

<b>APPLICATION NO</b>	<b>PA/2021/1032</b>
<b>APPLICANT</b>	Steven Hall
<b>DEVELOPMENT</b>	Outline planning permission to erect a dwelling with all matters reserved for subsequent consideration
<b>LOCATION</b>	14 Gollands Lane, Westwoodside, DN9 2AX
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Nick Salt
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in (Cllr David Rose – significant public interest) Objection by Haxey Parish Council

## **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 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 60 states that to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

With regard to highways, paragraph 111 notes that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 130 relates to design, and 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 197 states that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

**North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Design)

CS6 (Historic Environment)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

CS19 (Flood Risk)

**North Lincolnshire Local Plan:**

Policy H5 (New Housing Development)

Policy H7 (Backland and Tandem Development)

Policy H8 (Housing Design and Housing Mix)

Policy H9 (Housing Density)

Policy LC14 (Area of Special Historic Landscape Interest)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

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)

Inset Map for Westwoodside

## CONSULTATIONS

**Highways:** No objection subject to conditions on the provision of acceptable parking and access arrangements.

**Historic Environment Record:** Recommends refusal. The application is within the Area of Special Historic Landscape Interest of the Isle of Axholme (Local Plan Policy LC14). This area is designated for its unique historic landscape retaining the pattern of ancient open strip fields and enclosures surrounding the villages on the Isle. The application site is located within the Ancient Open Strip Fields (AOSF), the core historic landscape character type of the highest significance.

The proposed dwelling 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 of the character. This would contribute to the erosion of what makes the landscape of the Isle an area of Special Historic Landscape Interest and could encourage further inappropriate applications within the AOSF at Westwoodside.

The Historic Environment Record recommends refusal of planning permission 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 and DS1.

**Drainage (Lead Local Flood Authority):** No comment or objection.

**Environmental Protection:** Considering the proposed sensitive end use of the development, this department would recommend a monitoring condition regarding contamination.

## PARISH COUNCIL

Objects, making the following comments.

- The site forms part of a street scene that was formerly social housing and the layouts of the properties on Gollands Lane is a number of blocks of single semi-detached dwellings served by an access along Gollands Lane. Gollands Lane itself is single track with some passing places. While the properties are fairly unremarkable, they represent a very characteristic type of housing and gardens for the time they were built and give the area its own character within Westwoodside.
- The proposal falls within the building envelope and would be forward of the current building line of the properties along Gollands Lane.
- While this is garden development it has to be viewed within the context of the layout of the properties that form the area. The proposal is garden development of the side gardens of the semi-detached dwelling abutting Gollands Lane along the frontage of Gollands Lane and can be viewed as currently not infill for the purposes of the local plan and therefore not commensurate with NPPF 70 which states: Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Local plan H5 (c) (e) (f) and H7. These are saved policies and have not been revised or updated in line with NPPF 70 and therefore have to be considered against the current policy.

- The granting of permission would set a precedent and could lead to similar developments that would destroy the character of this area and other similar sites and increase the volume of traffic that already uses Gollands Lane.
- The housing type is not social or affordable and is considered market housing for which no current local plan identifies the need in Westwoodside.
- As it is outline permission at this time, we cannot assess the impact on privacy or amenity of other properties, other than to comment on its proximity to the roadside and scale would be imposing and dominant.

## **PUBLICITY**

Advertised by site and press notice. Eight comments of objection have been received, raising the following concerns:

- overlooking potential
- loss of view
- increased traffic on the lane
- limited parking in the area
- concerns over the telegraph pole
- drainage concerns and building control issues
- sited too close to the road
- visual impact from increased hardstanding
- uncertainty over ownership of part of the site
- potential for a precedent to be set in the area
- access and driveway is already shared between four properties
- no clarity on repositioning of telegraph pole
- potential landslide issues
- images used are out of date as 20 and 18 Gollands Lane have had two-storey extensions
- concerns over the positioning of the propane gas tank
- poorly served by public transport.

## **ASSESSMENT**

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

## Site

The application site forms the residential curtilage of 14 Gollands Lane on the west side of Gollands Lane in Westwoodside, a narrow lane linking the north and south of the village with a row of semi-detached two-storey dwellings sat above, and at an acute angle to, the lane. The site lies within the development boundary of Westwoodside as defined in the Housing and Employment Land Allocations DPD. It is not within a conservation area and does not affect a listed building, but it is within the Isle of Axholme Area of Special Historic Landscape Interest. It is in a lower risk (SFRA Level 1) flood zone.

The two-storey semi-detached dwelling has a side lawn beyond a single-storey side extension, with timber fencing bounding the lane below. Numerous neighbouring dwellings feature two-storey side extensions including numbers 18 and 20, which have been constructed in recent years. Access to number 14 is currently shared with neighbouring dwellings, including the adjoining dwelling at number 16 to the northwest.

## Proposal

Outline planning permission is sought to erect a single additional dwelling on the site. Access, appearance, landscaping, layout and scale are all reserved matters. As such, the proposal seeks to establish whether an additional dwelling on this site could feasibly be accommodated without unacceptable harm resulting.

**The main issue in the determination of this application is the principle of the development and whether the site can be developed sustainably without having an adverse impact on the character of the site and surrounding area.**

## 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 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 located wholly within the defined development boundary of Westwoodside as per the Housing and Employment Land Allocations DPD and, as such, there is a general presumption in favour of development. Policy CS1 of the Core Strategy is concerned with the overarching spatial strategy for North Lincolnshire. Westwoodside is in the tier of larger rural settlements. This policy supports thriving rural communities and a vibrant countryside. It states that development will be limited and should consider levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Core Strategy policy CS2 sets out a sequential approach to development on certain land types. It states that development should be focused on, among other things, small-scale developments within the defined development limits of rural settlements to meet identified local needs. Policy CS8 relates to the spatial distribution of housing sites. The policy indicates, among other things, that new housing within 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.

Further to the above, Central Government places high importance on new homes being delivered throughout the country to address the chronic shortage. North Lincolnshire Council has recently demonstrated in August 2021 that it has a five-year housing land supply, and there is no 'tilted balance' in favour of the proposal for housing as a result. Nevertheless, the proposed scheme would result in the net delivery of one additional housing unit at the site which would modestly contribute to the mix of housing types within the locality.

Residential development on this site has the potential to meet the economic (via construction jobs and potential attraction of workers to North Lincolnshire), social (if adverse impacts are limited from the development), and environmental (if such impacts are limited) tests of the NPPF.

With regard to the sustainability of the site, it is within an existing residential area and within close proximity to some essential services, including convenience stores and bus services. The provision of one additional dwelling is not considered likely to put strain on the settlement and/or constitute an unsustainable development. The site is therefore considered to be sustainable for a modest increase in density by one dwelling, in relation to its proximity to existing community and transport services.

The proposal would result in tandem development adjacent to the existing dwelling at number 14. Local plan policy H7 states that such development will be generally acceptable provided that there are no unacceptable adverse impacts on amenity or the appearance of an area.

It is considered, therefore, that the application site is in a sustainable location within an existing development boundary and would not result in an encroachment of built development into the surrounding countryside. The broad principle of development is acceptable, subject to the further considerations below, specifically with regard to impact on the Area of Special Historic Landscape Interest.

### **Indicative plans and heritage impact**

Whilst all matters are reserved, the applicant has provided an indicative site plan for the proposal, and the following comments should be taken as advice.

Policy CS5 of the North Lincolnshire Core Strategy is concerned with delivering quality design in North Lincolnshire. It states that "...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable."

This is reinforced within the local plan in policies H5, which requires development to be in keeping with the character of its surroundings, and DS1 which also relates to good residential design. As noted above, policy H7 is also relevant in this regard.

The Historic Environment Record (Archaeology) have objected to the proposal. The council's archaeologist has indicated that the application site lies within the Area of Special

Historic Landscape Interest of the Isle of Axholme (local plan policy LC14) and this area is designated for its unique historic landscape retaining the pattern of ancient open strip fields, enclosures and turbaries surrounding the villages on the Isle. The concerns of the Historic Environment Record are noted. It is worth noting also that the adopted HELADPD proposals map shows the site fully within the development boundary. Regarding the Area of Special Historic Landscape Interest of the Isle of Axholme, a planning balance must be made regarding impact on the landscape and the provision of sustainable residential development. As this is an outline application, it is considered that, with appropriate design, landscaping and boundary treatment to best preserve and enhance the surrounding area at the reserved matters stage, the impact on the landscape can be mitigated. The provision of housing, and the minimal impact the proposal would have, are considered to outweigh the impact on the historic landscape – subject to careful, modest and sympathetic design.

Any detailed design should take into account the modest scale and design of the existing dwellings on Gollands Lane and should be sympathetic to the adjoining and adjacent dwellings. The development must not dominate the site. The indicative site plan provided shows a dwelling which would extend the built development on the site to within close proximity of the lane, which sits lower than the site itself below a grass bank. A dwelling is unlikely to be acceptable which would break with the existing pattern of development on the lane to this degree, which is characterised by varied distances from the lane but with all dwellings set well back from the eastern site boundaries. A two-storey element close to the lane in particular is likely to result in an overbearing appearance from the lane, and harm to the character and appearance of the street scene and surrounding landscape.

Consideration should also be given to landscaping and the retention of natural boundary treatments and trees where possible. The planting of trees is also encouraged, which would help to reduce the impact of the proposal and preserve the semi-rural appearance of the street scene.

The applicant is advised to consider a layout and design which respects the existing pattern of development, does not overbear on the adjacent highway, and does not unacceptably harm the historic landscape. With that in mind, development as shown on the indicative site plan is unlikely to be acceptable. However, it is considered that a sustainable and appropriately designed dwelling could feasibly be accommodated on the site, particularly given the existence of large two-storey side extensions on neighbouring properties along the lane.

### **Other matters**

The site is within a lower risk flood zone and it is not considered that an additional dwelling here, subject to adequate drainage, would increase the risk of local flooding. Consequently, the proposal is considered to comply with policies DS14 and DS16 of the North Lincolnshire Local Plan, policy CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

Numerous concerns have been raised in objections relating to detailed design, including drainage, the existing telegraph pole, the positioning of a propane gas tank, access and parking, and impact on amenity. These matters are not for consideration at this outline stage, which does not relate to any specific design.

Matters relating to potential landslips would be dealt with at building control stage if and when applicable. With regard to precedent, each planning application is considered on its

own merits. Nevertheless, the constraints posed by the site, and Gollands Lane more generally, are unlikely to encourage unacceptable levels of development.

Local plan policy DS7 relates to contamination. In order to prevent harm to future construction workers or site occupants, a condition requiring any unexpected contamination to be dealt with in tandem with the council shall be added as recommended by the Environmental Protection team.

Although access is not sought to be approved as part of this outline application, it should be noted that access to the site would be via Gollands Lane and likely shared with number 14 and neighbouring properties. It is therefore believed that access to the site can be achieved. Due to the size of the application site, it is likely that safe parking and turning of vehicles in and out of the site can be provided without posing a danger to other vehicles using Gollands Lane. Highways has no adverse comments to make on the application subject to the imposition of two conditions. It is therefore considered that the proposal complies with policy T2: Access to Development and policy T19: Car Parking Provision and Standards.

In terms of amenity standards, consideration must be given to the amenity impact for any dwelling on the site, as well as the potential impact upon occupants of surrounding properties. It is considered that the development could be accommodated whilst preserving an adequate and useable rear amenity space for number 14, and privacy and natural light to neighbouring dwellings.

## **Conclusion**

The wider principle of residential development here is considered to be acceptable, with sustainable, appropriate development being potentially feasible.

Any subsequent reserved matters application should ensure compatibility of design with the street scene, accounting for the size of the plot and the need to respect the building pattern along the Lane. The concerns raised regarding impact on the historic landscape are also a key factor and future design must be sensitive to this heritage asset. It is considered that the site is of sufficient size to accommodate a dwelling as shown on the indicative site plan provided whilst avoiding unacceptable impacts on the amenity of neighbouring residents, and providing adequate parking, turning and access, in addition to retaining adequate amenity space for number 14.

It is therefore recommended that this outline planning application be approved.

## **Pre-commencement conditions**

The pre-commencement condition recommended has been agreed with the applicant.

## **RECOMMENDATION Grant permission subject to the following conditions:**

1.

Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

6.

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.

7.

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.

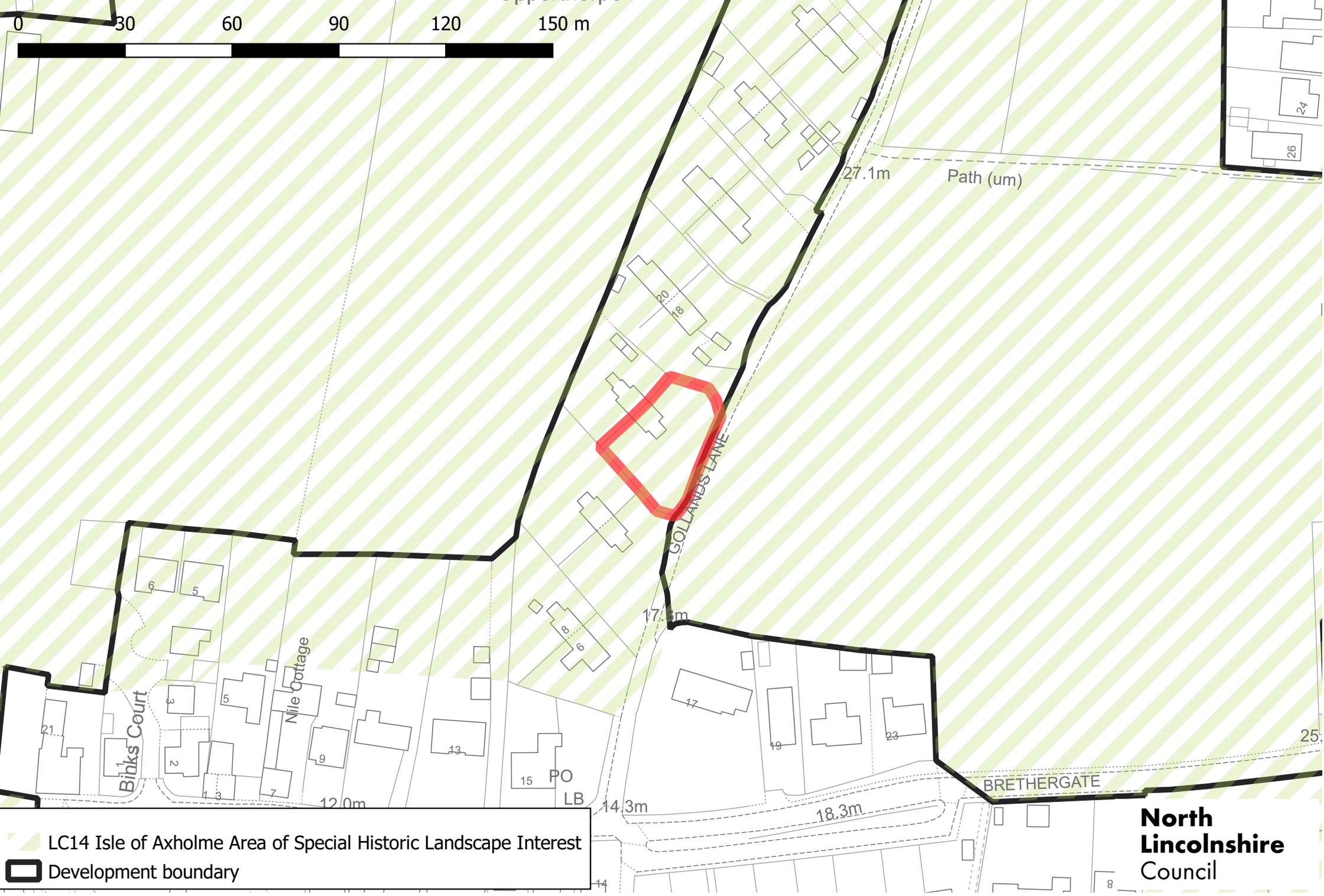
#### **Informative 1**

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.

#### **Informative 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.



 LC14 Isle of Axholme Area of Special Historic Landscape Interest

 Development boundary

**North  
Lincolnshire  
Council**

**PA/2021/1032**