

APPLICATION NO	PA/2023/1212
APPLICANT	Mr Neville Brown
DEVELOPMENT	Planning permission to erect a dwelling
LOCATION	4 Oaklands, Grange Court, Westwoodside, DN9 2QN
PARISH	HAXEY
WARD	Axholme South
CASE OFFICER	Matthew Gillyon
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council Departure from the development plan

POLICIES

National Planning Policy Framework:

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

North Lincolnshire Local Plan:

H5 New housing development

T2 Access to development

T19 Car parking provision and standards

LC14 Area of special historic landscape interest

DS1 General requirements

DS14 Foul sewage and surface water drainage

DS16 Flood risk

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

CS19 Flood risk

Housing and Employment Land Allocations DPD:

PS1 Presumption in favour of sustainable development

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

H11 Backland and tandem development

DM1 General requirements

DM3 Environmental protection

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport

T3 New development and transport

T4 Parking

T5 Cycle and motorcycle parking

CONSULTATIONS

Highways: No objection subject to a condition that the dwelling shall not be occupied until the vehicular access to it and vehicle parking and turning spaces serving it have been completed.

LLFA Drainage: No objection to the proposed development, subject to a condition that 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 and from the highway onto the site have been approved by the local planning authority. An informative is also recommended to consider upsizing the pipe network to increase storage and cater for more intense storm conditions.

Environmental Protection: No objection subject to a condition regarding land contamination.

Archaeology: The application adversely affects the Area of Special Historic Landscape Interest of the Isle of Axholme, with the area designated for its unique historic landscape retaining the pattern of ancient open strip field. The proposed development would be an unacceptable extension and intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility. The Historic Environment Officer recommends refusal as the development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2 and DS1.

PARISH COUNCIL

Objects to the development due to a lack of evidence relating to the previous application and claims that it is still an active site. It has been some time since the application and since that point the site has been placed outside the village envelope to prevent urban sprawl into LC14 land. The parish council are responding to the application as a fresh application and site, not live; it is outside the development limit of Westwoodside and does not meet the needs of the Rural Development section of the local plan. It does not conform to policies CS1, CS2 and CS3, it is backland development (H7) with much made of the quality of design and which should not be a satisfactory reason to disregard other policies.

PUBLICITY

Advertised by site notice. Six responses have been received, all in support of the proposed development. The comments highlight that the proposed dwelling would be in keeping with surrounding properties, has been designed to fit in with the surroundings, is a nicely designed house which would add character to the village, is a high specification property to suit the plot and is in keeping with surrounding properties, would enhance the local area, and no objections to the development.

ASSESSMENT

Planning history

PA/1998/1128: Outline planning permission to erect 2 houses – approved 23/10/1998

PA/2000/0715: Approval of reserved matters following outline planning permission PA/1998/1128 to erect a dwelling, garage and boundary wall – 04/09/2000.

Site

The application site is currently part of the curtilage of Oaklands, 4 Grange Court, Westwoodside, a large detached dwelling at the head of a small residential cul-de-sac. The application site and 3 Grange Court were granted outline planning permission in 1998 for two

dwellings referred to as plots 4 and 5. Plot 4 has been constructed (3 Grange Court) but plot 5 has not, the land having been given a built boundary treatment in the form of a wall and subsumed into the garden of 4 Grange Court.

Since the 1998 application the proposed site has been marked outside the development limit of Westwoodside and designated LC14 – Area of Special Historic Landscape Interest.

Proposal

Planning permission is sought to erect a two-storey dwelling with a linked detached garage, associated private amenity space and off-street parking.

The main issues in the determination of this application are the principle of development, impact on the character and appearance of the area and residential amenity.

Principle of development

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.

It should be noted that whilst outline planning permission PA/1998/1128 granted consent for the erection of two dwellings on plots 4 and 5, a reserved matters application and subsequent approval was only ever submitted in respect of plot 4 (PA/2000/0715). Outline permission PA/1998/1128 was granted subject to a condition that application for approval of the reserved matters must be made within three years of the date of the permission. As no reserved matters application has ever been submitted in respect of plot 5 and would not be able to be submitted outside the three-year period, the outline planning permission has lapsed in respect of plot 5. For these reasons, despite the assertion made in the applicant's planning statement, the site does not benefit from extant planning permission for the erection of a dwelling and this application must be determined on its own merits in accordance with current development plan policies.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan, the North Lincolnshire Core Strategy and the Housing and Employment Land Allocations DPD. Other material planning policy considerations include the National Planning Policy Framework (NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

It should also be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, adopted August 2023. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

The application site is outside the development limit for Westwoodside as defined in the Housing and Employment Land Allocations DPD. For policy purposes this would constitute

development within the countryside and therefore policy RD2 of the local plan needs to be considered. Policy RD2 looks to control development in the open countryside, with development granted for applications essential to agriculture or forestry, the re-use or adaptation of existing rural buildings, and the replacement, alteration or extension of an existing dwelling amongst others.

The site has also been designated an Area of Special Historic Landscape Interest under policy LC14 of the local plan. Policy LC14 seeks to protect the unique character of this area of the Isle of Axholme, stating that within this area development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features, with a high standard of design and siting in new development required to reflect the traditional character of buildings in the area and the character of the historic landscape, and using materials sympathetic to the locality.

Policies CS2 and CS3 of the Core Strategy also need to be considered. Policy CS2 states that any development that takes places outside defined development limits of settlements will be restricted, with only development essential to the functioning of the countryside allowed, with a sequential approach applied to ensure that the development is directed to those areas that have the lowest probability of flooding.

Policy CS3 largely mirrors the approach set out in policy CS2, restricting new development outside development limits to that which is essential to the functioning of the countryside, including uses such as agriculture, forestry and sustainable tourism development.

Policy CS8 sets out the spatial distribution of housing sites and confirms that 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.

Policy H5 of the local plan looks at proposals for new housing development and requires development to be in keeping with the character and amenity of the immediate environment and with the settlement as a whole. New development must have an adequate and appropriately designed access, and provide adequate parking within the curtilage of the site. Policy H5 also requires that new residential development does not result in overlooking or loss of privacy to existing developments or any other loss of amenity to existing dwellings.

In considering the proposal against these policies the new dwelling could be considered an infill plot. The site previously formed part of a larger site with outline permission for two dwellings, one dwelling subsequently gaining reserved matters approval and being constructed. Part of the previous permission was actioned via the construction of plot 4, but plot 5 was never constructed and was instead enclosed by a built boundary treatment and incorporated into the residential curtilage of 4 Grange Court. It is considered, from a planning perspective, that the site has had a material change from agriculture to residential land use. Given the enclosed nature of the site and its use as manicured residential garden, directly adjacent to and surrounded by residential properties, the proposed development can be considered to be infill development.

Whilst the application site falls outside the development boundary, which has been drawn tightly around the existing dwellings (including plot 4), the site was originally consented for a dwelling and reads as part of the residential cul-de-sac rather than open countryside. The site is currently enclosed by a well-defined and robust boundary treatment and is in use as manicured garden land; as such the proposed development would not result in any visual

encroachment into the historic landscape. The site boundary currently forms a well-defined end of development and transition into the open countryside and the proposed development will not extend beyond this boundary.

Whilst it is acknowledged that the proposed site no longer benefits from extant planning permission and is outside the defined development boundary, the proposal would constitute the final dwelling in this small residential development as it was originally consented. Despite the 1998 application not having been actioned in respect of plot 5, the proposed site has been enclosed and utilised, and maintained as garden for 4 Grange Court for over two decades. The proposed dwelling does not extend outside the curtilage of 4 Grange Court. Despite it not having extant planning permission, the previous planning history is a relevant consideration and with the site contained within an already defined residential boundary it is considered that any additional impact on the open countryside would be limited.

In considering the principle of development, the site represents a suitable and logical infill site, with a mature vegetation boundary acting as natural boundary to the open countryside. The site is located centrally within the village, in a sustainable location, with residential development surrounding the site. The proposed dwelling has been designed to complement 4 Grange Court and visually assimilate into the character of the area. Therefore, whilst there is a conflict with policies CS2, CS3 and CS8 of the development plan, this policy conflict is considered to result in limited harm, which must be balanced against the benefits of providing an additional dwelling to the local housing stock in a sustainable location.

Heritage

The Historic Environment Officer has stated that the proposed development would be an unacceptable extension and intrusion of the built environment into the historic landscape, contributing to adverse character change and affecting the setting and legibility. It is acknowledged that the proposed development will result in an additional dwelling adjacent to the historic landscape; however, the proposed dwelling will be sited within a well-defined boundary that has been enclosed, landscaped and managed over the last two decades. There is mature vegetation around the perimeter of the site, which will be retained and prevent visual intrusion or encroachment into the historic landscape. Whilst a two-storey dwelling is proposed, this dwelling will be visually subservient to 4 Grange Court, which is the dominant visual feature in this location. The dwelling will also be viewed from the historic landscape against the backdrop of existing dwellings on Grange Court and will read as part of this residential development.

The enclosed curtilage of the proposed site will mean that there is limited scope for additional development in this area, this application acting as a natural end point and completing the original plan for dwellings that was consented during the 1990s. Other sites falling outside the defined development boundary would have to be determined on their own merits should planning applications be submitted; however, the site specific considerations in this instance are considered to mitigate any harm to the historic landscape to an acceptable level.

Impact on the character and appearance of the area

Policy CS5 of the NLCS states that new developments should be well designed and appropriate for their context and contribute to creating a sense of place, with any proposed development needing to respect the character and appearance of the local amenity.

The site in question has previously been landscaped and incorporated into the curtilage of 4 Grange Court with a mature vegetation boundary treatment to the north and west acting as a natural barrier to the development site and the open countryside. It is the final plot available to be developed on the housing development site with previous permission granted for a dwelling.

The proposed dwelling is of a high standard of design and is similar in appearance to other dwellings in immediate area. Furthermore, as the site has previously had permission for a dwelling and is currently enclosed and landscaped as part of the curtilage of a dwelling, the introduction of the proposed dwelling is not considered to be out of character with the area nor result in unacceptable encroachment into the open countryside.

The public comments that have been received are in support of the proposed dwelling, praising the design, which is in keeping with the area would add character to Westwoodside. The objection from Haxey Parish Council is noted; however, for the reasons set out above, the proposed development is not considered to result in unacceptable impact on the character or appearance of the area.

Impact on residential amenity

Policies H5 and DS1 of the NLLP states that any new developments should be well designed and appropriate for their context, with no unacceptable loss of amenity to neighbouring properties.

The plans show that the dwelling is located in the centre of the plot which gives sufficient separation distance from neighbouring properties to the east and south. The proposed plans show that the majority of the windows are in the west and north elevations of the property which will overlook open fields; the attached garage has been sited to the south of the dwelling and will be over 15m away from the dwelling to the south. This means that the habitable accommodation is over 20m away from the property to the south which is a sufficient distance to prevent unacceptable overlooking and loss of light.

Overall, it is considered that the proposed development will have limited impact on the amenity of neighbouring residential properties and is considered to be in accordance with policies H5 and DS1 of the local plan.

Highways

Policies T2 and T19 of the local plan require all development to be served by a satisfactory access and parking provision. The proposed dwelling has sufficient off-street parking and turning to ensure vehicles can enter and leave in a forward gear minimising any potential highway issues. The Highways officer has no objection subject to a condition that the dwelling shall not be occupied until the vehicular access to it and vehicle parking and turning spaces have been completed.

Drainage

Policy CS19 of the Core Strategy states that the council will support development proposals that avoid areas of current or future risk of flooding. The proposed site is within flood zone 1 and is therefore in a location that is considered to be at lowest risk. The LLFA Drainage officer has no objection to the proposed development and recommends a condition that no development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site and onto the highway and from the

highway onto the site have been approved by the local planning authority. An informative is also recommended to consider upsizing the pipe network to increase storage and cater for more intense storm conditions.

Conclusion

Despite the development falling outside the development limit for Westwoodside, it is considered to have limited impact on the character and appearance of the open countryside and the historic landscape in this part of the Isle of Axholme. The proposed site is currently enclosed and has been landscaped and managed as a garden for over two decades with a well-defined boundary. The proposed development will not encroach further into the historic landscape and will essentially fill in the corner of the existing residential development in line with the original approval for the site. It is considered the dwelling is appropriately designed and is not considered to have any adverse impact on the character, setting, highway safety, residential amenity, or flood risk and drainage.

The benefits of providing a market dwelling in this sustainable location, whilst not significant, are considered to outweigh the very limited harm accruing from the identified conflict with the development plan. As such, the proposed development is considered to be acceptable and is recommended for approval.

Pre-commencement conditions

The pre-commencement conditions included in the recommendation have been agreed with the agent.

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 Drawing No. 22/022-03
- Proposed Block Plan Drawing No. 22/022-04
- Proposed Elevations Drawing No. 22/022-02
- Proposed Floor Plans Drawing No. 22/022-01.

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.

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.

5.

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

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

6.

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 ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

Informatives

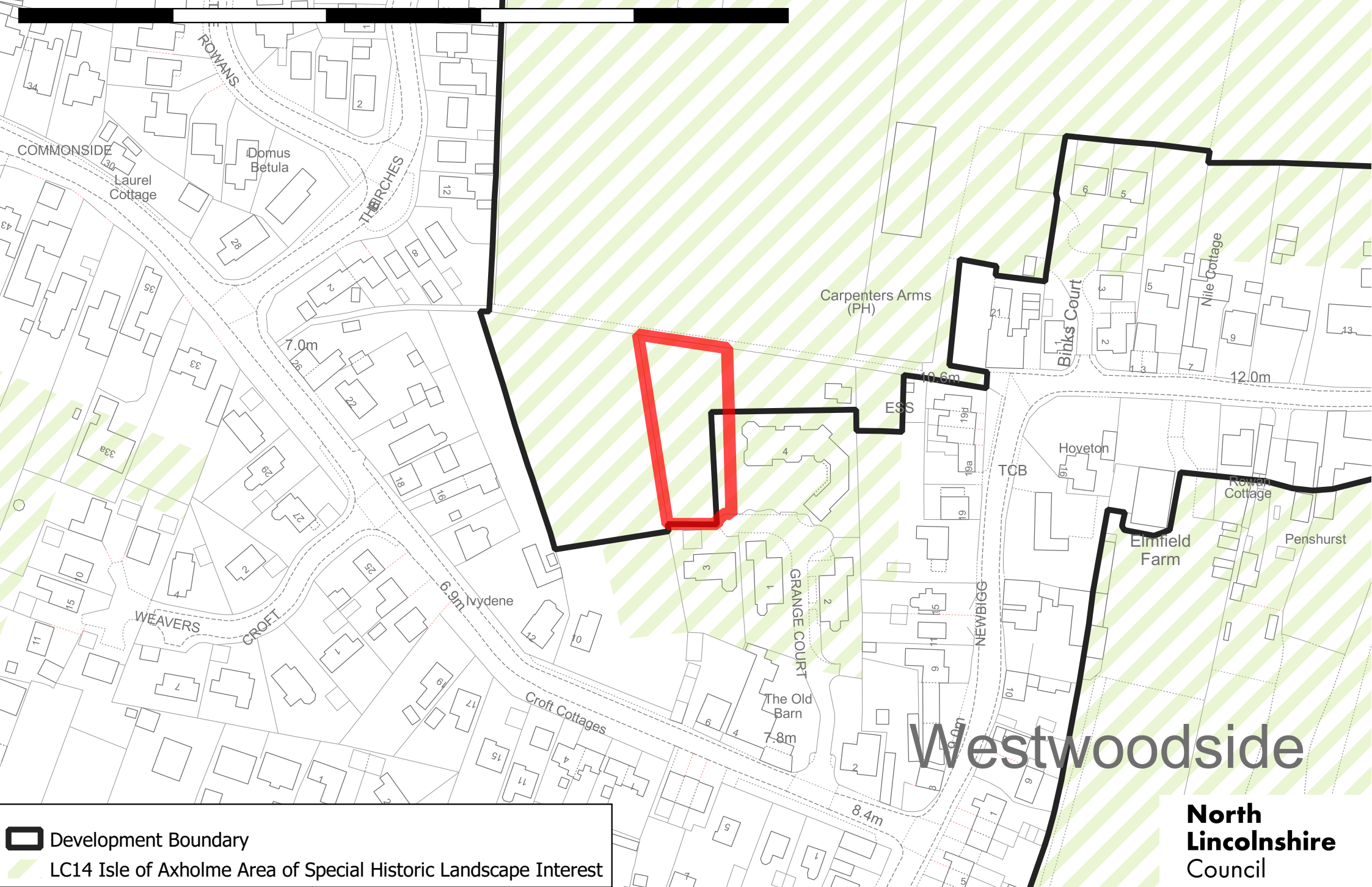
1.



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.

For minor developments, the LLFA Drainage Team suggest 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. They also ask that you fully explore all source control SuDS techniques that can store and allow water re-use.

0 50 100 150 200 250 m



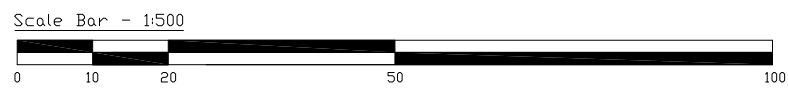
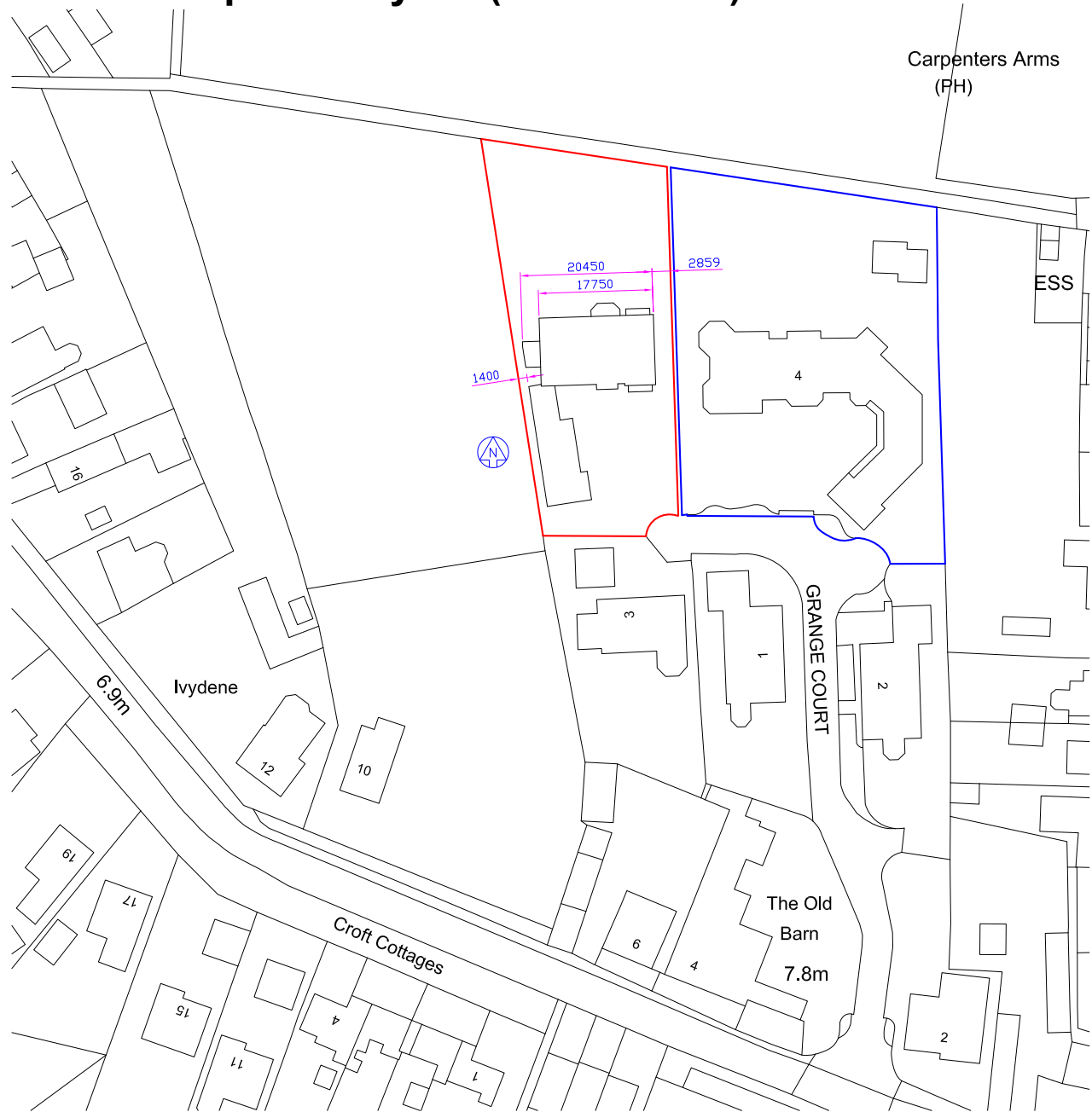
 Development Boundary
 LC14 Isle of Axholme Area of Special Historic Landscape Interest

Westwoodside

**North
Lincolnshire
Council**

PA/2023/1212

PA/2023/1212 Proposed layout (not to scale)



DO NOT SCALE
THIS DRAWING IS COPYRIGHT ©

NOTES

REVISION


 — D E S I G N —
 88, Loscoe-Denby Lane
 Loscoe, Heanor
 Derbyshire
 DE75 7RX
 MOBILE : 07771 675788
 E-MAIL: godesignplanning@aol.com

CLIENT
Mr & Mrs N. Brown

PROJECT
4, Grange Court
Westwoodside
DN9 2QN

TITLE
New Build
Detached House.
Block Plan

DRAWN BY | G. O'Shea | A2 | CHECKED BY

SCALE | 1:500 | DATE | 15/04/23 | DWG No. | 22/022-04 | REV

PA/2023/1212 Proposed elevations (not to scale)



PROPOSED SIDE ELEVATION.
WEST FACING.



PROPOSED FRONT ELEVATION.
SOUTH FACING.



PROPOSED SIDE ELEVATION.
EAST FACING.



PROPOSED REAR ELEVATION.
NORTH FACING.

DO NOT SCALE
THIS DRAWING IS COPYRIGHT ©

NOTES

REVISION

DESIGN

88, Looeoe-Denby Lane
Looeoe, Heanor
Derbyshire
DE75 7RX

MOBILE : 07771 675788
E-MAIL: godesignplanning@aol.com

CLIENT
Mr & Mrs N. Brown

PROJECT
**4, Grange Court
Westwoodside
DN9 2QN**

TITLE
**New Build
Detached House.
Elevations**

DRAWN BY
G. O'Shea | A1 |

CHECKED BY

SCALE DATE DWG No. REV
1:100 15/04/23 02/022-021

