

**APPLICATION NO** PA/2022/2019

**APPLICANT** Mrs Lisa White

**DEVELOPMENT** Outline planning permission to erect a bungalow with appearance, landscaping, layout and scale reserved for subsequent consideration

**LOCATION** 14 Leaburn Road, Messingham, DN17 3SR

**PARISH** Messingham

**WARD** Ridge

**CASE OFFICER** Emmanuel Hiamey

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Messingham Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

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

### **North Lincolnshire Local Plan:**

Policy H1: Housing Development Hierarchy

Policy H5: New Housing Development

Policy H8: Housing Design and Housing Mix

Policy T2: Access to Development

Policy T19: Car Parking Provision and Standards

Policy DS1: General Requirements

Policy DS14: Foul Sewage and Surface Water Drainage

Policy DS16: Flood Risk

## **North Lincolnshire Core Strategy:**

Policy CS1: Spatial Strategy for North Lincolnshire

Policy CS2: Delivering more Sustainable Development

Policy CS3: Development Limits

Policy CS5: Design

Policy CS7: Overall Housing Provision

Policy CS8: Spatial Distribution of housing sites

Policy CS19: Flood risk

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

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

Policy SS1: Presumption in Favour of Sustainable Development

Policy SS2: A Spatial Strategy for North Lincolnshire

Policy SS3: Development Principles

Policy SS5: Overall Housing Provision

Policy SS11: Development Limits

Policy RD1: Supporting Sustainable Development in the Countryside

Policy DQE5: Managing Flood Risk

Policy DQE6: Sustainable Drainage Systems

## **CONSULTATIONS**

**Environmental Protection:** No objection subject to conditions.

**LLFA Drainage:** No objection subject to conditions and informative comments.

**Highways:** No objection subject to conditions.

## **PARISH COUNCIL**

Objects to the application for the following reasons:

- the visual impact of the street scene due to over-development of the site

- the loss of residential amenity of the neighbouring property due to the proposed development overlooking and the proximity.

## **PUBLICITY**

A site notice has been posted. One letter of comment has been received raising the following concerns:

- shared access
- the location and size of the proposed plot
- the impact on the character of the area
- the position of the development within the plot
- parking provision
- vehicular traffic
- public safety
- loss of amenity and privacy
- overshadowing and overbearing impact.

## **ASSESSMENT**

This application was deferred at two previous planning committees to allow members to visit the site before making a decision and to allow an amended site notice to be displayed to publicise the application.

### **Constraints**

- Development boundary
- SFRA flood zone 1

### **Relevant planning history**

None.

### **Description of site and proposal**

Outline planning permission is sought to erect a bungalow at 14 Leaburn Road, Messingham with appearance, landscaping, layout and scale reserved for subsequent consideration.

The site is within the development boundary of Messingham. It fronts Leaburn Road and is bounded by 12 Leaburn Road to the south and 2 Hall Rise to the east.

It is proposed to subdivide the garden of 14 Leaburn Road, which is screened by a close-boarded timber fence, to erect the bungalow and an indicative location plan/drawing has been submitted.

## **Key issues**

The key issues to be considered in the assessment of this application are:

- the principle of the development;
- layout, siting and design;
- impact on residential amenity;
- drainage and flooding; and
- highways and access.

## **Principle of the development**

Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for North Lincolnshire comprises three parts: the policies of the North Lincolnshire Local Plan (2003), the North Lincolnshire Core Strategy DPD (2011), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

Policy CS1 of the Core Strategy sets out the principle elements that make up the overall spatial strategy, policy CS2 sets out how this will be implemented using a sequential approach to the location of future development that is based on the settlement hierarchy and considering other sustainability criteria. This meets national and regional planning policy requirements to deliver development in the most appropriate places.

Policy CS2: Delivering more Sustainable Development determines how future development needs will be met in North Lincolnshire – a sequential approach will be adopted. It states that development should be focused on:

1. 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;
2. 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;
3. small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted.

In this case, the site is within the development boundary of Messingham and therefore is supported by policy.

Policy CS8 relates to the spatial distribution of housing sites. The policy indicates, among others, that new housing within the rural settlements will create opportunities for small-scale

infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. Consequently, the policy permits development for the infilling of a small gap within the development boundary.

Policy H5: New Housing Development, part 2, supports all new housing development that is well related to existing infrastructure, including education, community and health facilities, roads, footpaths and cycleways, public transport services, water supply and other utilities. As this proposal is within the development boundary of Messingham, it meets the above criteria.

Overall, the location of the site within the Messingham development boundary represents a sustainable location for residential development in terms of policies CS1, CS2, CS7 and CS8 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and the requirements in the National Planning Policy Framework.

The principle of the development is therefore acceptable subject to compliance with other relevant policies.

### **Layout, siting and design**

Paragraphs 124 and 130 of the NPPF express the importance of good design, high-quality buildings and improving the character and quality of an area.

Core Strategy policy CS5: Delivering Quality Design in North Lincolnshire states, ‘...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design if it is appropriate for its location and is informed by its surrounding context. A design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy DS1: 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 design quality, amenity impact and conservation, among other standards.

The applicant has submitted an indicative location plan and layout drawing. These drawings have been submitted to demonstrate that a dwelling can fit in well with the site and are for indicative purposes only. The indicative layout proposes a bungalow, which is not out of character with the local area, which is predominantly bungalows and demonstrates similar layouts and siting. In this case, the indicative layout is not viewed as overdevelopment; however, as this is an indicative plan and not the final plan, a full assessment would be carried out at the reserved matters stage.

There is a mixture of property types within the area, though most are detached single-storey dwellings (as is the proposed dwelling). The detailed design should reflect the character of its surroundings, including materials used on other properties within the area. These matters would be considered through the determination of the reserved matters application.

A further application would be submitted to fully access the block plan and the design of the proposal. Accordingly, the block plan and the design are currently not under consideration.

## **Impact on residential amenity**

Policies DS1 of the local plan and CS5 of the Core Strategy 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. They require that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

As this is an outline application, the indicative plan is not judged as the final design. Considering the indicative plan, the layout proposes a bungalow which, due to its single-storey nature, would not result in an unacceptable loss of amenity to neighbouring land uses in terms of the effects of overlooking or overshadowing. The finish for the walls and the roof covering would fit in well with the character of the area.

There are, however, suitable separation distances between the plot and surrounding properties and it is considered that the plot is of sufficient size to accommodate a dwelling that would not have an overbearing or overshadowing impact. There is capacity within the site to feature a dwelling that incorporates a design that will have an acceptable impact on the residential amenity of neighbouring properties. As indicated previously, this application is for outline planning permission and therefore a full assessment of the layout and design would be carried out at the reserved matters stage. The reserved matters application will need to ensure that the proposal accords with the requirements of policy DS1.

## **Drainage and flooding**

The site is within SFRA flood zone 1, an area with a low potential for flooding. 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 LLFA Drainage team has no objection to the proposed development subject to conditions and informative comments. These would be applied to any permission granted.

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

## **Highways and access**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. The indicative site layout shows that the proposed access would be taken from Leaburn Road, with the creation of two off-road car parking spaces at the front of the new bungalow. The existing dropped crossing serving 12 Leaburn Road will need to be widened to accommodate the new vehicular entrance.

It is considered that there is sufficient room for parking within the site, though the layout will be secured through the reserved matters application.

Highways have been consulted on the application and have no objection subject to conditions. These would be applied to any permission granted.

Overall, it is considered, subject to the aforementioned conditions, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan and the National Planning Policy Framework.

### **Environmental Protection**

The council's Environmental Protection team has reviewed the submitted contaminated land screening assessment form and commented on potential land contamination. Following a review of historical maps, the team has not identified a former land use that would give rise to contamination. The team therefore has no objection to the application subject to conditions.

Regarding the matters of noise, light, odour and air quality, the team has no comments to make.

### **Letter of comment**

One letter of comment has been received. The concerns regarding access, parking provision, vehicular traffic and public safety on the road have been reviewed by Highways and they have not objected to the application subject to conditions.

Regarding concerns about the location and size of the proposed plot, the character of the area, the position of the development within the plot, loss of amenity and privacy, as well as overshadowing and overbearing impact, these would be reviewed at the reserved matters stage.

### **Parish council objection**

The concerns about the visual impact of the development on the street scene and over-development of the site, and the loss of residential amenity of the neighbouring property due to overlooking and proximity, would be reviewed at the reserved matters stage since the appearance, landscaping, layout and scale of the proposal have been reserved for subsequent consideration.

### **Conclusion**

The principle of the development is supported as the site is within the development boundary where a dwelling is normally supported.

Due to comments from the LLFA Drainage officer and Highways, it is believed the proposal would be unlikely to raise an issue of flooding and a safe and visually acceptable access and parking provision can potentially be achieved to ensure public safety respectively.

As this is an outline application, the design and appearance of the dwelling would be fully considered during the reserved matters stage.

Overall, the proposal follows all relevant policies of the North Lincolnshire Local Plan, the Core Strategy and the NPPF, and it is recommended for approval.

### **Pre-commencement conditions**

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

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site, (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

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

2.

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

- Site Location Plan Dwg. No. HR64691275634790
- Block Plan showing access on Dwg. No. HR76321292634818.

Reason

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

3.

Plans and particulars of the reserved matters referred to in condition 2 above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

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

4.

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

Reason

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

5.

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

Reason

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

6.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.



Reason

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

7.

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.

8.

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

Reason

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

9.

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.

10.

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

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

11.

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.

### **Informative 1**

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

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

### **Informative 2**

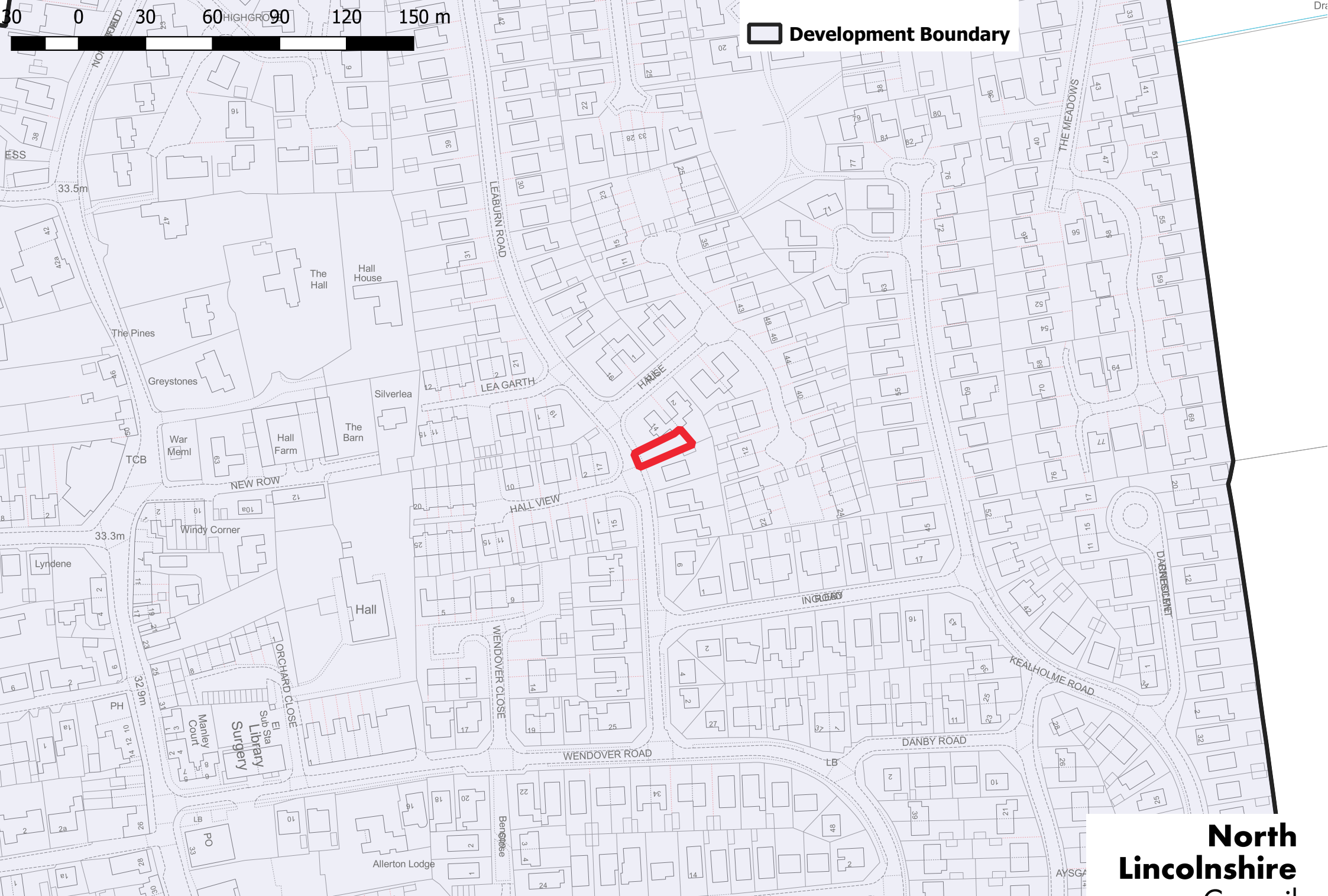
For minor developments, the LLFA suggests you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers and they ask that you fully explore all source control SuDS techniques that can store and allow water reuse.

### **Informative 3**

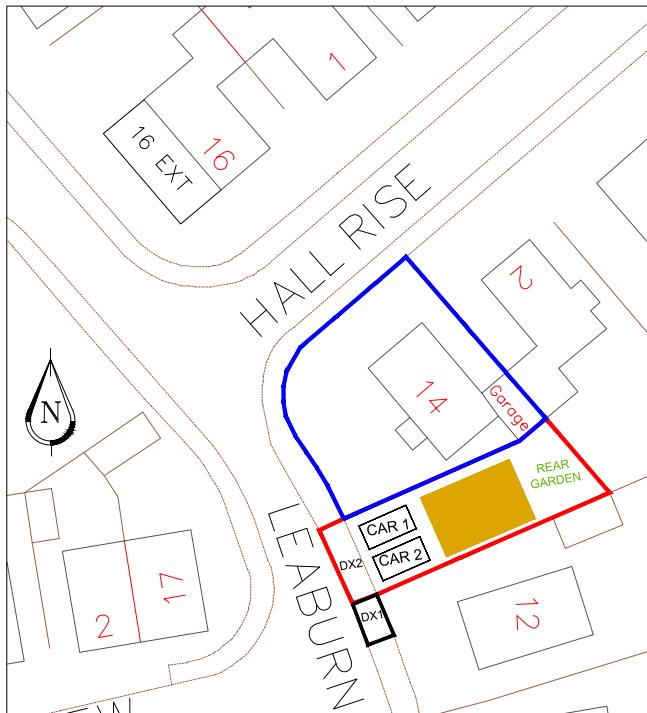
In determining this application, the council, as a local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social, and environmental conditions of the area.

### **Informative 4**

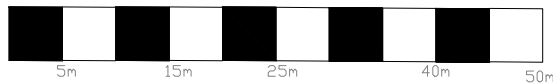
The applicant is advised that the Proposed Ground Floor Plan - Indicative Layout and the Proposed Front Elevation (West Facing) Indicative Layout do not form part of this planning permission.



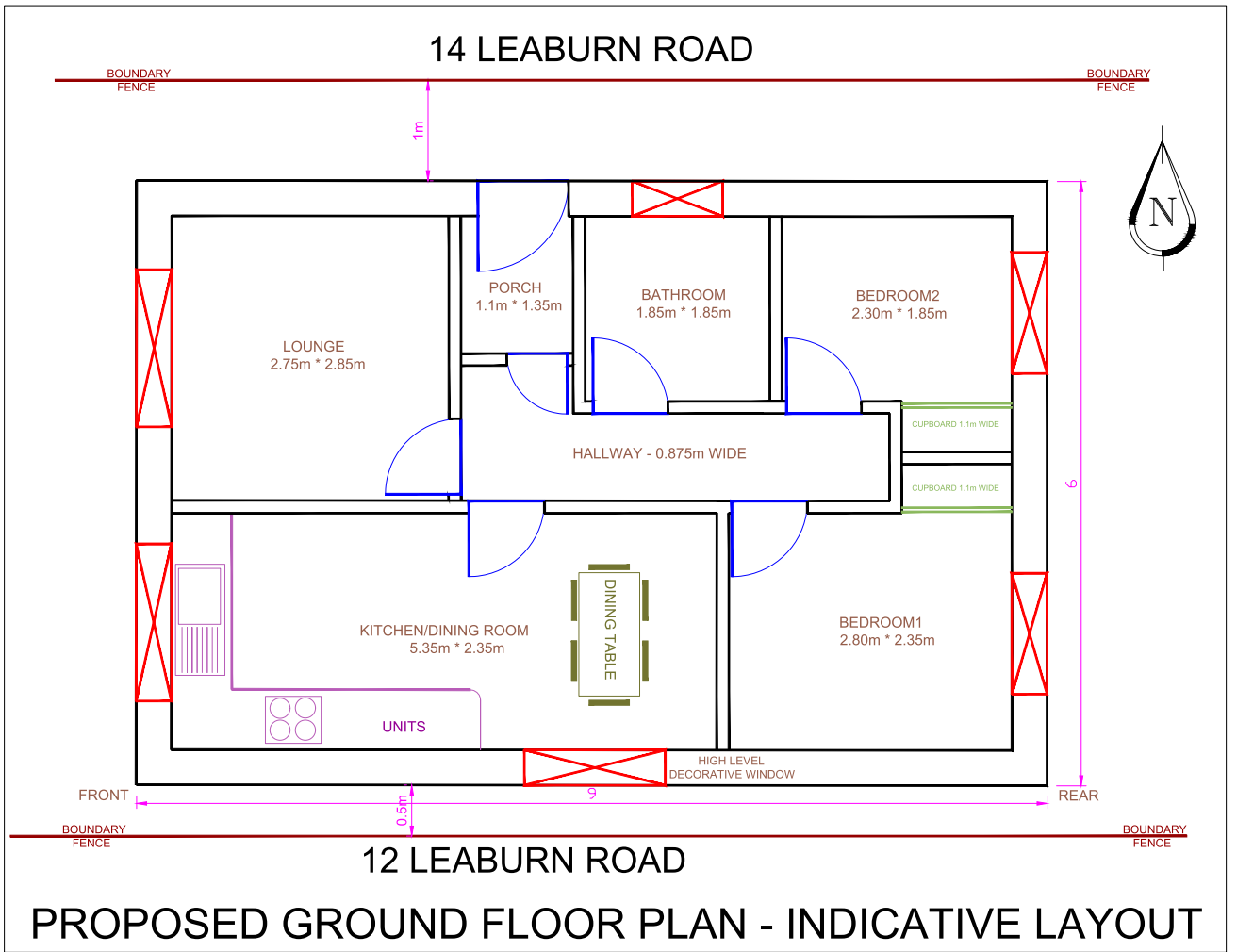
# PA/2022/2019 Proposed block plan (access only) (not to scale)



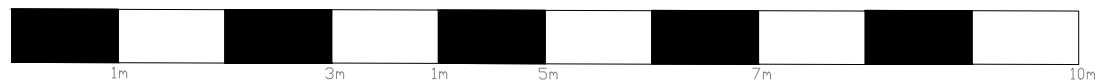
## BLOCK PLAN



SCALE: 1:250 @ A1



## PROPOSED GROUND FLOOR PLAN - INDICATIVE LAYOUT



SCALE: 1:25 @ A1

### KEY

- APPLICATION BOUNDARY  
201m<sup>2</sup> (0.02HA)
- DX2 NEW VEHICULAR DROPPED CROSSING FOR NEW DWELLING (IN HIGHWAY)
- DX1 EXISTING VEHICULAR DROPPED CROSSING FOR No12 LEABURN ROAD
- LAND & PROPERTY OWNED BY APPLICANT (320m<sup>2</sup>)
- INDICATIVE OUTLINE OF NEW BUILD BUNGALOW WITH PITCHED TILED ROOF (9m \* 6m)
- CAR1 CAR PARKING BAYS  
4.8m \* 2.4m (2No)

ReQuestAPlan

Map number: HR76321292634818

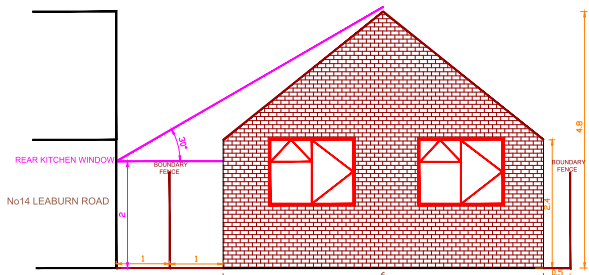
Title: NEW PLOT AT REAR OF No14 LEABURN ROAD  
MESSINGHAM, NORTH LINCOLNSHIRE

Map Produced for: MS LISA WHITE

OS Licence number: 05482489671

Date of Purchase: 24-05-2023

1 Years subscription from 24-05-2023 for 1 workstation.



30° PLANNING RULE TO DETERMINE ALLOWABLE HEIGHT OF BUILDING  
PROPOSED FRONT ELEVATION (WEST FACING)  
INDICATIVE LAYOUT



SCALE: 1:100 @ A1