

APPLICATION NO	PA/2022/1557
APPLICANT	Mr & Mrs Oades
DEVELOPMENT	Planning permission for change of use of plot to residential and erection of a detached house
LOCATION	Land adjacent to Pumping Station, Carr Lane, East Lound, DN9 2LT
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan 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 15 – Conserving and enhancing the natural environment

North Lincolnshire Local Plan:

DS1: General Requirements

DS16: Flood Risk

RD2: Development in the Open Countryside

H5: New Housing Development (Part 2 saved)

H8: Housing Design and Housing Mix

T1: Location of Development

T2: Access to Development

T19: Car Parking Provision and Standards and Appendix 2

LC5: Species Protection

LC7: Landscape Protection

LC12: Protection of Trees, Woodland and Hedgerows

LC14: Area of Special Historic Landscape Interest

North Lincolnshire Core Strategy:

CS1: Spatial Strategy for North Lincolnshire

CS2: Delivering More Sustainable Development

CS3: Development Limits

CS5: Delivering Quality Design in North Lincolnshire

CS6: Historic Environment

CS7: Overall Housing Provision

CS8: Spatial Distribution of Housing

CS17: Biodiversity

CS19: Flood Risk

CS25: Promoting Sustainable Transport

Housing and Employment Land Allocations Development Plan Document:

The site is outside the development limits, within the open countryside and within LC14 land as shown on the Proposals Map.

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 early 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 as follows:

RD1: Supporting Sustainable Development in the Countryside

SS1: Presumption in favour of Sustainable Development

SS3: Development Principles

SS6: Spatial Distribution of Housing Sites

SS10: Development Limits

CONSULTATIONS

Environmental Protection: No objection subject to a condition to address the potential for contaminants found during development.

Highways: No objection subject to conditions in the interest of highway safety.

LLFA Drainage: No objection subject to conditions to address surface water to prevent an increased risk of flooding and in the interests of highway safety.

Isle of Axholme and North Nottinghamshire Water Level Management Board: No objection. The site is within the Board's district, but there are no Board-maintained watercourses in close proximity to the site.

The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require the Board's prior written consent. The Board's Planning and Byelaw Policy, Advice Notes and Application form are available on the website www.wmc-idbs.org.uk/IOAANN.

The Board's written consent will be required prior to construction of any discharge point from any biotechnical unit/package treatment plant/septic tank into any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

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

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

Archaeology: Recommends permission be refused as the development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2 and DS1.

Trees: The site is bounded by native hedgerow and trees, and these have not been properly assessed as to the impact such a development would have on them and no arboricultural report been submitted to ascertain if development here would impact or detrimentally affect these trees. Overall, as this site is within the LC14 area, my general consideration is that this would be sufficient to suggest that this development is not suitable for this site.

Ecology: No objection subject to conditions 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.

PARISH COUNCIL

Objects on the following grounds:

- earlier application refused
- reliance on private car
- outside the settlement boundary
- this application does not meet any identified need in the local plan for a rural hamlet as it is neither affordable nor social housing
- urge the authority to reject this application as it will impact on the LC14 and the character of the area, and noticeably will only provide market housing
- no justification for a special need for a dwelling of this size.

PUBLICITY

Advertised by site and press notice. Two responses have been received, both objecting to the proposed development. The comments are summarised as follows:

- outside the development boundary
- not in keeping with the village
- the proposed property would block sunlight and overshadow nearby residents (bungalow to side)
- potential damage to nearby trees
- a grave is located within 15 metres of the site
- concerns proposals for solar are not suitable for this site
- concerns the site is not sustainable
- the village building demarcation is there to stop urban sprawl into the important historical countryside, particularly on the Isle of Axholme
- changing the designation to domestic and building land means sprawl
- the village already snakes along this road obstructing views into the ancient strip fields and turbaries; no more extensions should be allowed along this road.

ASSESSMENT

Planning history

PA/2022/667: Planning permission to erect a detached dwelling with associated works – refused 29 June 2022

Reasons for refusal:

1.

The proposed development is contrary to policies RD2 of the North Lincolnshire Local plan and CS2, CS3 and CS8 of the North Lincolnshire Core Strategy in that the site lies outside the defined settlement boundary, in the open countryside, remote from local services. It is considered that the development would have an urbanising effect on the southern edge of the settlement by introducing built form into the rural landscape. In addition, insufficient evidence has been provided to justify a special need for a dwelling in this location.

2.

The proposed development is located on land which is designated as the Isle of Axholme Area of Special Historic Landscape and if permitted would represent unnecessary and inappropriate encroachment into this area, thereby adversely affecting its historic character, appearance and setting. The proposed development is considered contrary to the NPPF, policies CS5 and CS6 of the Core Strategy, and policies LC14, LC7, RD2 and DS1 of the North Lincolnshire Local Plan.

Land to the south of the site was refused planning permission in 2017 (PA/2017/1493) for the erection of a single detached dwelling due to the development being considered contrary to policies LC14, RD2, CS2, CS3 and CS8 of the development plan.

PA/2019/1994: Planning permission to change area of residential land use, erect a detached chalet bungalow thereon and re-site a Dutch barn including associated works – refused 21/01/2020, appeal dismissed 20/07/2020

PA/2020/695: Planning permission to change area of residential land use, erect a detached chalet bungalow thereon and re-site a Dutch barn, including associated works – approved 28/05/2021

Planning permission was revoked on land immediately south of the development site:

PA/2020/219: Planning application to vary condition 2 of PA/2018/2361 to allow for change of footprint and elevation detail – approved 29/07/2020; planning permission revoked 10/02/2021

PA/2018/2361 Planning permission to change area of residential land use, erect a detached bungalow thereon and re-site a Dutch barn – approved 05/08/2019; planning permission revoked 10/02/2021

Site designations/constraints

The site is within the open countryside and within policy area LC14.

The site is not within a conservation area and there are no listed buildings on or adjacent to the site. There are no tree preservation orders on the site.

The site is within SFRA Flood Zone 1.

The site and proposals

The application site is located off Carr Lane, to the south of the settlement of East Lound and is within the open countryside. A few existing residential properties are located to the north and north-west of the site. An existing pumping station forms the immediate northern boundary to the site.

There is an existing residential property to the west of the application site (The Paddock) and one to the south (The Meadows). Whilst there are residential properties to the north and west of the site the main character of the area is rural. The site is overgrown and includes a mix of hedges and trees along the boundary of the site.

Planning permission is sought to change the use of the plot to residential and erect a detached house.

The main considerations in assessing this application include:

- principle of development
- appearance and landscape impact
- residential amenity
- highway safety
- trees
- ecology
- archaeology
- flood risk and drainage.

Principle of development

The site is within the rural settlement of East Lound. It is outside the settlement limits of East Lound as set out by the Housing and Employment Land Allocations Development Plan Document (HELADPD). For policy purposes, this would constitute development within the countryside and therefore the provisions of saved policy RD2 of the local plan apply.

The combined effect of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 is that a planning application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy CS1 (Spatial Strategy for North Lincolnshire) supports limited development in rural settlements such as East Lound provided it is in keeping with the character and nature of the settlement.

Policy CS2 states 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 require a countryside location or which will contribute to the sustainable development of the tourist industry.'

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELADPD. The application site is outside the defined development limit for East Lound and in an Area of Special Historic Landscape Interest.

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

Saved policy H5 covers new residential development, which requires development to be located within settlements or to represent infill.

Local plan saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is for affordable housing to meet a proven need or for the replacement, alteration or extension of an existing dwelling; and even then, strict criteria must be achieved as set out in parts a–f of the policy.

Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The site is within the open countryside in policy terms, though it is on the edge/adjoins the development limits of East Lound. There is also a dwelling to the west which is outside/adjoins the development limits.

The site is within the countryside in policy terms, though it is next to the development limits of East Lound. There is also a dwelling adjacent to the west and one to the south, both of which are outside the development limits. The assessment of the application also needs to take into account the NPPF, which represents a material consideration in the determination of any application.

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

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

National Planning Practice Guidance paragraph 008 states that, in decision-taking, if an authority cannot demonstrate a five-year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.

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

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

There are three dimensions to sustainable development as set out in paragraph 8 of the Framework: economic, social and environmental. Whilst only modest in scale the development does propose an additional dwelling which will bring the following benefits:

Economic: Temporary small-scale employment opportunities during the construction process as well as benefits for local suppliers and businesses during that period; longer term employment benefits which a typical residential property may bring, including repairs and maintenance as well as other works required; potential for new residents to shop locally and use local services.

Social: The local authority area currently has a shortfall in housing supply. Whilst only modest, the development would contribute to the overall land supply.

East Lound is a rural settlement with only 70 residential properties (2019) and is ranked within the 2019 Settlement Survey as 67 out of 76 settlements with an overall score of 9, which is significantly lower than the best score of 75. East Lound only scores a maximum of 1 out of 7 in relation to the number of key facilities available. There is no post office (or post box), no public house, no supermarket, convenience store, market, cash point, or café, takeaway or restaurant within East Lound. In relation to community services the settlement scores 1 out of a possible 20 points, a mobile library being the only facility available. In considering education and health, East Lound scores 0 out of a possible 16 points. There is no doctor's surgery, chemist, dentist, primary, secondary or further educational school, or nursery. In relation to public transport there is a bus stop and a daily service, and the settlement is within 30 minutes of an employment centre. There is no police or fire station, and no hotels or guest accommodation.

Whilst East Lound scores low in the Settlement Survey, the settlement is within close distance of Haxey. Haxey is also identified within the Core Strategy as a rural settlement; however, it ranks much higher in the Settlement Survey being ranked 14 out of 76 settlements. Haxey is identified as a rural settlement and is the largest village in the Isle of Axholme, as stated within the Settlement Survey, and has 5 of the identified 7 key facilities. Facilities include a post office, public house, supermarket chain, takeaway/tearoom, cash point, other shops and a post box. In relation to community services, Haxey has a library, village/church hall, place of worship, playgrounds, sports pitches and leisure pursuits. Considering health and education, the settlement scores well, having a GP surgery,

chemist, primary school and nursery. A daily bus service is available and there are two bus stops along Brackenhill Road to the north, within a six-minute walk of the site.

The location of the dwelling would support and sustain existing services in the local area. Moreover, it is considered the location of the proposal would not be wholly dependent on car travel.

This approach is supported by the NPPF. Paragraph 79 states, 'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

A recent application to the north of the site (PA/2022/1591), also outside the development limits, was granted outline planning permission on 2 December 2022. This supports the case that East Lound is sustainable and suitable to take a level of growth.

Environmental: The site is currently identified by the applicant as an 'empty field'. It is currently overgrown and has a range of trees, hedgerows and other planting within the site. Development would involve the removal of some trees and hedgerows. It is considered that the development offers the potential for landscape and biodiversity enhancement through the delivery of the housing scheme.

Paragraph 47 of the NPPF states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. An overarching principle in the NPPF is sustainability.

The above matters weigh heavily in favour of the proposal in terms of the economic, social and environmental dimensions of sustainability. As a result, it is considered the proposed dwelling would be situated within a sustainable location.

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

It is considered in this case, based on the suitability of the site, that the proposal for full planning permission for a dwelling is acceptable.

Historic environment

The application site lies within the Area of Special Historic Landscape Interest (ASHLI) as defined by the LC14 policy area (Inset 74, North Lincolnshire Local Plan 2003) and is outside the current development boundary for East Lound in the open countryside (Inset 74, HELADPD 2016). The applicant has submitted a heritage statement. The council's HER officer considers that the statement does not adequately justify how the siting, scale and design of the proposal would accord with the requirements of local plan policy LC14.

The application site lies within the early enclosed land (EEL) north and south of East Lound that comprises arable and grass fields. The EEL zone here is sandwiched between surviving areas of the Area of Open Strip Fields (AOSF) land to the north, west and east. The area around East Lound and west to Haxey preserves many of the classic landscape features of the AOSF and EEL fields described above. The earthworks of former AOSF cultivation strips are preserved within the EEL enclosure to the west of the application site, visible on the Google Earth image reproduced in the heritage statement. The EEL buffers the AOSF land and forms its setting.

The application site is on the south-east side of the village, on the east side of Carr Lane, which is narrow and tree-lined. The site of the proposed dwelling lies within one of the early enclosed fields.

The HER officer considers that the effect of the proposed dwelling would be to extend the built form and residential use beyond the development limit into the historic landscape. They consider that this would be an unacceptable visual intrusion that would adversely affect the character, appearance and setting of the historic landscape, contributing to the erosion of the setting and legibility of the landscape characteristics and traditional agricultural use.

Furthermore, they consider that the proposed residential use would introduce inappropriate domestic elements into the historic landscape such as the boundary fencing, hard-paved surfaces and external lighting, landscaped gardens and associated domestic and recreational structures such as sheds and greenhouses, as well as otherwise potential permitted development. Such items would not be related to the traditional features and uses of the historic landscape and would further harm the character.

For these reasons the HER considers the application should be refused citing that the development is contrary to local plan policies LC14, LC7, RD2 and DS1, and Core Strategy policies CS5 and CS6. The proposal would not accord with paragraphs 197 or 206 of the National Planning Policy Framework.

In assessing the comments raised, whilst the historic environment is a material consideration, it is considered that this area of land has seen recent development which has altered the character of the land without it being of detriment to the historic landscape. The proposed development seeks to continue the linear form of development along Carr Lane. Development is considered appropriate within the LC14 area where it seeks to follow existing patterns of development. It is considered that the application site seeks to achieve this aim whilst respecting the LC14 allocation.

The applicant argues that, together with the construction of a sewage pumping station in the late twentieth century in the north-west corner of the application site, the changes around the site have damaged the character of the application site itself. Although undeveloped, it is less readily recognisable as part of the Early Enclosed Land. Instead, it has more of the character of a vacant plot within the built environment of the village.

The case officer agrees with the conclusion of the supporting Heritage Statement which highlights that the proposed dwelling is of an appropriate size and scale and employs traditional materials and design features. It fulfils the requirement of saved policy LC14 that 'A high standard of design and siting in new development will be required reflecting the traditional character of buildings in the area and the character of the historic landscape, and using materials sympathetic to the locality.'

Therefore, it is considered that the proposal would have an acceptable impact on the character of the area.

Residential amenity/design/appearance

Part saved policy H5 and policy DS1 refer to residential amenity. They both discuss the need to ensure development does not result in overlooking or loss of privacy to existing developments, or any other loss of amenity to existing dwellings. Policy H5 states that adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwelling should expect to enjoy. Policy DS1 states that there should be no unacceptable loss through overshadowing.

Saved policy DS5 of the North Lincolnshire Local Plan (2003) is concerned with residential extensions and is relevant to this development. 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 H5 (part saved) and DS1 seek to deliver quality design in North Lincolnshire. Policy DS1 requires the design and layout to respect and where possible retain and/or enhance the existing landform of the site.

Policy CS5 of the Core Strategy is concerned with delivering quality design in North Lincolnshire. It states, '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.' This is reinforced by local plan policy DS1 and CS5 as noted above.

Policy CS5 requires new development to consider the relationship between any buildings and the spaces around them, and how they interact with each other as well as the surrounding area. The function of buildings should also be considered in terms of its appropriateness for the context in which it is located.

The application seeks full planning permission for the change of use of land to residential and the erection of a large double-storey five-bedroom detached property with an attached garage.

Two access points into and out of the site will be taken directly off Carr Lane. This will allow for turning within the site and prevent the need for vehicles to reverse out onto Carr Lane. Whilst the property appears large it is considered appropriate for the plot. The building is set away from the existing pump station compound and includes a large area for private garden/amenity space around the property.

The proposed dwelling is considered to have suitable separation distances to neighbouring properties to ensure there would be no significant impacts through overlooking or on privacy to neighbouring properties.

This separation also serves to ensure that there would not be a significant impact of overshadowing or oppression to neighbours to warrant resistance on these grounds either. The proposal is therefore considered to accord in this regard with the aims of policy DS1.

The applicant confirms within the Design and Access Statement that the site landscaping is generally to remain undisturbed and in its natural form, with sensible tidying and pruning of hedges to the site boundaries.

The applicant has also set out within the Design and Access Statement that the following materials will be used for the development:

Walls: Old cottage blend bricks and brown cladding boards

Roof: Orange clay pantiles

Windows: Brown

Doors: Brown

No detailed plans have been provided in relation to boundary treatments and it is recommended this be dealt with by condition.

Overall, the design of the property is considered to be of high quality and in keeping with the existing property and properties within the wider street scene.

Subject to the inclusion of a condition to secure the materials and boundary treatments, it is therefore considered that the proposal is in accordance with policies DS1, DS5 and H5.

Highways/access

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

The site has access to public transport links and whilst there are limited services within a reasonable walking distance the site is closely related to Haxey where a range of additional services can be found. The location of the site is therefore considered to be sustainable.

Two new access points would be provided to serve the site off Carr Lane.

Highways have been consulted and raise no concerns regarding the location of the accesses or other highway matters. Subject to conditions to address highway safety, the scheme is considered acceptable.

The site has the capacity for safe access and suitable parking arrangements, and the proposals therefore accord with policies T2 and T19.

Contamination

Environmental Protection have been consulted on the application and have raised no objection, but recommend a watching condition in relation to contaminated land be imposed on any permission.

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk.

The site is within Flood Zone 1. The Environment Agency has been consulted and does not raise any comments or objections at this time.

The LLFA Drainage officer has been consulted on the application and, subject to conditions to control the drainage details, is satisfied that there would not be a significant impact upon the drainage of the site.

The proposals are therefore considered to be acceptable in flood risk and drainage terms and comply with policies DS16 and CS19.

Trees

Policy LC12 (Protection of Trees Woodland and Hedgerows) sets out that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

The site is overgrown and comprises poor semi-improved grassland. A line of trees is present within the east and south of the site, with dense continuous bramble scrub also present which create the borders of the site in the north and west.

Outside the site boundary on the southern and eastern elevation lies agricultural land, with a single residential house. Immediately outside the eastern boundary lies Carr Lane, with further residential housing and agricultural land present. Outside the northern elevation of the site, residential housing becomes denser closer to the village of East Lound.

Whilst the retention of trees is encouraged, it is considered that the loss of some of the trees is acceptable when weighed against the benefits of the provision of a dwelling.

The tree officer has commented and highlights that the site is bounded by native hedgerow and trees which have not been properly assessed as to the impact such development would have on them and no arboricultural report has been submitted. The tree officer considers that as the site is within the LC14 area development is not suitable. The council's ecologist supports the comments in relation to the historic landscape in that with regard to the relatively open landscape of the Isle of Axholme, both new buildings and any trees planted to screen them can dramatically alter the landscape character. He recommends that landscape and visual impacts will need to be considered in terms of the adopted Landscape Assessment and Guidelines and the Countryside Design Summary.

As set out above, the site has been assessed in the context of policy LC14 and development on the site is not considered to be detrimental to the setting of the historic landscape. It is considered that an appropriate boundary solution can be agreed and this matter can be secured through appropriately worded conditions.

The proposed development is considered to accord with policy LC12.

Ecology

Policy CS17 of the Core Strategy and paragraph 170 of the NPPF relate to biodiversity.

Paragraph 170 states in part that a net gain for biodiversity should be achieved. The site is not designated for any known ecological interest. The application is supported by a preliminary ecological assessment. The survey methods used and the survey effort deployed have been assessed by the council's ecologist and are considered appropriate for the site in question. Although the survey was carried out at a suboptimal time of year (January), the habitats recorded were such that survey at a more suitable time of year would not be expected to produce markedly different results.

The council's ecologist considers that the application will result in the loss of habitats that are widespread and commonplace. Nevertheless, more distinctive habitat will be replaced with less distinctive habitat, resulting in a net loss of biodiversity value. 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 council's ecologist has recommended three conditions which seek to ensure:

- works are carried out in accordance with the submitted Preliminary Ecology Appraisal Report;
- within three months of the commencement of development, a biodiversity management plan is submitted to the local planning authority for approval in writing; and
- the biodiversity management plan is carried out in accordance with the approved details and timings, and the approved features retained thereafter.

Subject to the recommended conditions, the proposal is therefore considered to be acceptable in this regard in line with the aims of policy CS17.

Conclusion

Whilst the same application was refused permission in June 2022 there is now a presumption in favour of sustainable development which did not apply previously. It is considered, given the assessment above, that no adverse impacts related to the development exist that would significantly and demonstrably outweigh the benefits that would follow from a well-executed residential scheme in this location. Overall, it is considered that the proposal does represent 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.

Pre-commencement conditions

The pre-commencement conditions contained in the recommendation have been agreed with the applicant.

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

Reason

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

2.

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

- Location and Block Plans - PL01
- Proposed Elevations - PL02
- Proposed Floor Plans - PL03.

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

To protect human health.

4.

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

Reason

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

5.

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

Reason

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

6.

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

Reason

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

7.

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

Reason

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

8.

No development shall take place until details 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 change of use takes place and the dwelling is occupied and once built/planted it shall be retained.

Reason

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

9.

Works shall be carried out strictly in accordance with sections 6.3 to 6.3.5.3 of the submitted Preliminary Ecological Appraisal Report dated February 2022.

Reason

To conserve protected and priority species in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

10.

Within three months of the commencement of development, a biodiversity management plan shall be submitted to the local planning authority for approval in writing. The plan shall include:

- (a) details of at least two bat roosting features to be installed in the new dwelling;
- (b) details of nesting sites to be installed to support a variety of bird species, including house martin;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the retention, planting and aftercare of hedgerows, trees and shrubs of high biodiversity value;

(f) proposed timings for the above works in relation to the completion of the buildings.

Reason

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

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 roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason

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

12.

The external materials to be used in the construction of the development hereby approved shall be as provided on pages 4 and 5 of the Design and Access Statement as follows, unless otherwise agreed in writing by the local planning authority:

Walls: Old cottage blend bricks and brown cladding boards

Roof: Orange clay pantiles

Windows: Brown

Doors: Brown.

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 1

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

Informative 2

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

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

Informative 3

The LLFA Drainage Team suggests you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.

Informative 4

The site is within the Isle of Axholme and North Nottinghamshire Water Level Management Board district.

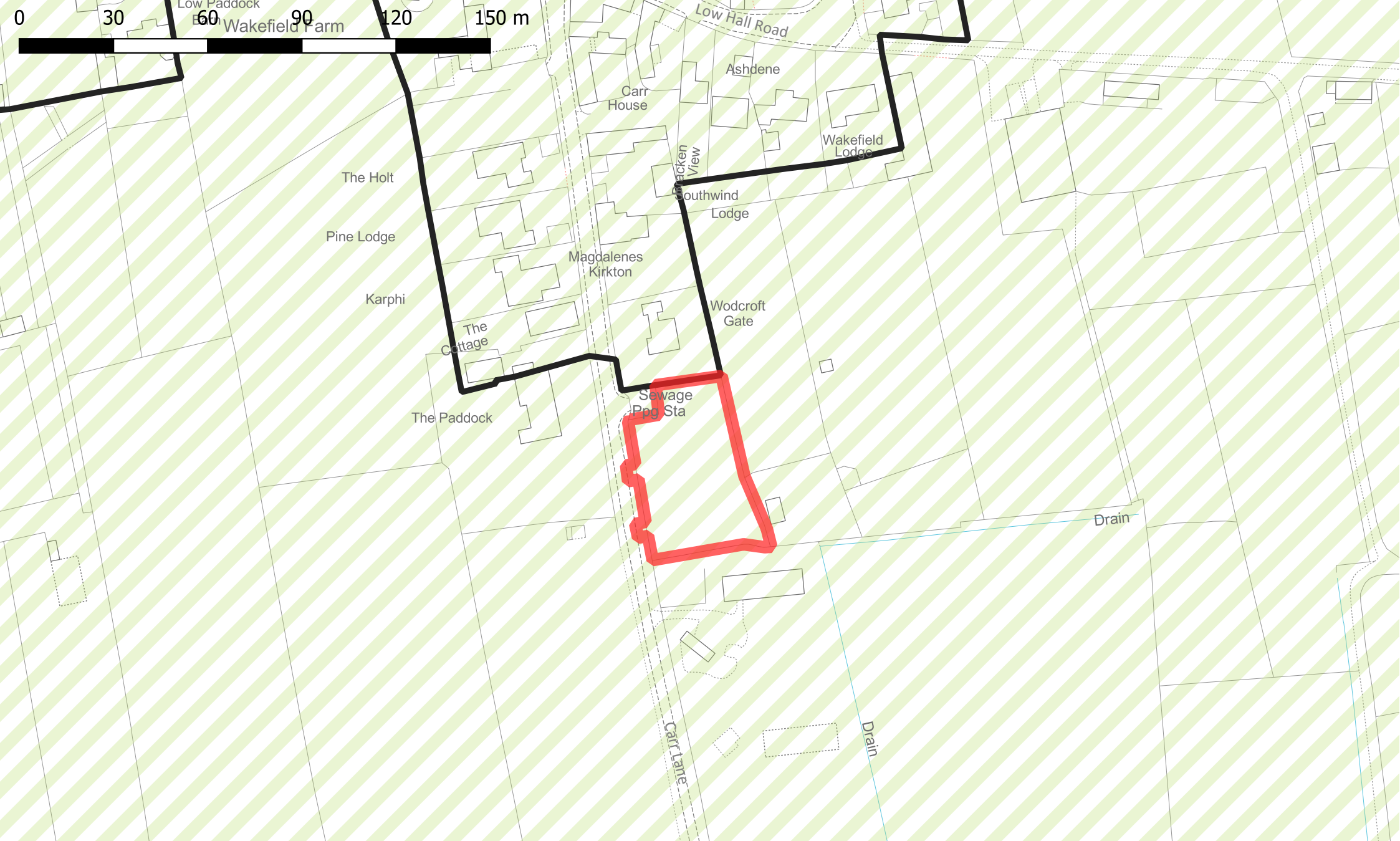
There are no Board-maintained watercourses in close proximity to the site.



The erection or alteration of any mill dam, weir or other like obstruction to the flow, or erection or alteration of any culvert, whether temporary or permanent, within the channel of a riparian watercourse will require the Board's prior written consent. The Board's Planning and Byelaw Policy, Advice Notes and Application form are available on the website www.wmc-idbs.org.uk/IOAANN.

The Board's written consent will be required prior to construction of any discharge point from any biotechnical unit/package treatment plant/septic tank into any watercourse or culvert within the Board's district (other than directly to a main river for which the consent of the Environment Agency will be required).

Surface water run-off rates to receiving watercourses must not be increased as a result of the development.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and local planning authority.

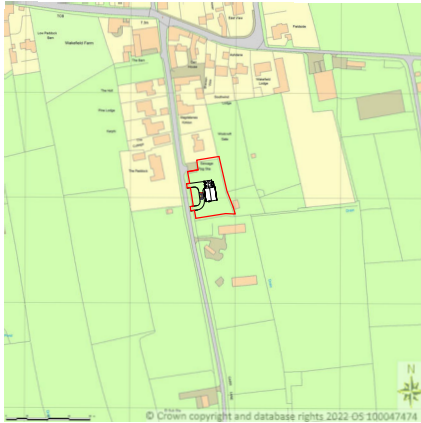


 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

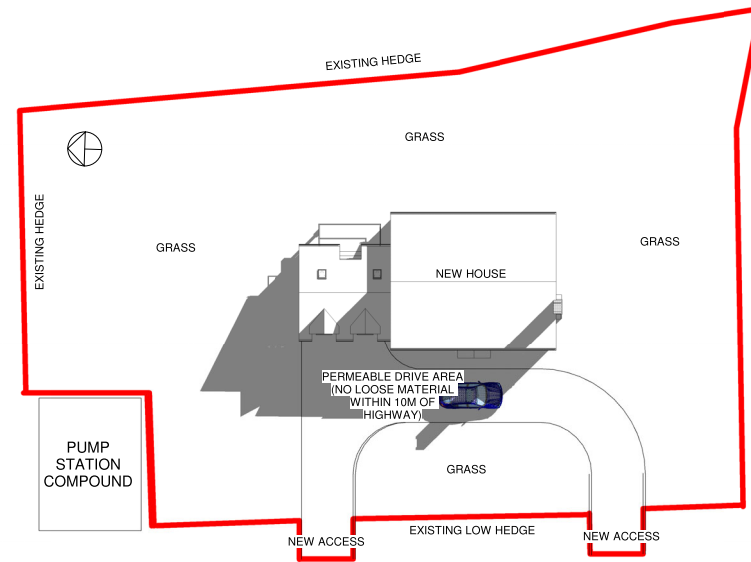
**North
Lincolnshire
Council**

PA/2022/1557

PA/2022/1557 Proposed layout (not to scale)



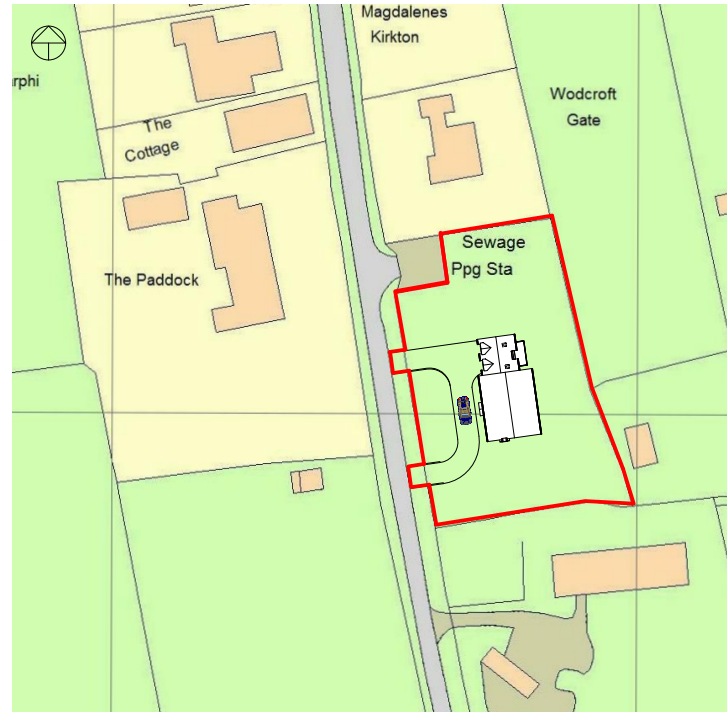
Location Map
1 : 2500



Landscaping
1 : 200



Site Plan - Existing
1 : 500

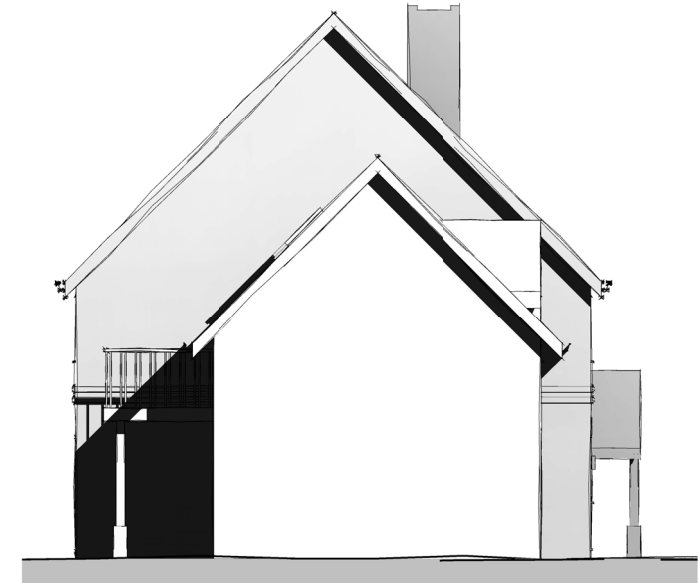


Site Plan - Proposed
1 : 500

PA/2022/1557 Proposed elevations (not to scale)



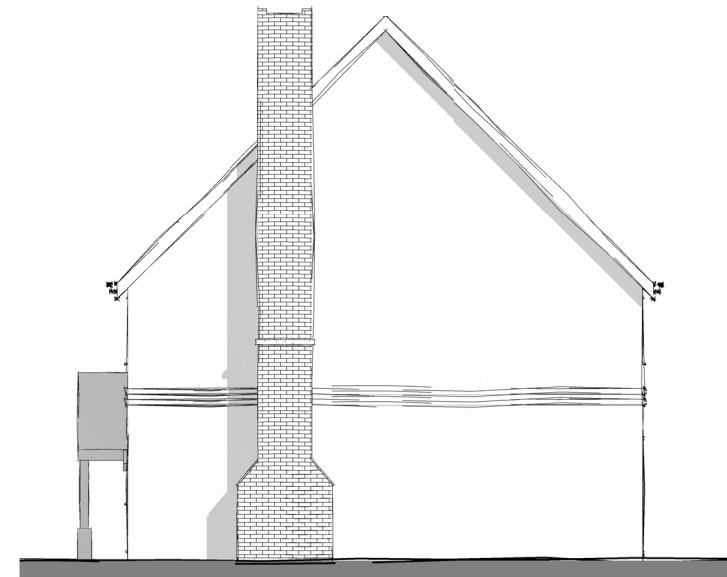
1 Front Elevation
1 : 50



Left Side Elevation
1 : 50



Rear Elevation
1 : 50



Right Side Elevation
1 : 50

Project Name: **New Dwelling**
Project Address: **Carr Lane, East Lound, Doncaster DN9 2LT**
Drawing Title: **Proposed Elevations**
Drawn: **CH** Checked: **KD** Approved: **CH**
Date: JUNE 2021 Rev :
Scale: 1 : 50
Drawing No. **PL02**
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