

<b>APPLICATION NO</b>	<b>PA/2021/1034</b>
<b>APPLICANT</b>	A E and D M Swaby
<b>DEVELOPMENT</b>	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2017/392 dated 15/06/2018 for six four-bedroomed detached dwellings and integral garages
<b>LOCATION</b>	Land north of Thistle Downe, Scotter Road, Messingham, DN17 3QE
<b>PARISH</b>	Messingham
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Nick Salt
<b>SUMMARY RECOMMENDATION</b>	<b>Grant approval subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection from Messingham Parish Council

## **POLICIES**

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

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.

**North Lincolnshire Core Strategy:**

CS2 (Delivering More Sustainable Development)

CS5 (Design)

CS19 (Flood Risk)

**North Lincolnshire Local Plan:**

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

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 objection subject to conditions regarding access provision and final design, and requiring a construction phase traffic management plan to be agreed prior to development.

**Recycling:** General informative advice provided on the requirements for waste management.

**Drainage (Lead Local Flood Authority):**

*First response:* Objects to this reserved matters application. The proposed layout makes no reference or provides no mitigation to safeguard the existing riparian watercourse located on the southern boundary, in very close proximity to plots 3 and 4. This was previously referenced in our correspondence for PA/2017/392. The applicant must consider diversion of this feature and into the new road network for the development.

*Second Response:* Following discussions, the LLFA Drainage Team are prepared to remove their objection. The developer should be aware of the drainage requirements to successfully discharge existing drainage conditions.

**Humberside Police – Designing Out Crime:** Concerns over the low-level fencing to the rear of plots 1–3 which back onto a road. Could result in increased risk of theft as the rear of these dwellings would be exposed and easily accessible.

**Ecology:** Ecological surveys and revised proposals are required in order to deliver biodiversity enhancements in accordance with the NPPF, policy CS17 and condition 8 of PA/2017/392.

## **PARISH COUNCIL**

Objects to the application, noting that it does not address the following:

- *Surface water management* – concerns that there is no mitigation to address the present ineffective and overloaded system with regular presence of foul water in the currently overgrown and inadequately maintained open drain.
- *Foul water drainage system* – no proposals to address the increased pressure on the already overloaded system or to address the existing issues which are exacerbated during heavy rain, causing overflowing inspection covers and toilets on the adjacent development.
- On planning application PA/2017/392 Severn Trent stated the need to investigate the effectiveness of the current foul sewerage system and implementation of the resulting improvements. There is a lack of evidence to indicate that these conditions have been met.
- *Attenuation pond* – documentation submitted by the same applicant for planning application PA/2019/164 on adjacent plot included an attenuation pond but has not been referenced in this application.
- Concerns that the proposed development is not in keeping with the neighbouring street scene as three of the proposed properties back onto the A159.

## **PUBLICITY**

Advertised by site and press notice. Three responses have been received objecting to the proposal raising the following concerns:

- effect of the development on the existing drainage network and the potential for flooding in the local area
- the current proposal has been amended substantially from that originally submitted
- the rear of dwellings facing the road could encourage crime
- lack of information – various reports
- lack of privacy to the rear gardens of the new dwellings
- the access is dangerous
- noise impacts from traffic on existing residents

- overshadowing and loss of light
- overlooking
- loss of outlook
- the access road could facilitate further future development
- loss of wildlife habitats on the site.

## **ASSESSMENT**

### **Site description**

The application site is part of an existing field, set between existing residential development formed of properties on Gelder Beck Road and Scotter Road. It fronts onto Scotter Road. The site lies within Zone 1 of the North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA) November 2011. It is mostly within the development limits of Messingham as per the Housing and Employment Land Allocations Development Plan Document, with the exception of a small section to the northwest corner. A ditch runs along the front boundary.

The application site has outline planning permission (as of June 2018) for six detached dwellings (PA/2017/392). PA/2019/164 granted outline planning permission for up to 25 dwellings on land to the west of the site.

### **Proposal**

This reserved matters application seeks approval for the submitted details in relation to the outline permission referenced above. All matters are reserved and this application will therefore consider access, appearance, scale, layout and landscaping, along with any other relevant material considerations.

The proposed six dwellings are laid out in a linear fashion with two rows of three, all facing into the centre of the site. The rear of three of the dwellings will back on to Scotter Road. The dwellings are all of the same house type, featuring pitched roofs, single-storey front porches and rear lean-to elements. Each dwelling would have a built-in garage with living accommodation above, set down from the main ridge and behind the front elevation. The dwellings are shown to be constructed in red brick with clay tiling.

Post and rail fencing is proposed to the Scotter Road (east) boundary of the site, with timber fencing and brick walling elsewhere.

Each of the dwellings would have parking to the frontage accessed from a private shared drive in the centre of the site, which itself would connect to the adopted access road to the northern boundary, providing vehicle and pedestrian access to and from the highway.

The principle of six dwellings on this site has been deemed acceptable via outline planning permission PA/2017/392.

**The main considerations in the determination of this reserved matters application are:**

- **layout, scale and appearance;**
- **access;**
- **landscaping;**
- **drainage;**
- **residential amenity; and**
- **Ecology.**

### **Appearance, scale and layout**

The NPPF attaches great importance to the design of the built environment. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policies H5 and DS1 of the North Lincolnshire Local Plan and policy CS5 of the Core Strategy are concerned with quality of design and visual amenity. In respect of impact on character, policy DS1 states that the design and external appearance of a proposal should reflect or enhance the character, appearance and setting of the immediate area.

#### *Layout*

In terms of the visual impact of the proposed layout, the site has previously been identified as being large enough to accommodate six detached dwellings, as it has outline planning permission and is proposed here. The site layout provides access to the north with a driveway dividing the three western dwellings and three eastern dwellings, all of which are arranged in a broadly linear manner parallel to Scotter Road.

The layout as proposed would ensure that adequate separation distances would be achieved between the dwellings to avoid loss of amenity, and to neighbouring dwellings to the north and south – this matter will be further discussed later in this report. Furthermore, adequate private amenity areas would be ensured which are commensurate with the scale of the dwellings proposed, with rear gardens of an acceptable scale.

The layout of the site is designed with the rear elevations of Plots 1–3 facing Scotter Road. The building line of the street will be largely followed, with a set back of the buildings from the highway by over 10 metres. Whilst plots 1–3 would not front onto the road, the dwellings to the north at Gelder Beck Road are aligned perpendicular to the road, and the single dwellings to the south of the site vary in terms of appearance and scale. It is not considered that the proposed layout would break with any uniform layout along the street scene. The use of appropriate boundary treatment is proposed through the use of low impact post and rail fencing. Planting shall be secured to provide privacy and further reduce the visual impact.

#### *Scale*

The scale of the proposed two-storey dwellings is appropriate. The dwellings would not be excessively high or cover large footprints and would have a similar scale to the dwellings at Gelder Beck Road to the immediate north, as well as Thistle Down to the south. Plots 1–3 would sit slightly higher (less than 1 metre) at ground level than plots 4–6, which would limit the impact of the latter when viewed from the highway.

## *Appearance*

Further to the above considerations regarding the visual impact of the layout and scale of the proposal, the overall design of the dwellings is considered. The use of red brick and clay tiling would tie the dwellings in well with those to the north and south, and would be appropriate for this semi-rural location, reflecting the local rural vernacular. Samples of materials are required by condition 5 of the outline permission, and this remains extant. The porch features and the set down design of the garage end of the dwellings would provide a degree of visual interest to the houses themselves and reduce the overall massing.

The proposed timber and post and rail fencing would be appropriate for the site, and the use of spacious front gardens and brick walling to the north bounding the access road would also be appropriate. Planting to the eastern boundary will reduce the overall visual impact of the development and provide a greater degree of visual interest to the street scene, softening the impact of the built development.

It is considered that the overall appearance of the site as proposed is appropriate to the street scene and character of the wider area and would ensure good quality design within the site. The proposal is of an appropriate density and scale for its location on the southern edge of Messingham. In this regard, the proposal accords with policies DS1 and H5 of the North Lincolnshire Local Plan and CS5 of the Core Strategy.

## **Highways, access and parking**

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision, as well as general highway safety. Both policies are considered relevant. Outline planning permission has been granted for this site, and the sustainability of the travel options to and from the site, or impact on existing highway capacity, is not a determining factor in the assessment of the reserved matters.

The application proposes direct access from Scotter Road to the east. An adopted road would run alongside the northern boundary of the site, with a private driveway running from north to south through the site and providing private driveways to garages on each plot. It is considered that the proposed layout plan shows adequate private parking for each of the six plots. A pedestrian footpath is proposed to link with the existing on the opposite (east) side of the main road.

The Highway authority has been consulted and has no objection to the proposal subject to the provision of adequate parking as shown, prior to occupation. As most of the recommended conditions are attached to the outline permission, it is not necessary to add them to the reserved matters approval. An additional condition relating to the retention of good visibility splays will be added, as will a detailed condition on the construction of the proposed private driveway.

Subject to the above, it is not considered that there are any issues in relation to access or parking.

## **Landscaping**

The proposed layout drawing shows shrub planting to the east and west boundaries of the site, which would provide a degree of security, in addition to soft screening between the dwellings and the road to the east in particular. The planting of 13 trees throughout the site,

including along the external boundaries and along the shared driveway between the six plots, would provide a degree of visual interest and design benefit. The revised NPPF calls for the use of tree-lined streets and beauty in design. The use of trees, at a proportion of more than two per dwelling, would contribute towards the enhancement of the development.

Hedging to the southern boundary would be retained, which would provide screening between the existing dwellings and the new development. The use of timber fencing and walling throughout would provide privacy to the dwellings without harming the overall appearance of the area. The mix of post and rail fencing and planting to the boundary with Scotter Road and the existing drainage dyke would provide a low impact boundary treatment which would be appropriate for the site location on the edge of Messingham.

The use of lawned gardens to the frontages of the six plots in addition to brick paved driveways would provide a further degree of visual interest to the site and contribute positively to its overall appearance. Overall, the proposed landscaping, hard surfacing and boundary treatments would be acceptable.

## **Drainage**

As with the outline stage, concern has been raised about the drainage system in the area. The LLFA Drainage team have been consulted on the proposals and whilst they initially objected, this objection was removed after clarification over the scope of the current reserved matters application and the retention of conditions on the outline permission. Condition 10 on the outline permission for this site requires details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway to be submitted to and approved in writing by the local planning authority. This condition remains in place and must be discharged prior to the commencement of development. Similarly, the drainage scheme and details for the whole site must be submitted and agreed prior to the occupation of any building on the site.

These conditions are in place to ensure adequate on-site drainage is in place prior to the dwellings being occupied, and to ensure that surface and foul water is appropriately managed. The reserved matters layout plan indicates that works in connection with the existing dyke are to be agreed with the local authority. The LLFA Drainage team have made clear that an appropriate method of drainage for the site must be agreed for the above conditions to be discharged, and the drainage scheme must ensure that existing dwellings are not adversely affected.

These conditions, as retained, would ensure that any risk of localised or surface flooding within the site or to immediate neighbours is mitigated, in accordance with policies CS19 of the Core Strategy and DS16 of the North Lincolnshire Local Plan.

## **Residential amenity**

Policy DS1 is partly concerned with impacts upon residential amenity. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The proposed dwellings would each be no closer than approximately 9 metres from any of the existing dwellings to the north or south (Thistle Down). Plots 1–3 would generally be in excess of 15 metres from plots 4–6. The new dwellings would not be positioned in such a

manner as to result in any unacceptable loss of sunlight or outlook to either new or existing dwellings. There would be a loss of view from the rear of the properties to the north, however this is not a material planning consideration and sufficiently open outlook would be retained across the proposed access road.

In terms of privacy and overlooking, the dwellings would have primary windows facing either into open land to the west (plots 4–6) or Scotter Road (plots 1–3). The respective front elevation windows on each of the proposed dwellings would be between 15 and 20 metres apart and would not result in unacceptable levels of overlooking. Planting to the eastern boundary of the site will ensure a good degree of privacy to the rear ground floor windows and rear gardens of plots 1–3. Given the layout of the site, there would be no direct views from any habitable room window into corresponding windows at Thistle Down or the Gelder Beck Road properties.

Concerns have been raised regarding the impact of noise from traffic using the access road on the rear gardens of the three dwellings adjoining it to the north. It is not considered, given the proposed 1.8 metre timber fencing and the scale of the current proposal (six dwellings), that there would be an unacceptable level of activity which would be over and above that expected from a housing development. The access road will be constructed from bound material which will limit any road noise; furthermore, vehicles are likely to be travelling at lower speed, given the nature of the road, compared to the busier Scotter Road to the east.

General noise from the dwellings is unlikely to exceed that present in the existing developments to the north, or levels which would be abnormal for an urban area, particularly given the relatively modest scale and density of the proposal.

It is not considered that there would be any unacceptable impact on residential amenity of neighbouring dwellings nearby, particularly those to the north and south. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan in this regard.

## **Ecology**

The issue of ecology has been raised in letters of objection. The site at present is fairly nondescript open land and is not considered likely to provide a substantial wildlife habitat; also, some wildlife is likely to be present as with all undeveloped land of this nature. The loss of the grassed area is considered likely to be offset by the provision of trees and planting within the site. The cherry trees would attract pollinators and provide fruits for birds. The rowans (*Sorbus*) would also provide similar opportunities. Other planting proposed would provide biodiversity benefits to birds and insects.

Condition 8 of the outline permission, requiring ecological surveys etc, remains extant and must still be discharged. The current proposed landscaping is acceptable for its ecological and design benefit to the site; nevertheless, the developer should be aware that additional planting maybe required to provide adequate biodiversity net gain on the site at the discharge of condition stage.

## **Other matters**

With regard to the lack of a number of surveys and reports as indicated in one objection, the case officer considers that sufficient information has been provided to make an accurate recommendation on this proposal.



The concern regarding the rear of plots 1–3 facing the road and the potential for increased crime are noted. As with any new development, adequate security provision is recommended. The police (Designing Out Crime team) have been consulted on the proposal and suggest improved security measures via screening and planting to the eastern boundary of the site with the main road. The application has since been amended to add thorny shrubs to the rear boundaries of plots 1–3 to deter intrusion and provide an additional degree of security.

Outline planning permission has been granted for up to 25 dwellings on the land to the west of the site (PA/2019/164). This would likely be served by the same access road as the current proposal site, as indicated on the submitted site layout plan. Nevertheless, no concerns have been raised by Highways in this regard, and only the current reserved matters application can be assessed at this stage. Any matters relating to further development to the west need to be addressed via future application where it will also be assessed on its own merits.

## **Conclusion**

In summary, this reserved matters application is considered to be in accordance with relevant policy in relation to access, appearance, landscaping, layout and scale. Matters relating to drainage have been adequately addressed and the application is therefore recommended for approval subject to conditions.

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

1.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

### **Reason**

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

2.

No dwelling served by the private driveway shall be occupied until it has been constructed in accordance with details including:

- (i) the proposed method of forming access from the highway, including the required visibility splays;
- (ii) the method of constructing/paving the drive;
- (iii) the provision of adequate drainage features;
- (iv) the provision of suitable bin collection facilities adjacent to the highway;
- (v) the provision of suitable lighting arrangements; and
- (vi) the provision of street name plates that shall include the words 'Private Drive';

which have been agreed in writing by the local planning authority. Once constructed the private driveway shall be retained.

**Reason**

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

3.

The planting shown on approved drawing 1360.03 shall be implemented prior to first occupation of the first dwelling on the site, and shall be retained thereafter unless otherwise agreed in writing by the local planning authority. Any tree or planting which becomes diseased, dies or is removed within the first five years of completion of the development shall be replaced with a similar species during the next available planting season.

**Reason**

In the interest of the ecology and appearance of the site in accordance with policy CS5 of the North Lincolnshire Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans:

1360.03 Layout

1360.02 Proposed dwellings.

**Reason**

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

**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.

**AMENDED**

DO NOT SCALE FROM THIS DRAWING

**NOTES**  
In certain circumstances additional information regarding the details and construction of the proposed works may be required. It is the responsibility of the client to provide this information. The client is advised to consult with the relevant authorities regarding any proposed works. The drawing is for information only and does not constitute an offer of any services or products. It is the client's responsibility to ensure that all necessary permissions and consents are obtained before any works are carried out.

**NOTE** - this drawing is to be used in conjunction with drawing reference 1685/001 prepared by Shore Surveys



**LANDSCAPING SCHEDULE**  
T01 - Sorbus 'Vilmorini' Vilmorin's Rowan Trees  
T02 - Prunus 'Aristata' Flowering Cherry Tree  
T03 - Prunus 'Ukon' Japanese Flowering Cherry Tree  
T04 - Prunus 'Pendula' Flowering Cherry Tree  
T05 - Sorbus 'Joseph Rock' Tree  
Yellow Barked Mountain Ash

**SITE FRONTAGE PLANTING** -  
Berberis Stuebelii  
Ilex Aquifolium 'Hector Argenteo'  
Mahonia Media 'Winter Sun'  
Pyracantha Orange Glow

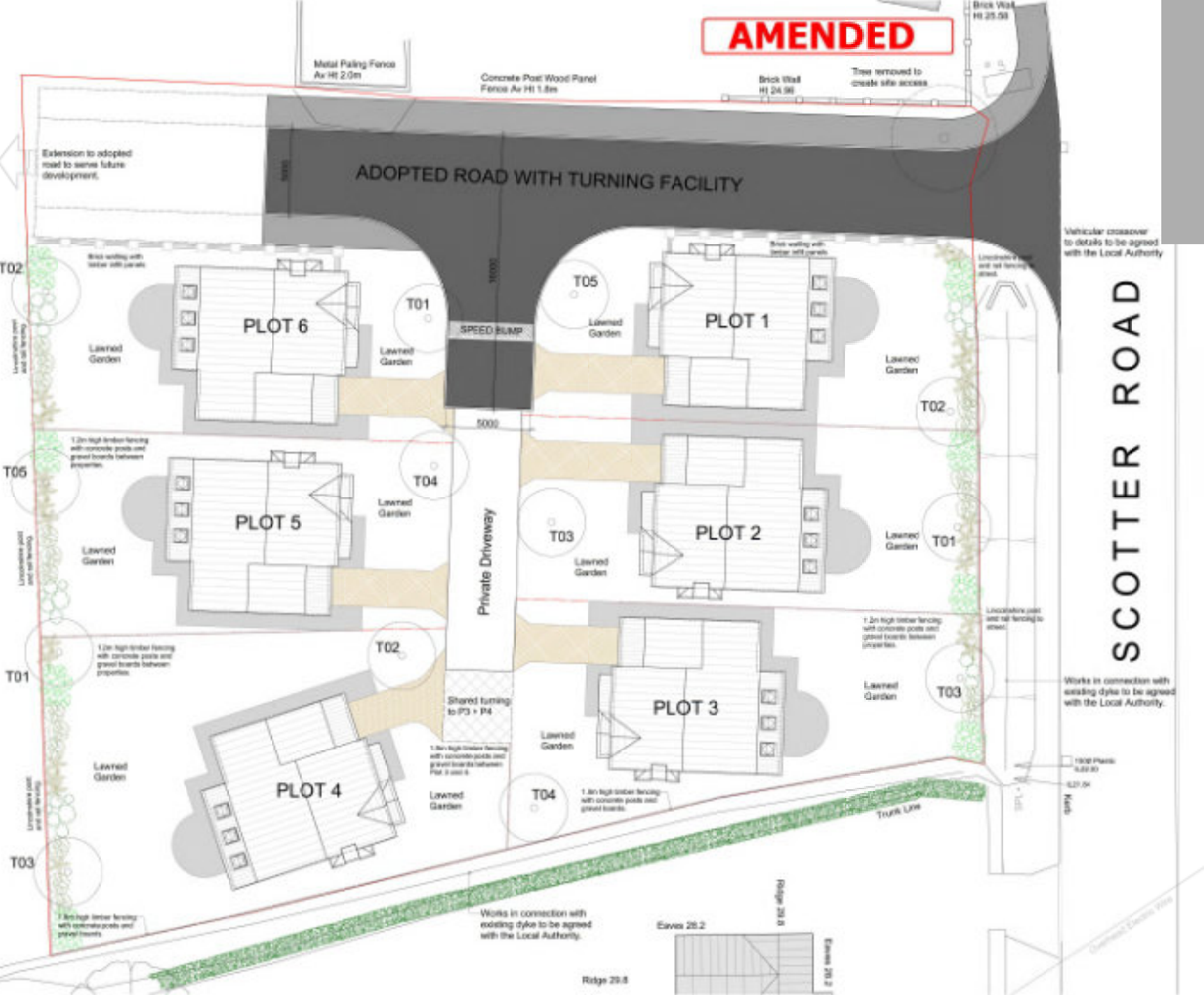
**Proposed Site Layout**

Project:  
Proposed Housing Development  
Land off Scotter Road, Macclesfield  
North Cheshire

Client:  
Mr. A.E. Swaby and Mr. D.M. Swaby

**ADS** Architectural Design Services (Scarthope) Ltd  
1000 Park Road, Macclesfield, Cheshire, SK10 2JG  
Tel: 01625 533333  
Fax: 01625 533334  
Email: info@adsdesign.co.uk

Date: September 2017  
Scale: 1:500 A3  
Sheet: A 01/01  
Drawing No: 1360.03



Vehicular crossover to details to be agreed with the Local Authority

Works in connection with existing dyke to be agreed with the Local Authority.

Works in connection with existing dyke to be agreed with the Local Authority.

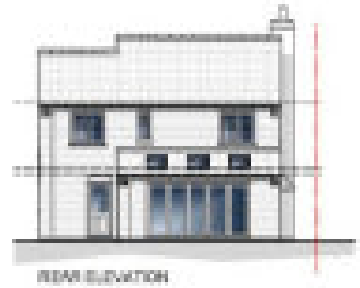


Ridge 20.2

Ridge 20.1

Ridge 20.2

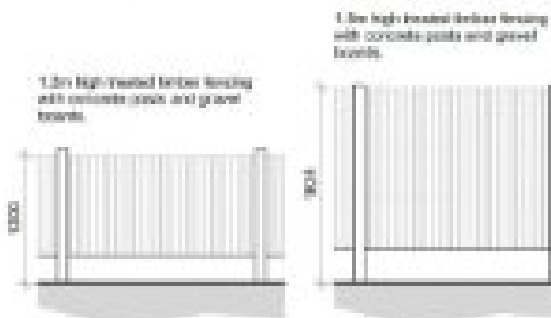
**NOTES**  
 1. ALL WORKS SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE PARTIAL EXEMPTION REGULATIONS 2015.  
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE LOCAL AUTHORITY.  
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE LOCAL AUTHORITY.  
 4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE LOCAL AUTHORITY.



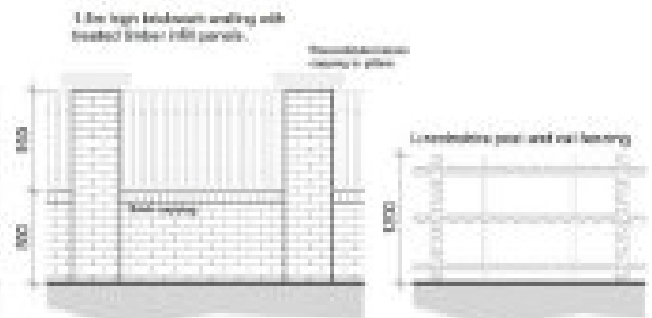
View on leaving Messingham



View on entering Messingham



BOUNDARY FENCING and WALLING DETAILS



Floor Plans indicate Plots 1 and 4, Plots 2, 3, 5 and 6 handed



View to the rear of Plots 1 - 3

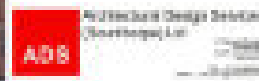


View to front of Plots 4 - 6

Proposed Dwellings

The Proposed Dwelling Development is located on the corner of Scotter Road, Messingham, North Lincolnshire.

Prepared by:  
 Mr. A.L. Emery and Mr. G.H. Emery



# PA/2021/1034 Proposed layout from outline (PA/2017/392) (not to scale)



PA/2017/392

**DEVELOPMENT CONTROL SECTION**

**09 MAR 2017**

DATE RECEIVED

Referred To \_\_\_\_\_

**JEM  
MANAGEMENT  
SERVICES**

45 Oswald Road  
Scunthorpe  
North Lincolnshire  
DN15 7PN

---

client:  
Mr A.E. & Mr D.M. Swaby  
Land West of Scotter Road (A159), Messingham

project:  
Proposed Residential Development

drawing title:  
Proposed Block Plan

drawn by:	date:	scale:
NwP	03.03.2017	1 / 500
drawing No.:	rev:	
SW / 17 / 03		