

APPLICATION NO	PA/2021/1006
APPLICANT	Dr Patricia Frankish, PF & AJ Holdings
DEVELOPMENT	Planning permission to erect three specialist housing units and a detached specialist activity space, including parking provision
LOCATION	Land to the west of the Tudors, Moor Road, Bottesford, DN17 2BS
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	Kevin Robinson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

## POLICIES

National Planning Policy Framework: Taken as a whole, however the following sections are considered to be of particular interest for this proposal type:

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 59 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.’

Paragraph 109: Development should only be prevented or refused on highways 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 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 174 states: 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'

Paragraph 196: Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 197: 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 Local Plan: DS1, DS7, RD2, C3, T2, T19, LC7

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS17, CS18, CS22, CS24

Lincolnshire Lakes Area Action Plan: SS4, G1, T12, SSA3

## CONSULTATIONS

Highways: No objections. Request a condition requiring parking to be provided before the properties are occupied.

Tree Officer: No objection. Advise conditions to protect the trees along the outer boundary and requiring a landscaping scheme.

Environment Agency: No objection. Advise that the site is considered to be within flood zone 1.

Drainage (Lead Local Flood Authority): No objection. Conditions are requested requiring details of the drainage proposed.

Ancholme Internal Drainage Board: No objection. Request a condition and informative to any approval granted.

Historic Environment Record: No objections.

Recycling: Advise on the access requirements for refuse vehicles.

## TOWN COUNCIL

No objections. Request a condition requiring the properties to be occupied by vulnerable adults only. Also note that highway junction improvements are planned which may affect the proposal.

## PUBLICITY

Advertised by site notice. One response has been received raising objections on grounds of highway safety concerns at the junction, noting that there have been accidents at the site.

## ASSESSMENT

### Site characteristics

The site is located to the south-western edge of Yaddlethorpe outside the defined development limits. The site comprises the existing bungalow abutting the junction of Moor Road and Scotter Road and its paddock field to the west facing onto Moor Road.

Permission is sought to provide three specialist residential properties within the application site along with a specialist activity space. The proposal is for accommodation under Use Class C2 (Residential Institutions) rather than market housing.

### Principle of development

The site falls within the area covered by the Lincolnshire Lakes Area Action Plan (LLAAP), however the land is not allocated for development within one of the villages and is in the open countryside. The site is identified as green infrastructure and covered by policy G1, which seeks to provide natural and semi-natural greenspace on the edge of new village development boundaries. As this site is private land in the ownership of the applicant it is not open land covered under policy G1. Furthermore, it will result in a minimal incursion into the G1 area and therefore it is not considered that there would be an in principle objection against the proposal against the aims and requirements of the LLAAP.

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit.

Local plan saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains part of the development plan, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policy CS3 referenced above).

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the HELA DPD. The application site is entirely outside the defined development boundary and is therefore in breach of policies CS3 of the Core Strategy and RD2 of the North Lincolnshire Local Plan.

However, it must be noted that there is no directly applicable policy within the Core Strategy or local plan relating to the particular type of development proposed, with policy CS24 relating to primary care provision and local plan policies not being directly applicable. The NPPF, at Section 8, advises that policies and decisions should aim to achieve healthy, inclusive and safe places. In this regard the proposal is for specialist health care accommodation. The location is in close proximity to the main urban area in the borough and is noted within the supporting information from the applicant as being particularly suitable to provide accommodation for those individuals that find it difficult to live in busier areas. The locality is a mixture of commercial and residential with the street on which the proposal is sited running out to the rural area to the south and west.

Given the specialist type of accommodation sought and the protection afforded by the Use Class the development would fall within, there is no objection in principle to the development as proposed.

The following considerations are relevant to this proposal:

- residential amenity
- appearance
- highway safety
- flood risk and drainage.

#### Residential amenity

Policy DS1 of the local plan requires, amongst other points, that there would be no unacceptable 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. In this regard the proposal is for residential accommodation with the additional support necessary for the occupants. The proposal is not considered to pose significant impacts from its size, scale, massing or use upon other neighbouring occupiers and would not be subjected to any significant adverse impacts from the existing mixture of uses in the area.

It is therefore considered that the proposal would not carry any significant impacts that would be detrimental to the residential amenity of adjoining neighbours and aligns with policy DS1.

#### Appearance

Policies DS1 of the local plan and CS5 of the Core Strategy are both concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials.

The site is seen within the context of the hinterland between the main urban area within the development limits and the wider open countryside. The proposed properties are a three-bedroom two-storey property and two one-bedroom bungalow properties. The addition of built form into this rural location would have a degree of harm. However, given the proximity of the existing built form and that the site would be seen in this context, that harm would be lower than in a more sensitive location and, subject to the requested condition from the Trees and Landscape Officer, could be suitably mitigated visually. Given the type of development proposed and its particular social and health benefit to the wider North Lincolnshire area, it is considered, on balance, that the proposal is acceptable in this regard and aligns with policies DS1 and CS5.

#### Highway safety

Policy T2 requires all development to be provided with a satisfactory access. In larger developments it should be served adequately by:

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or

- (iii) additions or extensions to such services linked directly to the development; and
- (iv) the existing highway network.

The comments in relation to the location, the adjacent road junction and highway safety are noted. The Highways Officer has been consulted on the proposal and has not raised concerns over the location of the access or wider highway safety. A condition requiring the provision of the access and the parking provision to be in place prior to occupation of the dwellings is requested. Policy T12 of the LLAAP supports the upgrade of the adjacent junction through the wider Lincolnshire Lakes scheme, but will not be required for this proposal. Subject to such a condition it is considered that the proposal is acceptable in highway safety terms in accordance with policy T2.

#### Flooding and drainage

Policy CS19 of the Core Strategy is concerned with flood risk. It states that development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere by integrating water management methods into development.

The site is located within Flood Zone 1. The drainage officer, the IDB and the Environment Agency have been consulted on the application and, subject to conditions to control the drainage details, are satisfied that there would not be a significant impact upon the drainage of the site.

#### Conclusion

The proposal is for development outside the defined development limits and therefore classed as being within the open countryside. However, it is considered that the benefits of the proposal, in terms of the specialist accommodation provided and the health, welfare and social benefits that brings, are sufficient to outweigh any objection in principle to the development type. There are other harms in the introduction of additional built form, however, given the location and the ability to screen the development, it is not considered that this harm weighs heavily against the development. There are no other identified harms from the proposal and, subject to conditions to control the proposal in terms of the provision of access and parking, tree protection measures, drainage and landscaping, it is recommended for approval.

#### Pre-commencement conditions

The pre-commencement conditions included in the recommendation 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:

Proposed Site Plan - ref J1760-PL-02 A01

Floor Plans Plot 1 - ref J1760-PL-03 A01

Elevations Plot 1 - ref J1760-PL-04 A01

Plans and Elevations Plot 2 - ref J1760-PL-05 A01

Plans and Elevations Plot 3 - ref J1760-PL-06 A01

Plans and Elevations Specialist Activity Space - J1760-PL-07 A01.

**Reason**

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

3.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change), which should be based on the current national guidance, will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

**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 155, 157, 163 and 165 of the National Planning Policy Framework.

4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.



**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 155, 157, 163 and 165 of the National Planning Policy Framework.

5.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

**Reason**

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

6.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

**Reason**

To enhance the appearance of the development in the interests of amenity.

7.

All the approved landscaping shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

**Reason**

To enhance the appearance of the development in the interests of amenity.

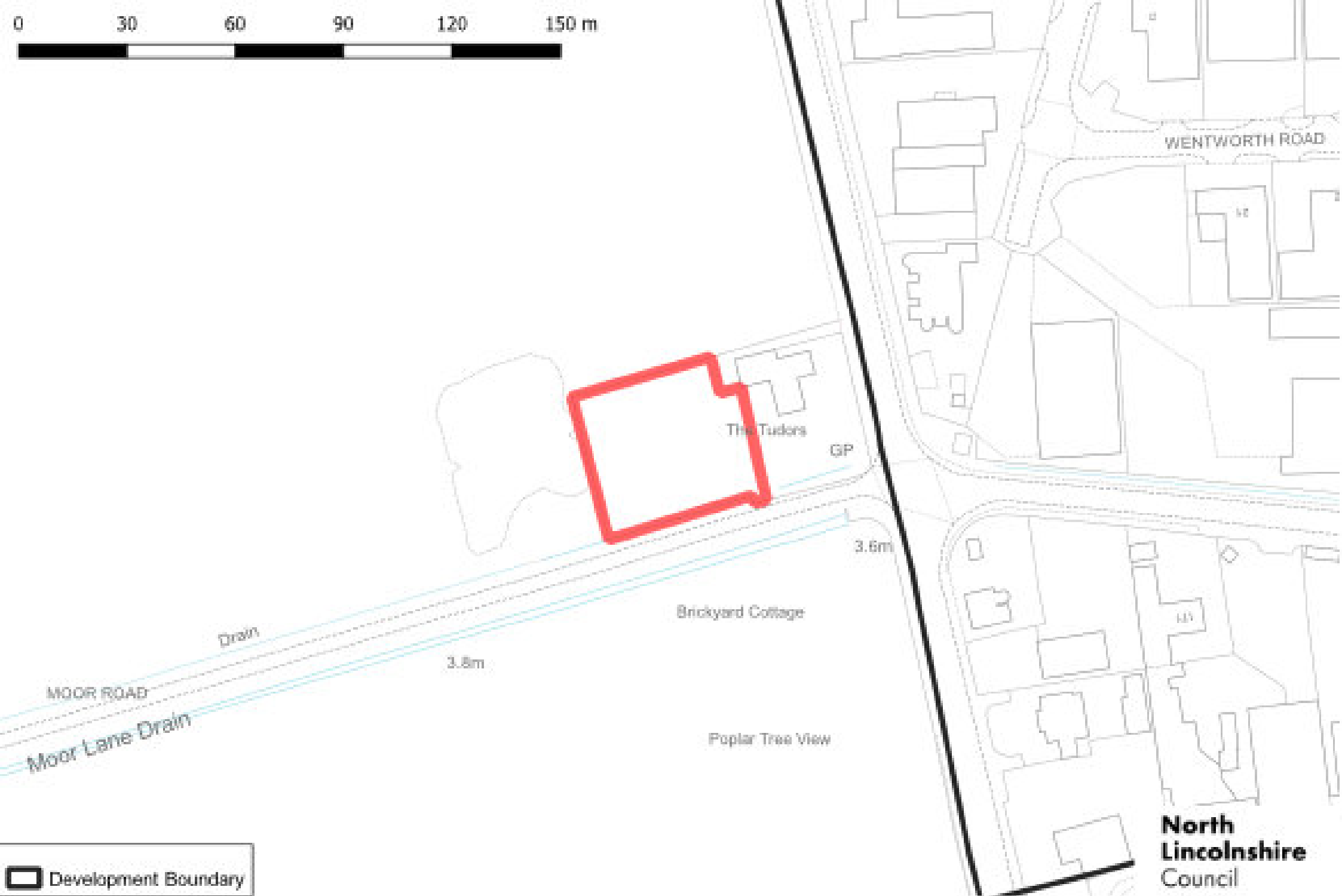
**Informative 1**

Our records indicate that the proposed development site is bounded by a watercourse on the southern boundary. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership'. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

The proposals indicate a new connection will be made into this watercourse. This must be consented by Scunthorpe & Gainsborough Water Management Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

## 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.



 Development Boundary

**PA/2021/1006**



**Notes:**  
 1. All dimensions are in meters unless otherwise stated.  
 2. All dimensions are to the centerline of the road unless otherwise stated.  
 3. All dimensions are to the centerline of the road unless otherwise stated.  
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PROPOSED SITE PLAN



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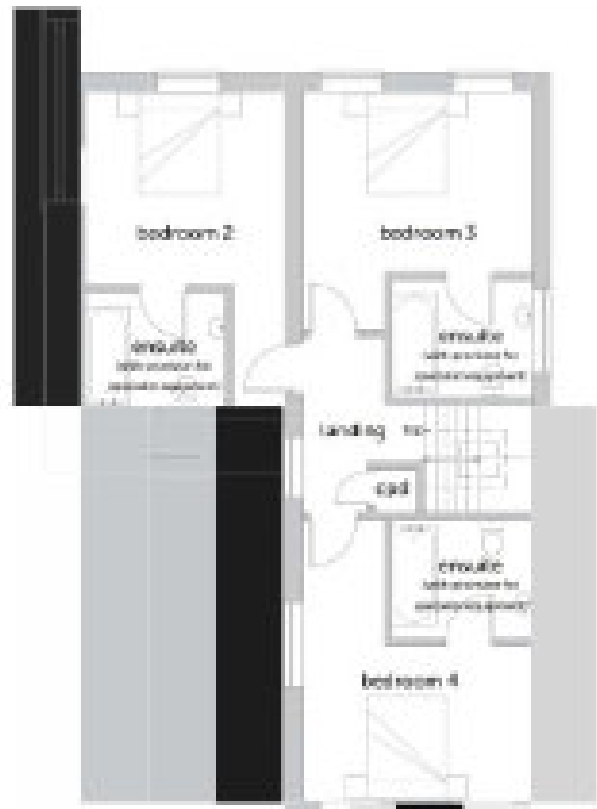


**DISCLAIMER**  
 These plans are intended to provide a general impression of the proposed development. They are not to be used for any other purpose. The design is subject to change without notice. The design is subject to the approval of the relevant authorities.

**NOTES**  
 1. All dimensions are in millimetres unless otherwise stated.  
 2. All areas are in square metres unless otherwise stated.  
 3. All areas are approximate and should be used as a guide only.  
 4. All areas are subject to change without notice.  
 5. All areas are subject to the approval of the relevant authorities.



PLOT 2: GROUND FLOOR PLAN



PLOT 1: FIRST FLOOR PLAN



**Plot 1**  
 130m² GIA  
 130m² GIA

**Plot 2**  
 130m² GIA  
 130m² GIA

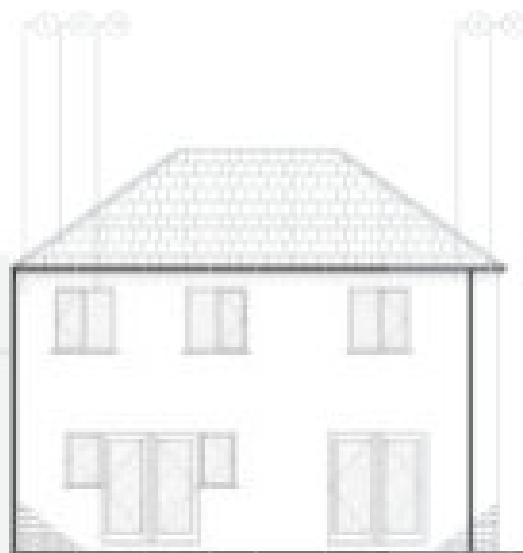
**Plot 1**  
 130m² GIA  
 130m² GIA

**origin**  
 architecture

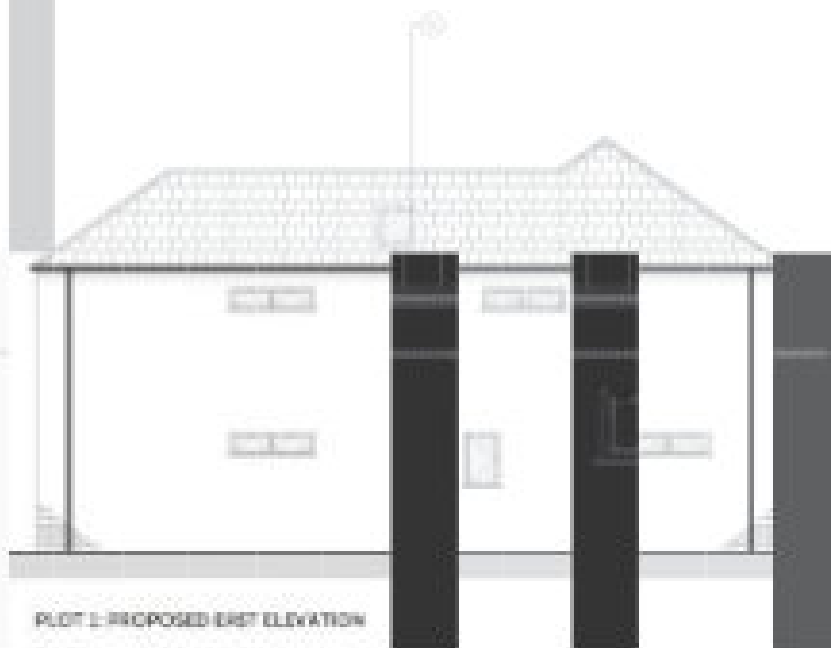
Origin is a Chartered Institution of Building Services Engineers (CIBSE) member and a Chartered Institution of Building Services Engineers (CIBSE) member.

100% RIBA Approved  
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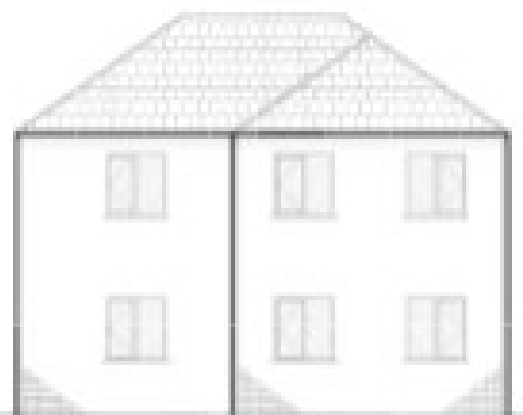
**RIBA**  
 Chartered Practitioner



PLOT 1 - PROPOSED NORTH ELEVATION



PLOT 1 - PROPOSED EAST ELEVATION



PLOT 1 - PROPOSED SOUTH ELEVATION



PLOT 1 - PROPOSED WEST ELEVATION

Notes:  
1. All elevations are shown in perspective.  
2. All elevations are shown in perspective.  
3. All elevations are shown in perspective.  
4. All elevations are shown in perspective.

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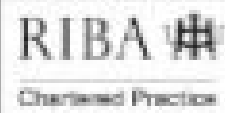
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Chartered Practice



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**ASSUMPTIONS**  
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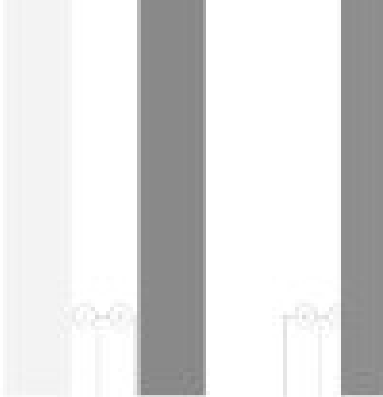
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01	Issue for client
02	Issue for client
03	Issue for client
04	Issue for client
05	Issue for client

Client Name	Mr & Mrs
Client Address	123456789
Client Contact	0123456789

Plot 2 GIA: 57sqm



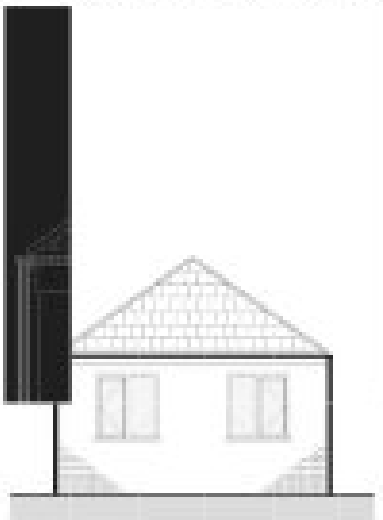
PLOT 2- GROUND FLOOR PLAN



PLOT 2- PROPOSED NORTH ELEVATION



PLOT 2- PROPOSED EAST ELEVATION



PLOT 2- PROPOSED SOUTH ELEVATION



PLOT 2- PROPOSED WEST ELEVATION

Plot 2: 57sqm

Plot 2: 57sqm

Plot 2: 57sqm

Plot 2: 57sqm

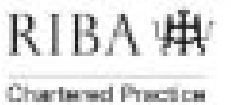
Plot 2: 57sqm

Plot 2: 57sqm



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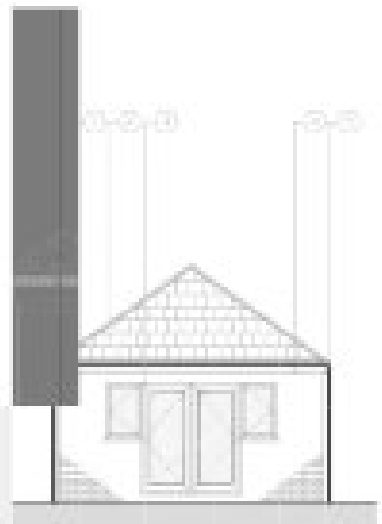
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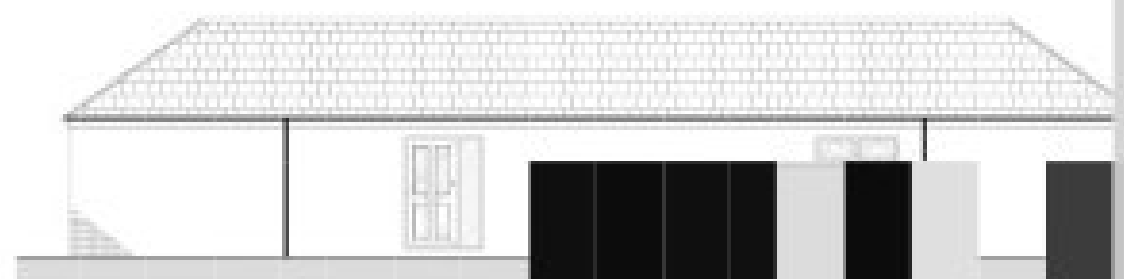


Plot 3 GFA: 83sqm

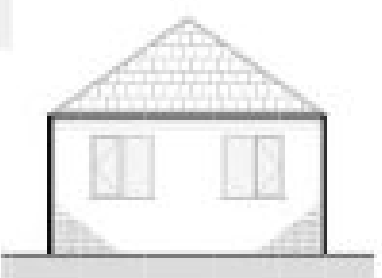
PLOT 3: GROUND FLOOR PLAN



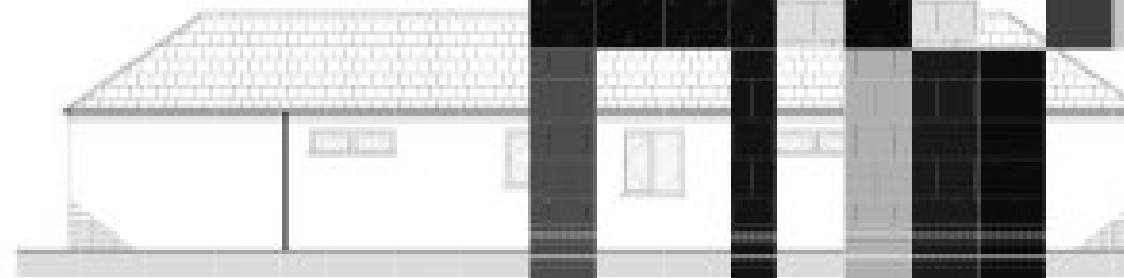
PLOT 3: PROPOSED NORTH ELEVATION



PLOT 3: PROPOSED EAST ELEVATION



PLOT 3: PROPOSED SOUTH ELEVATION



PLOT 3: PROPOSED WEST ELEVATION

**CONTRACT**  
Plot 3, 100m from the entrance and road  
The location is in the local area and  
The design is in accordance with the  
The design is in accordance with the  
The design is in accordance with the

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/10/2023
2	ISSUED FOR PERMIT	10/10/2023
3	ISSUED FOR PERMIT	10/10/2023
4	ISSUED FOR PERMIT	10/10/2023
5	ISSUED FOR PERMIT	10/10/2023

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/10/2023
2	ISSUED FOR PERMIT	10/10/2023
3	ISSUED FOR PERMIT	10/10/2023
4	ISSUED FOR PERMIT	10/10/2023
5	ISSUED FOR PERMIT	10/10/2023

**PROJ. NO.** 23/001  
**PROJ. NAME** 100m from the entrance and road  
**PROJ. NO.** 23/001  
**PROJ. NAME** 100m from the entrance and road

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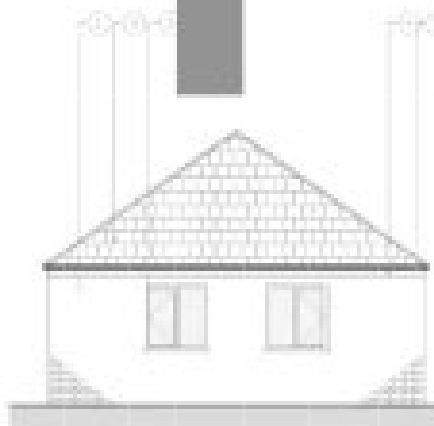
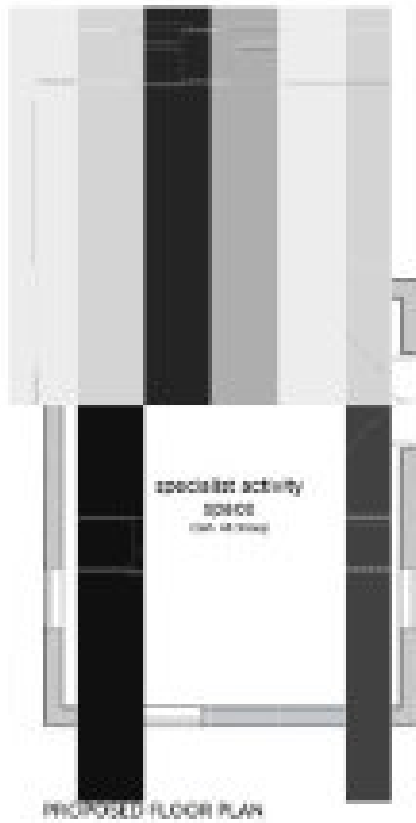


Origin Design Services Ltd  
100m from the entrance and road  
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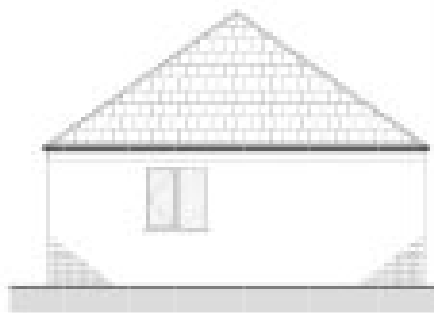




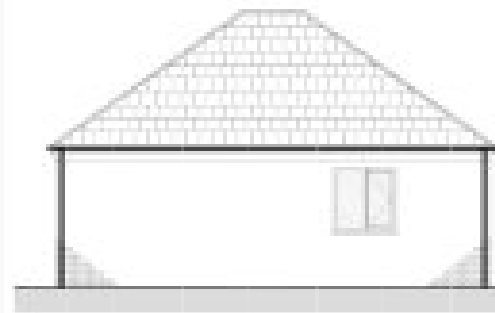
**PROPOSED NORTH ELEVATION**



**PROPOSED EAST ELEVATION**



**PROPOSED SOUTH ELEVATION**



**PROPOSED WEST ELEVATION**

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2	Issue for planning
3	Issue for building control
4	Issue for construction
5	Issue for completion

Rev	
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2	Issue for planning
3	Issue for building control
4	Issue for construction
5	Issue for completion

**Project Name**  
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**Project Ref**  
1001-1002

**Project Date**  
10/10/2023

**Project Location**  
1001-1002

**Project Description**  
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**Project Status**  
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**Project Manager**  
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**Project Contact**  
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**Project Address**  
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**Project Postcode**  
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**Project Planning Ref**  
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**Project Building Ref**  
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**Project Construction Ref**  
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**Project Completion Ref**  
1001-1002



Origin Engineering Limited  
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