

<b>APPLICATION NO</b>	<b>PA/2022/2133</b>
<b>APPLICANT</b>	Mrs Bev Suszczenia
<b>DEVELOPMENT</b>	Planning permission to change the use of an existing two-storey outbuilding into a single one-bedroom dwelling
<b>LOCATION</b>	6 Greenhill Road, Haxey, DN9 2JE
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Paul Skelton
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	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 8 – Promoting healthy and safe communities

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

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

H5 – New Housing Development

H8 – Housing Design and Housing Mix

E5 – Development affecting Listed Buildings

T1 – Location of Development

T2 – Access to Development,

T19 – Car Parking Provision and Standards

DS1 – General Requirements

DS14 – Foul Sewage and Surface Water Drainage

**North Lincolnshire Core Strategy:**

CS1 – Spatial Strategy for North Lincolnshire

CS2 – Delivering more Sustainable Development

CS3 – Development Limits

CS5 – Delivering Quality Design in North Lincolnshire

CS6 – Historic Environment

CS7 – Overall Housing Provision

CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

CS17 – Biodiversity

CS25 – Promoting Sustainable Transport

**Housing and Employment Land Allocations Development Plan Document:**

Policy PS1 – Presumption in favour of sustainable development

Inset 23 – Haxey

**New North Lincolnshire Local Plan Submission:**

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

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

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS5: Overall Housing Provision

SS6: Spatial Distribution of Housing Sites

SS11: Development Limits

H2: Housing Mix and Density

DQE1: Protection of Landscape, Townscape and Views

T1: Promoting Sustainable Transport

DM1: General Requirements

## **CONSULTATIONS**

**Highways:** No comments or objections.

**LLFA Drainage:** No comments or objections.

**Environmental Protection:** Request precautionary contaminated land condition.

**Severn Trent Water:** Suggest informative regarding public sewer connection.

## **PARISH COUNCIL**

Welcomes the principle of providing an affordable small dwelling in the parish by use of what may or may not be a redundant building but, in this particular case, is concerned about over development and road safety.

The parish council also has concerns about the very limited amenity space, if any.

Greenhill is in an area that already historically suffers from substantial unresolved parking issues as a result of the shop and barber's businesses plus two relatively newly erected cottages (one already having planning permission for an extension) which, taken together, reduce the amount of off-street parking for residents, customers and staff.

The access is poor due the blind bend in the road limiting visibility of vehicles coming from the north, which is considered a key feature in determining the safety of other road users at the busy junction.

Given its concerns, the parish council views this proposal as over-development of the site as a whole and objects to the application.

## **PUBLICITY**

The application has been advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015. No comments have been received from members of the public.

## **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

### **The site and its location**

The application site is within the settlement limits of Haxey close to the junction of Greenhill Road and Church Street. The building within the site appears to have been used as a garage and storage/office space for the neighbouring Greenhill Stores. The garage doors originally on the front elevation have been bricked up, presumably at the time of the development of two houses at the rear. The red line site boundary as proposed includes all

the area at the front of the site between the dwelling attached to the Stores and 8 Greenhill Road, including land which provides access to two dwellings to the rear and 'ad hoc' parking for Greenhill Stores, which lies to the south.

To the east and north are residential dwellings. Across Greenhill Road to the west is a small green on which is a listed cross shaft known as 'Mowbray Cross'. The wider area is largely residential in nature.

### **Planning history**

Of most relevance to the current application is application reference PA/2013/0326, for conversion of the building to a dwelling, however this was withdrawn.

Permission was granted for two dwellings to the rear of the site in 2014; these have now been completed.

### **The development**

The application proposes the conversion of the existing building to a single dwelling. There are minimal external changes proposed with no new openings. The ground floor would be used as an open plan living/kitchen area, with a bedroom and shower room/WC on the first floor. Outside there would be two dedicated car parking spaces and a small area which would be planted with shrubs. Two spaces would be retained for use by the shop.

### **Material considerations**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission the local planning authority shall have regard the provisions of the development plan, so far as material to the application, any local finance considerations, so far as material to the application, and any other material considerations.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Other material planning policy considerations include the National Planning Policy Framework (the NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents as specified above.

**The main issues for consideration are the principle of development, heritage issues, highway safety and impact on neighbouring property.**

### **The principle of development**

The site is within the settlement boundary of Haxey, as defined by the Housing and Employment Land Allocations DPD, in an area where new housing is supported by the North Lincolnshire Local Plan and Core Strategy. The principle of development is therefore acceptable.

At the current time the council is unable to demonstrate a five-year supply of deliverable housing sites. Paragraph 11 of the NPPF indicates that development should be permitted

where housing policies are out of date because, amongst other things, a five-year supply cannot be demonstrated, unless 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 any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The NPPF is a material consideration, nevertheless, there are development plan policies, which are not out of date, and other guidance in the NPPF which need careful consideration in the overall planning balance.

### **Design/character and appearance of the area**

Saved policy DS1 of the local plan, Core Strategy policy CS5 and section 12 of the NPPF all seek high quality design. Policy DS1(i) sets out that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area. This is reflected in policy CS5 and the NPPF.

There are no material changes to the external form or appearance of the building. The proposal would add some vitality to the character of the area as the building would be brought into more active use.

The parish council has raised concern about the absence of any amenity space; however, in the context of the site, the type of dwelling proposed (a one-bedroom property) and the five year supply shortfall, it is not considered that this matter significantly and demonstrably outweighs the albeit limited benefits arising from the proposal.

Overall, as there would be limited changes, there would be no unacceptable impacts from a design perspective and there would be no harm to the character and appearance of the area.

### **Heritage issues**

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Local plan policies HE5 and HE7, and Core Strategy policy C6, reflect this duty.

As set out above, there is a listed cross shaft on the green opposite the site. The setting of this structure is one very much dominated by residential development and the addition of a further dwelling involving the conversion of an existing building would not cause any harm to the listed cross shaft or the way in which it is experienced.

### **Highway safety**

Local plan policy T2 requires all development to be provided with a satisfactory access. The NPPF, at paragraph 110(b), requires safe and suitable access to the site to be achieved for all users. Paragraph 111 advises that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

As noted above, the parish council has raised concerns because of the existing access arrangements. Nevertheless, the car parking area proposed for the new dwelling currently serves the existing shop. Whilst the pattern of use would be different, it is likely that the use by residents of the dwelling would be much less than as a parking area associated with the existing shop.

The highways officer has been consulted on this application and raises no objection. The access already serves the two dwellings to the rear which were permitted as recently as 2014 and there is no indication that highways conditions have worsened since that time. The highways officer did not object to the application for the two dwellings, nor did they for the withdrawn application to convert this building in 2013, commenting at the time that, whilst visibility is limited on the approach side, the 'garage' and car park were already served by the existing access point. It should be noted that the access has been widened since the previous application following the development of the two dwellings to the rear.

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

### **Impact on neighbouring property**

Local plan policies all seek to protect the living conditions of occupiers of nearby residential property. Local plan policy DS1 states, 'No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.' The NPPF (paragraph 130(f)) requires decisions to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Whilst the building is in very close proximity to the dwellings to the north and east, the structure itself remains unchanged and no new openings are proposed. There is a first-floor window on the rear elevation which serves the stairs/landing area. The building is likely to be used more intensively as a dwelling and it is considered reasonable and necessary to impose a condition requiring that window to be obscure glazed and fixed shut.

The proposed residential unit is small however would meet minimum space standards. The Parish Council, as noted above, have raised concern about the lack of amenity space however given the nature of the proposal it is not considered that this in itself would justify refusal in this case, particularly in the context of the current five-year supply shortfall.

Otherwise, it is not considered there would be any unacceptable impacts arising from the proposed development on existing or future residents.

### **Other matters**

The Environmental Protection Officer has raised no objection but, given historic land uses, has suggested a precautionary condition requiring any contamination found during construction to be properly addressed.

The site is located in flood zone 1, the area at least risk of flooding. The LLFA has been consulted and raises no objection.

### **Conclusions and planning balance**

The principle of residential development in this location is considered acceptable. The application proposes a net increase of one dwelling in a sustainable location which meets

the broad strategy for delivery of housing in the district. This weighs in favour of the application. As the council cannot currently demonstrate a five-year supply of deliverable housing sites, added weight is given to the provision of an additional house, however this is tempered by the fact that it would only be a single dwelling added to the supply, as are the limited economic benefits.

Nevertheless, whilst the parish council's comments are noted, no harms have been identified as set out in this report. The concerns about the absence of amenity space, in the context of the development proposed do not significant and demonstrably outweigh the benefits. There would be no harm to the character and appearance of the area and there would be no undue impacts, subject to the recommended condition requiring the rear window to be obscure glazed and fixed shut, on the living conditions of neighbouring properties. The proposal is likely to result in fewer vehicular movements using the existing access and there would be no harm to the nearby listed cross shaft.

Overall, the proposal is considered to represent sustainable development in accordance with the development plan, and it is recommended that permission is granted subject to the conditions outlined below.

**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:

Drawing no. 22/31-02 (Block Plan)

Drawing no. 22/31-03 (Existing and proposed plans and elevations)

Drawing no. 22/31-04 (Parking and Tracking).

Reason

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

3.

The dwelling hereby permitted shall not be first brought into use until the window on the rear (east facing) elevation has been fitted with obscure glazing (Pilkington level 4 or equivalent) and permanently fixed shut, and it shall thereafter be retained as such for the lifetime of the development.

Reason

To safeguard the living conditions of the occupiers of the neighbouring dwelling.

4.

Prior to the dwelling hereby permitted being occupied, the parking shown on the approved plan shall be made available for use for the parking of vehicles by the occupiers of the dwelling, and shall be retained thereafter for that use.

Reason

In the interests of highway safety.

5.

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

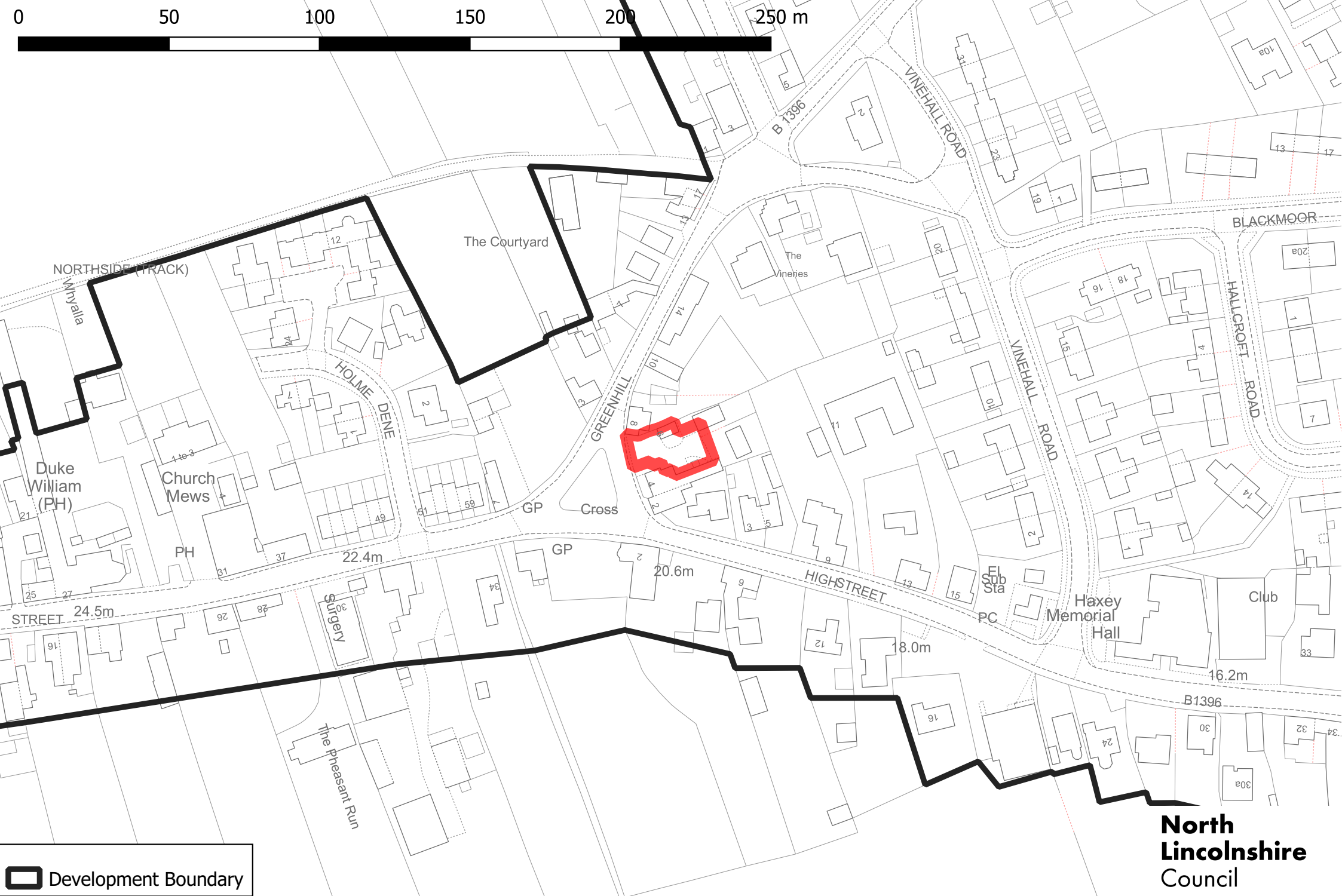
Reason

In the interest of the health of construction workers and future residents.

**Informative**

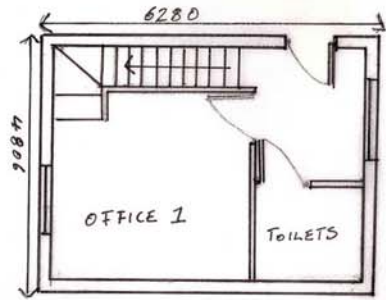
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



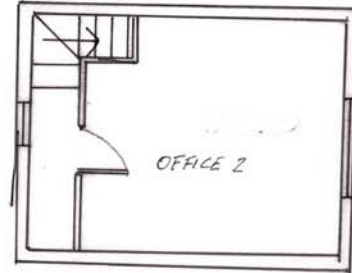


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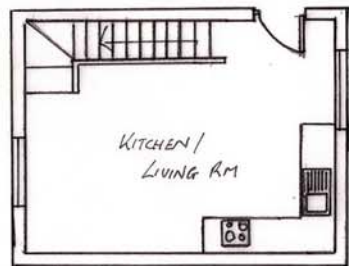
# PA/2022/2133 Proposed plans and elevations (not to scale)



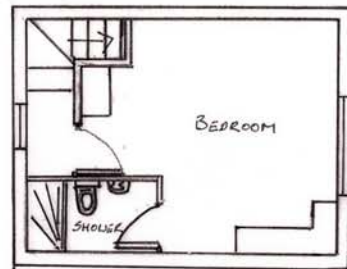
EXISTING GROUND FLOOR



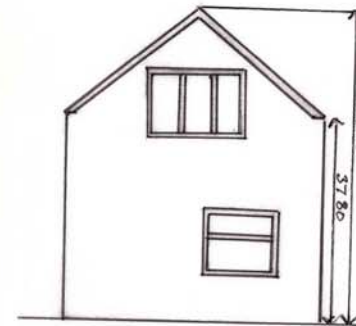
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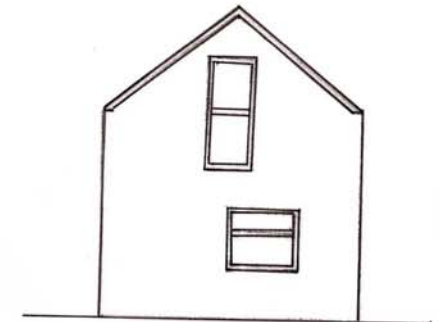
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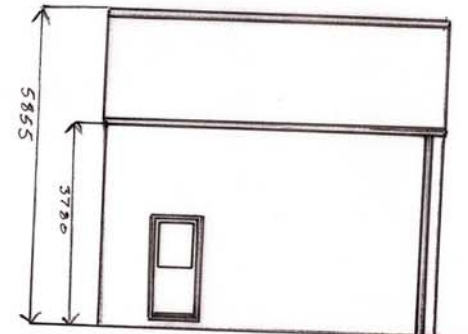
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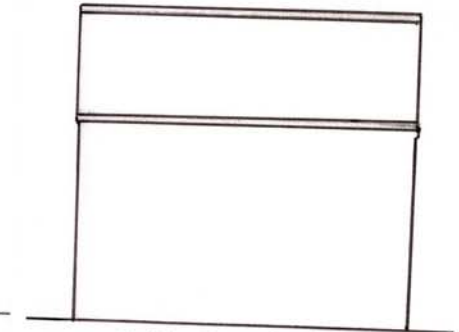
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

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HMS Town Planning & Urban Design

OUTBUILDING 2 GREENHILL ROAD,  
HAXEY, N. LINCOLNSHIRE, DN9 2JE

NOTES:

All dimensions must be checked on site and not scaled from this drawing.

Client  
MRS BEV SUSZCZENIA

Job Title  
CHANGE OF USE

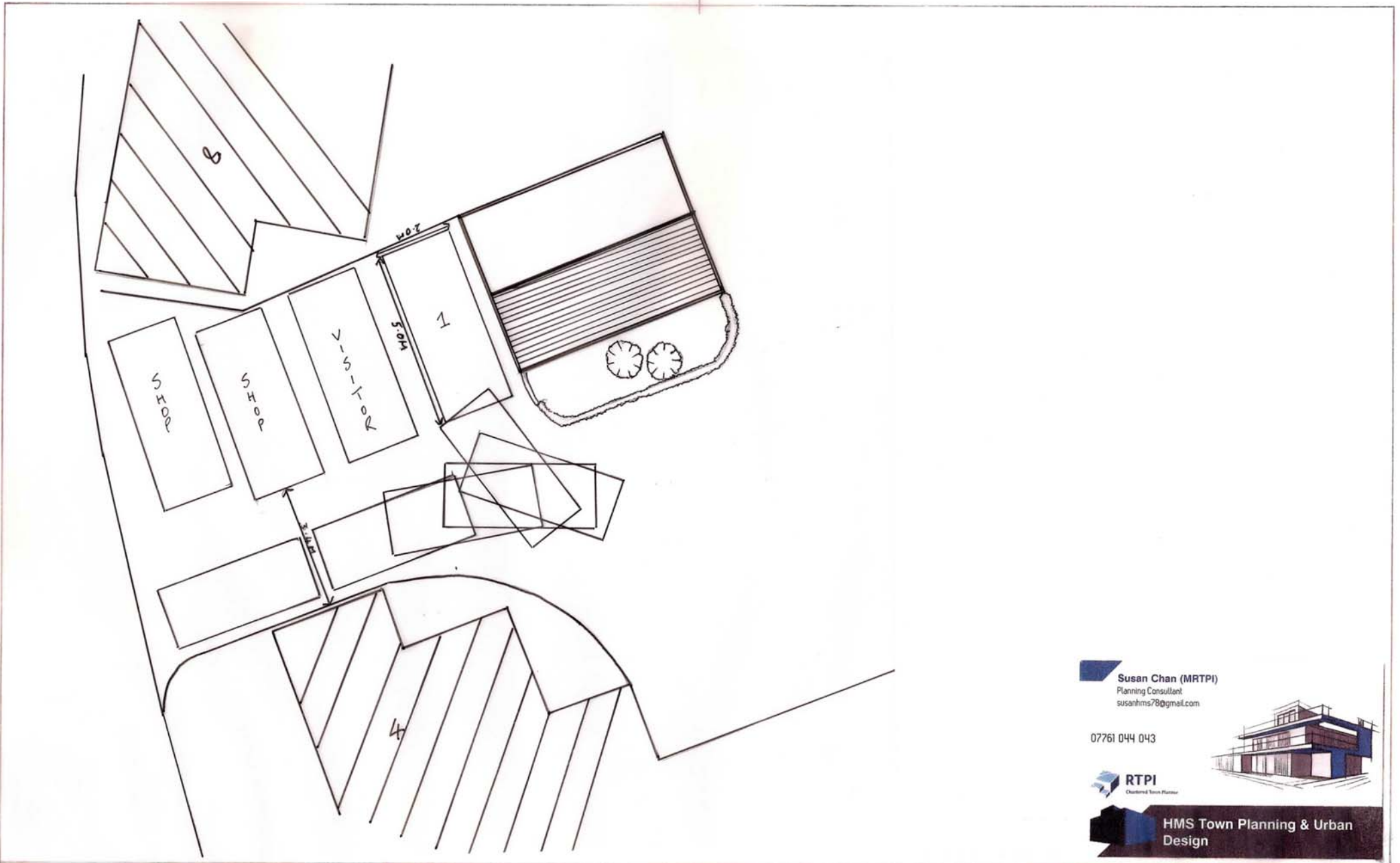
Scale  
1:100 @ A3

Drawn by SC  
Date 28.11.22

Drawing Title  
GH-PLNS -22/31-03

Drg No. 22/31-03	Rev
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# PA/2022/2133 Parking and tracking (not to scale)



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**HMS Town Planning & Urban Design**

GREENHILL STORES 2-4 GREENHILL ROAD,  
 HAXEY, N. LINCOLNSHIRE.

**NOTES:**  
  
 All dimensions must be checked on site and  
 not scaled from this drawing.

**Client**  
 MRS SUSZCZENIA

**Job Title**  
 PARKING + TRACKING

**Scale**  
 1:100 @ A3

**Drawn by** SC

**Date** 28.11.22

**Drawing Title**  
 GH-TRACK-22/31-04

**Drg No.** 22/31/04

**Rev**