

<b>APPLICATION NO</b>	<b>PA/2022/2011</b>
<b>APPLICANT</b>	Mr Peter O'Reilly
<b>DEVELOPMENT</b>	Planning permission to create a new access and paved driveway
<b>LOCATION</b>	Carrdale, 10 Saxby Hill, Saxby All Saints, DN20 0QL
<b>PARISH</b>	Saxby All Saints
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Paul Skelton
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Saxby All Saints Parish Council

## **POLICIES**

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

T2 – Access to Development

T19 – Car Parking Provision and Standards

HE2 – Development in Conservation Areas

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

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

Policy PS1 – Presumption in favour of sustainable development

Inset 90 – Saxby All Saints

## **Saxby All Saints Conservation Area Appraisal 2004**

**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

DQE1 – Protection of Landscape, Townscape and Views

HE1 – Conserving and Enhancing the Historic Environment

DM1 – General Requirements

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

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving well-designed places

Chapter 16 - Conserving and enhancing the historic environment

### **CONSULTATIONS**

**Highways:** No objection subject to a note relating to works on the highway.

**LLFA Drainage:** Recommend planning conditions to secure effective methods of preventing surface water run-off to and from the highway and the development site, and an informative note regarding drainage.

**Tree Officer:** No comments.

### **PARISH COUNCIL**

Objects for the following reasons:

- Due to the steep nature of the site and adjacent highway, any new access point onto this road should be prevented as it cannot be considered safe.
- There is no explanation as to how the site would be backfilled given its steepness.

- Water run-off is going to be significantly increased due to the amount of hardstanding created and run-off is indicated as being into a soakaway and into the lawned areas. The additional volume is, however, likely to be into the adjoining farmer's field, and then the houses on Main Street below as it exits the field.

## **PUBLICITY**

The application has been advertised by site and press notice. Four objections have been received from members of the public which are summarised below:

- During heavy rainfall, natural springs from the hillside appear in gardens of houses on Main Street. Additional run-off from hardstanding parking into the fields will worsen these problems and result in flooding of the houses below.
- Consideration has not been taken of protected species such as newts found in this area due to the ponds.
- Due to the steep nature of this area, backfill will be needed, which will change the nature of the landscape.
- This is a steep, narrow road used by agricultural machinery – additional entrances/exits and on-street parking could impact on safety.
- The application is only due to the application for a dwelling which is contrary to policy.
- The rural character of this part of the conservation area is being overdeveloped, changing existing views which the council has promised to protect.
- The gradient of the hill means that a retaining wall would be required.

## **ASSESSMENT**

### **Planning history**

7/1982/0349: Outline planning permission for a single dwelling – refused 29/07/1982

PA/1997/0217: Extension to single garage to make double – approved 16/04/1997.

Outline planning permission has also been sought (PA/2022/2018) for a single dwelling; this application is pending and is yet to be determined.

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

The application site comprises the property known as Carrdale, 10 Saxby Hill. Saxby Hill itself is a steep lane rising up from the main village street. Other than the application site there are just a pair of semi-detached dwellings facing Saxby Hill, with the dwelling permitted in 2020 also proposed. There are no dwellings facing Saxby Hill on the opposite side of the road, however a large house (Field House) is set back from the road with its access opposite the application site.

The site benefits from mature planting and a double garage set to the east of the existing house. The garage is served by an existing concrete drive. This garage and access drive

are proposed to be utilised to provide a new dwelling as proposed under the application referred to above. Hence the need for a new access to serve the existing dwelling.

There are open fields sloping down towards Main Street to the rear.

### **The development**

The application proposes the provision of a new in/out access to serve the existing dwelling, Carrdale. The access would be paved in red block paving. The application notes that surface water run-off from the new driveway is proposed to fall into an ACO drain that shall separate the highway from the driveway, to avoid any surface water discharging onto the highway.

The submitted plans indicate two access points. The 'entry only' access would be 3.5m wide and the exit point 3m wide. These would be connected by a paved driveway with two parking spaces adjacent to the exit point. The driveway would follow the existing contours of the land and no retaining walls are proposed.

### **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 to 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.

### **The key issues to be considered in assessing this application are:**

- **heritage/visual impact;**
- **highway safety; and**
- **drainage.**

### **Heritage/visual impact**

The site lies within the Saxby All Saints conservation area. Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in the North Lincolnshire Local Plan, Core Strategy and the NPPF, which also promote good design and require development to have an acceptable impact on the character and appearance of an area.

The existing site does not share the characteristics of many of the more traditional properties in the conservation area which tend to have walls or hedges delineating the boundary. This is very much an 'open-plan' style plot with a gravelled area and domestic paraphernalia dominating the front of the house. There is also a small 'lay-by' area set in from the line of Saxby Hill. This area, in addition to areas of manicured lawn, would be replaced by the accesses/driveway which would be surfaced with pavements. Given the existing aspect, which does not contribute in any meaningful way to the quality of the conservation area, it is considered the proposals would have a neutral impact on the conservation area and the overall quality of the street scene. The development would be low-key and only visible for a short distance when travelling along Saxby Hill.

Overall, it is not considered that the proposal would result in any harm to the conservation area, in accordance with s72 of the 1990 Act and policy HE2 of the local plan and Core Strategy policy CS6, and would not have a harmful impact on the character and appearance of the area more generally in accordance with local plan policy DS1, Core Strategy policy CS5 and paragraph 130 of the NPPF.

### **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 highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

A number of concerns have been raised in respect of the potential highway safety implications of the creation of an additional access on Saxby Hill, due to the steep nature of the road and the fact that it is used by agricultural machinery/vehicles. Nevertheless, this is a minor road and lightly trafficked. Locals, including drivers of agricultural vehicles, will be familiar with the road and will be aware of the existing accesses serving the application site as well as that serving Field House opposite.

The highways officer (HO) has been consulted on both the current application and the application for the new dwelling, so is fully aware of the complementary proposals. The HO raises no objection subject to an informative note regarding works on the highway.

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

### **Drainage**

Local plan policy DS16 and Core Strategy policy CS19 reflect the advice in section 14 of the NPPF which aims to direct development to areas of lowest flood risk. Paragraph 159 of the NPPF similarly states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

The site is located in flood zone 1, the area at least risk of flooding. Nevertheless, concerns have been raised due to the sloping nature of the site and Saxby Hill, and previous drainage issues. However, it must be recognised that the development cannot be required to resolve existing issues.

It is recognised that the site is located on a steep slope, however this is not by any means an unusual scenario. Nevertheless, careful consideration needs to be given to the prevention of surface water run-off to and from the developed site. In this context, the LLFA

raises no objection subject to conditions aimed at preventing surface water flow from hard surfaces within the site onto the highway and prevention of surface water run-off from the highway entering the site and potentially causing flood risk to future occupiers.

Whilst local concerns regarding the existing issues on Saxby Hill are noted, it is not considered that the proposed development would make conditions worse, and if anything would be likely to improve the existing situation.

### **Other matters**

Comments have been made by members of the public in relation to the absence of any details of retaining walls which they say will be required given the gradient of the site. Nevertheless, the applicant has confirmed that, given the contours of the land (shown on the submitted levels survey and proposed layout plan), the access will essentially follow the contours of the land and, because of this, there would be no need for retaining walls.

### **Conclusions and planning balance**

Overall therefore, in principle the proposal would constitute sustainable development in accordance with the development plan. The access as proposed is acceptable in safety terms and there would be no harm to the conservation area character and appearance of the area. Any concerns regarding drainage can be adequately addressed by planning conditions. It is therefore recommended that permission is granted subject to the conditions set out 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: HLAD – DR-03-304 Rev B.

#### **Reason**

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

3.  
The development hereby permitted shall be carried out in accordance with surfacing materials which have first been submitted to and approved in writing by the local planning authority.

#### **Reason**

In the interests of good design.

4.  
The development hereby permitted shall not be brought into use until a scheme to prevent surface water run-off from hard paved areas within the site onto the highway has been

implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The development shall thereafter be retained and maintained in accordance with the scheme so implemented.

#### 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.

5.

The development hereby permitted shall not be brought into use until a scheme to prevent surface water run-off from the highway onto the developed site has been implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The development shall thereafter be retained and maintained in accordance with the scheme so implemented.

#### 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**

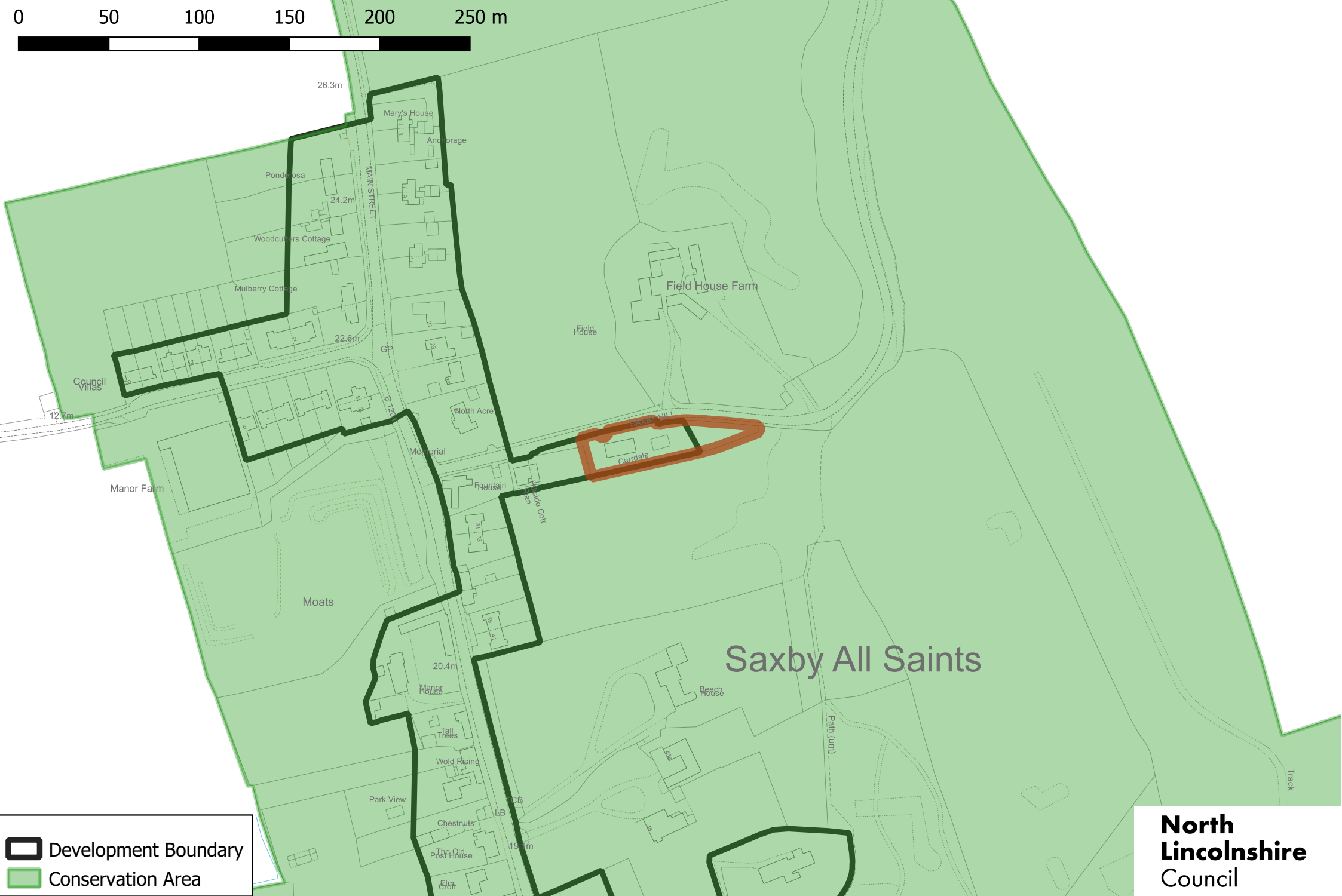
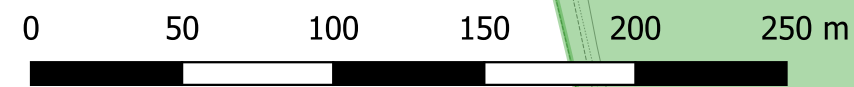
1.



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.

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.



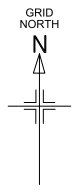
 Development Boundary  
 Conservation Area

**North  
Lincolnshire  
Council**

**PA/2022/2011**



# PA/2022/2011 Site layout (not to scale)



**Survey Legend:**

	Bank Top/Bottom		Building
	Canopy/Shrub line		Building canopy
	Trunk line		Well defined
	Hedge		Floorly defined
	Wall		Unfinished
	Fence		Overhead electric
	Sewer - Foul		Overhead telephone
	Sewer - Surface		

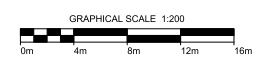
  

	Borehole		Mail PO		Survey Station
	BO		GP		SIP
	Cable TV		IL		SV
	CL		KO		Svp
	EL		LP		TC
	EP		MH		TL
	ER		MP		TP
	FRL		PO		UTL
	FH		RE		VP
	FP		RS		WM
	G		RW		WO
	GA		SP		



- Notes:**
1. Survey of 4 Hillside undertaken November 2021.
  2. Survey of 10 Carrdale undertaken September 2022.
  3. All manhole chamber pipe sizes and inverts are estimations made from surface level only. Pipe inverts shown are outgoing pipe unless otherwise stated.
  4. Whilst every effort has been made to locate all visible features it should be noted that at the time of survey some items may have been obscured and therefore not located.
  5. Physical boundary features shown on this survey do not necessarily represent the legal boundaries.
  6. Levels are orthometric heights relative to Ordnance Datum Newlyn measured by GPS and transformed via OSGM15. Antenna phase centre offsets: Rinex data = OS supplied, Site data = GSG.
  7. Survey orientated to Ordnance Survey National Grid, OSGB36 (via OSN15).
  8. Transverse Mercator Projection scale factor applied to this survey = 1.0000

Topographical Survey  
 4 Hillside Cottage & 10 Carrdale  
 Saxby Hill, Saxby All Saints



Client: **Adams O'Reilly Ltd**

Date:	30.09.22	Scale:	1:200	Size:	A1
Project:	2084	Drawing:	002	Rev:	-

**shire surveys**  
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