

APPLICATION NO	PA/2021/494
APPLICANT	Mr Davis
DEVELOPMENT	Planning permission for the demolition and rebuilding of a detached house with garage
LOCATION	Uplands Lodge, East Marsh Road, Goxhill, DN19 7NQ
PARISH	Goxhill
WARD	Ferry
CASE OFFICER	Nick Salt
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework:

Paragraph 7 states, 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Paragraph 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 127 states that planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 163 sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable), it can be demonstrated that:

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- (b) the development is appropriately flood resistant and resilient;
- (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Design)

CS16 (Landscape, Greenscape and Waterscape)

CS19 (Flood Risk)

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy RD10 (Replacement, Alterations and Extensions to Dwellings in the Open Countryside)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Housing and Employment Land Allocations DPD:

Policy PS1 (Presumption in Favour of Sustainable Development)

CONSULTATIONS

Highways: No comments or objections.

Internal Drainage Board: No comments.

Environmental Protection: The demolition and rebuilding of a detached house with garage is a sensitive end use. The site is currently an existing dwelling and buildings associated with the equestrian business operating from the site. There is, therefore, the potential for the site to have been impacted by contamination. This can include heavy metals, PAHs, asbestos and petroleum hydrocarbons. Recommend a full site contamination survey.

LLFA Drainage: No comments or objections.

Environment Agency: The submitted Flood Risk Assessment (FRA) does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change section, paragraph reference ID: 7-030-20140306. It does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the FRA does not:

- fully identify the risks to the proposed development over its lifetime;
- propose adequate measures to manage those risks.

The Environment Agency's Coastal Hazard Mapping covers the proposed site. Our Hazard Mapping shows the consequences should a breach or overtopping of our existing sea defences occur. This mapping shows that flood depths in excess of 2m impact the application site, when considering the 2115 scenario for a breach during a 0.5% annual probability tidal event.

The site lies within a future hazard category classified as 'danger for all' as defined in Research and development report FD2320 'Flood Risk Assessment Guidance for New Development'. Our local flood risk standing advice states that with these potential depths, new dwellings should have no ground floor habitable accommodation, and first floor living accommodation should be above the predicted flood depth. The flood risk mitigation proposed in the FRA consists only of resistance and resilience measures to 600mm and provision of a second storey. The benefits and practicality of raising finished floor levels have not been considered. We therefore cannot advise that the dwelling will be safe for its lifetime.

However, we note that this will be a replacement dwelling and that planning permission was granted in 2016 (contrary to our advice) for a similar property at the site, which has not been built (PA/2015/1109). The FRA submitted at that time had the same contents as that with the current application. The design does place all bedrooms at first floor level. Given the history of this proposal and the improved flood resilience that will be provided through replacing the existing property, we have decided not to object to the application. However,

we strongly recommend that the design be amended to raise finished floor levels as high as practicable. Should planning permission be granted for the current proposal, the flood risk mitigation measures proposed should be secured through a planning condition.

PARISH COUNCIL

Supports the application.

PUBLICITY

Advertised by site and press notice. No responses received.

ASSESSMENT

Site

The application site is an existing equestrian facility located in the open countryside outside of Goxhill. The site consists of a dwelling, a large range of stables, a converted office building and a large agricultural/industrial building, as well as associated hard surfaces and parking/turning areas. The site is in a relatively isolated position a significant distance outside the defined development boundary for Goxhill. The surrounding area is predominantly agricultural in nature and the site is surrounded by open fields, with relatively open boundaries.

The dwelling at Uplands Lodge dates from the mid 1840s. It is a historic former farmstead with traditional two-storey form and design.

The application site is not within a conservation area, nor does it comprise or fall within 30m of a listed building. It is located within SFRA Flood Zone 2/3a, meaning a high flood risk.

Planning history

Planning permission was previously granted to remodel and extend the dwelling on the property and attached stables (PA/2015/0295). Subsequently, planning permission was granted for the full demolition and rebuilding of the house and associated outbuildings (PA/2015/1109).

Planning permission was also recently granted for new stables (PA/2021/494).

Proposal

The current proposal is also for the demolition and rebuilding of the existing dwelling, but differs from that previously approved in that, whilst the scale and layout are largely similar, the design follows a more contemporary approach. The existing stable blocks and storage wings are to be left as existing, as opposed to demolishing and rebuilding (as per the previous approval).

The proposed replacement dwelling would cover a footprint of approximately 375 square metres, including some covered external spaces, and would feature three floors. The ridge height of the dwelling would be 9.2 metres. Expanses of glazing are proposed to the elevations, particularly to the rear (south) elevation, which would also feature south-facing gables to either side and a dormer feature to the centre. External finish materials would

predominantly be hand-made red brick to match the existing, with a slate roof and black aluminium windows.

The main issues to consider in the determination of this application are whether the scale and appearance of the proposed development would be harmful to the character or appearance of the open countryside and whether the development would be safe from flooding.

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land and Allocations Development Plan Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The site is outside of any settlement boundary as defined in the Housing and Employment Land Allocations DPD and as such there is a general presumption against development. The erection of a replacement dwelling within the 'open countryside' is one of the exceptions to this presumption set out in local plan policy RD2.

As such, policy RD10 of the North Lincolnshire Local Plan is relevant. Policy RD10 relates specifically to dwellings located in the open countryside and sets out the criteria against which replacement dwellings and extensions to existing dwellings in the countryside will be assessed. This policy requires that replacement dwellings do not exceed the volume of the original dwelling by more than 20%, exclusive of normal permitted development rights, and would not be substantially higher in elevation. Compliance with policy RD10 is also dependent upon the impact of the proposed development on the character and appearance of the area and the amenity of neighbouring properties; these issues are assessed below.

As discussed below, the proposed replacement dwelling would be more than 20% larger in volume than the original dwelling. The proposal would not therefore be in accordance with RD10. Nevertheless, the key test is whether visual harm would result from a replacement dwelling exceeding this threshold, which is discussed below. That a similarly sized scheme was previously approved carries weight in support of the proposal. Further to the above, flood risk relates to the broad principle of the proposal.

Flood risk

Policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy set out the council's approach to development in areas at risk of flooding. The application site sits within flood zone 2/3a (Tidal) of the Strategic Flood Risk Assessment for North Lincolnshire and the Environment Agency Coastal Hazard Mapping zone and as such is in a high flood risk zone.

These policies seek to direct new development to areas at lowest risk of flooding and only permit development in areas of high risk where it provides wider sustainability benefits to the community that outweigh flood risk; is on previously developed land; and a Flood Risk Assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere.

The proposal is for a replacement dwelling. No additional dwellings are proposed, and the new dwelling would be sited on the footprint of the existing. The wider locality is in the same flood risk zone as the site itself and moving elsewhere in the vicinity is not likely to reduce flood risk. It is also accepted that the dwelling as both existing and proposed, is connected to the equestrian business which is based adjacent to it, and the relocation of the dwelling would require a relocation of the stables and the business including warehouses. The new dwelling provides opportunities for flood safe design which could reduce flood risk to future occupants. The retention of a dwelling in this location would contribute to the running of a rural business in the area, supporting the local economy. Accordingly, it is considered that the sequential and exceptions tests for development in a flood risk area are passed.

The applicant has submitted a flood risk assessment which has been reviewed by the Environment Agency. Whilst there are some identified shortfalls with the submitted FRA, it is acknowledged that a similarly sized replacement dwelling was previously approved on the back of a similar FRA. As a result, there is no Environment Agency objection subject to a condition to ensure compliance with the FRA, which is considered acceptable to mitigate flood risk. The suggested condition shall be modified as the siting, scale and design of the proposal are secured through the approval itself and a condition requiring accordance with the approved plans. The siting of all bedrooms at first floor and the location of the dwelling on the highest part of the site (3.3m AOD) also contribute to mitigating flood risk. Subject to the above, the proposal is considered to accord with local plan policy DS16 and Core Strategy CS19.

Visual impact

The proposal will result in a large dwelling, adding close to 100% of the original dwelling in terms of volume, which is significantly more than the 20% additional volume allowed by policy RD10 of the North Lincolnshire Local Plan. The intention of this policy and the aforementioned volume restriction is to protect the character of the open countryside. The host dwelling forms part of a large range of buildings, including the stable blocks and attached converted office building, and the dwelling stands to the rear of these structures.

The application site is located towards the rear of the site and is screened from East Marsh Road by existing buildings. Where the buildings are visible from a public highway they will be seen against the backdrop of existing buildings on the site. The proposed dwelling would have a ridge height of 9.2 metres, similar to the 9 metre ridge height seen on the warehouses within the same complex, and 0.8 metres higher than the previously approved dwelling. The proposed footprint of approximately 375 square metres would significantly exceed the existing at 133 square metres but would be similar to that previously approved (approximately 335 square metres). It is considered, therefore, that the proposed massing of the site, and the siting and scale of the proposed dwelling, would be similar to that previously approved and, whilst substantial, would not result in an unacceptably dominant feature in the landscape due to the surrounding built context.

The current proposal features a much more contemporary design than that previously approved, although the use of gable wings is considered a traditional design feature. It is not appropriate for planning to be overly prescriptive in terms of design, unless that design would cause demonstrable harm to a historic asset or the character and appearance of a site or wider area. The works have been designed to be sympathetic to the existing structures and will result in an attractive courtyard development. Furthermore, it is proposed to use good quality materials, including York handmade bricks and a slate roof. This would provide a visual link to the rural location and nature of the wider site. It is not considered

that the use of contemporary glazing features and the design proposed would result in visual harm to the character or appearance of either the site or the surrounding rural landscape, when compared with previous schemes on the site which were approved.

For these reasons it is considered that the proposed extensions and remodelling, whilst large in scale, will have no significant impact on the character or appearance of the open countryside. As such, the proposal is considered to be an acceptable exception to policy RD10 of the local plan and to accord with policies CS5 of the Core Strategy and DS1 of the local plan.

Amenity

There are no neighbouring properties directly adjacent to the application site and as such the proposed extensions will not result in any unacceptable loss of amenity.

Highway safety

The proposed development does not propose any alterations to the existing access into the site. Furthermore, the site has large hard-standing areas for parking and turning which are unaffected. The council's Highways department has been consulted on the application and has raised no concerns with regard to highway safety.

Other matters

Environmental Protection have recommended a full contamination survey for the site prior to commencement. As the proposal is for a replacement dwelling in the same location as the existing, and as the previous similar approval did not impose such a requirement, it is considered that a condition requiring unexpected contamination to be reported to the local planning authority will suffice.

The previous approval (PA/2015/1109) saw the addition of conditions securing a scheme of photographic and written recording of the existing building. It is considered that, as the original dwelling will be demolished, the addition of these conditions, should permission be granted, is reasonable.

Conclusion

In summary, the proposal seeks a large replacement dwelling in the countryside which exceeds the criteria set out in policy RD10 of the North Lincolnshire Local Plan. Nevertheless, the proposed design has been considered in relation to potential impact on the character and appearance of the site and surrounding landscape, noting the recent planning history on the site. No unacceptable impacts have been identified and, accordingly, the application is recommended for approval.

Pre-commencement conditions

The pre-commencement conditions relating to the historical recording of the existing dwelling have been agreed with the applicant/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:

19 19 320 Site Location and Block Plans

19 19 301 A Proposed Elevations

19 19 300 Proposed Floor Plans.

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 space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

4.

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

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.

5.

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) dated March 2021 reference 19 19, and the flood resistance and resilience measures to be incorporated as listed in section 7. The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the development and future occupants in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

6.

The materials used for the development shall be those stated in section 2.3 of the submitted Design and Access Statement dated March 2021, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

No alteration or development shall take place until the applicant, or their agents or successors in title, has produced an historic building record in accordance with a written specification, including a timetable for the recording, which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the existing structures are identified as being of local significance.

8.

The historic building recording shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan as the existing structures are identified as being of local significance.

9.

The historic building archive shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of commencement of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

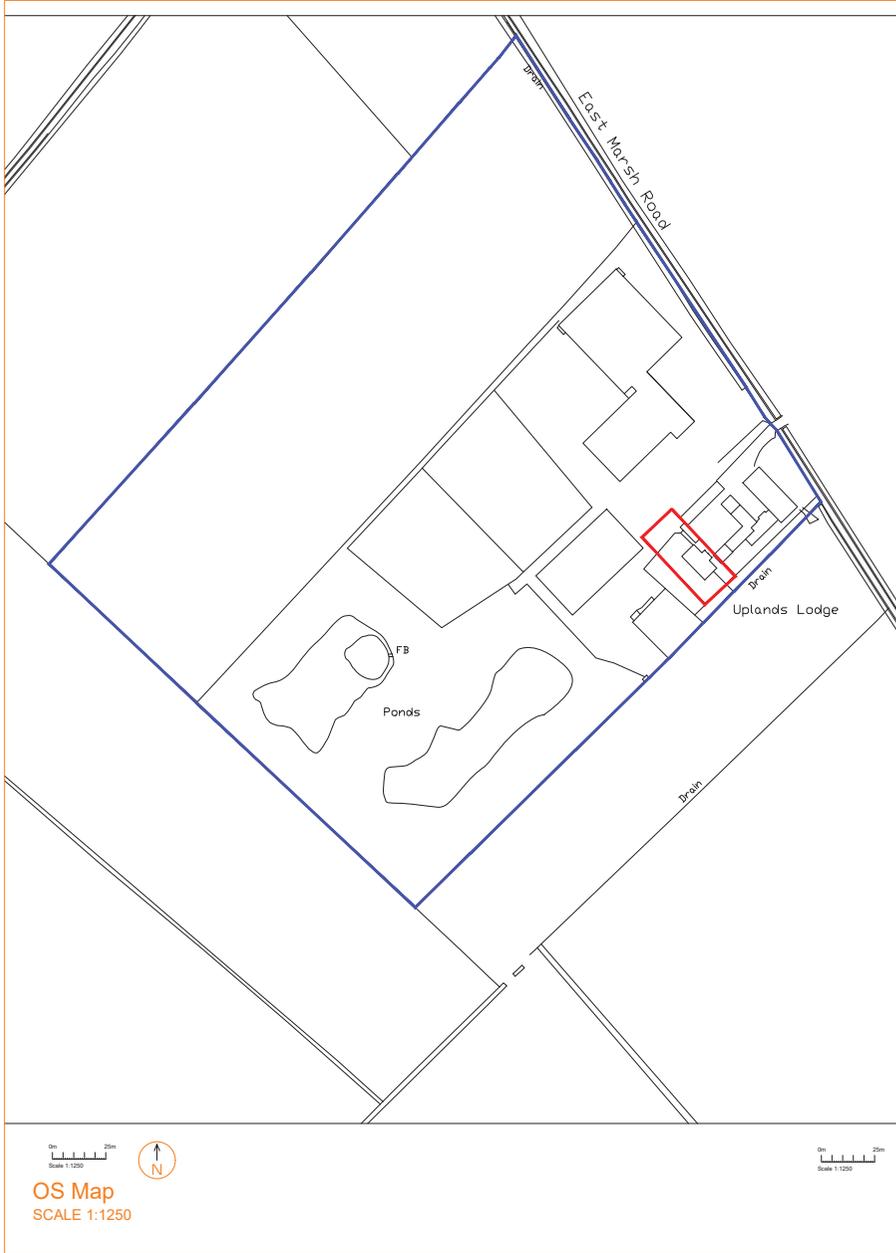
To comply with policy HE9 of the North Lincolnshire Local Plan as the existing structures are identified as being of local significance.

Informative

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

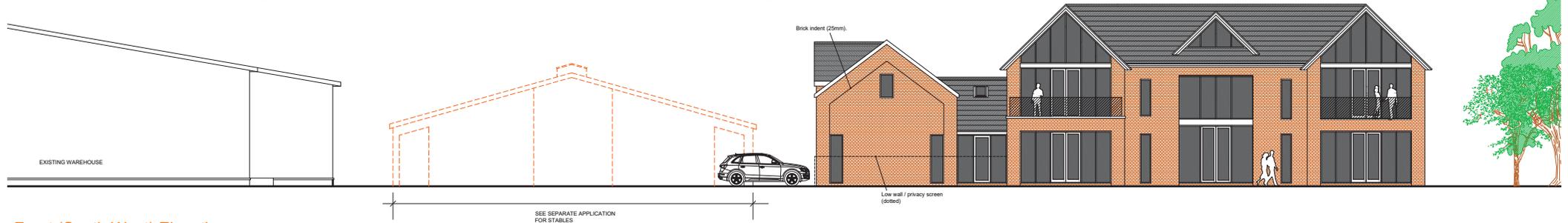


PA/2021/494 Proposed layout (not to scale)

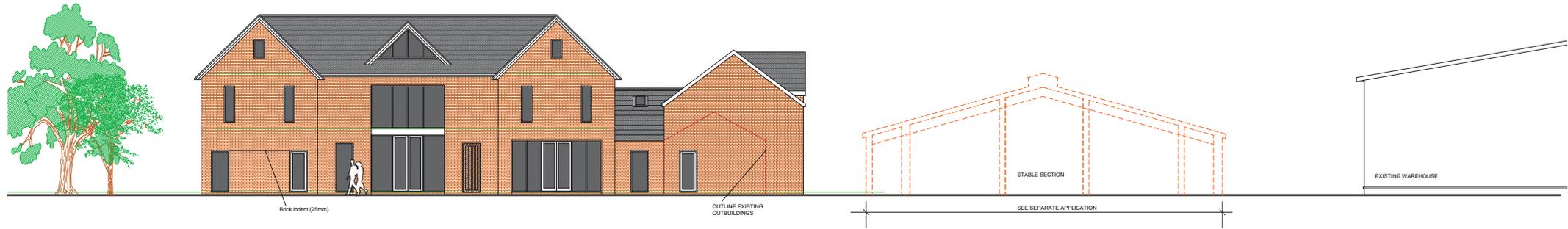


General Notes								
NOTES: -								
This drawing must NOT be scaled.								
Work shall not commence until planning and building regulation approvals have been obtained in full.								
All dimensions and levels to be checked on site by contractor and any discrepancies to be reported to the architect and client prior to commencement of work on site.								
All drains & services to be located by contractor.								
This drawing is for building control purposes only. Detail design and specification shall be the sole responsibility of the contractor.								
The Contractor is to allow for those items of work which are not specifically identified in the Contract Documents but which it is reasonable to expect an experienced contractor to identify from them as being necessary (such as but without prejudice to the foregoing - screws, noggin, supports, flashings etc).								
Copyright								
Ettridge Architecture Ltd retains copyright of these designs. This drawing must not be reproduced without the consent of the architect. A third party who does not have a licence or sub-licence to use the design will not be entitled to use the drawings without the consent of the architect.								
Amendments								
<table border="1"> <thead> <tr> <th>Rev</th> <th>Amendment</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Rev	Amendment	Date			
Rev	Amendment	Date						
<p>ETTRIDGE ARCHITECTURE LTD</p> <p>17 PRINCES DOCK STREET HULL EAST YORKSHIRE HU1 2LP</p> <p>(T) 01482 690026 www.etriddle.net</p>								
<p>Project:</p> <p>Uplands Eastmarsh Road Goxhill DN19 7NQ</p>								
<p>Client:</p> <p>Clive Davis</p>								
<p>Drawing Title:</p> <p>OS Map & Proposed Site Plan</p>								
Compass:		Phase:						
		PLANNING						
Drawn by: CN		Checked by: DE						
Drawing No: 19 19 320		Scale: 1:1250 / 1:500 @ A1 Date: MARCH 2021						

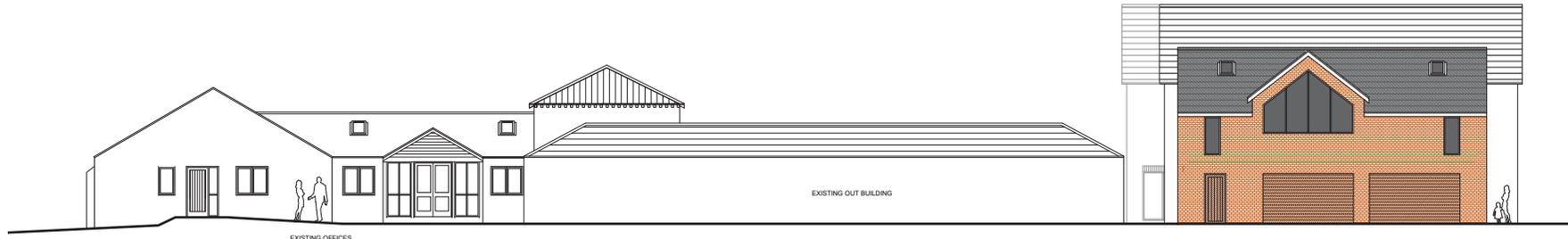
PA/2021/494 Proposed elevations (not to scale)



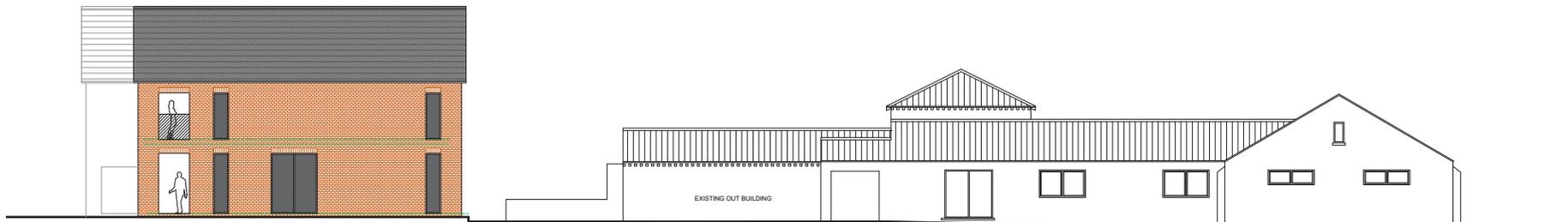
Front (South West) Elevation
SCALE 1:100



Rear (North East) Elevation
SCALE 1:100



Side (North West) Elevation
SCALE 1:100



Side (South East) Elevation
SCALE 1:100



A	GF kitchen window omitted.	22-04-21
Rev	Amendment	Date
ETTRIDGE ARCHITECTURE LTD		
17 PRINCES DOCK STREET HULL EAST YORKSHIRE HU1 2LP		
(T) 01482 690026		www.ettridge.net
Project: Uplands Eastmarsh Road Goxhill DN19 7NQ		
Client: Clive Davis		
Drawing Title: Proposed Main House Elevations in Context		
Compass:	Phase: PLANNING	
Drawn by: CN	Checked by: DE	
Drawing No: 19 19 301 A	Scale: 1:100 @ A1	
	Date: MARCH 2021	