

APPLICATION NO	PA/2021/1210
APPLICANT	Mr Bryn Iwanyckyj, Albemarle Homes Ltd
DEVELOPMENT	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline planning permission PA/2018/1716 dated 06/02/2020 for up to 48 residential dwellings
LOCATION	B1207 Station Road, Hibaldstow
PARISH	Hibaldstow
WARD	Ridge
CASE OFFICER	Mark Niland
SUMMARY RECOMMENDATION	Grant approval subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Significant public interest

POLICIES

National Planning Policy Framework:

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 56 – Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Paragraph 130 – 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 Local Plan: DS1, DS7, DS11, RD2, H5, T2, T19

North Lincolnshire Core Strategy: CS5, CS17, CS18

CONSULTATIONS

Environmental Protection: No comments to make.

Refuse Collection: Offers generic advice on the dimensions required for service vehicles to negotiate adopted and unadopted roads, and on highway construction requirements.

Drainage (Lead Local Flood Authority): No objections to the proposed layout, however the developer needs to be mindful that the carrying out of further tests (groundwater monitoring wells) and assessments of groundwater seasonal fluctuations and proposed outfalls may necessitate a review of viable surface water drainage solutions which may affect the proposed layout.

We await this information at discharge of conditions stage.

Highways: No objections subject to conditions.

Anglian Water: Desktop analysis has suggested that the proposed development would lead to an unacceptable risk of flooding downstream. It is highly recommended that the developer engages with Anglian Water at their earliest convenience to develop a feasible drainage strategy.

If they have not done so already, they should submit a pre-planning enquiry to Anglian Water so that they can work with the developer towards a feasible mitigation solution.

If a foul or surface water condition is applied by the local planning authority to any decision granted, they require the following information prior to recommending discharging the condition:

- a feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - development size;
 - proposed discharge rate (should a pumped connection be required, the minimum pumped discharge rate is 3.8l/s);

- connecting manhole discharge location (no connections can be made into a public rising main);
- notification of intention to connect to the public sewer under S106 of the Water industry Act; and
- a feasible mitigation strategy in agreement with Anglian Water (if required).

PARISH COUNCIL

No objection, but supports residents' comments.

The application is outside the development boundary of the parish. The parish council asks that the application is carried out in full accordance with the conditions set out in the decision document.

It is hoped that the comments received from the developer in June are followed through:

“We do, however, value the views of the parish council and residents and will try and incorporate appropriate comments within the proposals during the reserved matters planning application determination period. As you will know, the scheme will naturally continue to evolve throughout this process.”

PUBLICITY

Advertised by site and press notices. Twelve objections have been received, the material points of which are summarised below:

- flooding and drainage
- scale of properties to the rear of Trafford's Way
- development poorly served by paths
- few amenities to support and public transport serving the village is inadequate
- out of character
- impact upon sense of plan (tranquillity frequently mentioned)
- inadequate green space
- air quality
- doctors and schools cannot cope
- not in accordance with the indicative plans submitted as part of the outline
- impact upon residential amenity
- impacts during construction
- effect on wildlife.

STATEMENT OF COMMUNITY INVOLVEMENT

Not as part of the reserved matters.

UPDATE

Following the Planning Committee's decision to defer this item on the basis that it was not clear whether the submitted drainage strategy would be commensurate with the details of the reserved matters, the applicant has put forward some supporting information. This was received on 6 December 2021 and at the time of writing the Lead Local Flood Authority (LLFA) have not had chance to view it; however, it does document the email exchange between the LLFA and the drainage engineers. The applicant taking on this advice is two months into a six-month programme of ground water monitoring. Information has been provided for the first two months and it is on this basis that the applicant believes the principal drainage strategy is achievable.

The applicant has put forward the following points on the surface water drainage they would like members to consider:

- In accordance with the hierarchy of surface water, consideration should firstly be given to discharge to soakaway/infiltration, and watercourse, in that priority order, before a connection to sewer will be considered.
- Infiltration: An intrusive ground investigation has been carried out by Lithos, report reference 4013/1 dated April 2021. It was confirmed that a relatively high ground water table was present across the site, preventing the use of traditional deeper soakaways. However, the calculated infiltration rates above the natural ground water table level gave reasonable infiltration rates ranging between 6.88×10^{-5} and 1.19×10^{-5} , suggesting that a shallow infiltration solution should be feasible.
- Watercourse: The nearest watercourse to the site is unnamed, located approximately 210m to the south-west of the site. However, considering the topography of the site in relation to the watercourse, any connection would require an adoptable pumping station.
- Sewer: There are no public surface water sewers recorded within the vicinity of the site.
- Based on the above, the use of infiltration was considered the most viable and sustainable solution and this was discussed with the LLFA.
- A consultation was carried out with the LLFA that confirmed that the developer should fully explore alternative shallow and/or above-ground SuDS features before buried piped drainage and pumped solutions are considered. Also, groundwater should be assessed further due to the high water table. A copy of the consultation response is presented in Appendix B.
- Communication with the LLFA continued and it was also confirmed, following their own inspections on neighbouring developments upstream and downstream, that minimal groundwater exists currently and, therefore, it was the LLFA's opinion that infiltration could be a feasible option.

- It was suggested that on-site soakaway testing was carried out to confirm infiltration rates, but also, given the time of year (March 2021), that groundwater monitoring should be carried out as soon as possible as ground water levels should be at their highest.
- Taking the LLFA comments on board, in conjunction with the Lithos intrusive ground investigation, with confirmed infiltration rates within the shallow material and recorded ground water levels, a proposed drainage feasibility design was prepared and submitted to the LLFA. The email received, also presented in Appendix B, confirmed that the proposals were acceptable in principle. The proposed drainage feasibility design was also submitted with the reserved matters application.

It should be noted that the LLFA are best placed to answer questions in relation to this process. Also, it is material to any decision of the reserved matters to note that the surface water drainage scheme is secured through pre-commencement condition. Should the scheme/reserved matters require amendments in order to achieve an acceptable surface water drainage strategy then this is a burden solely on the applicant.

ASSESSMENT

Relevant planning history

PA/2018/1716: Outline planning permission with all matters reserved for the erection of up to 48 dwellings – approved 06/02/2020.

Site characteristics

The site abuts Station Road to the east and Manton Lane to the north, and is outside the development boundary for Hibaldstow as identified by the Housing and Employment Land Allocations DPD 2016. The perimeter of the site is lined by hedging making views from Station Road improbable; the planting is less dense along Manton Lane.

A route of overhead lines runs diagonally across the site. The site also abuts the settlement boundary (it effectively bisects it) both to the north and to the south. The site is located across the road from playing fields and an LC11 allocated area.

Proposal

Outline planning permission has been granted for the erection of up to 48 dwellings. **This outline permission is part of the justification that North Lincolnshire Council can demonstrate a five-year land supply at present.**

Subsequently, these are the outstanding reserved matters that follow on from that permission and have been submitted within the conditional time frame set out by it. This application puts forward a scheme of 48 dwellings with a single vehicular access point from Station Road. The scheme also includes landscaping.

Highways (access and road/footway layout)

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.

Highways have not objected and put forward a list of conditions to be attached to any approval. However, comparing these conditions to those put forward and attached as part of the outline permission, it is clear that nearly all of the mitigation sought under this application has already been applied at outline stage. It would be both unnecessary and unreasonable to reattach such conditions at this stage.

One exception is a proposed compliance condition requiring the applicant to complete the footway across the whole site frontage prior to occupation. This will duly be attached.

It is therefore considered, subject to the aforementioned mitigation, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Scale, layout and appearance

Policy RD2 of the North Lincolnshire Local Plan is concerned with development within the open countryside. The policy is in two parts: firstly, it sets out, in principle, those development types that are acceptable; and secondly, it sets out a criteria-based approach to assessing those developments. The second part is of interest here in that it seeks to ensure that the visual amenity of the countryside is not compromised by poor development. Paragraph 'c' of the policy states:

'...the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials;'

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It states, '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place' and '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.'

Policy H5 of the local plan, which is concerned with new housing development, is also considered relevant (although parts 'i' & 'ii' are superseded by policy CS1 of the Core Strategy, the remainder of the policy is intact).

Paragraph 130 of the NPPF states, '...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.'

The applicant has submitted a design justification document to support the proposal. Amended layout plans and an additional house type have also been submitted to overcome existing residents' concerns in relation to amenity impacts.

A single access point is proposed from Station Road and continues westerly where it terminates at plots 11 and 8. It is made up to adoptable standards halfway along its route. The adopted road turns 90 degrees northward and ultimately ends in two bell mouths from where private drives emanate serving the remaining dwellings within the scheme. Dwellings reinforce this route, most presenting their principal elevation to the street scene, with some exceptions on corner plots. Due to this layout, rear amenity spaces display a high level of defensible space characteristics. This point is reaffirmed by an appropriate selection of boundary treatments across the development consisting of a mix of walling, planting and solid timber.

In residential amenity terms many objections relate to impact upon the dwellings on Trafford's Way. However, the separation distances, with the exception of plot 1 (with 61 Station Road), which is side to side with the nearest property, are all over 20 metres rear elevation to rear elevation. This distance is considered sufficient to offset any unacceptable levels of visual intrusion as well as overshadowing/overbearing issues.

At a wider spatial scale it is of material importance that this development sits north of Trafford's Way. The impact upon the dwellings fronting Manton Lane is also acceptable: the existing hedgerow is to be retained and the road width (as well as dwellings on this boundary being set in) would prevent any unacceptable impact upon the amenity of existing residents close to the site.

Internally the proposed separation distances are sufficient, and the positioning of openings (house types next to compatible house types) is also designed in a sensitive manner. Private amenity space is also proportionate: larger amounts of garden are naturally given over to larger dwellings. Most plots have garage access.

In terms of character a key vista is Station Road, where nine dwellings are presented to the street scene. Along this row the main access, as well as the surface water basin, provide respite from urban form. Furthermore, the existing hedgerow is to remain between access points, and this further softens the development presence along Station Road. Again the hedge is retained along Manton Road, trees are to be planted and the dwellings are set back into the development. These features are an acknowledgement of the semi-rural setting within which the scheme is located. Clearly, looking eastward from the A15, there would be an urbanising impact given the amount of form that is located on the arable field; however, these views already experienced the settlement as a backdrop and so are not wholly unacceptable. The applicant also proposes to soften the boundary with a native hedgerow and again the planting of trees.

The dwellings themselves provide a sufficient mix of house types; many exude a Georgian-esque aesthetic with the faux window at first floor and flat-roof door canopy, though this proposal holistically is not strict to that era, with other dwellings presenting gable features to the street scene. The dwellings collaborate well together with some side facing and a mix of double and single garages all adding interest to the roofscape. Dwellings are also detailed around the eaves and headers above windows with sills below.

In terms of materials the applicant has stated within the design justification that these are to be agreed with the local planning authority during the course of the application. However, an agreement has not yet been made and a condition has been accepted (this is in part due to availability). The existing dwellings in the area are of a darker brick, those further north of the site are 1950's semi-detached and are of red brick (though one or two have been rendered cream), and to the south the dwellings are again of a darker brick, some modified on lower floors with render. Whilst buff or light brick might not be appropriate, the applicant has scope to introduce a broad palette. Darker red brick would, on the surface, relate to existing properties, but a uniform scheme would perhaps not be absorbed as well, reflecting the ongoing aesthetic morphology that occurs in residential areas. It is fair to say that if some properties came forward as a render option (in and amongst darker brick properties) this would link more successfully to the existing urban grain. However, at this stage, given that sufficient information is not present with the application, materials will be controlled by condition.

Therefore, subject to the control of materials, the proposal is considered to align with policies RD2, LC7 and H5 of the North Lincolnshire Local Plan, policy CS5 of the Core strategy and the aforementioned paragraphs of the NPPF.

Landscaping

Policy CS5 is in part concerned with landscaping; it states, '...Incorporate appropriate landscaping and planting which enhances biodiversity or geological features whilst contributing to the creation of a network of linked greenspaces across the area. Tree planting and landscaping schemes can also assist in minimising the impacts of carbon emissions upon the environment.'

Paragraph 131 of the NPPF states, '...Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.'

Paragraph 135 of the NPPF states, '...Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'

Paragraph 174 (b) of the NPPF states [decisions should contribute by] '...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.’

The applicant proposes to retain the hedgerows along the northern, southern and eastern boundaries whilst a native hedgerow is proposed to the west. There is a mix of planting throughout the scheme with trees planted along northern and western boundaries and many dotted around the layout as well as the infiltration basin. Conditions are proposed to ensure that the landscaping scheme has a good chance of survivability.

The proposals are considered appropriate and would work well in assimilating the scheme into its semi-rural setting. The trees and hedgerows on the northern and western boundaries soften the screen from the outside and would go some way towards allowing the development to be more easily absorbed into the locality.

Other matters

The LLFA has objected stating that there is insufficient information in relation to surface water to assess whether the layout is appropriate. The thought process from the LLFA is correct and the drainage should be designed first, the layout after. However, just because the reserved matters are in front of the local planning authority before the drainage strategy doesn't mean the applicant has not considered it and it has not informed the plans being assessed now. Conditions on the outline permission required a drainage scheme to be submitted to and agreed in writing with the local planning authority and this prevents any development from occurring. Should this layout be inappropriate and not allow for an acceptable surface water drainage strategy then the applicant will need to resubmit the scheme in order to suit. The risk is on the applicant at this stage and due to the strength of an already imposed drainage condition there is no planning reason to resist the development on drainage grounds.

Conclusion

The detailed design of this scheme is considered fully acceptable; only conditions controlling materials and those to ensure the landscaping can become established and rooted will be applied.

RECOMMENDATION Grant approval subject to the following conditions:

1.

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

Site Plan 20120 01 Rev G

Planting Plan 3832 (1 of 2) 201

Planting Plan 3832 (2 of 2) 202 (NOTWITHSTANDING PLOTS 7 AND 8)

Bungalow 2B4P Detached – DWG: 20120_HT_03

Type B Elevations and Floor Plans 3B5P - DWG: 20120_HT_03

Type A Elevations 2B4P Semi-Detached – DWG: 20120_HT_02

Type A Floor Plans 2B4P Semi-Detached – DWG: 20120_HT_01

Type Q Elevations 3B6P – DWG: 20120_HT_10

Type N Elevations and Floor Plans 4B8P – DWG: 20120_HT_08

Type L Elevations and Floor Plans 3B5P – DWG: 20120_HT_07

Type C1 Elevations and Floor Plans 3B5P – DWG: 20120_HT_04

Double Garage DWG 20120_HT_13
Single Garage DWG 20120_HT_11
Landscape Master Plan 3832 101 Rev B (NOTWITHSTANDING PLOTS 7 AND 8)
Boundary Treatment Details 20120 DWG 04
Boundary Treatment Layout 20120 03
Type K Elevations and Floor Plans 4B8P – DWG: 20120_HT_06
Type E-SA Elevations and Floor Plans 4B7P – DWG: 20120_HT_05
Type Q Floor Plans 3B6P – DWG: 20120_HT_09
Twin Garage Floor Plans and Elevations DWG: 20120_HT_12

Reason

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

2.

The proposed dwelling(s) shall not be occupied until the footway has been provided across the whole of the site frontage in accordance with the approved details.

Reason

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

3.

All the approved landscaping shall be carried out within twelve 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

In the interest of character, trees and bio diversity and to accord with policies LC12 of the Local Plan, CS5 and CS17 of the Core Strategy.

4.

Prior to any above-ground works, details of all external materials shall be submitted to and agreed in writing with the local planning authority. They shall be retained thereafter.

Reason

In the interest of character and to accord with policy CS5 of the North Lincolnshire Core Strategy.

5.

Prior to occupation, details relating to landscaping on plots 7 and 8 shall be submitted to and agreed in writing by the local planning authority. The landscaping shall be retained thereafter.

Reason

In the interest of character to accord with policy CS5 of the North Lincolnshire Core Strategy

6.

Prior to any above-ground works details of finished floor levels of all dwellings shall be submitted to and agreed in writing by the local planning authority. The scheme shall thereafter be built out in accordance with those agreed details.

Reason

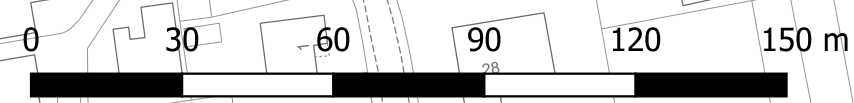
To protect amenity and accord with policy DS1 of the North Lincolnshire Local Plan.

Informative 1

This planning permission does not supersede nor override the requirements or consenting process for work involving overhead lines.

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.



18.2m

15.5m

Gas Gov

Recreation Ground

Hall

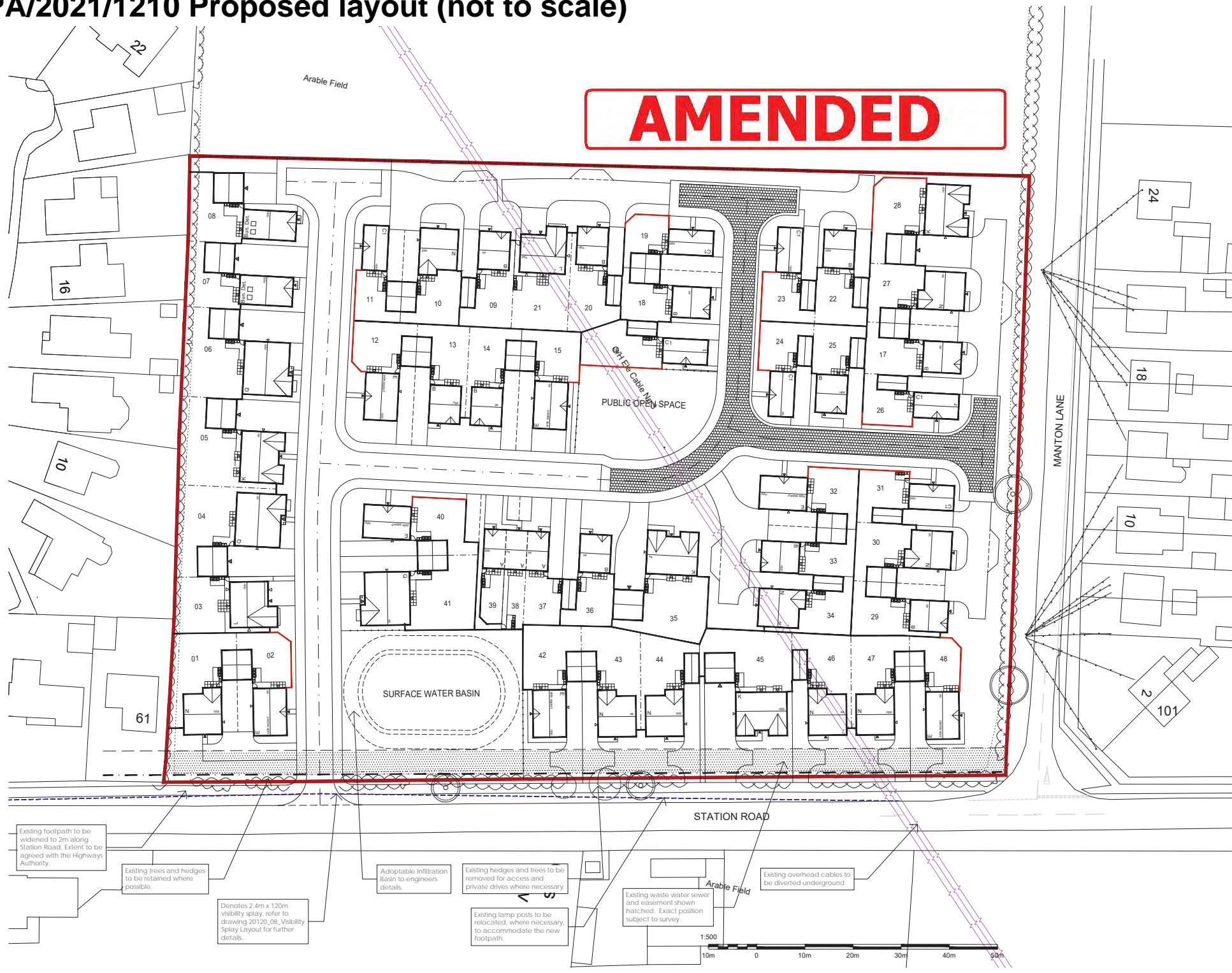
TRAFFORDS WAY

 Development Boundary

PA/2021/1210

PA/2021/1210 Proposed layout (not to scale)

AMENDED



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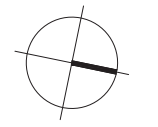
Do not scale from this drawing - Work to figured dimensions only. All dimensions to be checked on site prior to the execution of any work.

For the avoidance of doubt all dimensions are measured to wall structure and not the finished surface unless otherwise stated.

Where any discrepancy is found to exist between drawings and/or documents it should be reported to the architect immediately.

MPSL Planning & Design Ltd shall not be liable for any use of drawings and documents for any purpose other than that for which the same were prepared by or on behalf of MPSL Planning & Design Ltd.

Note: Layout to be read in conjunction with the engineers drawings and landscape layout.



- BOUNDARY TREATMENTS**
- Denotes 1.8m high close-boarded fence.
 - Denotes 1.8m high divisional fence.
 - Denotes 1.8m high wall.
 - Denotes 0.6m high knee rail.
 - Denotes access gates to private gardens.
- SURFACE FINISHES**
- Denotes block paving to secondary access streets.
 - Denotes shared access drives and private driveways.
- LANDSCAPING**
- Denotes existing trees to be retained (searched line denotes root protection area).
 - Denotes existing trees to be removed.
 - Denotes hedge planting to be retained.
 - Denotes proposed landscaping.
- GENERAL**
- Denotes access to properties.
 - Denotes hard standing surface for waste and recycling bin storage.

Rev.	Date	Description	By	Check
01	03.08.21	Plan 7 & 8 amended to be burglarives	AC	AB
02	07.08.21	Type O footpath update	AC	AB
03	16.03.21	Public open space relocated and broadened	AC	AB
04	16.03.21	Public Open Space moved to front of site.	AC	AB
05	22.07.21	Plan amended to reflect clients comments	AC	AB
06	18.07.21	Revised to include increased aspect	AC	AB

ALBEMARLE
RESIDENTS

Drawing Title: **PROPOSED SITE LAYOUT**

Project: **Proposed Residential Development Station Road, Hibaldstow.**

Job No.	City No.	Drawn	Rev.
20120	01	CSW	G

Scale: 1:500 @ A2 Date: JULY 2021 FOR PLANNING

mps planning & design ltd
10 West Gate, Hibaldstow Park, Hibaldstow, Lincoln, Lincolnshire, LN11 9JQ
01522 732369
www.mpsdesign.co.uk

Existing footpath to be widened to 2m along Station Road. Extent to be agreed with the Highways Authority.

Existing trees and hedges to be retained where possible.

Denotes 2.4m x 120m visibility splay, refer to drawing 20120_08_Visibility Splay Layout for further details.

Adoptable Infiltration Basin to engineers details.

Existing hedges and trees to be removed for access and private drives where necessary.

Existing lamp posts to be relocated, where necessary, to accommodate the new footpath.

Existing waste water sewer and easement shown hatched. Exact position subject to survey.

Existing overhead cables to be diverted underground.

