

APPLICATION NO	PA/2022/961
APPLICANT	Mr Wolstenholme, Keson Homes
DEVELOPMENT	Planning permission to vary condition 2 of PA/2019/996 namely to revise design to Plot 12
LOCATION	Plot 12 Barnside, Hibaldstow
PARISH	Hibaldstow
WARD	Ridge
CASE OFFICER	Alan Redmond
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Hibaldstow 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 15 – Conserving and enhancing the natural environment.

North Lincolnshire Local Plan:

H5 New Housing Development

H8 Housing Design and Housing Mix

H10 Public Open Space Provision in New Housing Development

DS1 General Requirements

DS3 Planning Out Crime

T19 Car Parking Provision

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

CS9 Affordable Housing

CS25 Promoting Sustainable Transport

North Lincolnshire Housing and Employment Land Allocations Development Plan Document

CONSULTATIONS

Highways: No objections subject to recommended condition being applied.

LLFA Drainage: No objections subject to recommended condition being applied.

Environmental Protection: No objections subject to appropriate investigation for contaminants.

Waste Management Services: No objections; advice given on waste bins and collections.

Archaeology: Suitable investigation has already been undertaken and no further work is required.

PARISH COUNCIL

Object due to impact on the street scene.

PUBLICITY

Advertised by site notice – no comments received.

ASSESSMENT

Planning history

PA/2014/0397: Planning permission to erect 16 dwellings with estate roads and footpaths – approved 30/09/2015

PA/2019/996: Planning permission to erect 14 dwellings with vehicle garaging, associated access and landscaping works – approved 06/04/2020.

Proposal

The material considerations in assessing this application are:

- **visual amenity**
- **residential amenity**
- **highway safety.**

This application is made under S73 of the Town and Country Planning Act 1990 to modify condition 2 of planning permission PA/2019/996, namely to amend the approved drawing to plot 12.

The existing approval is for a two-storey detached dwelling, and the amendment seeks consent for a dormer-style property.

The application was originally submitted as a full application to change plot 12; however, as this would have required a new S106 agreement to link the proposal to the original consents, the application was altered to an S73 to modify the approved condition. Appropriate re-consultation has been undertaken.

Visual amenity

The application proposes the erection of a 1½ storey dwelling with eaves dormers to the front and rear of the property. The property is of a traditional design. The surrounding area is made up of a mix of different property types and it is therefore considered that there is no locally distinctive vernacular which would need to influence the design of this property.

The proposed dwelling is in similar position to that of the existing approval and is of a similar footprint. The previously approved garage remains as per the approval.

An objection has been put forward by the parish council raising concerns with regard to the proposal's impact upon the street scene. Plot 12 is sited to the western boundary of the site, furthest away from Barnside, with dwellings consented under PA/2019/996 being sited between the proposal and the road. It is considered that the proposal would not have any adverse impacts upon the existing street scene.

It is therefore considered that the proposal is in accordance with saved policy H5 and DS1 of the local plan, CS5 of the Core Strategy and part 12 of the National Planning Policy Framework which seek to secure high quality design in developments.

Residential amenity

The proposed dwelling provides all habitable rooms with an appropriate outlook and the property is provided with a suitable private amenity area which is of an acceptable size and shape to meet the needs of future occupiers.

The nearest residential properties are sited to the west on Ford Lane. It is considered that the proposed amendment results in an improved relationship between existing dwellings in terms of amenity.

It is considered that the proposal will not have an adverse impact upon residential amenity and it is therefore considered acceptable in this regard.

It is therefore considered that the proposal is in accordance with saved policy H5 and DS1 of the local plan, CS5 of the Core Strategy and part 12 of the National Planning Policy Framework which seek to secure appropriate standards of amenity in developments.

Highway safety

The application does not alter the previously approved road layout or access arrangements. The proposed dwelling is smaller than that previously approved and it is therefore considered that the proposal will not result in any increased demand to parking or impacts upon the highway network.

The application has been assessed by the Highway Authority and no objections have been raised to the proposal.

A condition recommended by the Highway Authority was made prior to the alteration of the proposal to an S73 and therefore the conditions applied to the original consent are sufficient to ensure the proposal is brought forward to an acceptable standard in highway terms and no further conditions are required.

S106 arrangements

The base permission (PA/2019/996) is subject to an S106 agreement which secures relevant obligations. The S106 contains a clause which ensures that all subsequent applications made under S73 are bound by the terms of the original S106 agreement. An S106a agreement is therefore not required in this instance.

Conclusion and planning balance

The decision has been considered against the relevant policies of the local plan, the Core Strategy and guidance contained in the National Planning Policy Framework and National Planning Practice Guidance.

It is considered that the proposed residential development of the site will not have an unacceptable impact on the character of the area, highway safety or the amenity of neighbouring residential properties. Furthermore, the development will support the vitality of the settlement. On this basis it is considered that the proposed development is acceptable.

Approval is therefore recommended subject to conditions. Conditions which have been discharged on PA/2019/996 are not required to be imposed on this approval.

RECOMMENDATION Grant permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 54406 Rev B Plot 12 Proposed Elevations, Floor Plans and Layout.

Reason

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

2.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 of planning permission PA/2019/996, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

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

3.

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment Final Rev B, April 2013 amended 5 April 2014, and in particular the following mitigation measures:

- Finished floor levels set no lower than 8.42 metres above Ordnance Datum (AOD);
- Provision of a 9 metre wide buffer strip adjacent to the main river, as shown in the layout plan in appendix B;
- Surface water network details as shown in appendix D, with a maximum discharge rate no greater than 5l/s.

The mitigation measures shall be fully implemented prior to occupation.

Reason

To prevent the increased risk of flooding, both on and off site.

4.

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

Part 1: Site Characteristics

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

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

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

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

Part 2: Submission of Remediation Scheme

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

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

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

5.

No dwelling on site shall be occupied until works to improve Barnside identified on drawing number A0003 have been completed including:

- carriageway and footway widening;
- appropriate street lighting alterations/improvements;
- removal of redundant access points.

have been completed in accordance with details to be submitted and approved in writing by the local planning authority.

Reason

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

6.

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

- the proposed method of forming access from the highway, including the required visibility splays;
- the method of constructing/paving the drive;
- the provision of suitable bin collection facilities adjacent to the highway; and
- the provision of street name plates that shall include the words 'Private Drive';

as identified on drawing number A0003. Once constructed the private driveways shall be retained.

Reason

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

7.

No dwelling served by the proposed private driveways shall be occupied until adequate lighting arrangements have been provided in accordance with details to be submitted and

approved in writing by the local planning authority. Once provided the lighting arrangements to the driveways shall be retained.

Reason

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

8.

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.

9.

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

Reason

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

10.

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

Reason

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

11.

The Biodiversity Management Plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

The applicant or their successor in title shall submit photographs of the installed bat roost and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To enhance features of recognised nature conservation importance in accordance with policy CS17 of the North Lincolnshire Core Strategy.

12.

Notwithstanding the layout plan, a scheme for the erection and location of boundary treatments shall be submitted to and agreed in writing with the local planning authority. The scheme shall thereafter remain in perpetuity.

Reason

In the interests of character and amenity and in accordance with policy CS5 of the North Lincolnshire Core Strategy.

13.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no extensions or outbuildings shall be erected on the site/installed on plots 9, 10, 11 and 12 other than those expressly authorised by this permission.

Reason

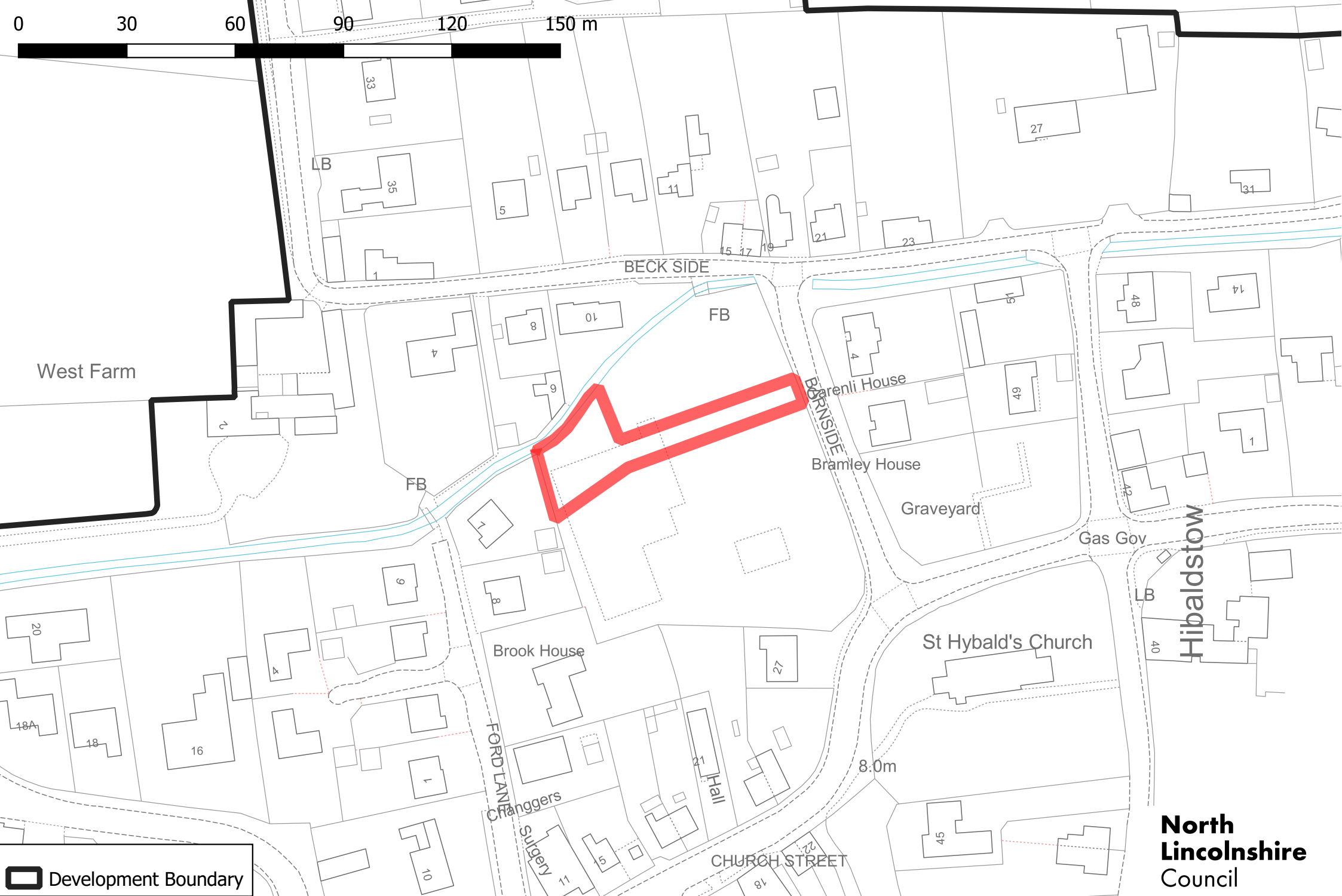
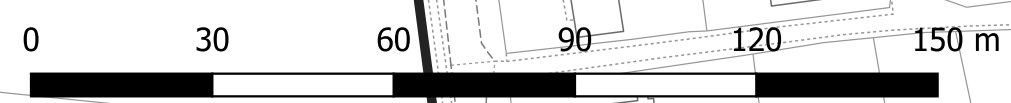
To allow the watercourse to remain unobstructed.

Informative 1

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

Informative 2

The applicant is reminded of the obligations contained within the S106 Agreement relating to PA/2019/996, which also relates to this permission.



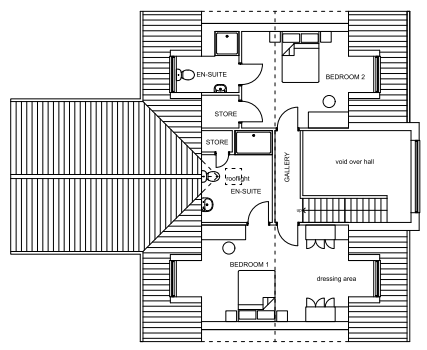
 Development Boundary

PA/2022/961

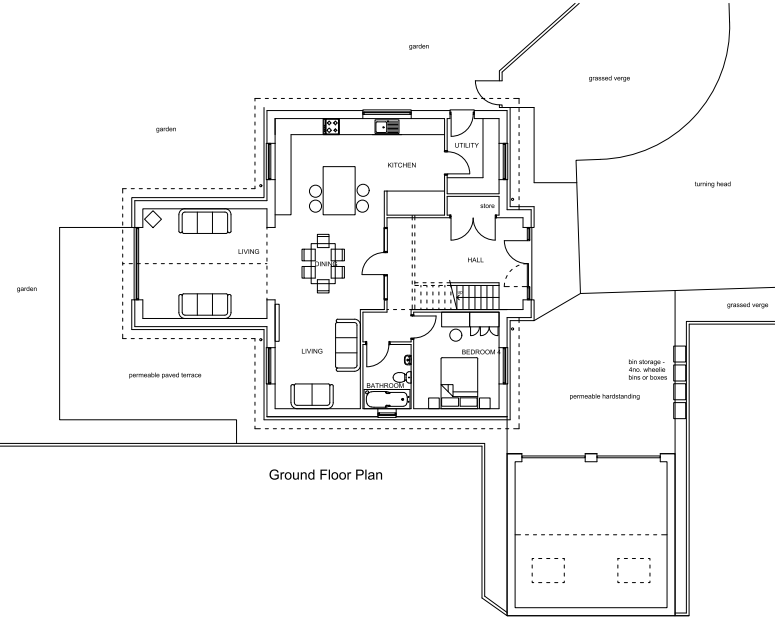
**North
Lincolnshire
Council**

PA/2022/961 Proposed elevations and plans (not to scale)

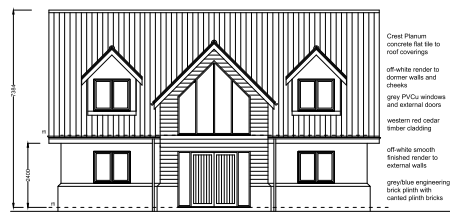
Issue Status			
This drawing is copyright. Only figured dimensions to be worked to.			
Revision	Drawn	Check	Date
A	KK	HM	12.05.2022
B	KK	HM	20.05.2022



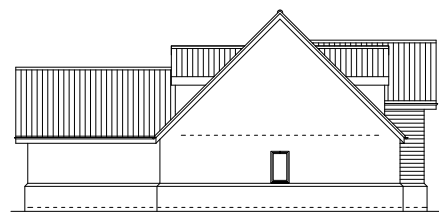
First Floor Plan



Ground Floor Plan



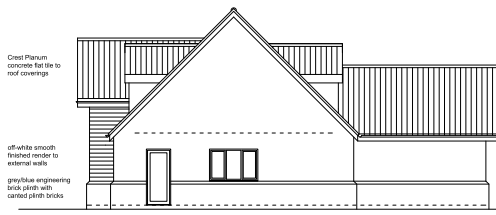
East Elevation



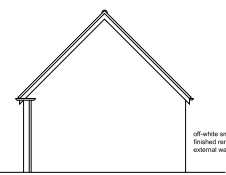
South Elevation



West Elevation



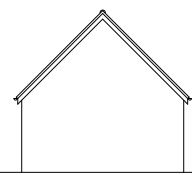
North Elevation



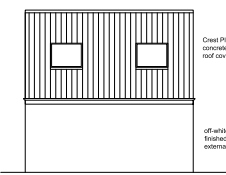
Garage - East Elevation



Garage - North Elevation



Garage - West Elevation



Garage - South Elevation



Client			
Mr K Wilson			
Address			
Plot 12, Brook House Farm, Hibaldstow			
Project	Sheet	Date	Scale
Scheme Plans and Elevations	544.06	B	
12.05.22	1:100@A1	KK	HM

Kelly & MacPherson
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