning of windows as part of the proposed development that was originally granted permission under PA/2020/2026.

The proposed development seeks to alter the ground floor layout to reduce the double garage to a single garage space with boot room and toilet accessed via the internal utility room and external door on the western elevation. This also includes the relocation of the original external ground floor door from the utility room which is replaced by a small window. A ground floor window will also be introduced in the garage. The kitchen/dayroom will be reconfigured and extended to include a snug room at the ground floor. The rear elevation will introduce a pitched gable end slightly extending the property further south.

The proposed window changes which appear to be the main area of concern are summarised in the table below:

| Elevation | Original | Proposed | Assessment |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| North elevation ground floor | Large open window to hall 2 windows to kitchen/dayroom | Small window to hall 2 windows to kitchen/dining | Minor change. Not considered to raise any amenity issues. |
| North elevation first floor | 2 windows serving bedrooms 4 and 5 | 2 windows (smaller) serving bedroom 3 and en suite | Minor change. Not considered to raise any amenity issues. En suite to be obscure glazed. |
| South elevation ground floor | Bifold doors to living room Bifold doors to kitchen/dayroom Floor to ceiling windows to hallway | Window to living room Window to hallway Bifold to kitchen/dining Window to snug | Windows overlooking rear garden. No concerns of overlooking/amenity issues. |
| South elevation first floor | 3 large windows serving bedroom 3, bathroom and ensuite Floor to ceiling windows to hallway | 3 windows at first floor serving bedrooms 1 (Juliet balcony) and 4, and hallway | Windows overlooking rear garden and same number of openings to those originally granted permission. No concerns of overlooking/amenity issues. |
| East elevation ground floor | Double garage door openings Large floor to ceiling windows to hallway | Single garage door opening Small toilet window (obscure glazed) Entrance door | The hallway windows have been removed. A small toilet window (obscure glazed) is introduced. No concerns of overlooking/amenity issues. There are existing boundary treatments to the existing neighbouring property and the |

| | | | |
|------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | original application includes a condition for boundary treatments to the application site which adds further screening. This would be carried forward to any new application. |
| East elevation first floor | 2 windows to master en suite (now bedroom 2) Large floor to ceiling windows to hallway | 2 windows to bedroom 2 Small window to hallway Small window to utility (obscure glazed) | The proposed change is considered to be minor and introduces one extra window which serves the en suite which will be obscure glazed. The bedroom and hallway windows are considered to be smaller or of a similar size to those previously approved. No concerns of overlooking/amenity issues. |
| West elevation ground floor | Single external door serving utility room | Window to garage Window to utility room Window to office External door to boot room | The proposed windows are at the ground floor and set some 12m from the adjacent property. An outbuilding/garage with blank elevation is located adjacent and is closer to the property at 8m. Overlooking is not considered an issue in this regard. A field access is also retained between the two properties. There are existing boundary treatments to the existing neighbouring property and the original application includes a condition for boundary treatments to the application site which adds further screening. This would be carried forward to any new application. |
| West elevation first floor | No windows or openings | 2 small windows serving two en-suite bathrooms (both obscure glazed) | The proposed windows will serve en-suite bathrooms and will be obscure glazed. It is not considered that this would lead to issues of overlooking. |

Whilst concerns have been raised by neighbours to the west and the parish council, it is considered that the proposed changes will not lead to any issues of overlooking or loss of/impact on privacy and therefore are considered acceptable in amenity terms. The new proposals do increase the footprint of the building to the south; however, this is considered minor in the context of the previous proposal approved on the site. The design of the property

reflects that of the adjacent property and introduces pitched-roof dormer-style windows to the northern elevation and smaller, more traditional windows throughout, removing the modern large glazing which was previously approved. The southern elevation introduces differing roof pitches which are considered to balance well with the property and adds interest.

Other matters

Highways

Highways do not raise any objection but have advised a condition on any approval requiring approved access and parking to be provided prior to occupation of the dwelling. This is addressed as part of condition 6 of the original application PA/2020/2026 and should be carried forward as part of any new decision.

Drainage

A highway drain exists on the footway where a new dropped crossing is proposed. The Drainage team has raised that this requires identifying and appropriate works to protect the drain whilst constructing the dropped crossing. The drainage team notes that the application proposes permeable surfacing but provides no details to support this proposal and therefore planning conditions are recommended. Conditions 4, 5 and 7 on the original permission PA/2020/2026 relate to drainage and should be carried forward as part of any new decision.

Flood risk

The Environment Agency has commented and has no objection as the application does not seek to vary condition 7. Should the applicant consider that the proposed elevations cannot achieve a ground finished floor level of 4.1m AOD then this should be clarified, and the Environment Agency should be re-consulted. The applicant is not looking to amend condition 7 and therefore no information has been provided to suggest the original ground finished floor level of 4.1m AOD cannot be achieved. This condition should be carried forward as part of any new decision.

Conclusion

The proposed development will not have an unacceptable impact on the character or appearance of the area, the amenity of neighbouring properties, or highway safety. The changes are considered to be more modest in their design and create a good sense of equilibrium to the overall building and design; the application is therefore recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun on or before 30 March 2024.

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:

- AR267(S3) 105 Location Plan
- JW23SP.1 Site Plan
- JW23PE.1 Rev A S&E Proposed Elevations
- JW23WNE.1 Rev A W&N Proposed Elevations
- JW23SkGFP.1 Rev A Proposed Ground Floor Plan
- JW23SkFFP.1 Rev A Proposed First Floor Plan.

Reason

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

3.

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

In the interests of the safety of construction workers and future occupants of the site in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

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

Reason

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

5.

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

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 65 of the National Planning Policy Framework.

6.

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

Reason

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

7.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref 6845 dated October 2020 compiled by Steve Gilman Design Ltd and the following mitigation measures detailed within the FRA: Ground floor habitable accommodation to have finished floor levels set no lower than 4.1 metres above Ordnance Datum. The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

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

8.

No development 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

In the interests of the appearance of the site and the street scene, and the amenity of neighbours in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

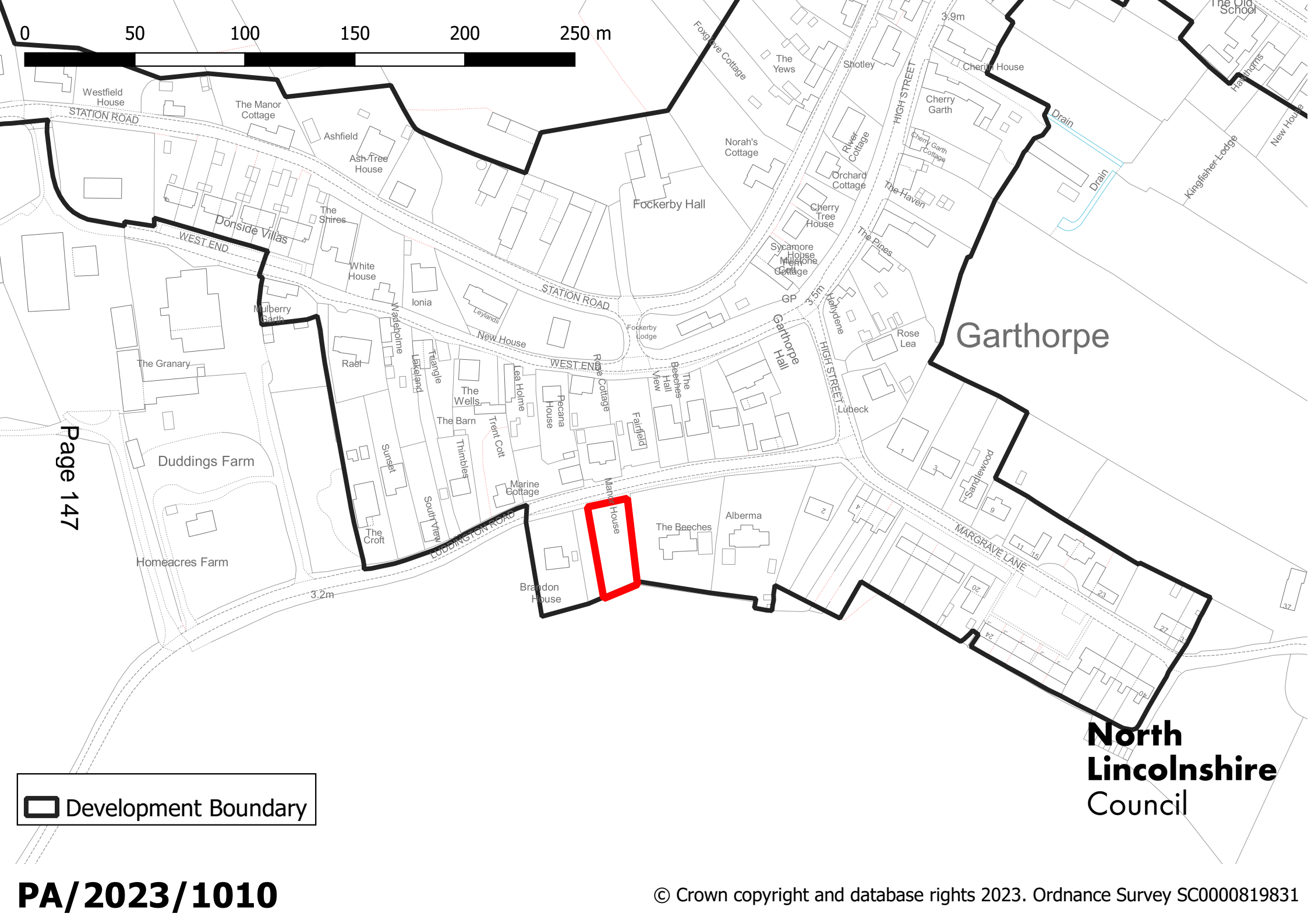
No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

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

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.



Garthorpe

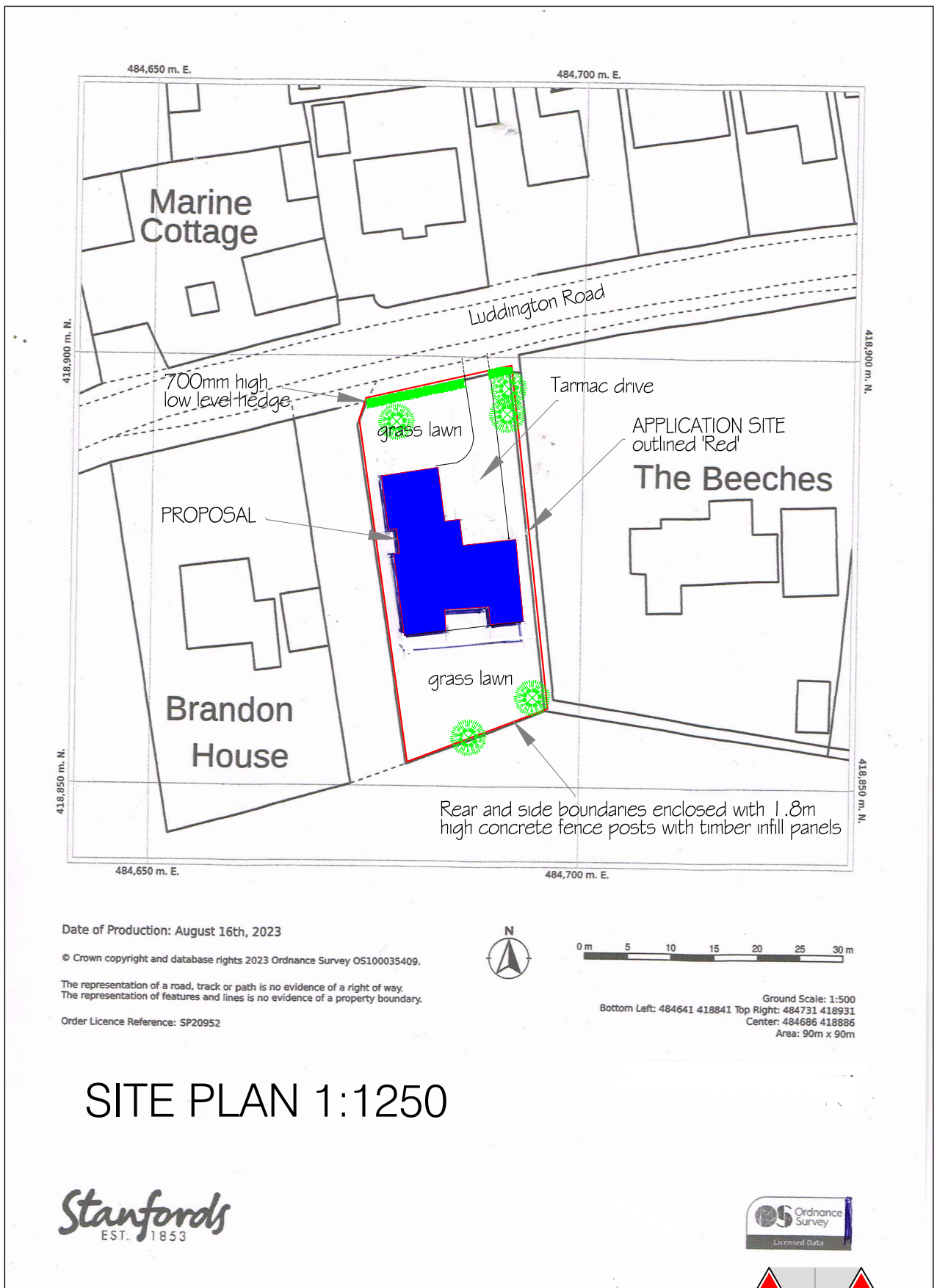
North
Lincolnshire
Council

 Development Boundary

PA/2023/1010

© Crown copyright and database rights 2023. Ordnance Survey SC0000819831

Page 147



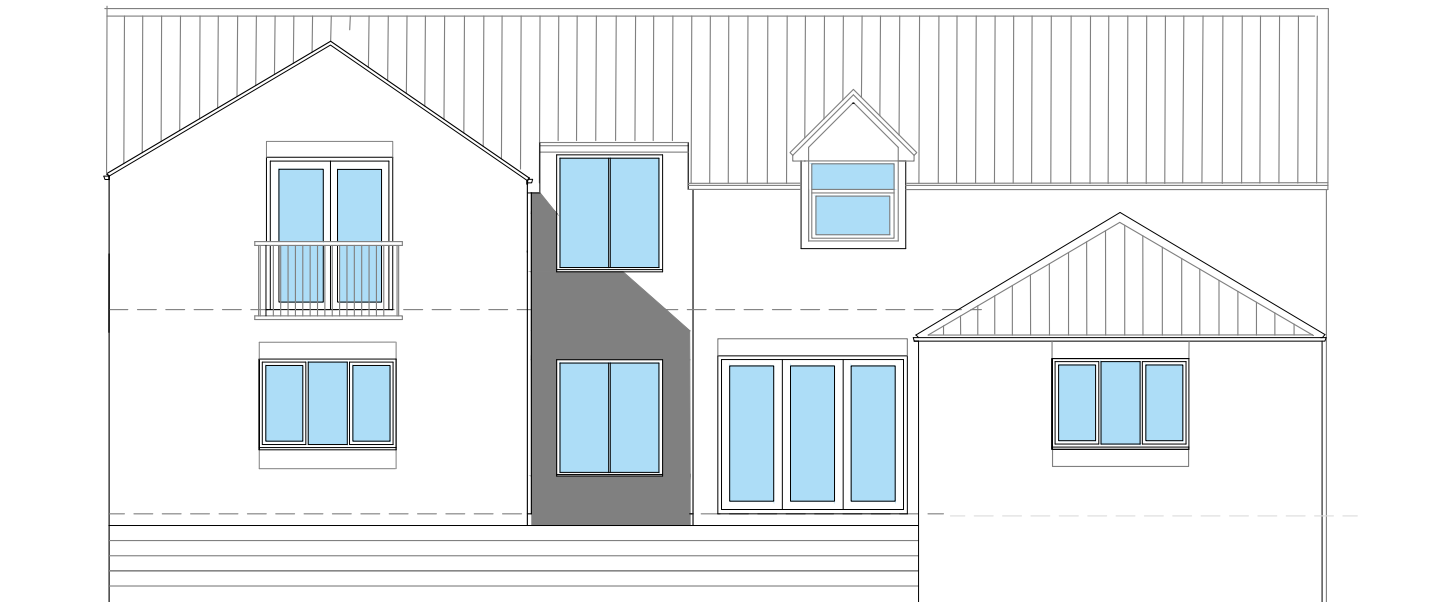
Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing SITE PLAN

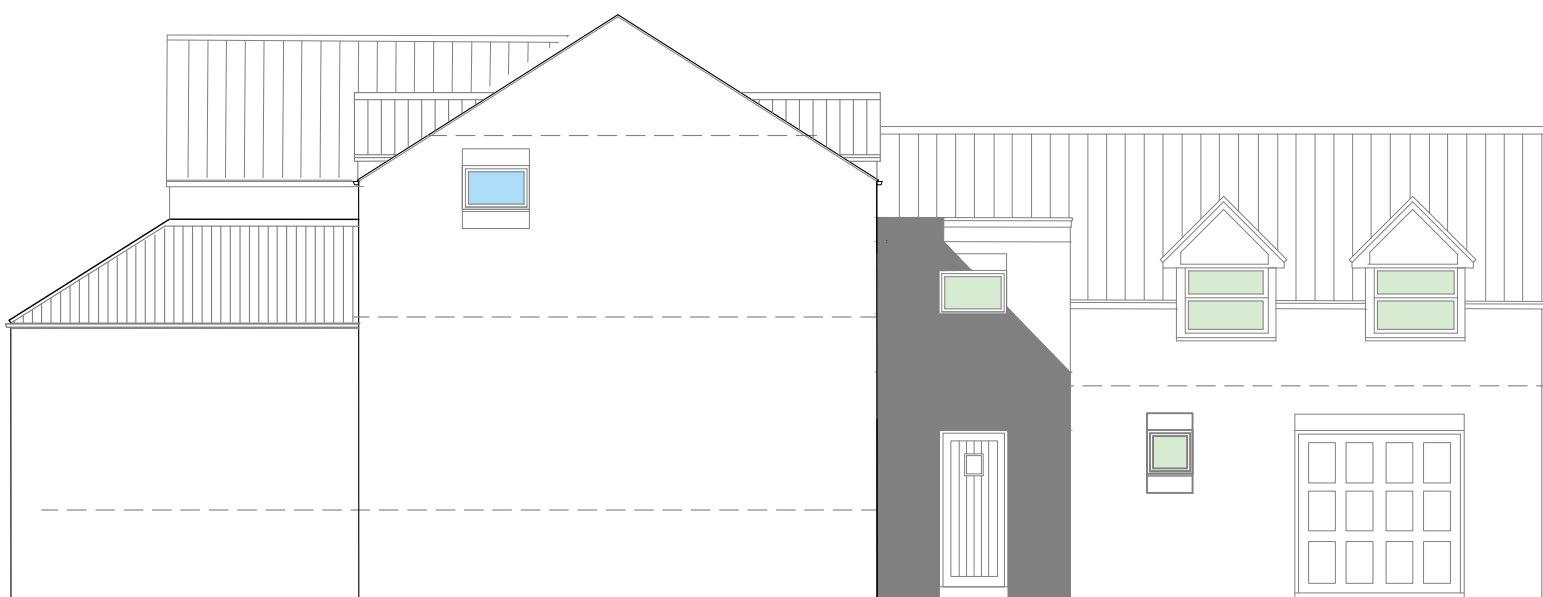
Scale 1:1250@A4
Date July 2023

AREAL Architect
Michael Cooper BSC.Dipl.Arch RIBA
The Mission. Bridge Lane.
Rawcliffe Bridge. DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

| | |
|----------|------|
| Drg.No. | Rev. |
| JW23SP.1 | |



South Elevation

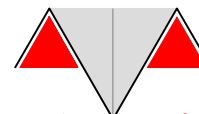


East Elevation

Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing S&E Elevations

Scale 1:100@A4
Date March 2023



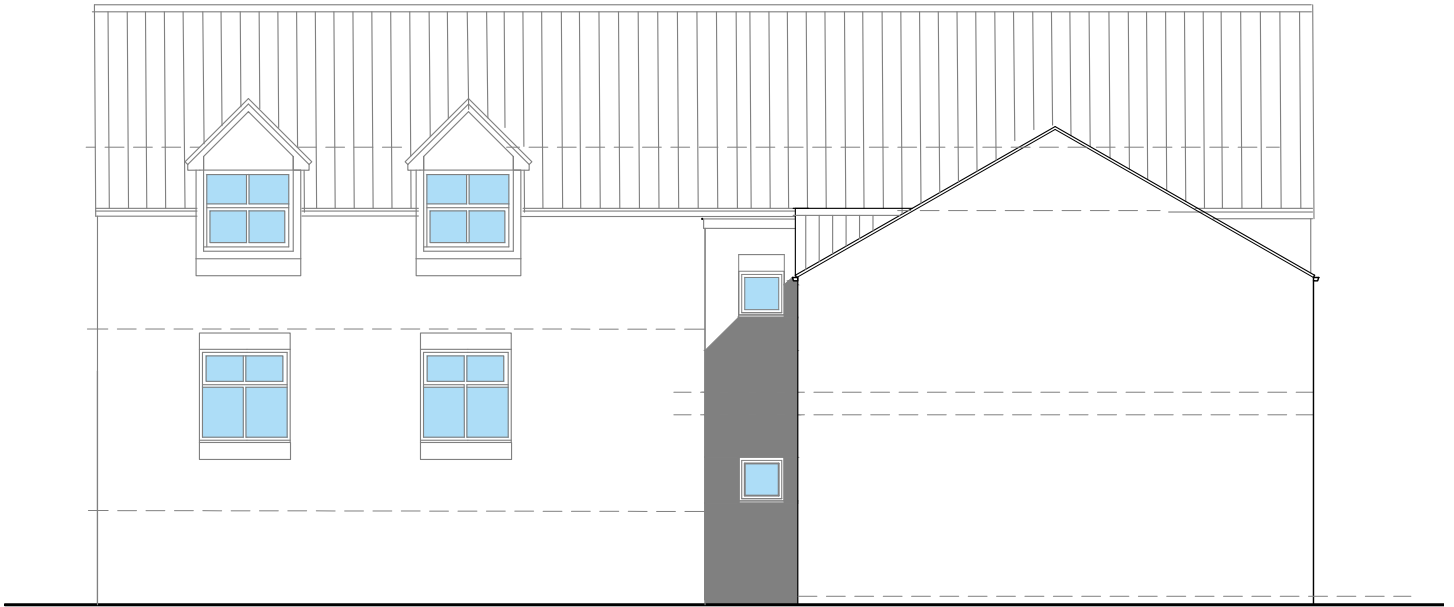
AREALarchitect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission. Bridge Lane.
Rawcliffe Bridge. DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Scale Bar 1:100



| | |
|---------------------|-----------|
| Drg.No. JW23PE.1 | Rev. A |
|---------------------|-----------|



North Elevation



West Elevation

Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing W&N Elevations

Scale 1:100@A4
Date March 2023



AREAL architect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission, Bridge Lane,
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Scale Bar 1:100



| | |
|----------------------|-----------|
| Drg.No. JW23WNE.1 | Rev. A |
|----------------------|-----------|

PA/2023/1010 Proposed ground floor plan (not to scale)

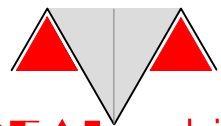


GROUND FLOOR PLAN 1:100

Project **Proposed House
Luddington Road
Garthorpe
DN17 7EB**

Drawing **Ground Floor Plan**

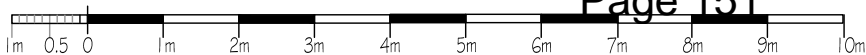
Scale **1:100@A4**
Date **March 2023**



AREAL architect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission, Bridge Lane,
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Scale Bar 1:100



| | |
|-------------------------------|------------------|
| Drg.No. JW23SkGFP.1 | Rev. A |
|-------------------------------|------------------|

PA/2023/1010 Proposed first floor plan (not to scale)

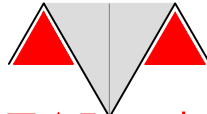


FIRST FLOOR PLAN 1:100

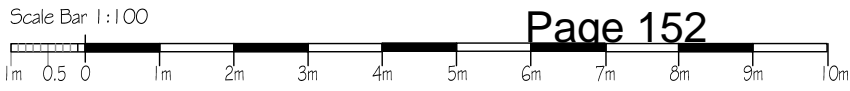
Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing First Floor Plan

Scale 1:100@A4
Date March 2023



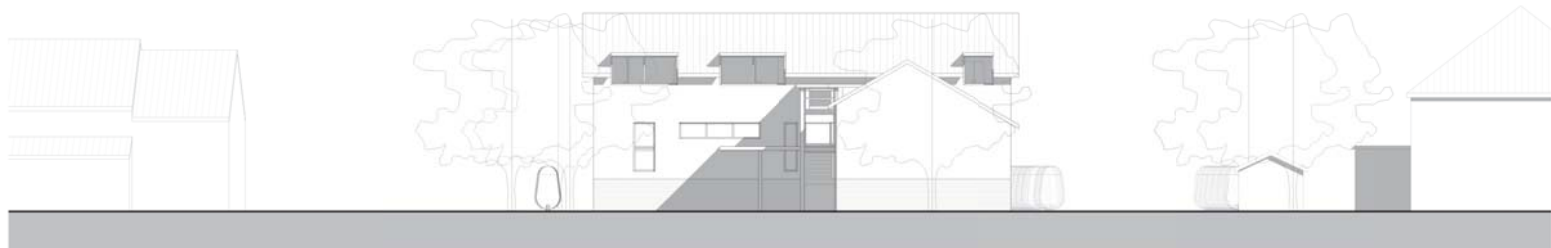
AREALarchitect
Michael Cooper BSC(Hons)Dipl.Arch RIBA
The Mission, Bridge Lane.
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com



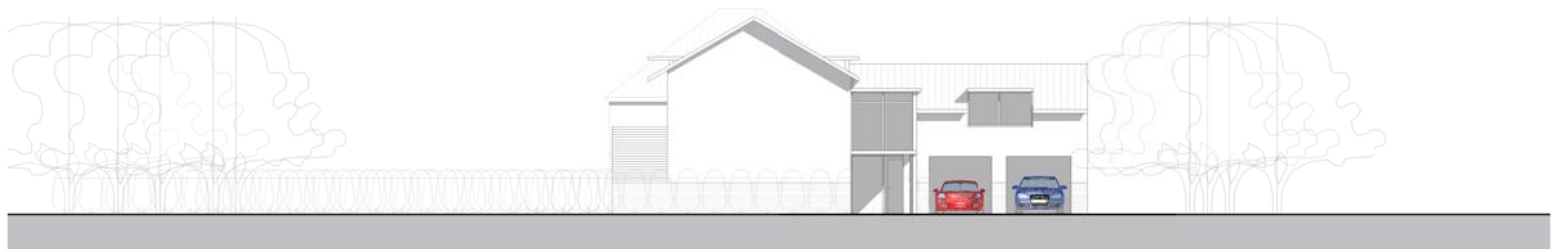
| | |
|------------------------|-----------|
| Drg.No. JW23SkFFP.1 | Rev. A |
|------------------------|-----------|

PA/2023/1010 Proposed elevations approved under PA/2020/2026 (not to scale)

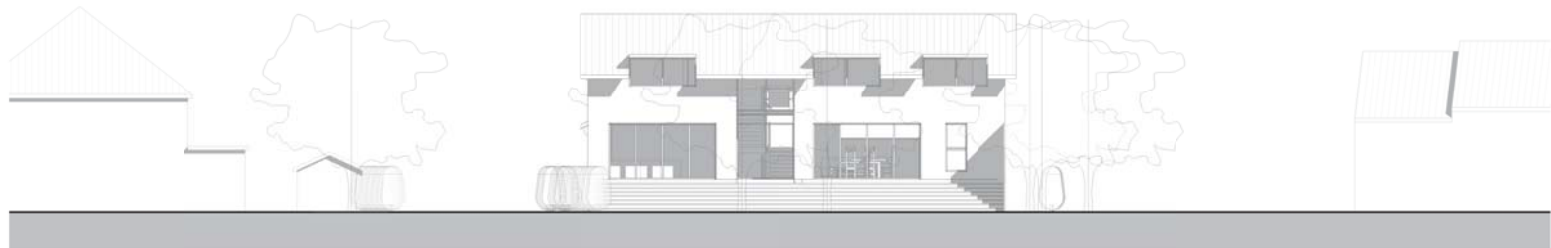
DO NOT SCALE THIS DRAWING
USE DIMENSIONS ONLY
VERIFY BEFORE MANUFACTURE



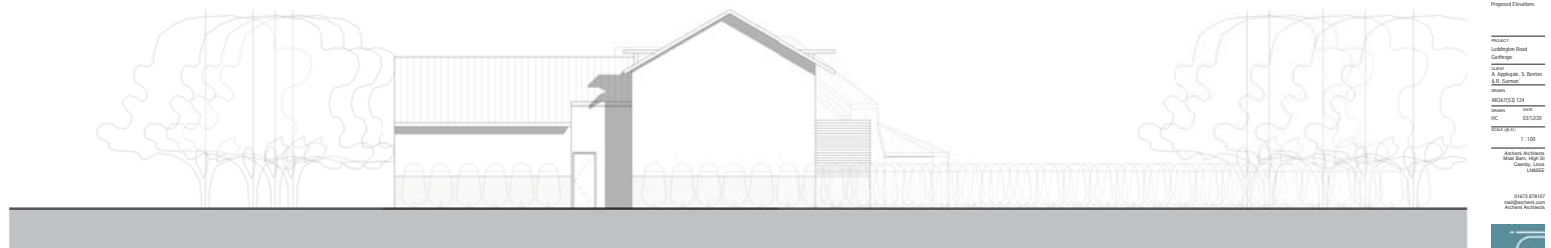
1 North Elevation
1 : 100



2 East Elevation
1 : 100



3 South Elevation
1 : 100



4 West Elevation
1 : 100

| | |
|---------------------|-------------------------|
| Site | Proposed Elevation |
| Project | Ludlow Road |
| Client | Coltrane |
| Architect | A. Popplewell, S. Brown |
| Structural Engineer | J.S. Smith |
| Services | |
| Approved By | 124 |
| Drawn | 124 |
| Scale | 1:100 |
| Issue | 02/2023 |
| Drawn by | |
| Scale | 1:100 |
| Approved By | |
| Drawn By | |
| Scale | |
| Issue | |



This page is intentionally left blank

| | |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/1140 |
| APPLICANT | Mr Simon Smith |
| DEVELOPMENT | Planning permission for change of use of static caravan to residential (re-submission of PA/2022/2204) |
| LOCATION | Woodside Campsite, Main Street, Bonby, DN20 0PL |
| PARISH | Bonby |
| WARD | Brigg and Wolds |
| CASE OFFICER | Paul Skelton |
| SUMMARY RECOMMENDATION | Refuse |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Cllr Carl Sherwood – significant public interest) |

POLICIES

North Lincolnshire Local Plan:

H5 – New Housing Development

RD2 – Development in the Open Countryside

T1 – Location of Development

T2 – Access to Development

LC7 – Landscape Protection

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

CS7 – Overall Housing Provision

CS8 – Spatial distribution of Housing Sites

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

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

DQE1 – Protection of Landscape, Townscape and Views

T1 – Promoting Sustainable Transport

DM1 – General Requirements

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

CONSULTATIONS

Highways: No comments or objections.

LLFA Drainage: No objections.

PARISH COUNCIL

No comments received at time of writing.

PUBLICITY

The application has been advertised by site notice. No objections have been received from members of the public.

ASSESSMENT

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 (NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

Planning history

- PA/2022/2204: Planning permission for change of use of a static caravan to residential – refused. (The current application is identical to this refused application.)
- PA/2022/743: Planning permission for two static caravans for non-residential holiday use and to install five hardstanding pitches for touring caravans – approved.
- PA/2017/476: Planning permission to change the use of land from an existing certified caravan site to a touring site to accommodate 10 caravans in total – approved.

The site and its location

The application relates to Woodside Caravan Park on the edge of Bonby. The red line for the application includes the entire caravan park, agricultural land and caravan storage. The whole site, with the exception of the access road to Main Street, is outside of, but adjacent to, the settlement boundary for Bonby. To the east are the rear gardens of properties on Main Street. To the west is a woodland, with open agricultural fields to the north and south.

The existing camping and caravan site is set around a landscaped pond in the western part of the site. The south-eastern parcel of the site appears to be in agricultural use. There is an agricultural building housing, at the time of the site visit, a small number of cattle and a goat, with a number of chickens kept in the adjacent field. This agricultural building is not shown on the plans submitted with the application.

The north-eastern parcel appears to be in storage use associated with the caravan site and also includes a building, with open land between that and the caravan site.

The proposed development

This application is for the siting of a caravan on the land for residential use by an elderly relative. Whilst the red line covers the whole of the site, the application is submitted on the basis that it proposes to retain an existing static caravan, which is sited in the location shown as 'Static Caravan No 1' ('the static caravan') on the submitted block plan.

This static caravan is in a location where planning permission has been granted for a caravan in association with the neighbouring holiday use (PA/2022/743). Nevertheless, the occupier of the caravan has advised that he has lived in it for four years and it has never been used for holiday purposes. On that basis, the static caravan has been sited and occupied for permanent residential use without planning permission.

For the avoidance of doubt, although s171B of the Town and Country Planning Act provides that enforcement action may not be taken against a use of a building as a single dwellinghouse which has subsisted for more than four years, the static mobile home is not a building, but a caravan as defined under the 1960 Caravan Act. The 10-year rule would therefore apply to the unauthorised use in this case and there is no question of it having become lawful due to the passage of time.

The applicant has advised that the caravan is occupied by an elderly relative who requires support and care following the loss of their spouse. It is advised that the relative's mental health was adversely affected by the loss of their spouse of 51 years and the applicant wanted to make sure that they were well cared for both physically and mentally. Consequently, the relative was housed on the land which was subsequently granted permission for holiday use, where the applicant could 'keep an eye on him/look after him'.

The key issues to be considered in determining this application are the principle of development; landscape impact; living conditions; and highway safety.

The principle of development

The site is outside the settlement boundary of Bonby, as defined by the Housing and Employment Land Allocations DPD, and is therefore classed as being in the open countryside. Bonby itself is defined as a 'smaller rural settlement' and is ranked 34th overall in the 2019 Settlement Survey, scoring 23 points, and hosting three of the seven key indicators measured in the survey overall (although it is understood some of the facilities included in the survey have now closed, including the pub).

Saved local plan policy RD2 sets out that development in the open countryside will be strictly controlled. This policy only supports residential development outside defined development limits in certain circumstances, none of which apply in this case.

Core Strategy policy CS2 (Delivering More Sustainable Development) sets out that 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 will contribute to the sustainable development of the tourist industry. A 'sequential approach' will also be applied to ensure that development is, where possible, directed to those areas that have the lowest probability

of flooding, taking account of the vulnerability of the type of development proposed, its contribution to creating sustainable communities and achieving the sustainable development objectives of the plan.

Policies CS3 and CS8 similarly strictly limit housing development outside development boundaries to that which is essential to the functioning of the countryside.

The principle of siting a static caravan on the site was established as the 2022 permission was considered acceptable pursuant to local plan policy RD12 which allows for new camping and caravan facilities. Policy RD12 sets out, however, that conditions will be imposed on such development, where necessary, to restrict the use of the site to holiday lettings. It was considered necessary in that case because of the site's location outside of any residential development boundary, where permanent residential development is not supported. Permitting permanent residential use for one of these caravans would make it difficult to resist the change of use of holiday caravans on this site and elsewhere in the district.

In light of the above, there is a clear conflict with the development plan as the proposed development would be contrary to saved policy RD2 of the local plan and policies CS2, CS3 and CS8 of the Core Strategy.

It should be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, August 2023. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

In these circumstances, paragraph 12 of the NPPF states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. In this case therefore, planning permission should be refused unless material considerations indicate that the development plan should not be followed in this case.

Personal circumstances

The government's Planning Practice Guidance considers whether it is appropriate to use conditions to limit the benefits of the planning permission to a particular person or group of people, and states:

'Planning permission usually runs with the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. For example, conditions limiting benefits to a particular class of people, such as new residential accommodation in the open countryside for agricultural or forestry workers, may be justified on the grounds that an applicant has successfully demonstrated an exceptional need.'

The circumstances leading to the unauthorised occupation of the land are set out above. The applicant lives very close by, on Main Street, Bonby. Whilst, as set out above, personal circumstances will rarely prove conclusive in the determination of planning applications, no case has been made as to why alternative arrangements could not be made either on authorised residential land within the applicant's ownership (i.e. within their property) or elsewhere.

There is sympathy with the circumstances outlined by the application, however it is not considered that the circumstances are so exceptional as to warrant a departure from the council's housing policies.

Landscape impact

Local plan policy RD2 sets out that new development in the countryside should not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design or materials. Policies H5 and DS1 include similar criteria. 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.

The site is open to views when approaching the village from the south and from the dwellings that line the western side of Main Street. The caravan is clearly visible from these views as are the other caravans located on the holiday site. The use of this single caravan as a permanent dwelling would be likely to result in additional residential paraphernalia but this would be unlikely to result in significant additional landscape harm over and above the holiday use. It is considered, however, that it would be likely that a different conclusion would be reached if the entire holiday site was used for permanent residential use.

The design of the static caravan is exactly the same as that granted permission for holiday use. The layout is perhaps slightly different to what may be expected on a holiday park with the garden surrounded by post and rail fencing and with other domestic paraphernalia present. Nonetheless, given the scale of development, and its close visual association with the holiday park, the design does not in itself result in significant harm.

Living conditions

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.' Policy DS5 of the local plan requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Proposals should not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. Policy DS11 provides that planning permission for development, including changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, do not create adverse environmental conditions likely to affect nearby developments and adjacent areas.

Whilst these policies tend to refer to the impact of new development on neighbouring uses, the intention of the policies must similarly relate to situations, such as this one, where there is potential for new development to be impacted by existing uses nearby. This is reflected in NPPF paragraph 174(e) which seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Furthermore, paragraph 130(f) of the NPPF sets out that developments should promote health and well-being, with a high standard of amenity for existing and future users.

Whilst the pattern of use would likely be different, there would be no undue impact on the living conditions of nearby residential property as a result of the permanent residential use when compared to the holiday use.

However, there are concerns about the potential for odours impacting on the residential use of the static caravan the subject of this application. As referred to above, the static caravan is located in very close proximity to an agricultural building which houses livestock, which could give rise to harms arising from noise and air pollution associated with the agricultural use. Whilst it is recognised that the 2022 permission permitted the siting of a static caravan in this location, that was for holiday use. Whilst the agricultural use appears to be low level and could be described as ‘hobby farming’, it would not be good planning to site a caravan for permanent residential use in such close proximity to an agricultural building used for housing livestock.

However, since the previous refusal, the applicant has advised that cattle are only in situ in the shed during the winter months and then go out to pasture during summer months. The applicant has indicated a willingness to accept a condition prohibiting the use of the shed for the housing of livestock. Because the building is in the applicant’s ownership, and is within the application site, it is considered that it would be possible to impose such a condition, and this would resolve the concerns relating to living conditions.

Highway safety

Local plan policy T2 requires all development to be provided with a satisfactory access. Policy T19 is concerned with parking provision and general highway safety. 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.

Given the existing use of the site, and the 2022 permission, it is not considered that the increased number of movements that arise from the permanent residential use would be so material as to increase highway dangers at the site entrance onto Main Street. The Highways Officer has been consulted and raises no objection in this respect.

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

Other matters

The site is within flood zone 1, the area at least risk of flooding. Drainage is proposed as per the existing permission and whilst occupation is likely to be greater, this would not have a significant impact on the disposal of surface or foul water. The LLFA raise no objection in this respect.

Conclusions and planning balance

The development conflicts with the development plan which restricts the location of new permanent residential development outside settlement boundaries. This weighs significantly against the development.

As the council can currently demonstrate a five-year supply of deliverable housing sites, given the conflict with the development plan, s38(6) of the 2004 Act and paragraph 12 of the NPPF indicate that permission should be refused unless there are material considerations which indicate that the council’s policies should not be followed in this case.

The benefits arising from the permanent residential use of the static caravan would be very limited in terms of the contribution towards housing land supply and the fact that residents

would spend money in the local area. Even these very limited benefits are tempered by the loss of holiday accommodation and the contribution that holidaymakers would make to the local economy. Whilst the personal circumstances of the applicant's elderly relative are noted, it is not considered that those circumstances justify a departure from the development plan in this case.

Article 8 of the Human Rights Act 1998 states that everyone has a right to respect for private and family life, their home and correspondence. This is a qualified right, whereby interference may be justified in the public interest. On balance, it is judged that the identified harms in this case, justify interference with those rights.

In the overall planning balance therefore, it is considered that the permanent residential use of the static caravan results in significant and demonstrable harm which clearly outweighs the very limited benefits arising from it. The application does not represent sustainable development and it is therefore recommended that permission is refused.

RECOMMENDATION Refuse permission for the following reasons:

The development is contrary to policy RD2 of the North Lincolnshire Local Plan, policies CS2, CS3, CS8 and CS25 of the North Lincolnshire Core Strategy and guidance in the National Planning Policy Framework in that the site lies outside of a defined settlement, in the open countryside.

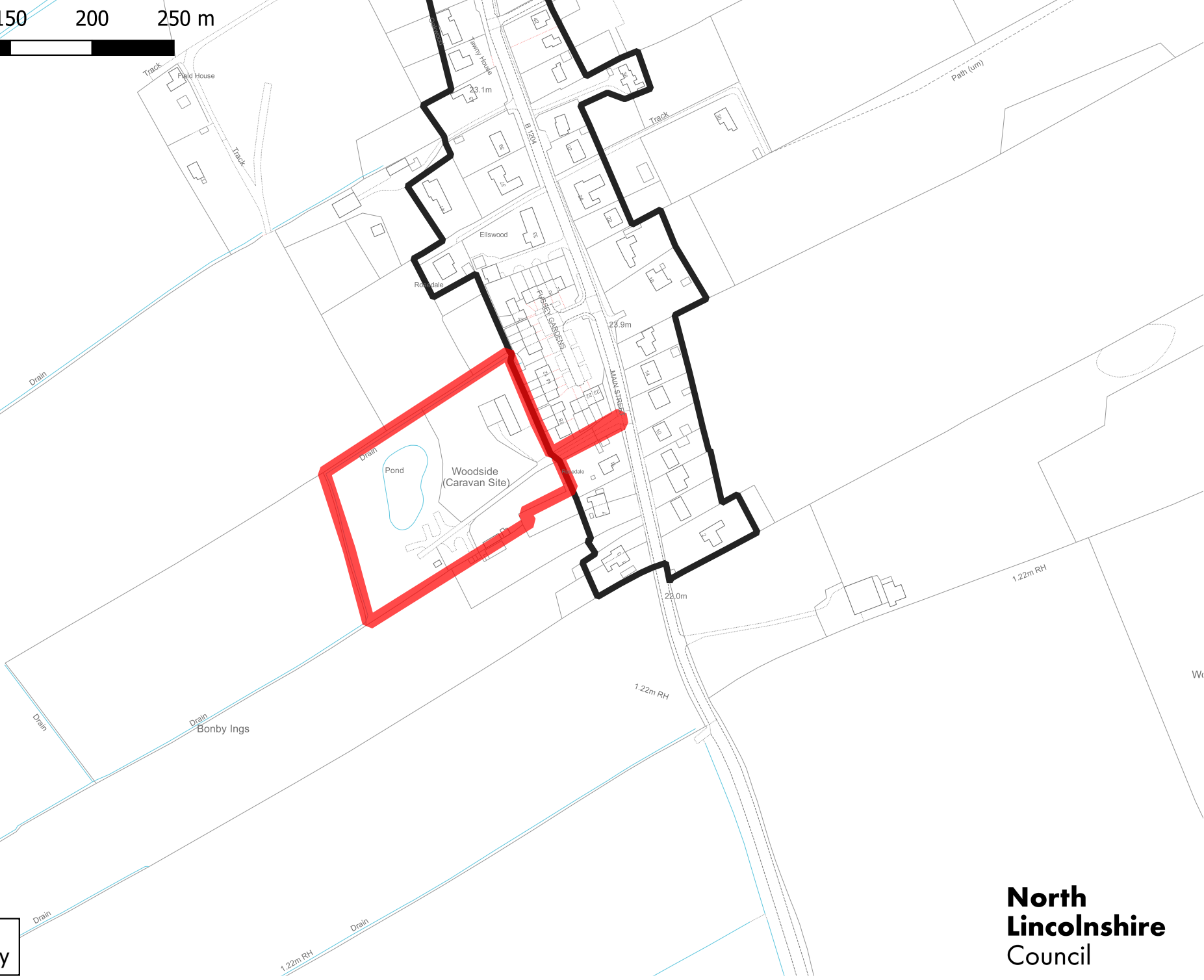
Informative

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

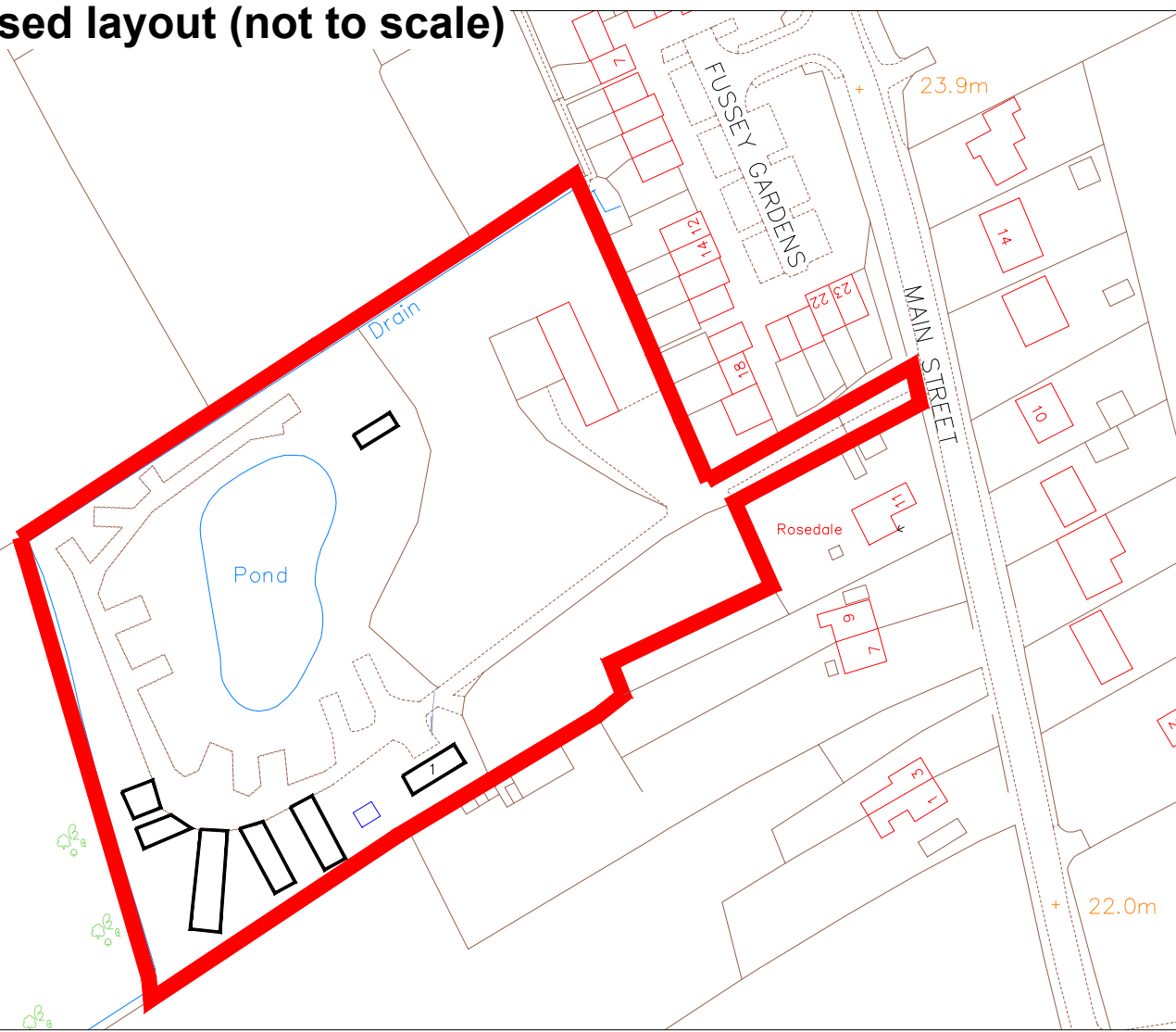


 Development Boundary

PA/2023/1140




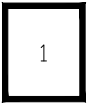
**North
Lincolnshire
Council**



PROPOSED BLOCK PLAN

KEY

 LAND OWNED BY APPLICANT
13,229m² (1.30 HECTARES)

 1 PA/2022/743 - PREVIOUSLY APPROVED APPLICATION FOR STATIC CARAVAN - THIS APPLICATION IS RESUBMISSION OF REFUSED APPLICATION PA/2022/2204 FOR PERMANENT RESIDENCY OF ELDERLY RELATIVE



SCALE: 1 : 500 @ A1

ReQuestAPlan

Map number: PRHP562912403840

Title: LAND TO THE REAR OF No9 MAIN STREET, BONBY NORTH LINGS

Map Produced for: MR SIMON SMITH

OS Licence number: 0189175916

Date of Purchase: 06-06-2023

1 Years subscription from 06-06-2023 for 1 workstation.

| | |
|-------------------------------------------|----------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2023/1144 |
| APPLICANT | Mr Mark Snowden |
| DEVELOPMENT | Planning permission to vary condition 2 of PA/2022/1440 namely to amend the house design to plot 7 |
| LOCATION | The Field, 7 Vicarage Lane, Wootton, DN39 6SH |
| PARISH | Wootton |
| WARD | Ferry |
| CASE OFFICER | Deborah Oikeh |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Wootton Parish Council |

POLICIES

National Planning Policy Framework:

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

H8 – Housing Design and Housing Mix

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

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

Highways: No comments or objections.

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

Environmental Protection: No comments to make on the application.

PARISH COUNCIL

Objects to the proposal due to:

- discrepancies regarding validation date and submission date which does not comply with guidance
- environmental and health concerns about fumes from the chimney

- the proposal is retrospective
- the proposal would set a precedent for others.

PUBLICITY

The application has been advertised by site notice. Five responses have been received raising the following concerns:

- proximity of the proposal to neighbouring properties
- delay in submission of the application by the applicant to enable decision-making by the full parish council committee
- concerns on the environmental impact of the proposed chimney and fire hazard
- ecological loss
- concerns that the site can be seen from all vantage points
- plots 6 appears to be further south and plot 7 is being built approximately 10 metres further south than shown on the plan
- previous objections on the original application are not carried forward
- concerns regarding the brevity of the consultation comments
- east-facing side elevation of this house and the two chimneys are easily within view directly in front of the development driveway.

ASSESSMENT

Proposal

The proposal seeks retrospective approval to retain a sunroom extension and a chimney to the rear of a new build granted full planning permission with an additional dwelling under PA/2022/1440.

Planning history

PA/2022/1440: Planning permission to erect two dwellings following demolition of an existing dwelling – approved 3 April 2023.

PA/2023/711: Application for a non-material amendment to PA/2022/1440 namely to create a sunroom extension including new chimney on plot 7 – withdrawn.

Background

The principle of developing this site has been established under planning application PA/2022/1440 and this new proposal seeks to vary condition 2 (design) of that permission. The condition states:

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

- Location plan VL/169/02 rev A
- Proposed site plan & landscaping VL/169/04 rev B
- Floor and elevation plans VL/169/106 & VL/169/107
- Ecology Site Plan VL/169/09 rev B
- Design and Access statement.'

As highlighted under the planning history section, an application for non-material amendment (NMA) was submitted to create a sunroom extension and a chimney. However, given the history of the site and the number of objections received on the original application (PA/2022/1440), an application for NMA was considered inappropriate. Therefore, an application for material amendment to vary condition 2 of the original approval was submitted for consideration.

Nevertheless, each application must be assessed and considered on its own merits. The key tests of material consideration in this assessment include:

1. In the authority's view would the amendment be contrary to any policy of the council?
2. Is the proposed change inconsequential in terms of its scale in relation to the original approval?
3. In the authority's view would the proposed change result in a detrimental and unacceptable impact either visually or in terms of living conditions?

The last two tests will be considered under the 'residential amenity' and 'character' sections.

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

Policy CS5 relates to design of new development in North Lincolnshire and requires all developments to be well designed, contribute to creating a sense of place and appropriate for their context.

In terms of amenity, policy DS1 states, 'proposals should not result in loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing;'

Policy SS3 of the emerging local plan relates to development principles and requires all development to contribute towards creation of sustainable communities and a sense of place.

This retrospective proposal seeks to alter the design/scale of the consented residential dwelling under PA/2022/1440. Policy RD2 supports alteration to an existing dwelling subject to an assessment of impact upon residential amenity, character and scale amongst other matters. For residential alteration or extension, policy RD10 permits a 20% increase in volume exclusive of any permitted development rights.

In light of the above, were this proposal submitted as a householder or full planning application following its completion, it would comply with the above policies.

Main considerations

- **impact upon residential amenity**
- **character and appearance.**

Impact upon residential amenity

Policy DS1 of the North Lincolnshire Local Plan relates to amenity and 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 increase in depth of the single-storey sunroom which forms part of the consented dwelling under PA/2022/1440 is about 3.5m. The sunroom remains a single-storey structure with openings appropriately positioned (rear and west-facing). Whilst this retrospective proposal introduces a slight increase in the depth of the sunroom, the separation distance between plot 7 and neighbouring dwellings is considered reasonable.

As shown on the plans, the existing trees to the rear of plot 7 would be retained and 2m high perimeter fencing would be installed to the north-east to screen the property on plot 7 from neighbouring sites and to prevent overlooking.

Residents' concerns about air pollution from the chimney have been noted and given due consideration in this assessment. Whilst the proposal introduces an additional chimney to the family area on the ground floor, it is not expected to be in use all year round, rather during the cold winter season. The chimney would be installed on the eastern/side elevation of the property, adjoined by the access road to the site and screened by trees from dwellings in Wudaton Court. The chimney would not directly adjoin the wall of any neighbouring property. Taking into account the above points, it is considered that the separation distance of the chimney from the neighbouring properties and natural screens provided by the trees could aid dispersal of fumes when in use. Furthermore, the council's environmental health department have been consulted and no objections have been raised. Therefore, the proposals are not considered to pose any impacts with regard to air pollution.

Given the distance of the dwelling from neighbouring sites, the single-storey nature of the proposal and the screening provided by natural planting/fencing, it is considered that any impact upon the amenity rights of surrounding neighbours will be no greater than at present.

Impact upon character

There are concerns regarding the views of the development from various vantage points. Whilst loss of view is not considered a material consideration, it is pertinent to consider the impact of the proposed sunroom extension and chimney on the character of the area.

Following a site visit on 20 July 2023, it is evident that part of the dwelling on plot 7 (the two-storey component in particular) would be visible from the driveway following completion. It was noted under PA/2022/1440, that the dwellings would be visible from surrounding dwellings; however, this will not result in a harmful or unacceptable amenity loss to neighbours given the separation distance, hedges and shrubs (though scanty) and the

proposed 2m-high close-boarded fence to be installed round the perimeter of the development site.

In terms of scale, the sunroom has an additional depth of about 3.5m, which can be achieved under permitted development rights. Nonetheless, an assessment must be done. The scale of the proposal in contrast to the scale of the whole dwelling is considered proportionate. The sunroom would retain a pitched roof design and would be completed using bricks used in buildings in the locality. The sunroom/chimney are to the rear of the dwelling and a single-storey structure as well. The application site is to the rear of most dwellings along Vicarage Lane and would be partly screened by the 2m perimeter fencing/trees following completion. Therefore, the visual impact of the extended sunroom/chimney upon the character of the area will be no greater than at present.

Other matters

Procedural matters relating to consultation were raised by concerned residents and the parish council. For this reason, an application for non-material amendment was discouraged, given the comments received on the original application and the planning history of the site.

Planning practice guidance, paragraph 013 Reference ID: 17a-013-20230726 (revised 26/07/2023) highlights that for section 73 applications 'Provisions relating to statutory consultation and publicity do not apply. However, local planning authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the authority can choose how to inform interested parties'. A consultation period of three weeks was given, including site notice display, to allow concerned residents to make their comments.

Whilst the nature of this application (retrospective) is not encouraged, by legislation, Section 73A of the planning Act provides, among other things, for retrospective applications to be made in respect of development which has been carried out, to be assessed against relevant policies and material considerations, which this assessment has done in the above sections.

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

- Location plan VL/169/02 rev A
- Proposed site plan & landscaping VL/169/04 rev B
- Floor and elevation plans VL/169/106 & VL/169/107 Rev A
- Ecology Site Plan VL/169/09 rev B
- Design and Access statement.

Reason

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

2.

The ecology site plan shall be implemented in accordance with the following approved plan:
Ecology Site Plan VL/169/09 rev B.

Reason

To conserve and enhance biodiversity in accordance with policies LC5 of the North Lincolnshire Local Plan and CS17 of the Core Strategy.

3.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

4.

The development shall be carried out in accordance with the submitted Surface Water Drainage Plan, Drawing No: VL/169/08, Rev: A, Dated: 22/08/22.

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.

5.

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

Reason

To ensure the site is safe for future users and construction workers in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

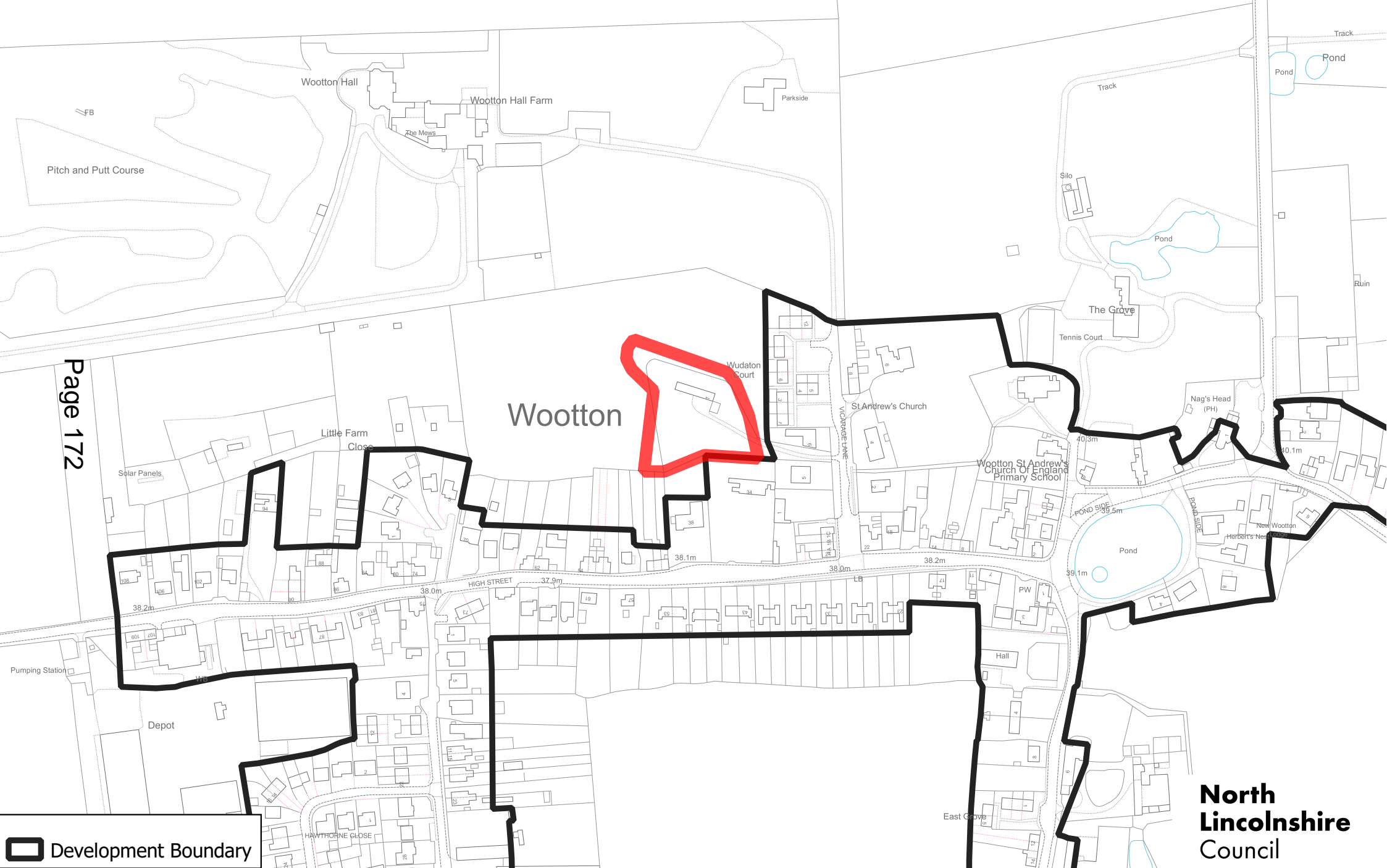
An asbestos survey shall be undertaken prior to demolition of the dwelling '7 Vicarage Lane' to identify the location, type and amount of asbestos-containing material, and a proposal for managing and disposing of any asbestos identified.

Reason

To ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, nearby residents and other offsite receptors in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informative

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



Page 172

 Development Boundary

**North
Lincolnshire
Council**



Page 173

LANDSCAPING

GENERAL
All pits to be cleared & toppedsoil (min 150mm) to correct depths. Any pits with excessive growth of perennial weeds are to be sprayed with glyphosate or similar & left for two weeks prior to cultivation. Annual weeds can be destroyed during cultivation. All pits where compaction has occurred are to be 'ripped' using a 3 tine cultivator to compact tractor prior to relaying. This will relieve compaction at depth & therefore allow better drainage & growth of grass & plants. The pits are then to be re-laid, minor graded & raked down to prepare for turfing or seeding. All rubbish is to be cleared off & loaded into skips. All soft ground is to be well trodden until firm & then re-laid with the addition of fisons Ph5 pre-ferturting fertiliser or similar approved compound containing not less than Nitrogen 10%, Phosphoric acid 15% potash 10%, pits are to be rolled at this stage as this can cause undulation & compaction.

TREE SPECIFICATION

+ = Existing tree retained
● = New tree planting

Ha Hawthorn *crataegus monogyna*
B Bird Cherry *prunus padus*
R Rowan *sorbus aucuparia*
H Hornbeam *Carpinus betulus*
S Silver Birch *Betula pendula*
D Downy Birch *Betula pubescens*

New tree planting to consist of light standard 250 - 300 cm high & container grown.
Tree pits should be dug to 900mm & filled with three 300mm layers of free soil, firmed between layers.
All to be secured by single stake with rubber tie & cushion.
After planting, cover a circular area of 500mm radius, with medium grade bark mulch.

FENCING

Perimeter fencing to be 2.0m tall close boarded fencing. Dividing plot fencing to be 1.8m tall Beverley panel fencing with concrete posts & gravel boards. Panels marked on the plan with **R** to be a cut down Beverley panel to go from 6ft to 4ft tall.

Dashed fence lines - - - - - denote Lincolnshire post and 3 rail fencing

HERDGEROW SPECIFICATION

To be double row established semi mature specimens (not whips) & to be native species such as predominantly hawthorn with a mix of blackthorn & field maple.

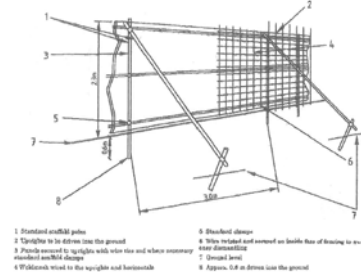
TURFING (front gardens & service strips)
To be Lincoln Green LG2 (unless specified otherwise) a dwarf ryegrass turf most suitable for the purpose. The turf is to be laid with staggered joints & all edges to be clean out. The whole turfed areas shall then be planked to achieve an even surface, then watered for a week. Any imperfections in the established turf will be corrected or replaced. The turf will be laid only when the contractor considers the conditions suitable. This should be most times of the year but will not be during prolonged periods of drought (especially if watering is restricted) or if the grower is unable to lift turf. During the winter months if the ground is wet it may not be possible to carry out preparation properly as settlement may occur later - in these circumstances if doubt exists it is preferable to wait until the Spring.

SHRUB SPECIFICATION

shrub A - planted at 5 plants / m² in 2 / 3/ pots
 potentilla sp
 lavandula sp
 Berberis sp
 cistus sp
 hebe sp

shrub B - planted at 3 plants / m² in 3/1 pots
 sweet rocket
 lavender
 sweet briar
 night scented catchfly
 soapwort

All shrub areas to have minimum 450mm depth of good quality cultivated topsoil, free from bricks, large stones & other rubbish - 50mm of ornamental bark placed around shrubs



TREE PROTECTION

RPA fences & ground protection for trees / hedging to be in position before any work commences on site. The fenced area to be completely in-accessible to the building contractors with no storage of materials allowed. No mixing of cement based products within the RPA. No use of machinery that could lead to spillages of fuels / oils or other noxious substances either within the RPA or which could reach into the RPA from nearby areas.

| | | | |
|---|----------------------|-----|----------|
| C | Plot 7 revised | NwP | 11.04.23 |
| B | Plots 6 & 7 added | NwP | 22.07.22 |
| A | updated for planning | NwP | 31.03.22 |

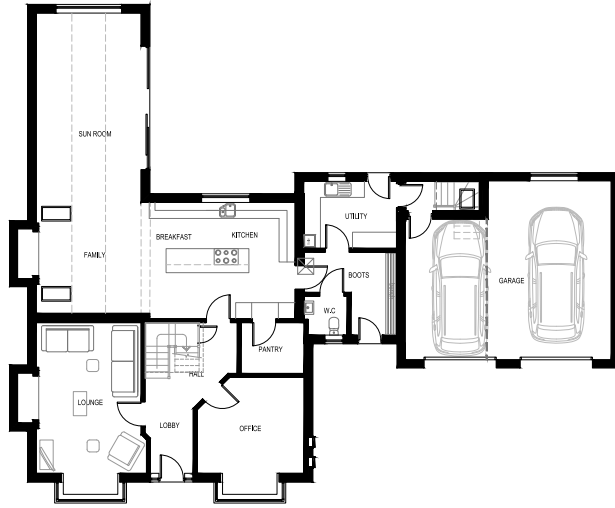
KEIGAR HOMES LTD
 KEIGAR LODGE
 CANNERRA VIEW
 BARTON-UPON-HUMBER
 NORTH LINCOLNSHIRE
 DN15 5QR
 Tel: 01652 631939 Fax: 01652 631938

Residential Development
 land off VICARAGE LANE
 WOOTTON

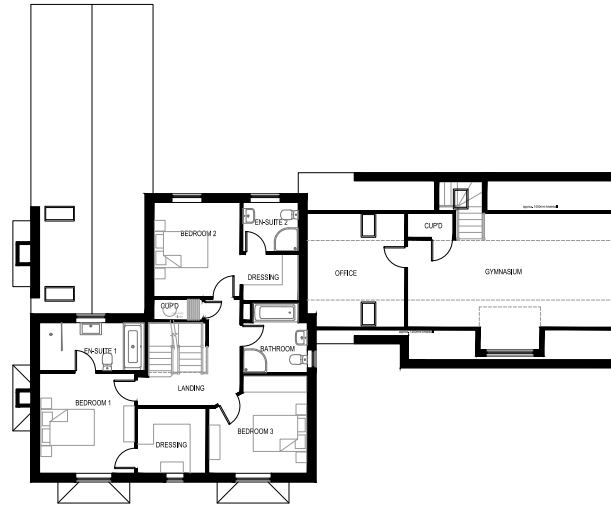
SITE LANDSCAPING, DRAINAGE & LEVELS

| | | |
|---------------|----------|----------|
| NwP | 03.11.21 | 1/500/A2 |
| VL / 169 / 04 | | C |

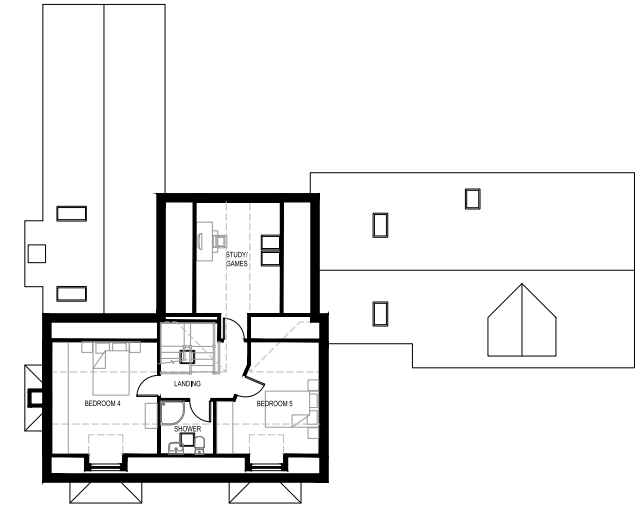
PA/2023/1144 Proposed plans and elevations (not to scale)



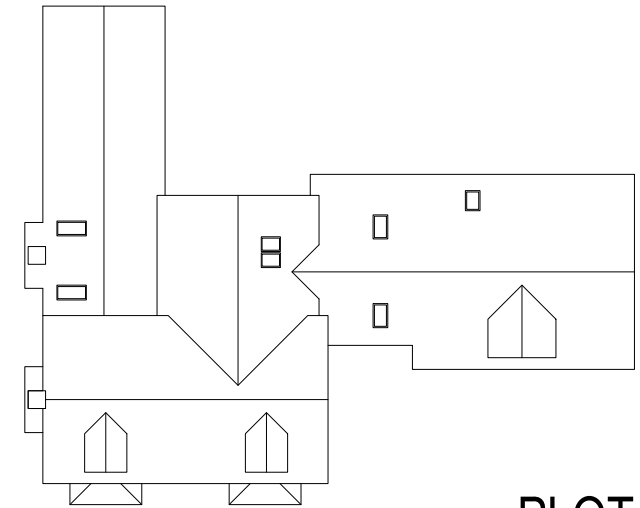
GROUND FLOOR PLAN



FIRST FLOOR PLAN

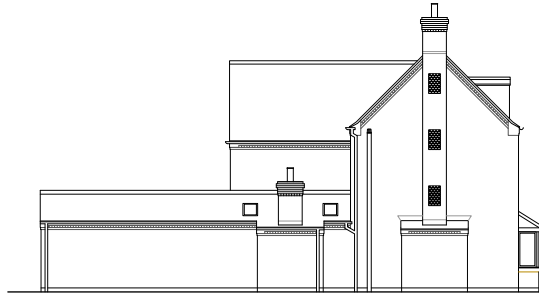


SECOND FLOOR PLAN



ROOF PLAN

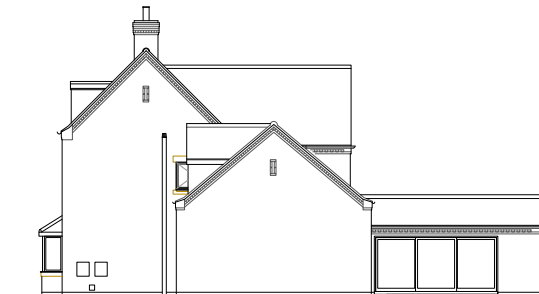
Page 174



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

PLOT 7

| | | |
|---|-------------------------------------------|--------------|
| 1 | A Sunroom extended & extra chimney added. | NwP 11.04.23 |
|---|-------------------------------------------|--------------|

KEIGAR HOMES LTD
 KEIGAR LODGE
 CANBERRA VIEW
 BARTON-UPON-HUMBER
 NORTH LINCOLNSHIRE
 DN15 5QR
 Tel: 01652 631939 Fax: 01652 631938



The Towers
 Plot 7, Vicarage Lane

Plans & Elevations

| | | |
|-----|----------|--------------|
| NwP | 13.05.22 | 1 / 100 @ A1 |
|-----|----------|--------------|

| | |
|------------|---|
| VL/169/107 | A |
|------------|---|

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

APPLICATIONS FOR APPROVAL OF RESERVED MATTERS FOLLOWING THE GRANT OF OUTLINE PERMISSION FOR DETERMINATION BY THE COMMITTEE

1. OBJECT

- 1.1 To inform the committee about applications for approval of reserved matters which are ready for determination.

2. BACKGROUND

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

3. INFORMATION

- 3.1 Items for determination are listed in the attached schedule.
- 3.2 Outline planning permission has already been granted and the development is therefore agreed in principle. Consideration is required of the layout, scale, external appearance, means of access and landscaping of the development (excluding any of these matters which were expressly approved at the time outline planning permission was granted).
- 3.3 Reports will be updated at the meeting if necessary to take account of additional relevant information received after publication.
- 3.4 Plans included with reports are for identification and/or illustrative purposes only. Applications and supporting documents can be viewed in full on the planning pages of the council's web site.

4. RESOURCE IMPLICATIONS

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

5. RECOMMENDATION

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

DEVELOPMENT MANAGEMENT LEAD

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

Ref: RL/JMC/Planning committee 06 September 2023

Date: 25 August 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

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

| | |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICATION NO | PA/2021/1034 |
| APPLICANT | A E and D M Swaby |
| DEVELOPMENT | Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2017/392 dated 15/06/2018 for six four-bedroomed detached dwellings and integral garages |
| LOCATION | Land north of Thistle Downe, Scotter Road, Messingham, DN17 3QE |
| PARISH | Messingham |
| WARD | Messingham |
| CASE OFFICER | Daniel Puttick |
| SUMMARY RECOMMENDATION | Approve with conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Messingham Parish Council |

POLICIES

National Planning Policy Framework:

Paragraph 127 states that planning policies and decisions should ensure that developments:

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

North Lincolnshire Core Strategy:

CS2 (Delivering More Sustainable Development)

CS5 (Design)

CS19 (Flood Risk)

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

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 – Spatial Strategy for North Lincolnshire

SS3 – Development Principles

H2 – Housing Mix and Density

DQE1 – Protection of Landscape, Townscape and Views

DQE5 – Managing Flood Risk

DQE6 – Sustainable Drainage Systems

DQE12 – Protection of Trees, Woodland and Hedgerows

T1 – Promoting Sustainable Transport

T3 – New Development and Transport

T4 – Parking

DM1 – General Requirements

DM3 – Environmental Protection

CONSULTATIONS

Highways: No objection subject to conditions regarding access provision and final design, and requiring a construction phase traffic management plan to be agreed prior to development.

Recycling: General informative advice provided on the requirements for waste management.

Drainage (Lead Local Flood Authority):

First response: Objects to this reserved matters application. The proposed layout makes no reference or provides no mitigation to safeguard the existing riparian watercourse located on the southern boundary, in very close proximity to plots 3 and 4. This was previously referenced in our correspondence for PA/2017/392. The applicant must consider diversion of this feature and into the new road network for the development.

Second Response: Following discussions, the LLFA Drainage Team are prepared to remove their objection. The developer should be aware of the drainage requirements to successfully discharge existing drainage conditions.

Third response dated 20 March 2023: The LLFA Drainage Team object to the proposed reserved matters layout application. Whilst we have previously approved this reserved matters application and were to await a detailed surface water drainage strategy to discharge conditions for outline application PA/2017/392, the revised proposals indicate a surface water drainage strategy with connections into the adjacent watercourse. The adjacent watercourse location is not shown on the documentation. This requires clarification. It is our assumption the developer is referring to the watercourse on the southern boundary which is unacceptable unless appropriate mitigation measures are put in place? The development also proposes 2-metre high fencing on the southern boundary which restricts the future riparian owners of this drain's ability to maintain this drainage feature.

Notes to developer:

- We have previously suggested diverting the watercourse on the southern boundary (from north of the new access road) into the development. This must be fully explored.
- Pipe is under the hedge and unmaintainable from anywhere but the roadside and behind Thistle Downe.
- Install manholes in affected plots? This possibly increases the likelihood of pollution misconnections moving forward?
- Current condition of the watercourse is unknown?

We await clarification on the above matters before commenting further.

Fourth response dated 17 May 2023: Whilst we have no objections to this reserved matters layout we note figure 3.16 refers to a diverted watercourse within the highway on or just beyond the western boundary of this development. The exact location of this watercourse requires further confirmation by the developer. Whilst it is acceptable for a management company to maintain ALL surface water drainage features on private property, it is not acceptable for the surface water drainage under the adopted highway, so further consideration needs to be carried out for this also. We have no further comments to make at this stage.

Humberside Police – Designing Out Crime: Concerns over the low-level fencing to the rear of plots 1–3 which back onto a road. Could result in increased risk of theft as the rear of these dwellings would be exposed and easily accessible.

Ecology: Ecological surveys and revised proposals are required in order to deliver biodiversity enhancements in accordance with the NPPF, policy CS17 and condition 8 of PA/2017/392.

PARISH COUNCIL

Objects to the application, noting that it does not address the following:

- *Surface water management* – concerns that there is no mitigation to address the present ineffective and overloaded system with regular presence of foul water in the currently overgrown and inadequately maintained open drain.
- *Foul water drainage system* – no proposals to address the increased pressure on the already overloaded system or to address the existing issues which are exacerbated during heavy rain, causing overflowing inspection covers and toilets on the adjacent development.
- On planning application PA/2017/392 Severn Trent stated the need to investigate the effectiveness of the current foul sewerage system and implementation of the resulting improvements. There is a lack of evidence to indicate that these conditions have been met.
- *Attenuation pond* – documentation submitted by the same applicant for planning application PA/2019/164 on adjacent plot included an attenuation pond but has not been referenced in this application.
- Concerns that the proposed development is not in keeping with the neighbouring street scene as three of the proposed properties back onto the A159.

PUBLICITY

Advertised by site and press notice. Three responses have been received objecting to the proposal raising the following concerns:

- effect of the development on the existing drainage network and the potential for flooding in the local area
- the current proposal has been amended substantially from that originally submitted
- the rear of dwellings facing the road could encourage crime

- lack of information – various reports
- lack of privacy to the rear gardens of the new dwellings
- the access is dangerous
- noise impacts from traffic on existing residents
- overshadowing and loss of light
- overlooking
- loss of outlook
- the access road could facilitate further future development
- loss of wildlife habitats on the site.

Following the submission of additional information and responses by the LLFA Drainage Team, a further seven letters of objection have been received in relation to this application from two members of the public who have previously commented. These comments raise similar issues to those identified above, and focus on issues primarily related to matters of flood risk, drainage and ecological impacts arising from the development. Members' attention is drawn to these additional representations in light of the deferral of the application and the submission of further information by the developer in relation to drainage at the site.

ASSESSMENT

This application was deferred by members at the meeting on 17 November 2021 to allow for the submission of further drainage information, and is being brought back to committee following receipt of additional information and further consultation with LLFA Drainage.

Site description

The application site is part of an existing field, set between existing residential development formed of properties on Gelder Beck Road and Scotter Road. It fronts onto Scotter Road. The site lies within Zone 1 of the North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA) November 2011. It is mostly within the development limits of Messingham as per the Housing and Employment Land Allocations Development Plan Document, with the exception of a small section to the northwest corner. A ditch runs along the front boundary.

The application site has outline planning permission (as of June 2018) for six detached dwellings (PA/2017/392). PA/2019/164 granted outline planning permission for up to 25 dwellings on land to the west of the site.

Proposal

This reserved matters application seeks approval for the submitted details in relation to the outline permission referenced above. All matters are reserved and this application will therefore consider access, appearance, scale, layout and landscaping, along with any other relevant material considerations.

The proposed six dwellings are laid out in a linear fashion with two rows of three, all facing into the centre of the site. The rear of three of the dwellings will back on to Scotter Road. The dwellings are all of the same house type, featuring pitched roofs, single-storey front porches and rear lean-to elements. Each dwelling would have a built-in garage with living accommodation above, set down from the main ridge and behind the front elevation. The dwellings are shown to be constructed in red brick with clay tiling.

Post and rail fencing is proposed to the Scotter Road (east) boundary of the site, with timber fencing and brick walling elsewhere.

Each of the dwellings would have parking to the frontage accessed from a private shared drive in the centre of the site, which itself would connect to the adopted access road to the northern boundary, providing vehicle and pedestrian access to and from the highway.

The principle of six dwellings on this site has been deemed acceptable via outline planning permission PA/2017/392.

The main considerations in the determination of this reserved matters application are:

- **layout, scale and appearance;**
- **access;**
- **landscaping;**
- **drainage;**
- **residential amenity;**
- **ecology.**

Appearance, scale and layout

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

Layout

In terms of the visual impact of the proposed layout, the site has previously been identified as being large enough to accommodate six detached dwellings as it has outline planning permission as proposed here. The site layout provides access to the north with a driveway dividing the three western dwellings and three eastern dwellings, all of which are arranged in a broadly linear manner parallel to Scotter Road.

The layout as proposed would ensure that adequate separation distances would be achieved between the dwellings to avoid loss of amenity, and to neighbouring dwellings to the north and south – this matter will be further discussed later in this report. Furthermore, adequate

private amenity areas would be ensured which are commensurate with the scale of the dwellings proposed, with rear gardens of an acceptable scale.

The layout of the site is designed with the rear elevations of Plots 1–3 facing Scotter Road. The building line of the street will be largely followed, with a set back of the buildings from the highway by over 10 metres. Whilst plots 1–3 would not front onto the road, the dwellings to the north at Gelder Beck Road are aligned perpendicular to the road, and the single dwellings to the south of the site vary in terms of appearance and scale. It is not considered that the proposed layout would break with any uniform layout along the street scene. The use of appropriate boundary treatment is proposed through the use of low impact post and rail fencing. Planting shall be secured to provide privacy and further reduce the visual impact.

Scale

The scale of the proposed two-storey dwellings is appropriate. The dwellings would not be excessively high or cover large footprints and would have a similar scale to the dwellings at Gelder Beck Road to the immediate north, as well as Thistle Down to the south. Plots 1–3 would sit slightly higher (less than 1 metre) at ground level than plots 4–6, which would limit the impact of the latter when viewed from the highway.

Appearance

Further to the above considerations regarding the visual impact of the layout and scale of the proposal, the overall design of the dwellings is considered. The use of red brick and clay tiling would tie the dwellings in well with those to the north and south, and would be appropriate for this semi-rural location, reflecting the local rural vernacular. Samples of materials are required by condition 5 of the outline permission, and this remains extant. The porch features and the set down design of the garage end of the dwellings would provide a degree of visual interest to the houses themselves and reduce the overall massing.

The proposed timber and post and rail fencing would be appropriate for the site, and the use of spacious front gardens and brick walling to the north bounding the access road would also be appropriate. Planting to the eastern boundary will reduce the overall visual impact of the development and provide a greater degree of visual interest to the street scene, softening the impact of the built development.

It is considered that the overall appearance of the site as proposed is appropriate to the street scene and character of the wider area and would ensure good quality design within the site. The proposal is of an appropriate density and scale for its location on the southern edge of Messingham. In this regard, the proposal accords with policies DS1 and H5 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

Highways, access and parking

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety. Both policies are considered relevant. Outline planning permission has been granted for this site, and the sustainability of the travel options to and from the site, or impact on existing highway capacity, is not a determining factor in the assessment of the reserved matters.

The application proposes direct access from Scotter Road to the east. An adopted road would run alongside the northern boundary of the site, with a private driveway running from north to

south through the site and providing private driveways to garages on each plot. It is considered that the proposed layout plan shows adequate private parking for each of the six plots. A pedestrian footpath is proposed to link with the existing on the opposite (east) side of the main road.

The Highway authority has been consulted and has no objection to the proposal subject to the provision of adequate parking as shown, prior to occupation. As most of the recommended conditions are attached to the outline permission, it is not necessary to add them to the reserved matters approval. An additional condition relating to the retention of good visibility splays will be added, as will a detailed condition on the construction of the proposed private driveway.

Subject to the above, it is not considered that there are any issues in relation to access or parking.

Landscaping

The proposed layout drawing shows shrub planting to the east and west boundaries of the site, which would provide a degree of security, in addition to soft screening between the dwellings and the road to the east in particular. The planting of 13 trees throughout the site, including along the external boundaries and along the shared driveway between the six plots, would provide a degree of visual interest and design benefit. The revised NPPF calls for the use of tree-lined streets and beauty in design. The use of trees, at a proportion of more than two per dwelling, would contribute towards the enhancement of the development.

Hedging to the southern boundary would be retained, which would provide screening between the existing dwellings and the new development. The use of timber fencing and walling throughout would provide privacy to the dwellings without harming the overall appearance of the area. The mix of post and rail fencing and planting to the boundary with Scotter Road and the existing drainage dyke would provide a low impact boundary treatment which would be appropriate for the site location on the edge of Messingham.

The use of lawned gardens to the frontages of the six plots in addition to brick paved driveways would provide a further degree of visual interest to the site and contribute positively to its overall appearance. Overall, the proposed landscaping, hard surfacing and boundary treatments would be acceptable.

Drainage

As with the outline stage, concern has been raised about the drainage system in the area. The LLFA Drainage team have previously been consulted on the proposals and whilst they initially objected, this objection was removed after clarification over the scope of the current reserved matters application and the retention of conditions on the outline permission. Condition 10 on the outline permission for this site requires details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway to be submitted to and approved in writing by the local planning authority. This condition remains in place and must be discharged prior to the commencement of development. Similarly, the drainage scheme and details for the whole site must be submitted and agreed prior to the occupation of any building on the site.

Members will recall that the application was deferred by the committee to allow further drainage information to be submitted. Following that committee, the LLFA have provided further comments, with their third response highlighting the need for clarification in respect of

the location of an adjacent watercourse. Further advice has also been provided as highlighted within this report.

In response to this, and following the resolution of members, the applicant has provided additional information in the form of a revised Outline Sustainable Drainage Strategy, which allows for the proposed diversion of the watercourse affecting the site. Further discussions have taken place between the applicant's consultants and the council's LLFA Drainage Team, culminating in a further fourth response from the LLFA Drainage Team dated 17 May 2023. Within this, the LLFA states that they have no objections to the reserved matters layout. They do, however, note that figure 3.16 of the updated strategy refers to a diverted watercourse within the highway on or just beyond the western boundary of the site, which they indicate may conflict with development approved on application PA/2019/164. The exact location of this watercourse is something which the LLFA Drainage Team considers requires further clarification, however no further comments are made at this stage.

Planning application PA/2019/164 sought outline planning permission to construct 25 dwellings, with all matters reserved for future consideration. At the time of writing, no valid applications are being considered by the local planning authority seeking approval of reserved matters and as such the detailed design of this scheme is still to be determined. Whilst there may be potential conflicts between the two schemes, at present the precise details of the development the subject of PA/2019/164 remain to be considered. Additional information has been provided by the applicant's consultant team which demonstrates that there would be a potential route for the diversion of the watercourse, and that this can be accommodated within the detailed design of development proposals affecting the adjacent site.

On the basis of the information provided following members' resolution to defer the application, it is recommended that approval of reserved matters be granted in the absence of any outstanding technical objection from consultees. Conditions remain in place to control the detailed design of the drainage scheme for the site through those imposed on the original outline permission. Based on the information provided by the applicant in support of this application, it is not considered reasonable for the local planning authority to withhold approval of reserved matters and to do so would prejudice the delivery of housing in an area which is suitable for residential development. To do so would inhibit the ability of the local planning authority to address the shortfall in housing need within North Lincolnshire, and unnecessarily delay development which has previously been found to be acceptable in planning terms.

The conditions imposed on the outline permission are in place to ensure adequate on-site drainage is in place prior to the dwellings being occupied, and to ensure that surface and foul water is appropriately managed. The reserved matters layout plan indicates that works in connection with the existing dyke are to be agreed with the local authority, however further information has been provided which demonstrates that diversions are capable of being achieved. The precise detail of these arrangements can continue to be adequately controlled by conditions imposed upon the outline permission, and the LLFA Drainage Team have made clear that an appropriate method of drainage for the site must be agreed for the above conditions to be discharged. The fundamental requirement of the drainage scheme is that it must ensure that existing dwellings are not adversely affected. The additional information provided by the applicant has confirmed that suitable provision can be made for drainage to serve the development without impacting upon existing dwellings. In the absence of any outstanding objection from the LLFA Drainage Team, members are advised that the

proposals are considered to be wholly compliant with policies CS19 of the Core Strategy and DS16 of the North Lincolnshire Local Plan.

Residential amenity

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

The proposed dwellings would each be no closer than approximately 9 metres from any of the existing dwellings to the north or south (Thistle Down). Plots 1–3 would generally be in excess of 15 metres from plots 4–6. The new dwellings would not be positioned in such a manner as to result in any unacceptable loss of sunlight or outlook to either new or existing dwellings. There would be a loss of view from the rear of the properties to the north, however this is not a material planning consideration and sufficiently open outlook would be retained across the proposed access road.

In terms of privacy and overlooking, the dwellings would have primary windows facing either into open land to the west (plots 4–6) or Scotter Road (plots 1–3). The respective front elevation windows on each of the proposed dwellings would be between 15 and 20 metres apart and would not result in unacceptable levels of overlooking. Planting to the eastern boundary of the site will ensure a good degree of privacy to the rear ground floor windows and rear gardens of plots 1–3. Given the layout of the site, there would be no direct views from any habitable room window into corresponding windows at Thistle Down or the Gelder Beck Road properties.

Concerns have been raised regarding the impact of noise from traffic using the access road on the rear gardens of the three dwellings adjoining it to the north. It is not considered, given the proposed 1.8 metre timber fencing and the scale of the current proposal (six dwellings), that there would be an unacceptable level of activity which would be over and above that expected from a housing development. The access road will be constructed from bound material which will limit any road noise; furthermore, vehicles are likely to be travelling at lower speed, given the nature of the road, compared to the busier Scotter Road to the east.

General noise from the dwellings is unlikely to exceed that present in the existing developments to the north, or levels which would be abnormal for an urban area, particularly given the relatively modest scale and density of the proposal.

It is not considered that there would be any unacceptable impact on residential amenity of neighbouring dwellings nearby, particularly those to the north and south. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan in this regard.

Ecology

The issue of ecology has been raised in letters of objection. The site at present is fairly nondescript open land and is not considered likely to provide a substantial wildlife habitat; also, some wildlife is likely to be present as with all undeveloped land of this nature. The loss of the grassed area is considered likely to be offset by the provision of trees and planting within the site. The cherry trees would attract pollinators and provide fruits for birds. The rowans (*Sorbus*) would also provide similar opportunities. Other planting proposed would provide biodiversity benefits to birds and insects.

Condition 8 of the outline permission, requiring ecological surveys etc, remains extant and must still be discharged. The current proposed landscaping is acceptable for its ecological and design benefit to the site; nevertheless, the developer should be aware that additional planting maybe required to provide adequate biodiversity net gain on the site at the discharge of condition stage.

Other matters

With regard to the lack of a number of surveys and reports as indicated in one objection, the local planning authority has previously considered that sufficient information has been provided to make an accurate recommendation on this proposal.

The concerns regarding the rear of plots 1–3 facing the road and the potential for increased crime have previously been noted. As with any new development, adequate security provision is recommended. As indicated previously, the police (Designing Out Crime team) have been consulted on the proposal and suggest improved security measures via screening and planting to the eastern boundary of the site with the main road. The application has previously been amended to add thorny shrubs to the rear boundaries of plots 1–3 to deter intrusion and provide an additional degree of security.

The previous report identified that outline planning permission had been granted for up to 25 dwellings on the land to the west of the site (PA/2019/164). This would likely be served by the same access road as the current proposal site, as indicated on the submitted site layout plan. No applications for approval of reserved matters in respect of this application are currently being considered by the local planning authority. Any matters relating to further development to the west need to be addressed via future application where it will also be assessed on its own merits.

Conclusion

In summary, this reserved matters application is considered to be in accordance with relevant policy in relation to access, appearance, landscaping, layout and scale. Matters relating to drainage have been adequately addressed through the submission of further information in the form of an updated Outline Sustainable Drainage Strategy and through further discussion with officers. Detailed arrangements for drainage at the site remain the subject of a condition imposed on the outline permission, and as a result further precise details would need to be submitted before any development commences on site. The additional information provided by the applicants following the committee's deferral of the application has satisfied officers that a suitable drainage scheme can be brought forward at the site. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION Grant approval subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

2.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

which have been agreed in writing by the local planning authority. Once constructed the private driveway shall be retained.

Reason

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

3.

The planting shown on approved drawing 1360.03 shall be implemented prior to first occupation of the first dwelling on the site, and shall be retained thereafter unless otherwise agreed in writing by the local planning authority. Any tree or planting which becomes diseased, dies or is removed within the first five years of completion of the development shall be replaced with a similar species during the next available planting season.

Reason

In the interest of the ecology and appearance of the site in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

4.

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

1360.03 Layout

1360.02 Proposed dwellings.

Reason

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

Informatives

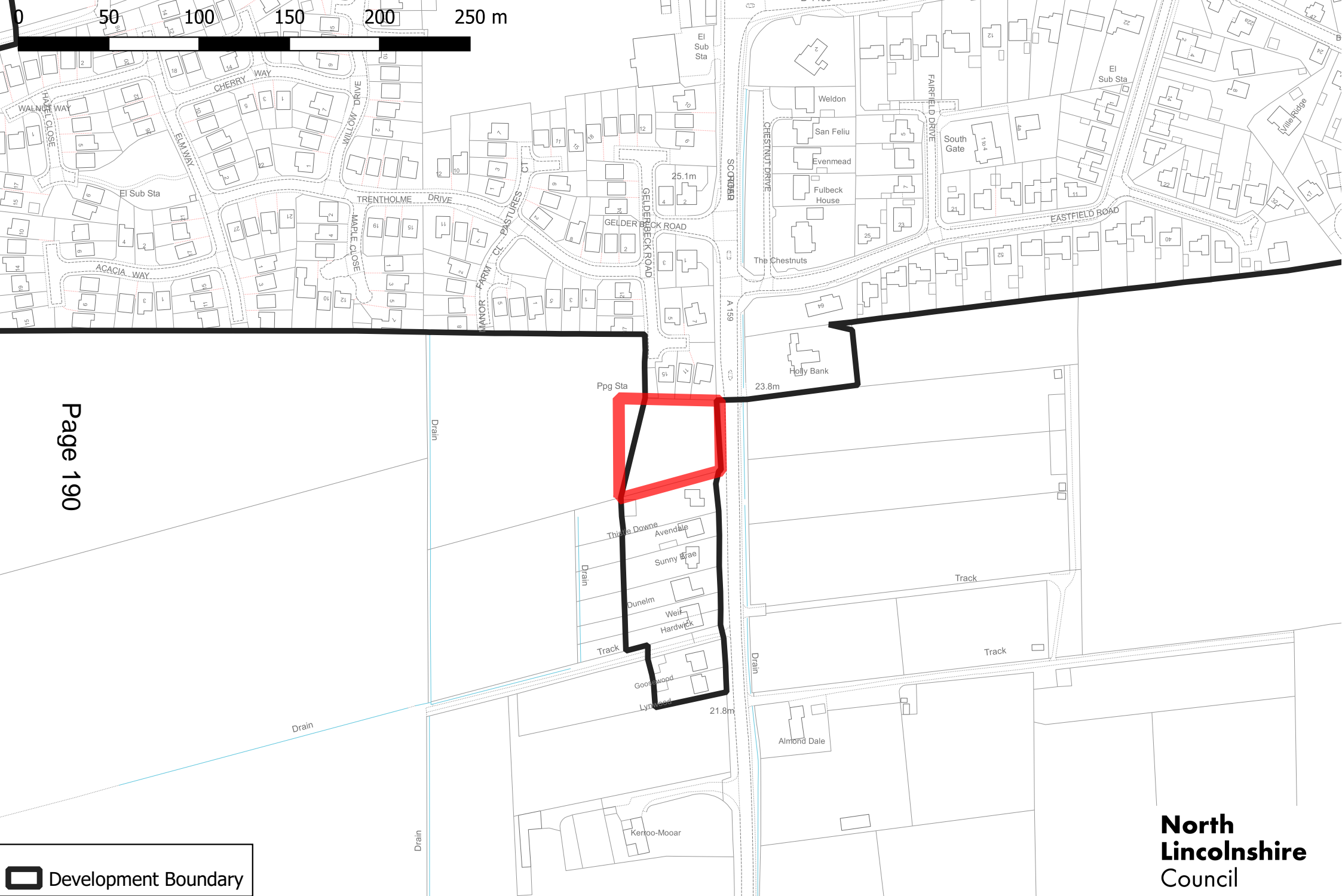
1.

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.



Page 190

 Development Boundary

PA/2021/1034

**North
Lincolnshire
Council**

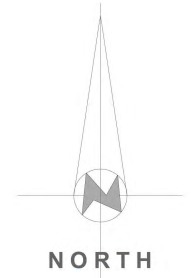
AMENDED

DC NOT SCALE FROM THIS DRAWING.

NOTES
 All materials, construction and details shown or implied by this drawing must comply with the current British Standards, Codes of Practice, Planning and Building Regulation requirements, Health and Safety Executive Legislation and the Client's particular specifications. Conflicting information shown or implied shall be referred to ADS (Scunthorpe) Ltd. This drawing is Copyright and the information contained within it is strictly confidential and may not be disclosed to third parties without the written permission of ADS (Scunthorpe) Ltd.

| Revision | Date |
|----------|------|
| | |

NCTE - this drawing is to be read in conjunction with drawing reference 18E5/001 prepared by Shire Surveys



- LANDSCAPING SCHEDULE**
- T01 - Sorbus 'Vilmorinii'
 - Vilmorin's Rowan Trees
 - T02 - Prunus 'Accolade'
 - Flowering Cherry Tree
 - T03 - Prunus 'Ukon'
 - Japanese Flowering Cherry Tree
 - T04 - Prunus 'Pandora'
 - Flowering Cherry Tree
 - T05 - Sorbus 'Joseph Rock'
 - Tree
 - Yellow Berried Mountain Ash

- SITE FRONTAGE PLANTING -**
- Berberis Stenophylla
 - Ilex Aquifolium 'Ferox Argentea'
 - Mahonia Media 'Winter Sun'
 - Pyracantha Orange Glow.

Proposed Site Layout

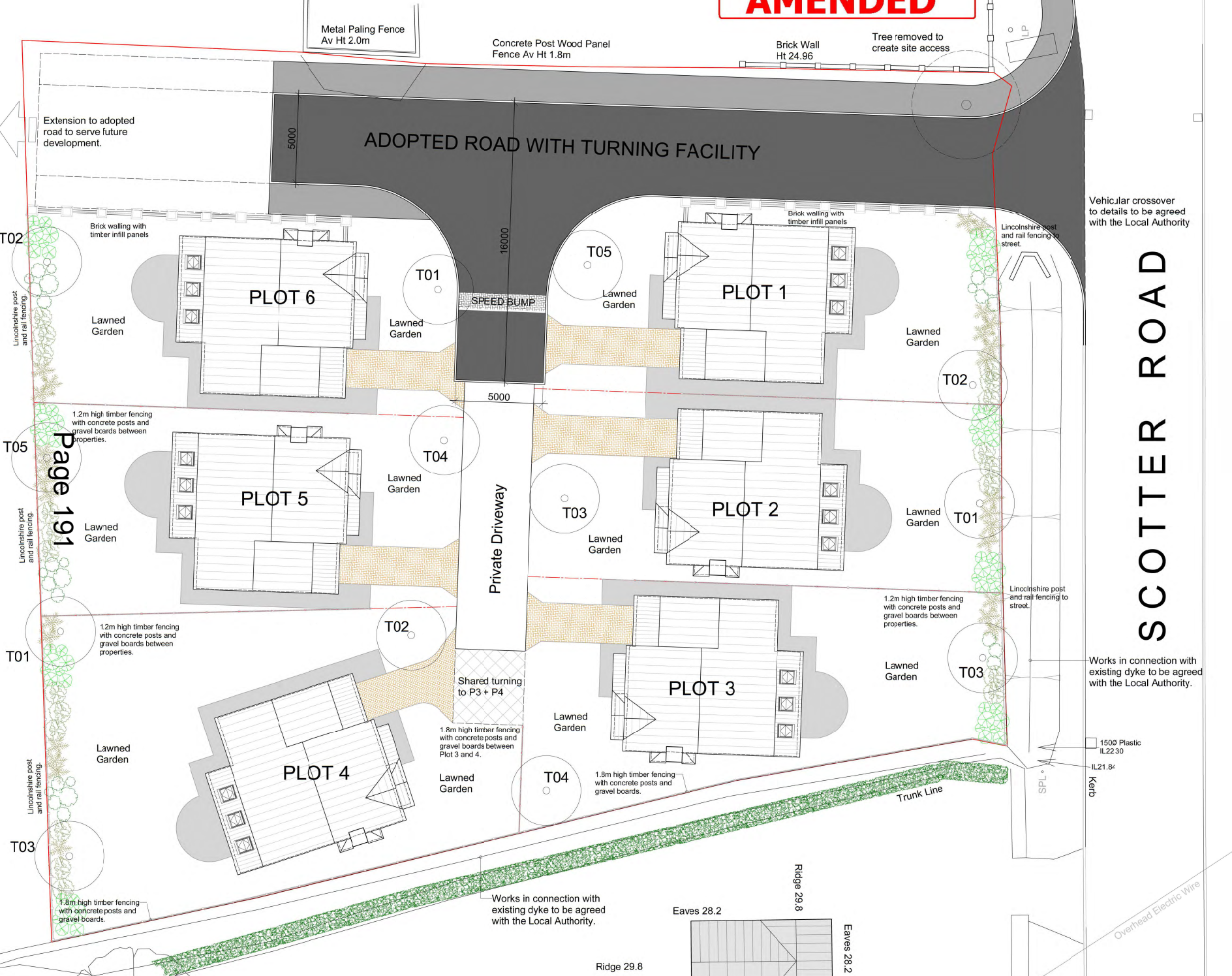
Project:
 Proposed Housing Development
 Land off Scotter Road, Messingham
 North Lincolnshire

Client:
 Mr. A.E. Swaby and Mr. D.M. Swaby

ADS Architectural Design Services (Scunthorpe) Ltd

3 Central Square
 Scunthorpe
 North Lincolnshire
 DN15 8LN
 TEL: 01724 866666
 EMAIL: ads.scun@rswmtd.com

| | |
|-------------|----------------|
| Date | September 2021 |
| Scale | 1:100 @ A1 |
| Drawn | A. Chaffings |
| Drawing No. | 1360.03 |
| Revision | - |



Vehicular crossover to details to be agreed with the Local Authority

SCOTTER ROAD

Works in connection with existing dyke to be agreed with the Local Authority.

1500 Plastic IL22.30
 IL21.8c
 Kerb
 SPL

Page 191

Ridge 29.8

Eaves 28.2

Ridge 29.8

Eaves 28.2

Overhead Electric Wire

PA/2021/1034 Proposed dwellings (not to scale)

DC NOT SCALE FROM THIS DRAWING.

NOTES
 All materials, construction and details shown or implied by this drawing must comply with the current British Standards, Codes of Practice, Planning and Building Regulation requirements, Health and Safety Executive Legislation and the Client's particular specifications. Contrasting information shown or implied shall be referred to ADS (Scunthorpe) Ltd. This drawing is Copyright and the information contained within it is strictly confidential and may not be disclosed to third parties without the written permission of ADS (Scunthorpe) Ltd.

| Revision | Date |
|----------|------|
| | |



STREET SCENE ELEVATION TO SCOTTER ROAD



SIDE ELEVATION



REAR ELEVATION



View on leaving Messingham



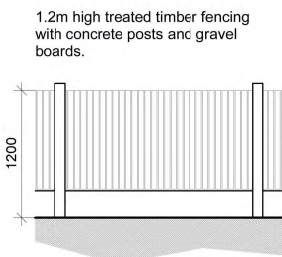
View on entering Messingham



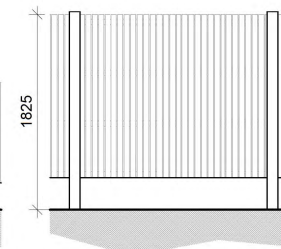
FRONT ELEVATION



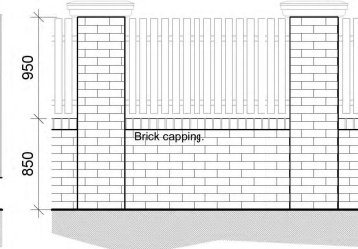
SIDE ELEVATION



1.2m high treated timber fencing with concrete posts and gravel boards.

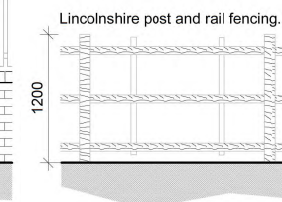


1.8m high treated timber fencing with concrete posts and gravel boards.



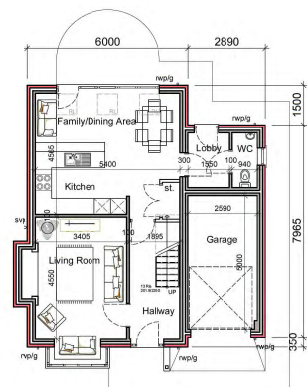
1.8m high brickwork walling with treated timber infill panels.

Reconstituted stone capping to pillars.

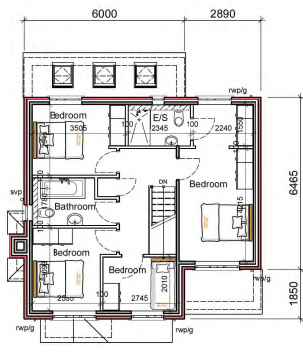


Lincolnshire post and rail fencing.

BOUNDARY FENCING and WALLING DETAILS



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Floor Plans Indicate Plots 1 and 4
 Plots 2, 3, 5 and 6 handed



View to the rear of Plots 1 - 3



View to front of Plots 4 - 6

Proposed Dwellings

Project:
 Proposed Housing Development
 Land off Scotter Road, Messingham
 North Lincolnshire

Client:
 Mr. A.E. Swaby and Mr. D.M. Swaby

Architectural Design Services
 (Scunthorpe) Ltd
ADS

Date: May 2021

Scale: 1:100 @ A1

Drawn: A. Chaffings

Drawing No: 1360.02

Revision

-



PA 12017/392
 DEVELOPMENT CONTROL SECTION
 09 MAR 2017
 DATE RECEIVED
 Referred To

JEM MANAGEMENT SERVICES
 45 Oswald Road
 Scunthorpe
 North Lincolnshire
 DN15 7PN

client:
 Mr A.E. & Mr D.M. Swaby
 Land West of Scotter Road (A159), Messingham

project:
 Proposed Residential Development

drawing title:
 Proposed Block Plan

| | | |
|-----------------------------|---------------------|-------------------|
| drawn by: NwP | date: 03.03.2017 | scale: 1 / 500 |
| drawing No: SW / 17 / 03 | rev: | |

This page is intentionally left blank