APPLICATION NO PA/2021/1224

APPLICANT A Wheatley

DEVELOPMENT Planning permission to erect three bungalows

LOCATION 28 Doncaster Road, Westwoodside, DN9 2EA

PARISH Haxey

WARD Axholme South

CASE OFFICER Emmanuel Hiamey

SUMMARY Grant permission subject to conditions

RECOMMENDATION

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision making)

Chapter 5 (Delivering a sufficient supply of homes)

Chapter 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)

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy H1 (Housing Development Hierarchy)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering more Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

CONSULTATIONS

Severn Trent Water: No objection but comments that the disposal of surface water utilising soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, another sustainable method should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water shall enter the foul water system by any means.

Environmental Protection Team (Contaminated Land): No objection subject to a condition relating to contaminated land.

Historic Environment Record (Archaeology): No objection, commenting that the proposal does not adversely affect any heritage assets of archaeological interest or their settings and will not adversely affect the Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14).

Drainage Team (Lead Local Flood Authority): No objection subject to conditions.

Highways: No objection subject to conditions.

PARISH COUNCIL

Object to the application on the basis that the street scene is a mix of building types and should not be affected by this proposal. It should not create any privacy or overshadowing issues. While a well-presented application, they have concerns as to the density level and would expect the planning department to assess this against current allowances for a rural village.

It is not social or affordable; however, given the high level of older people living in Westwoodside, it could meet a local need for housing for older people. It might be appropriate to require a condition as to tenancy use.

PUBLICITY

A site notice has been displayed and a total of 21 public comments have been received: 8 in support of the proposal and 13 objections (4 from the same objector having been counted as one). The letters raise the following material issues:

Objections:

- the design of the dwellings
- over-development of the site.
- impact on the character of the area.
- impact on 28 Doncaster Road
- access and parking provision
- public safety on Doncaster Road
- proposed small amenity space
- drainage
- flooding.

Support:

- the principle of the development
- affordable rental properties in the area
- design and materials
- enhancing an unattractive piece of ground
- infill development.

ASSESSMENT

Site constraints

SFRA Flood Zone 1

Development boundary

Planning history

PA/2017/1441: Planning permission to erect a detached house and detached garage -

approved 14/11/2017 (rear of 28 Doncaster Road)

PA/2016/1781: Planning permission to erect a detached house and garage - approved

08/03/2017 (rear of 26 Doncaster Road)

PA/2015/1385: Planning permission for new vehicular access - approved 11/12/2015

(28 Doncaster Road)

PA/2013/0259: Outline planning permission to erect two dwellings with access not

reserved for subsequent approval – approved 06/08/2013 (includes subdivision of the rear garden of 28 Doncaster Road to erect two detached

dwellings).

Site description and proposal

Planning permission is sought to erect three bungalows at 28 Doncaster Road, Westwoodside. The site is within the development boundary of Westwoodside.

By way of background, several applications have been approved in or around 28 Doncaster Road. The planning history of the site confirms that all the proposals approved in the area were outside the curtilage of 28 Doncaster Road. The only proposal approved on the site is the planning permission for new vehicular access on 11 December 2015 (PA/2015/1385).

This proposal seeks to sub-divide the curtilage of 28 Doncaster Road to erect three small bungalows (Units 1 and 2). The units would be single-storey with pitched roofs. The proposed materials are brickwork and timber boarding, and the roofs would be tiled. Unit 1 would consist of two semi-detached dwellings and Unit 2 a single detached dwelling, each dwelling containing an open plan single bedroom.

The main issues to consider in the determination of this application are:

- the principle of the development;
- layout, siting and design;
- whether the dwellings would harm the character of the area;
- impact on neighbouring amenities;
- highway safety, access, and parking.

Principle of development:

Policy CS1 states, 'Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. The development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility.

Policy CS2: Delivering more Sustainable Development states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted.

The adopted sequential approach focuses on the following:

(a) Previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions

- (b) Previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs
- (c) Small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Policy CS3 (Development Limits) ensures that the countryside is protected from inappropriate development and that no uncontrolled expansion of settlements will take place. Since the site is within the development boundary of Westwoodside and housing development on the site is not restricted, the proposal meets the terms of the policy.

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

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

The site is within the development boundary of Westwoodside where the principle of residential development is considered acceptable. The proposal generally accords with the relevant policies of the development plan. As such the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004 is engaged, which states that planning permission should be granted unless other material considerations indicate otherwise. The proposal is considered to represent sustainable development and the presumption in favour set out in paragraph 11 of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required of the technical elements of the proposal which will be discussed below.

Layout, siting and design

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. All proposals will be considered against the criteria of quality of design and amenity impact among other criteria.

Policy CS5 of the North Lincolnshire Core Strategy 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.

The current layout of the site and the design of the dwellings is the result of negotiations between the case officer and the applicant to improve the development by ensuring the dwellings can be accommodated on the site and have sufficient amenity area (private manageable garden), which, though visible from properties in the area, will be adequate for the enjoyment of the occupiers.

The planning authority believes the layout, as amended, is acceptable because it would not result in a cramped development, and would knit the area together and integrate with the surrounding buildings.

The details of the design have been reviewed and it is judged that the proposal would make a positive contribution to the quality of the area. The density of the area is satisfactory and the proposal would respect the area's character and layout.

While this development would be single-storey, contrary to the two-storey dwellings in the surrounding area, the proposal would respect the scale, proportions and height of neighbouring properties.

The proposed materials (brickwork and timber boarding, and tiled roof) would respect the materials of neighbouring buildings and the local area.

Overall, the design of the proposed dwellings is acceptable in the context of the character and appearance of the site and the immediate area. The proposal, therefore, complies with policies DS1 and CS5.

Residential amenity

Policy DS1: General Requirements expect 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. 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.

In respect of amenity, policies require that new development should be allowed providing that the development does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings.

In this case, the development would be single-storey and the proximity to adjacent properties is such that the dwellings would not raise an issue of over-development, overbearing impact or overshadowing.

Having considered the scale of the development, the position of the windows and proximity to neighbouring properties, it is judged that no issues would arise from loss of privacy.

In general, the proposal would not result in unacceptable impacts to the residential amenity of any property through either overlooking, overshadowing, or overbearing impact. Further, it would not take away the privacy of any property. The proposals would accord with policies DS1 of the local plan and CS5 of the Core Strategy.

Drainage

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

The site lies within SFRA Flood Zone 1, which has a low risk of flooding. The LLFA Drainage Team has no objection to the proposed development subject to the imposition of planning conditions. It is therefore believed that the development is unlikely to raise a significant issue of flooding. The recommended conditions would be applied to any permission granted.

Highways

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.

The properties would have shared access arranged around a driveway. Each dwelling would have one dedicated parking space. Highways have no objection to the grant of permission subject to conditions. The proposed access and parking provision are therefore sufficient to serve the development.

Overall, the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan and the National Planning Policy Framework.

Archaeology

The site is not within the Area of Special Historic Landscape Interest of the Isle of Axholme. The proposal will therefore not be assessed against local plan policy LC14.

The archaeology officer has confirmed that the proposal does not adversely affect any heritage assets of archaeological interest or their settings and will not adversely affect the Area of Special Historic Landscape Interest of the Isle of Axholme.

Contaminated land

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. Policy DS11 of the local plan is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that 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 of the local plan is also concerned with the protection of amenities.

Environmental Protection has reviewed the proposal and indicated that the development of three residential properties is a sensitive end-use. In addition, historic maps show the presence of historic buildings of unknown use. Therefore, there is the potential for the site to have been affected by contamination which can include PAHs, metals and hydrocarbons. It is the developer's responsibility to assess and address any potential contamination risks; however, no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level. If the council is mindful to determine the application

without the information required under National Planning Policy guidance then the department would recommend the inclusion of conditions relating to contaminated land.

Public comments

As indicated earlier, 21 public comments have been received: 8 in support of the proposal and 13 objections (4 from the same objector having been counted as one). Having reviewed the comments, it is evident that nearly all are either a duplicate of the same letter or a repeat of the issues.

Concerns about the design and impact of the development on neighbouring properties and the surrounding area, over-development of the site, and access and parking provision have been addressed previously in this report. The LLFA Drainage Team have commented on drainage.

Likewise, the matters raised in support of the application, including the principle of the development, design and materials, have been addressed previously in this report.

Haxey Parish Council objection

Haxey Parish Council object to the application on the basis that the street scene is a mix of building types and should not be affected by this proposal, and the development should not create any privacy or overshadowing issues.

They have indicated that while it is a well-presented application, they have concerns as to the density level and would expect the planning department to assess this against current allowances for a rural village.

Notwithstanding the above, they have commented that while the proposal is not social or affordable housing, given the high level of older people living in Westwoodside it could meet a local need for housing for older people and might be appropriate to require a condition as to tenancy use.

In response, the matters of the density of the area, and its impact on the character of the area and neighbouring amenities have been addressed in this report.

The comment about the development meeting local housing need for older people gives the impression that Haxey Parish Council is open to supporting the development if it meets the terms of relevant policies of the local development plan.

Conclusion

In conclusion, the proposed sub-division of the curtilage of 28 Doncaster Road for an additional three dwellings, in principle, is acceptable because the site is within the development boundary and is judged as brownfield land given the previous garage which has been demolished in the past.

The layout, siting and modest, single-storey design of the dwellings, while a reduced scale of development in the area compared to nearby properties, would not harm the setting or the street scene, raise no planning issues and are judged acceptable.

The layout and design within the curtilage of 28 Doncaster Road would not result in a cramped development and would fit in well with the character of the site and its surroundings.

The scale of the dwellings would ensure there would be no undue impact on the amenity of neighbouring properties by way of overshadowing, loss of daylight or loss of privacy.

The proposal is therefore recommended for approval.

Pre-commencement conditions

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

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

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

Dwa. No. 21-13-100 Rev 02

Dwg. No. 21-13-101 Rev 02

Dwg. No. 21-13-102 Rev 04.

Reason

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

3.

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 3 and 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.

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 is 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, and 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 for October 2020

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

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

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 dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it has been completed and once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

6.

No 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 nameplates 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.

Informative 1

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

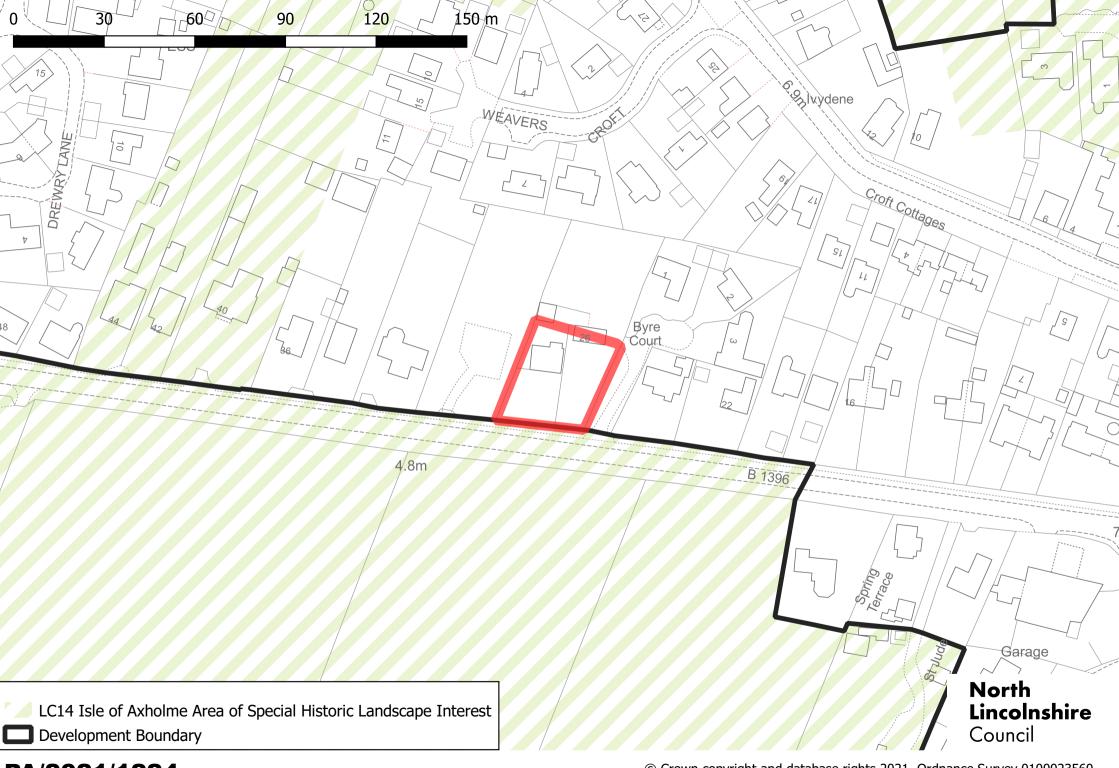
Informative 2

Severn Trent Water advises that although their 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 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 that protects both the public sewer and the building.

Informative 3

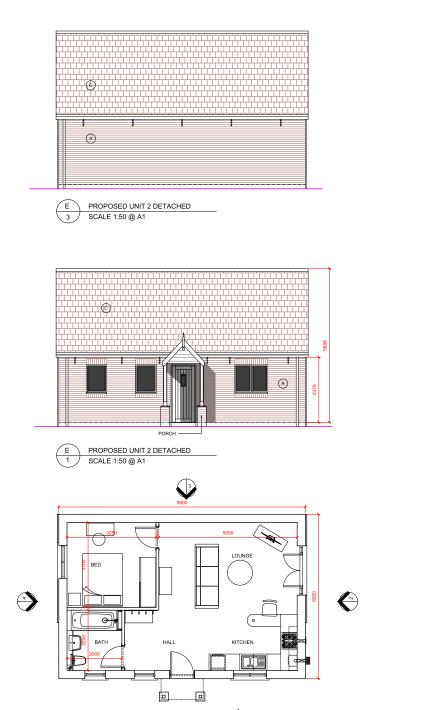
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

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

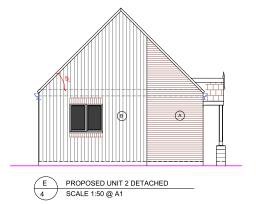


AMENDED PA/2021/1224 Proposed layout (not to scale) UNIT 1 AMENITY SPACE HATCHED 28 EXISTING DWELLING DONCASTER ROAD 4.8m PARKING FOR UNIT 1 LOCATION PLAN (001/ SCALE 1:500@ A1 **GENERAL NOTES** ACCOMMODATION SCHEDULE 1.0 SURFACE WATER TO DRAIN TO APPROVED 2 NO SEMIDETACHED SINGLE BED BUNGALOWS SOAKAWAY DESIGN. 2.0 FOUL DRAINAGE TO CONNECT TO EXISTING SYSTEM ON SITE. UNIT 2 1 NO DETACHED SINGLE BED BUNGALOW 54 M SQ 4.0 PARKING BAYS TO BE PERMEABLE FINISH. AMENITY SPACE HATCHED 5.0 AMENITY SHADED AREAS TO INCLUDE PROPOSED LOCATION FOR PAVED AREAS FOR EXTERNAL CIRCULATION. SOAKAWAY "MIN 5M AWAY FROM HIGHWAY" 6.0 MATERIALS FACING BRICK TO APPROVED SAMPLE. VERTICAL TIMBER BOARDING, SYNTHETIC. ROOF SLATE TILES PARKING FOR UNIT 2 WINDOWS UPVC IN GREY DOORS UPVC IN GREY CLOSE FASCIA NON PROJECTING DONCASTER ROAD RAINWATER GOODS BLACK. GUTTERS ON RISE AND FALL BRACKETS. LOCATION PLAN AND PROPOSED SITE PLAN © ANTHONY SNOWDEN ARCHITECT 2020 AS SHOWN PROPOSED SITE PLAN SCALE 1:100 @ A1 21-13-100

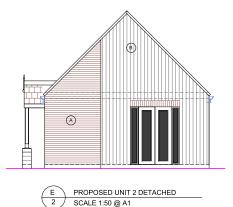
PA/2021/1224 Proposed plans and elevations (detached) (not to scale)



PROPOSED UNIT 2 DETACHED SCALE 1:50 @ A1

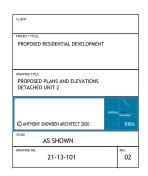


MATERIALS A - BRICKWORK B - VERTICAL TIMBER SYNTHETIC BOARDING C - SLATE TILES

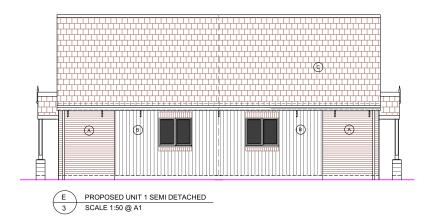


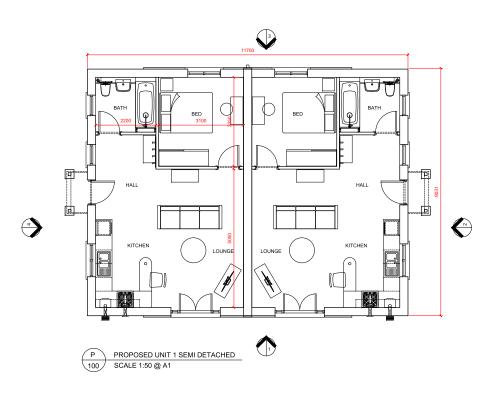


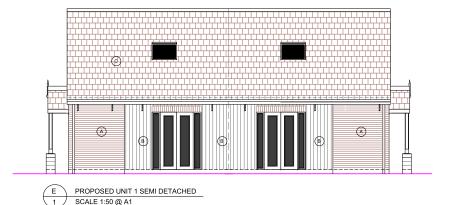
REV	DATE	DESCRIPTION	CHECKED	APPROVED
01	220621	PLANNING APPLICATION		
02	120721	PLANING APPLICATION ELEVATIONS TO DETACHED UNIT ADDED		

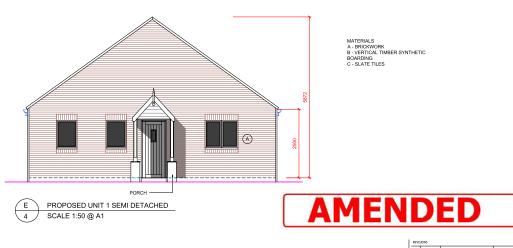


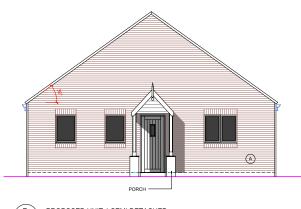
PA/2021/1224 Proposed plans and elevations (semi-detached) (not to scale)











PROPOSED UNIT 1 SEMI DETACHED
2 SCALE 1:50 @ A1

REV	DATE	DESCRIPTION	CHECKED	APPROVED
01	220621	PLANNING APPLICATION		
02	120721	PLANNING APPLICATION ELEVATION E2 ADDED		
04	170322	UNIT 1 ROOF REVISED TO SINGLE PITCH		

CLIENT	
PROJECT TITLE	
PROPOSED RESIDENTIAL DEVELOPMENT	
PROPOSED PLANS AND ELEVATIONS	
SEMI DETACHED UNIT 1	
SEMI DETACHED ONLY	
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KALE	
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