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 Approve with conditions

RECOMMENDATION

REASONS FOR Objection by Gunness Parish Council

REFERENCE TO COMMITTEE

## **POLICIES**

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

2 Achieving sustainable development

11 Making effective use of land

12 Achieving well-designed and beautiful 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 early 2024.

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**

Site visit and site notices have been displayed on 25/04/2023 and on 10/01/2024 following amendment to the plans. Four responses have been received making comments in relation to:

- the lack of dimensions on the proposed plans
- issues relating to the separation distance, massing, scale, design and overbearing nature of the proposal
- 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

Planning permission to retain LPG gas tank already sited for a temporary PA/2006/0751:

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 Gunness according to the HELADPD 2016.
- The site is within SFRA flood zone 2/3a tidal.

#### **Proposal and site characteristics**

To begin with, this application was considered by the planning committee late 2023 but it was decided that additional comments regarding flooding should be sought from the Environment Agency and concerns regarding the impact of the proposal on adjoining dwellings should be addressed. Therefore, a decision was deferred. To address the concerns, the applicant has amended the design of the scheme to provide a single-storey bungalow instead of the proposed two-storey dwelling. The amended documents submitted include a revised flood risk assessment which the Environment Agency considers acceptable subject to imposition of a condition.

Planning permission is sought to erect a new dwelling following the demolition of a shop. The application site is located to the west of 19 Doncaster Road and comprises a semi-detached dwelling and a single-storey building formerly used as a chip shop. The shop is the subject of this application. The former chip shop has been disused for some time and is in a state of disrepair, with hardstanding to the frontage and 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.

The Government released an updated NPPF in December 2023. Paragraph 226 makes clear that for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing against the housing requirement (rather than five years). This includes authorities like North Lincolnshire, which have an emerging local plan that has been submitted for examination. These arrangements apply for a period of two years from the publication date of the revised NPPF. 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.

#### 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 revised plans feature a single-storey bungalow, set back from the boundary treatment by about 313mm, thereby having a lesser impact on the amenities of the adjoining sites.

The openings to the dwellings are predominantly north- and south-facing (front and rear). No windows are proposed in the east and west elevations. Therefore, any overlooking impact from the proposed dwelling is limited. The proposal will provide two bedroom spaces, a modest living space, kitchen and bathroom facility, all on the ground floor.

The north-south layout or orientation of dwellings along Doncaster Road would enable the rear gardens to receive some level of light. Therefore, any impact upon daylight or sunlight is

minimised. It is considered that the proposed use of the site as a dwelling would generate less noise, smell and nuisance than the previous use as a hot food takeaway.

The proposed dwelling would have a length of 11.37m and a width of 6.28m, set between two-storey dwellings. In terms of height, the finished floor level of the development would be 3.58m above Ordnance Datum (AOD) which is about 1.26m above the surrounding ground level. The overall height of the bungalow, if measured from the external ground level to the ridge, is 5.935m. Whilst the land will be over a metre higher than the surrounding ground level, this impact will be mitigated by the reduction in the number of floors. Given the single-storey nature of the dwelling, the proposal is lower than the immediate dwellings adjacent to the site, with minimal or no overbearing or overshadowing impact compared to the former proposal. The proposal therefore accords with policy CS5 of the Core Strategy and policies 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 reasonable 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 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, including detached bungalows and two-storey properties with diverse detailing. This proposal would have a simple façade comprising fenestrations with simple cills above. Whilst the design features a raised platform to the frontage, which is not very common along the road, the platform is required to gain access in and out of the dwelling due to the amount of land raising required to mitigate flooding. Also, the dwelling is reasonably set back from the road and the platform would be disguised using brickwork. 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 a revised 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

The application site contains a semi-detached, two-storey dwelling and a disused single-storey shop (previously used as a hot-food takeaway) along Doncaster Road in Gunness. The shop is the subject of this application. This application seeks to demolish the shop and erect a dwelling. The site is set within the development boundary of the settlement, albeit in SFRA flood zone 2/3a. The first scheme submitted was for the erection of a two-storey dwelling; however, legitimate concerns, such as flooding and the impact of the proposal on the amenities of the adjoining neighbour, were raised. In response to these concerns, the applicant submitted a revised scheme for a single-storey bungalow to accommodate the Environment Agency's recommended finished floor level and to address concerns on amenity. No objection has been raised by the Environment Agency (EA) or LLFA Drainage team following the submission of a revised flood risk assessment and plans, 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. The proposal is therefore recommended for approval.

#### **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 F
- Existing and proposed elevations 1623.02 rev D
- Flood Risk Assessment Rev A 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

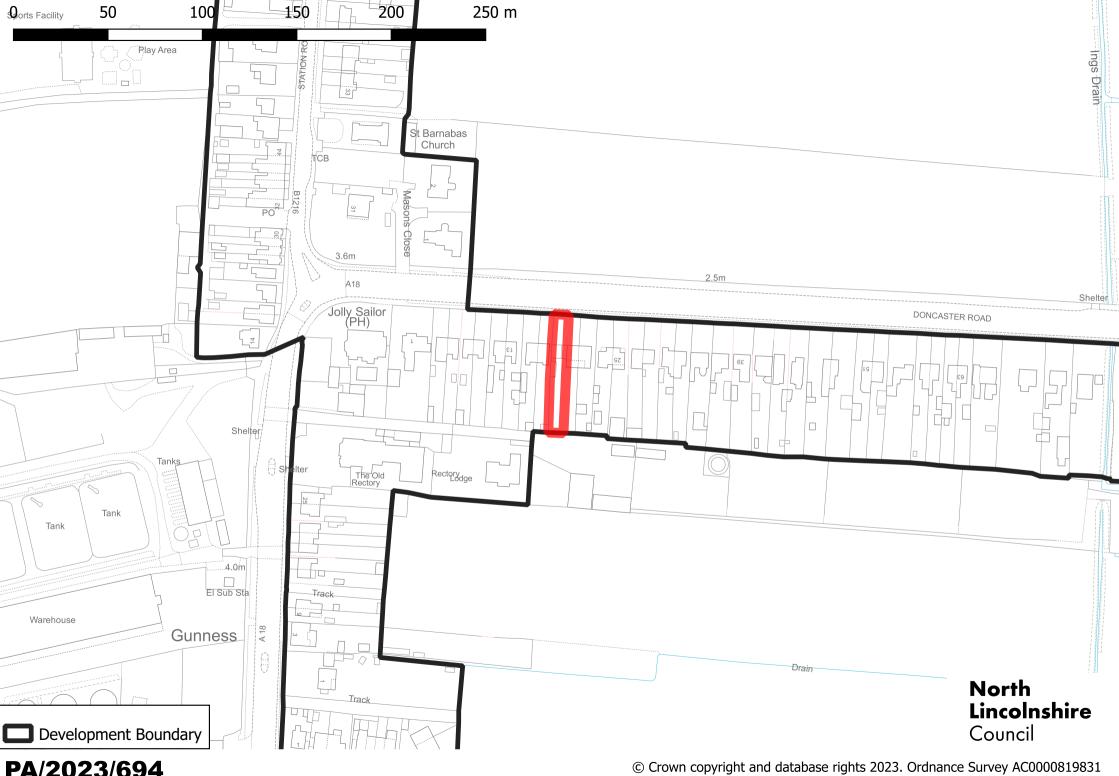
To reduce the risk of flooding to the proposed development and future occupants in line with policy CS19 of the North Lincolnshire Core Strategy.

#### **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.





iRoof Plan

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 within these drawings or associated documents are to be notified to keystonearchitecture.

not scale from these drawings - if in doubt

All materials shall be fixed, applied or mixed in accordance with the manufacture 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 or

This drawing is the copyright of keystone architecture and must not be reproduwithout written consent. © keystone architecture 2023

#### PARTY WALL NOTICE(S)

Bullding astride (A) or against (B) the boundary In-

If you plan to build a party wall astride or against the boundary line, you must inform

Excavating near neighbouring buildings:

I you plan to exceivate foundations within 3 metres of a neighbouring building or structure where the exceivation will go deeper than the neighbour's foundations, you must inform the addining Owner by serving a Motios.

If you plan to excavate foundations within 6 metres of a neighbouring building or struct where the excavation will cut a line drawn at 45° from the bottom of the neighbours



# Existing Block Plan scale 1:500



## Proposed Block Plan scale 1:500

Proposed New Dwelling at 19 Doncaster Road, Gunness		stage	Planning	drawn	1623,01 rev F Feb 23	
		title	Ex. & Pr. Plans	dwg, no.		
164	amendment	nendment				
A	Dimensions Added to	nsions Adoled to Site Plan				
В	Topo Survey Heights	11/10/23 06/10/23 14/07/23 11/05/23				
C	Scheme Proposals Ar					
D	Distance to Boundary					
Ε	Amended Scheme	19/10/23				
F	Amended Scheme	28/11/23				

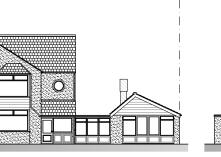


d drawn by JOB

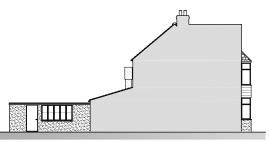
ulking consultants
energy assessors
project managers
T: 01724 230 122
in House, High Street, Sourmege, Dinto EEA
www.keystonetechnical.co.cu
kinfo@keystonetechnical.co.cu

# PA/2023/694 Existing and proposed elevations (not to scale)





Existing North Elevation

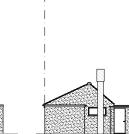


Existing East Elevation



Existing West Elevation

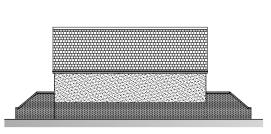
Off-white self-coloured rendered walls
 Marley Modern concrete roof tiles in Smooth (
 Grey uPVC windows and composite doors
 Black rainwater goods on grey uPVC fasclas



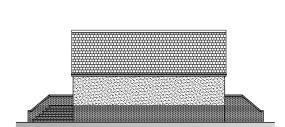
Existing South Elevation



Proposed North Elevation



Proposed West Elevation



Proposed East Elevation



Proposed South Elevation

#### NOT FOR CONSTRUCTION

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 within these drawings or associated documents are to be notified to keystomarch tecture.

PARTY WALL NOTICE(S) Building astride (A) or against (B) the boundary line:

Proposed New Dwelling		fitte	Ex. & Pr. Elevations	dwg, no.	1623,02 re
167	amendment				date
A	Obscure Window Add	13/09/2			
В	Proposed Scheme Ar	06/10/2			
C	Amended Scheme				19/100
D	Amended Scheme				28/11/

