

APPLICATION NO	PA/2023/694
APPLICANT	Mr C Hodge
DEVELOPMENT	Planning permission to erect a new dwelling (including demolition of existing shop)
LOCATION	19 Doncaster Road, Gunness, DN15 8TG
PARISH	Gunness
WARD	Burringham and Gunness
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Gunness Parish Council

POLICIES

National Planning Policy Framework:

Section 2 – Achieving sustainable development

Section 12 – Achieving well designed places

North Lincolnshire Local Plan:

DS1 – General Requirements

DS7 – Contaminated Land

DS14 – Foul Sewage and Surface Water Drainage

DS16 – Flood Risk

H3 – Previously Used Land

H5 – New Housing Development

H8 – Housing Design and Housing Mix

T1 – Location of Development

T2 – Access to Development

T19 – Car Parking Provision and Standards

North Lincolnshire Core Strategy:

CS1 – Spatial Strategy for North Lincolnshire

CS2 – Delivering more Sustainable Development

CS3 – Development Limits

CS5 – Delivering Quality Design in North Lincolnshire

CS7 – Overall Housing Provision

CS8 – Spatial Distribution of Housing Sites

CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

CS17 – Biodiversity

CS19 – Flood Risk

Housing and Employment Land Allocations Development Plan Document

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

SS3 – Development Principles

SS6 – Spatial Distribution of Housing Sites

SS10 – Development Limits

DM1 – General Requirements

CONSULTATIONS

Highways: Recommend conditions.

Drainage Team: No objections subject to a condition.

Environmental Protection: Recommend a pre-commencement condition.

Trees: No comments.

Environment Agency: Initial objections removed following submission of a revised flood risk assessment. A condition and informative comments are provided.

PARISH COUNCIL

Supports local residents' views with regard to concerns over adequate drainage.

They also are concerned regarding the lack of dimensions on the plans from the proposed house and the dividing boundary of numbers 17 and 19.

PUBLICITY

A site notice has been displayed and the application has been advertised in the press. Four responses have been received making comments in relation to:

- the lack of dimensions on the proposed plans
- the separation distance between the proposal and number 17
- issues regarding drainage, disposal of surface water and flooding.

ASSESSMENT

Planning history

PA/2006/0041: Advertisement consent to display a static internally illuminated fascia sign, an oval internally illuminated gable sign, and a static internally illuminated free-standing sign – refused 13/04/2006

PA/2006/0637: Consent to retain an oval static internally illuminated gable sign and a static internally illuminated free-standing sign – approved 04/07/2006

PA/2006/0751: Planning permission to retain LPG gas tank already sited for a temporary period of 6 months – approved 27/07/2006

PA/2023/442: Planning permission for first floor front extension and demolition of former chip shop – approved 12/07/2023

Site constraints

- The site lies within the development boundary of Guinness according to the HELADPD 2016.
- The site is within SFRA flood zone 2/3a tidal.

Proposal and site characteristics

Planning permission is sought to erect a new dwelling following the demolition of a disused chip shop. The application site is located to the west of 19 Doncaster Road and is currently occupied by a chip shop, which is disused and in a state of disrepair, with hardstanding to the frontage and a grassed garden area to the rear. The immediate area surrounding the site is predominantly residential dwellings. The site can be accessed from Doncaster Road.

Main considerations

- **The principle of the development**

- **Impact upon residential amenity**
- **Impact upon character and appearance**
- **Impact upon access and highway safety**
- **Flood risk and drainage**
- **Land contamination**
- **Biodiversity and ecology**

The principle of the development

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011), and the Housing and Employment Land Allocations DPD (2016).

Policy CS1 sets out the overarching spatial strategy for North Lincolnshire. It states, '...Scunthorpe will be the focus for the majority of new development and growth, including housing, employment, retail, sustainable transport links, and higher order services and facilities to serve North Lincolnshire' and, 'High quality, well designed new housing will be provided on a range of previously developed sites within the urban area followed by a greenfield urban extension with a focus on areas to the west of the built-up area.'

Policy CS2 prioritises '...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.' Local plan policy H3 corroborates core strategy policy CS2 in that it supports the development of previously used land within settlement development limits and is limited to a maximum of three dwellings in the minimum growth settlements subject to development being in keeping with the size, form and character of the settlement.

Policy CS3 deals with application of development limits within the Scunthorpe urban area, the market towns and rural settlements. However, limits will not be applied to rural settlements in the countryside.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing 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.

The application site is set within the development limit of the settlement. The proposal would result in the use of previously developed land. Therefore, in principle, the proposal accords with guidance in the National Planning Policy Framework, policies CS1, CS2, CS3 and CS8 of the Core Strategy, and policy H3 of the North Lincolnshire Local Plan.

Impact on residential amenity

In terms of amenity, policy DS1 states that proposals should not result in loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Policy H5 relates to proposals for new housing development. The policy states that planning permission will be granted provided the development is located within urban and town centres, the proposal comprises infill development and is well related to existing infrastructure, and is appropriate in terms of scale, layout, amenity and character.

Policy H6 is also relevant in that it deals with proposals that seek to utilise vacant and underutilised commercial premises for housing provided there is no conflict with existing land uses, access, parking and the environment.

The existing shop is a single-storey structure that extends to the rear of the site. The closest dwelling to the proposal is number 17, a two-storey semi-detached dwelling with a hipped roof. Both sites, namely 17 and 19 Doncaster Road, are delineated by a timber panel fence to the front. The existing layout is such that the single-storey shop is built close to the timber panel fence at the frontage. The proposed dwelling, however, would be two-storey and so would be higher than the existing shop.

The main consideration under this section is the impact on amenities that may arise from the proposal. The openings to the dwellings are predominantly north- and south-facing (front and rear), with one high-level obscure-glazed window in the proposed west elevation. No windows are proposed in the east elevation. Therefore, any overlooking impact from the proposed dwelling is limited.

The proposal would provide three bedroom spaces and modest living space on the ground floor. The proposed use of the site for a dwelling would generate less noise, smell and nuisance compared to the previous use (a hot food takeaway).

In terms of proportion, the north–south orientation of dwellings along Doncaster Road would enable the rear gardens to receive some level of light.

As mentioned earlier, the proposed dwelling would be a two-storey building in place of the existing single-storey structure. It would have an approximate length of 8.7m and a width of 6m, set between two-storey dwellings on both sides. Whilst the proposal would result in a substantial increase in height, it would be proportionate to the scale of adjoining dwellings or even smaller. Therefore, any overbearing impact of the proposal would not be very significant as to warrant a refusal. The proposal therefore accords with policy CS5 of the Core Strategy, and H5, H8 and DS1 of the North Lincolnshire Local Plan.

Impact on the character and appearance of the street scene

This site constitutes infill and developable land primarily within the settlement boundary. Following the completion of the dwelling, there would be a 1.8m separation distance between the side elevations of 17 and 19 Doncaster Road as shown on the proposed site layout. There appears to be a similar or greater separation distance between some dwellings along Doncaster Road, and so this arrangement would not be out of character with the area.

Along Doncaster Road is a mix of properties of varied design. The proposal consists of a dwelling with a simple façade comprising the fenestrations. The proposed development would be of similar appearance to others locally in terms of materials: off-white self-coloured render is proposed for the building, with grey concrete roof tiles, and grey uPVC windows and doors. As a result, there would be no adverse impact on the street scene. The proposal therefore accords with policy CS5 of the Core Strategy, and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

Impact upon highway safety

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 states that all proposals should be provided with a satisfactory access, while policy T19 is concerned with car parking provision and standards. Policy T19 requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

In terms of impact on the highway, the proposed dwelling would be served from the existing access on Doncaster Road. The existing hardstanding area would be used as a parking and turning area. The space could accommodate up to two cars, which aligns with the parking guide. Highways have raised no objections to the access and parking arrangements for the proposed dwelling subject to conditions which would be imposed should permission be granted. The proposal therefore accords with policies T2 and T19 of the North Lincolnshire Local Plan.

Flood risk and drainage

Policy CS19 (this policy sits alongside DS16 of the local plan) is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood.

The application site is set within flood zone 2/3a and so is classed as more vulnerable development according to the flood risk vulnerability classification. Therefore, a detailed flood risk assessment that shows the sequential and exception tests carried out is essential in this case. To this end, the application site and the entire settlement of Gunness lie within flood zone 2/3a, hence there are limited or no opportunities for development in a lower flood risk zone within the settlement. Therefore, the sequential test is passed.

The exceptions test requires two things. First, the provision of evidence of sustainability of the development. The council's guidance note on flood risk mentions the use of previously developed land and existing buildings which this proposal seeks to fulfil. The proposal is a small-scale infill development which in economic terms may provide a very minute benefit; nonetheless, it would bring to effective use an area of disused land.

To pass the second part of the exceptions test, the local planning authority must be satisfied that the development is safe in the event of a flood. A revised flood risk analysis submitted by the applicant provided some mitigation measures in the event of flooding. This includes, flood resilient construction, an evacuation plan and safety measures where a breach of river defence occurs and ensuring the development's finished floor level is 3.58m above Ordnance Datum (AOD).

Comments from the Environment Agency following the submission of an updated flood risk assessment include a recommended condition regarding finished floor levels to make the development safe and an informative comment reminding the local planning authority to carry out a sequential test prior to any approval being granted. The sequential test has been done under this section.

In terms of drainage, no concerns have been raised by the council's drainage team, given the small-scale infill nature of the development. However, informative comments have been provided which would be included on any permission granted. The proposal is therefore considered to accord with policy DS14 of the North Lincolnshire Local Plan.

Land contamination

Policy DS7 of the local plan relates to contaminated land. This application is for residential development and so is a sensitive end-use. Historical maps reviewed by the council's Environmental Protection team indicate the presence of former commercial properties. Therefore, the site has the potential to have been impacted upon by contamination through the spillage and leakage of stored goods and fuel, and the illegal deposition of waste, which are harmful to human health.

Therefore, a contaminated land pre-commencement condition has been recommended and should be applied to any permission granted. This has been agreed with the applicant. Subject to compliance with the pre-commencement condition, the proposal is considered to accord with policy DS7.

Biodiversity and ecology

Policy CS17 relates to biodiversity and seeks to ensure developments produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for.

The biodiversity management plan submitted alongside the application identifies the following improvements to the dwelling following completion:

- the incorporation of 1 starling nest box from the RSPB website, or similar, incorporated within the garden area, at least 2.5m above the ground
- 1 built-in bat box from Ibstock or similar, incorporated 3–5 metres above ground level
- at least one hole at the base of each garden boundary fence, of around 130mm x 130mm, shall be left to allow hedgehogs to pass through as there could be potential for the presence of hedgehogs in the garden area.

Other concerns raised by the parish council

The parish council and residents raised concerns regarding the lack of dimensions on the plans. The applicant has provided updated plans to show the separation distance and dimensions of the proposed dwelling. Additionally, issues regarding drainage, flooding and surface water disposal were raised. In this respect, the LLFA drainage team was re-consulted and no further recommendation has been made. The informative comments made previously are considered sufficient for this scale of development. However, the Environment Agency has provided a condition to mitigate any impact from flooding that may arise. This condition will be attached to any permission the council is minded to grant.

Conclusion

This proposal seeks to erect a two-storey dwelling following the demolition of a disused single-storey shop, previously used as hot food takeaway, along Doncaster Road in Gunness. The site is set within the development boundary of the settlement, albeit in SFRA flood zone 2/3a. No objection has been raised by the Environment Agency (EA) or LLFA Drainage team following the submission of a revised flood risk assessment, subject to a condition imposed by the EA. The proposal is a small-scale infill development and would seek to bring into effective use previously used land within a predominantly residential area.

Pre-commencement condition

The recommended pre-commencement conditions included in the recommendation has been agreed with 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 plan, proposed site layout, existing and proposed block and floor plans 1623.01 rev A
- Existing and proposed elevations 1623.02 rev A
- Flood Risk Assessment Rev A, Design and Access Statement and Biodiversity Management Plan.

Reason

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

3.

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.

4.

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

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site

management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

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

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

Part 4: Reporting of Unexpected Contamination

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

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

Reason

To ensure the site is safe for future users and construction workers.

5.

The development shall be carried out in accordance with the submitted flood risk assessment [Revision A] compiled by Flood Risk Management Limited, dated 13 August 2023 and the mitigation measures it details. In particular, the finished floor levels shall be set no lower than 3.58 metres above Ordnance Datum (AOD).

Reason

To reduce the risk of flooding to the proposed development and future occupants in line with policy CS19 of the North Lincolnshire Core Strategy.

Informatives

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.

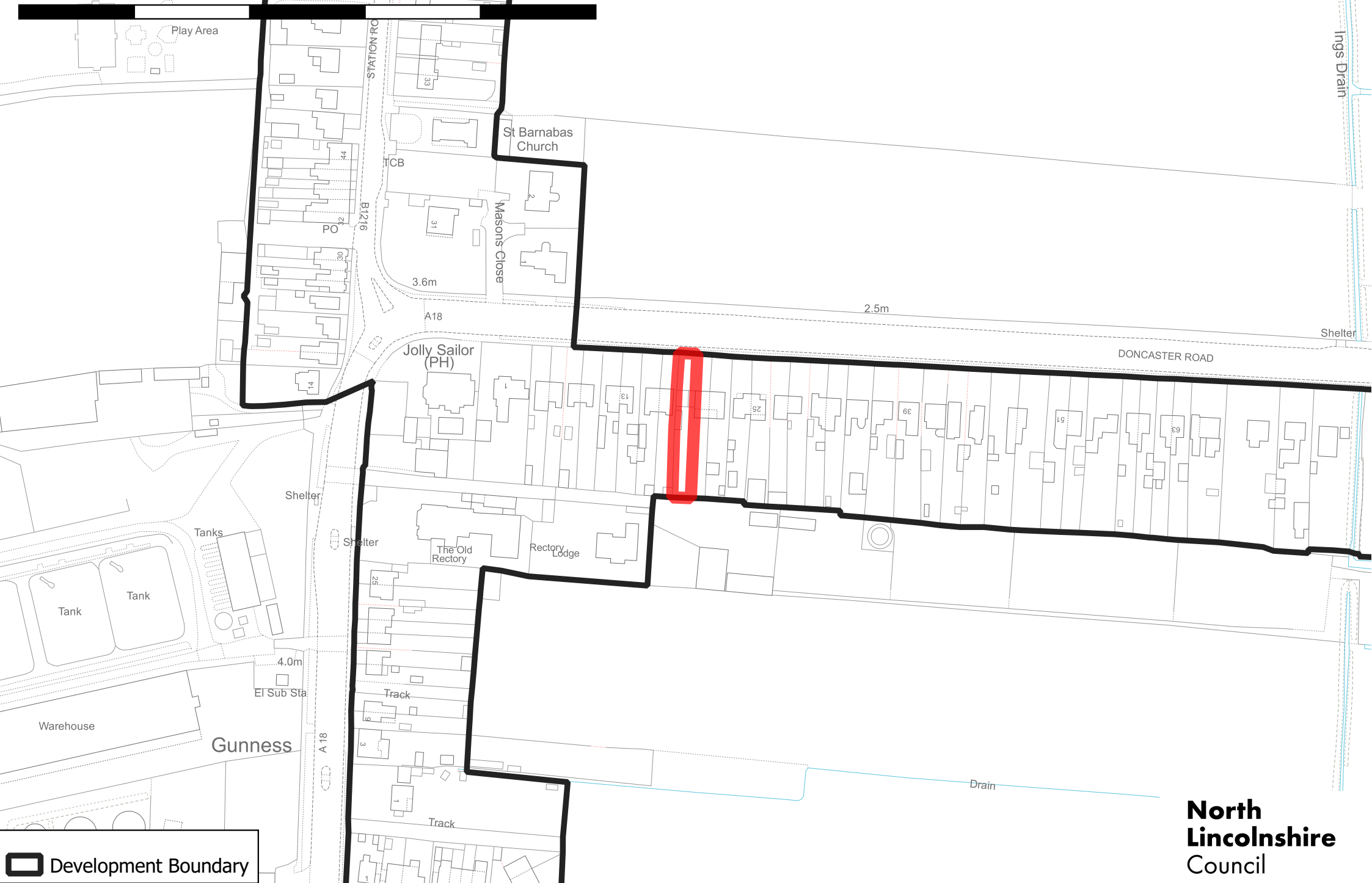
2.

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.

3.

As the proposed development is classed as a more sensitive end use, we suggest you consider investigating the existing surface water drainage arrangements/layout for the development. Further consideration may need to be given to upsizing the pipe network, thus 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.

0 50 100 150 200 250 m



Development Boundary

**North
Lincolnshire
Council**

PA/2023/694

PA/2023/694 Proposed layout (not to scale)

NOTES:

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be these drawings or associated documents are to be notified to keystonearchitecture.

Do not scale from these drawings - if in doubt - ask.

All materials shall be fixed, applied or mixed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystone architecture.

The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specifications.

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PARTY WALL NOTICES:

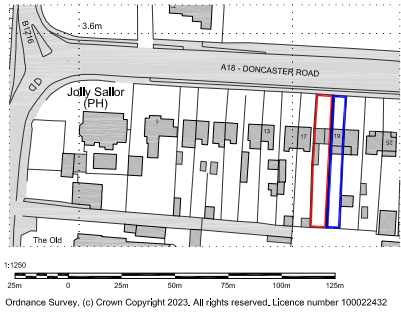
Building astride (A) or against (B) the boundary line:

If you plan to build a party wall astride or against the boundary line, you must inform the Adjoining Owner by serving a Notice.

Excavating near neighbouring buildings:

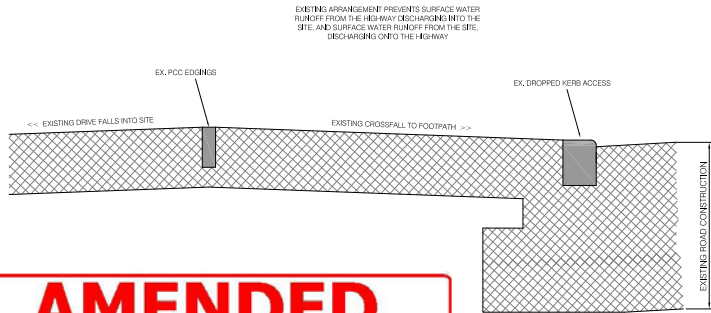
If you plan to excavate foundations within 3 metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line drawn at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.

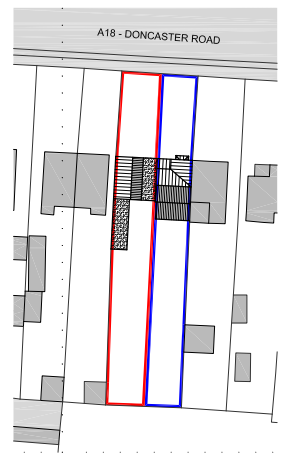


Location Plan
scale 1:1250

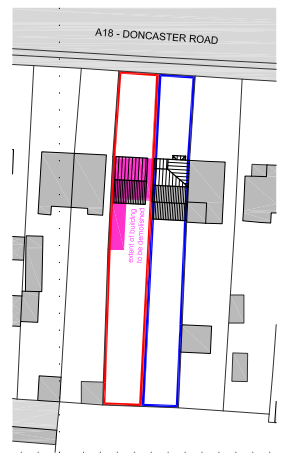
VEHICLE CROSSING CONSTRUCTION DETAIL



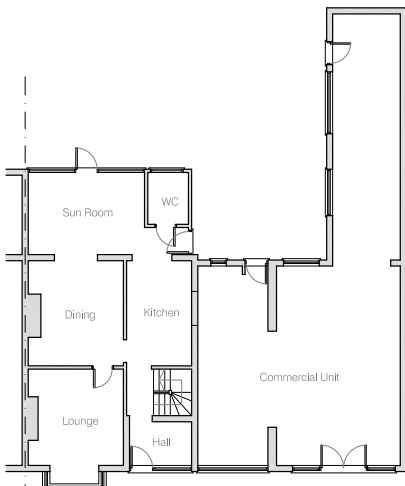
AMENDED



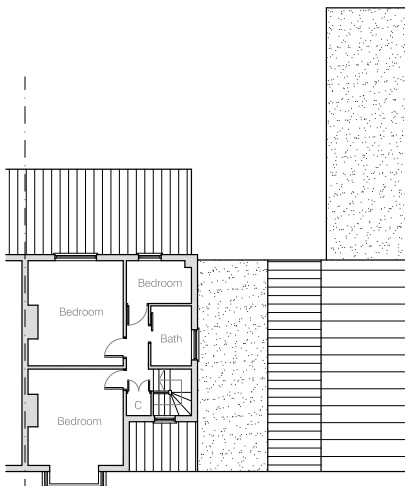
Existing Block Plan
scale 1:500



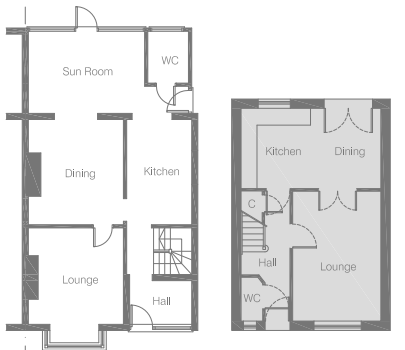
Proposed Block Plan
scale 1:500



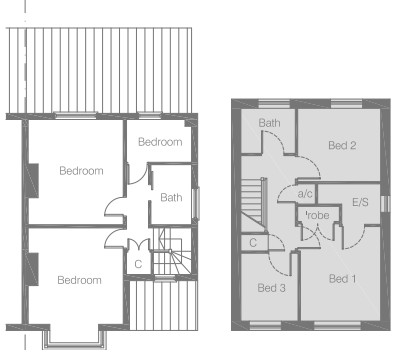
Existing Ground Floor Plan



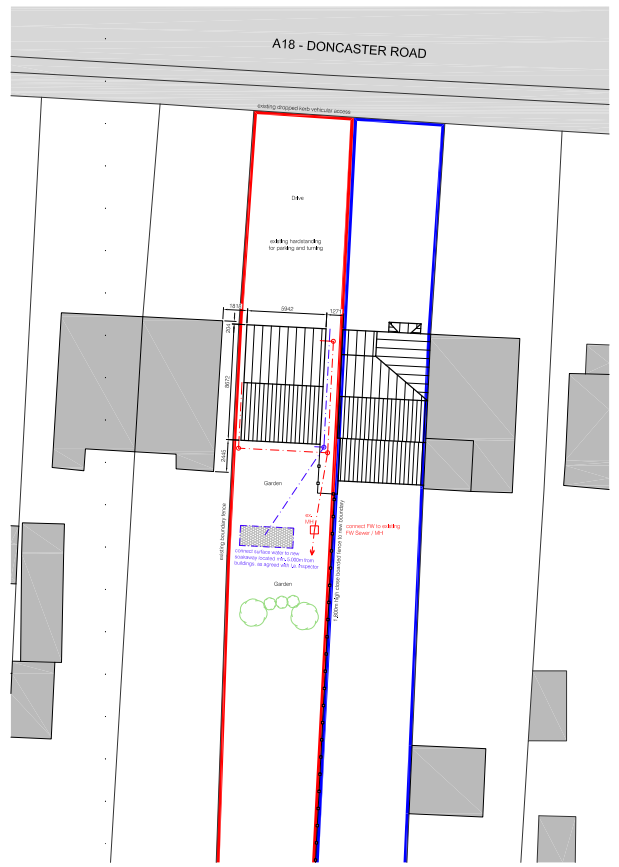
Existing First Floor Plan



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Site Layout
scale 1:200

NOT FOR CONSTRUCTION

A	Dimensions Added to Site Plan			11/05/23
rev.	agreement	date		
stage	Ex. & P. Plans	stage	16/03/01 rev A	
scale	Planning	drawn by	Feb 23	
	North & South	scale	1:1000 & as noted	drawn by
				JCB

All dimensions & details given on this drawing are to be checked and verified onsite prior to works being undertaken. Any discrepancies and/or variations to the specifications within these drawings or associated documents are to be notified to keystonearchitecture

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PARTY WALL NOTICE(S)

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If you plan to build a party wall astride or against the boundary line, you must inform the Adjoining Owner by serving a Notice

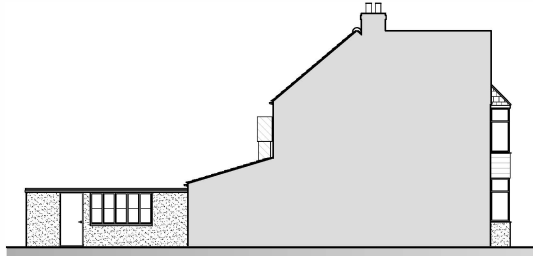
Existing with neighbouring buildings:

If you plan to excavate foundations within 3metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice

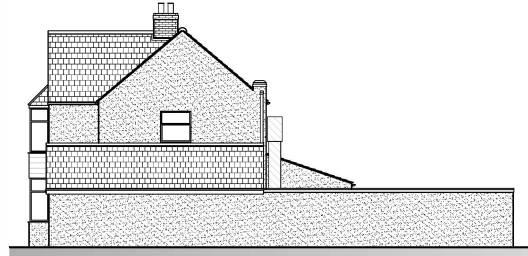
If you plan to excavate foundations within 6 metres of a neighbouring building or structure where the excavation will cut a slope at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by serving a Notice.



Existing North Elevation



Existing East Elevation



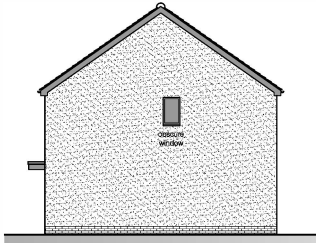
Existing West Elevation



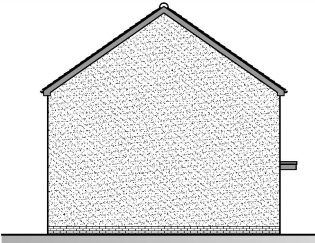
Existing South Elevation



Proposed North Elevation



Proposed West Elevation



Proposed East Elevation

Materials Schedule

1. Off white self-coloured rendered walls
2. Modern Modern concrete roof tiles in Smooth Grey
3. Grey uPVC windows and composite doors
4. Black metal roof goods on grey uPVC fascias



Proposed South Elevation

NOT FOR CONSTRUCTION

#	Obscure window Added to West Elevation	13/00/23
Rev	01	01/24
Project	Proposed New Dwelling at 19 Dinsmore Road, Gurness, North Lincolnshire	16/03/22
Discipline	Ex & Pt Elevations	16/03/22
Discipline	Planning	Feb 22
Scale	1:100	JCB

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