

APPLICATION NO PA/2021/1624

APPLICANT Stanley Farr

DEVELOPMENT Outline planning permission to erect a dwelling and move vehicular access, with appearance, landscaping, layout and scale reserved for subsequent consideration

LOCATION Stanmar Lodge, 127 Akeferry Road, Graizelound, DN9 2NF

PARISH Haxey

WARD Axholme South

CASE OFFICER Deborah Oikeh

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Section 11, 12, 14

North Lincolnshire Local Plan: DS1, DS7, DS11, DS16, H5, T2, T19 and LC14

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS8 and CS19

CONSULTATIONS

Highways: No objection subject to conditions.

Environment Agency: No objection subject to a condition.

Drainage (Lead Local Flood Authority): No objection subject to conditions.

Environmental Protection: No objection subject to conditions.

Historic Environment Record: No objection.

PARISH COUNCIL

The parish council objects for the following reasons:

- the proposed site for development is an excellent garden adjoining Akeferry Road and A161, hence developing this site may affect the character of the whole area
- disagrees with the applicant's proposal on height restriction
- the proposed access may impact highway safety and visibility splay

- flood risk and drainage concerns.

PUBLICITY

Advertised by site notice – no comments received.

ASSESSMENT

Proposal and site characteristics

Outline planning permission is sought to erect a dwelling with appearance, landscaping, layout and scale reserved for subsequent consideration. Access is included at this outline stage. The site comprises a bungalow and an attached garage to the west of the site along Akeferry Road, off the A161 (Haxey Lane) in Graizelound. The portion of the site to be developed is to the east of the bungalow abutting the A161.

Planning history

- 2/1986/0465: Outline permission to erect a detached bungalow and garage – approved 19/09/86
- 2/1988/0461: Approval of reserved matters in relation to 2/1986/0465 – approved 18/07/88

Site constraints

- The development would be within the development boundary for Graizelound according to the HELA DPD 2016.
- The site is within SFRA flood Zone 2/3a fluvial.
- The site is designated under policy LC14 – Area of Special Historic Landscape Interest.

Principle of development

Graizelound is classed as a rural settlement according to the settlement hierarchy of the council. Policies CS1 and CS3 of the Core Strategy are primarily concerned with the spatial strategy for North Lincolnshire and how development limits are applied to the settlement hierarchies. Both policies stipulate the use of development limits in the urban, market towns and rural areas with the aim of creating vibrant rural settlements through the protection and enhancement of local services. Policy CS1 in particular states 'rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility.'

Policy CS2 requires a sequential approach to be followed with development focused on Scunthorpe, then previously developed land and buildings within the defined development limits of North Lincolnshire's Market Towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs, followed by small-scale developments within the defined development limits of rural settlements to meet identified local needs. A sequential approach will also be followed to direct development to areas with the lowest probability of flooding.

Policy CS8 states, 'New housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.'

In this regard, the proposed single dwelling represents a small-scale development and is set within an established settlement with existing local services and functional transport infrastructure. Whilst the dwelling would be sited in a garden visible from the road, the garden is sizeable and could accommodate a moderate-sized dwelling without creating an adverse or unacceptable impact on the character of the area. Additionally, the development would be within walking distance of some local facilities and services. Therefore, the proposal is in accordance with the aims of the North Lincolnshire Core Strategy policies CS1, CS2, CS3 and CS8 which respectively are 'to ensure that rural settlements thrive as healthy communities' and that 'development is not dispersed or separated from the main body of settlement'. Therefore, in principle, the proposed residential development is acceptable.

Character and appearance

Policy DS1 states that a 'high standard of design is expected' and proposals will be considered against two criteria:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

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 LC14 states, 'Within this area, development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features'. It further states, 'A high standard of design and siting in new development will be required reflecting the traditional character of buildings in the area and the character of the historic landscape, and using materials sympathetic to the locality.'

In this respect, the site is located adjacent Stanmar Lodge and adjoins the A161. There are a number of properties closely abutting the A161 (south), for instance East View, Clare Cottage and Tam House. Given that the garden is a spacious plot of land, a design that will respect the existing layout along the A161 and Akeferry Road is therefore achievable. Additionally, the HER has raised no objection and considers the proposal would not adversely affect the character of the setting provided the design and materials are appropriate to the area.

Height restriction

A restriction in height to single-storey or bungalow has been discussed with the applicant. To protect the street scene and character of the area, an appropriate massing and scale of development has been agreed and is recommended for the proposed dwelling.

Impact on residential amenity

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...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.’

Policy H5 also seeks to require that proposals do not result in adverse impacts upon neighbouring amenity.

The proposal would result in one additional dwelling to the side of the existing dwelling (Stanmar Lodge). Although the property’s final details are reserved for future consideration, it is considered that a suitable scheme that respects neighbours’ residential amenity is achievable, subject to appropriate internal layout, daylight assessment and the direction of window openings.

The proposal is therefore considered to be acceptable in this regard and complies with policies DS1 and H5.

Highway safety

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.

Although, there is no existing access to the site, an indicative access layout to the west of the site has been proposed in the site location plan. The highways officers have not raised any objections, subject to conditions to control the access and parking on site. With regard to visibility splays, the highways officers have recommended a height restriction of 1.05 metres above the level of the carriageway of any proposed wall, fence or hedge. Therefore, the proposal is not considered to conflict with the requirements of policies T2 and T19.

Flood risk and drainage

The proposed site for residential development is situated within SFRA flood Zone 2/3a fluvial and hence is classed as a ‘more vulnerable’ residential development. Consequently, a flood risk assessment was submitted alongside the representations. Sections 161 to 164 of the NPPF specify the need for a sequential flood risk-based approach to development through the application of a sequential test, followed by an exception test, if necessary. An exception test is only conducted where it is not possible for a development to be located in areas at lower risk of flooding.

The applicant limited the search for alternative sites to the settlement of Graizelound in which the entire area predominantly falls within the same flood zone (2/3a) and no alternative sites were identified. The sequential test is therefore passed and the exception test applies. The exception test, on the other hand, must satisfy two criteria for it to be passed, namely:

- it must demonstrate that the development would provide wider sustainability benefits to the community that outweigh the risk; and

- the development would be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere and where possible would reduce flood risk overall.

The proposal would enhance the three aspects of sustainability (social, economic and environmental elements) through the provision of employment to local tradesmen, reduction of carbon footprint by sourcing for construction materials locally and completing the new build to code 3 level sustainable housing (which is above the Building Regulations energy efficiency requirement).

It is therefore considered that the sustainability benefits and lifetime safety of the proposal outweigh the flood risk associated with the development, hence the exception test is also passed. Additionally, the LLFA drainage team and the Environment Agency have been consulted and have raised no objection subject to conditions. The EA has agreed that the development should be carried out in accordance with the flood risk assessment submitted by the applicant and floor levels be set no lower than 4.4 metres above Ordnance Datum. It is therefore assessed that the proposal accords with policies DS16 and CS19 of the North Lincolnshire Local Plan.

Land contamination

Policy DS7 of the local plan relates to contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. However, the applicant has not submitted a contaminated land assessment.

The council's Environmental Protection team have recommended conditions relating to land contamination given that the residential development is a sensitive end use and these will be attached to any permission granted.

Conclusion

The proposal is located within the settlement boundary in a sustainable location served by existing services and infrastructure. Whilst the proposed site is a large garden adjacent to Stanmar Lodge, there is sufficient space to accommodate a dwelling without a significant impact on the neighbouring amenity or character of the area. On this premise, it is assessed that the proposed dwelling would enhance housing delivery and enable the efficient use of land in accordance with the NPPF.

RECOMMENDATION Grant permission subject to the following conditions:

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

Reason

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

2.

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

Reason

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

3.

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

Reason

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

4.

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

Reason

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

5.

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

Site, location and block plans 1150 dated 08/09/21

Flood Risk Assessment

Heritage Statement

Design and Access Statement.

Reason

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

6.

No development shall take place until details of:

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

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

Reason

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

7.

Within three months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

8.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

9.

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.

10.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

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

11.

The dwelling shall be a single-storey bungalow.

Reason

To ensure the development reflects the character of adjacent development in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been

approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

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

13.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

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.

14.

The development shall be carried out in accordance with the approved flood risk assessment dated 8 September 2021 by Howard J Wroot and the following mitigation measures detailed within the FRA:

- finished floor levels shall be set no lower than 4.4 metres above Ordnance Datum.

These mitigation measures shall be fully implemented prior to occupation and shall be retained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

15.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The

contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale, and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

Informative 1

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). 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. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team by email to llfadrainagetem@northlincs.gov.uk prior to any further construction works being carried out. Please refer to the council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 2

Our records indicate that the proposed development site is bounded by an ordinary/riparian watercourse/highway drain along the boundary. The proposals show a new access to be provided over and/or connection into the watercourse. This must be consented by North Lincolnshire Council's LLFA Drainage Team, in their capacity as Lead Local Flood Authority, and/or the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team by email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3

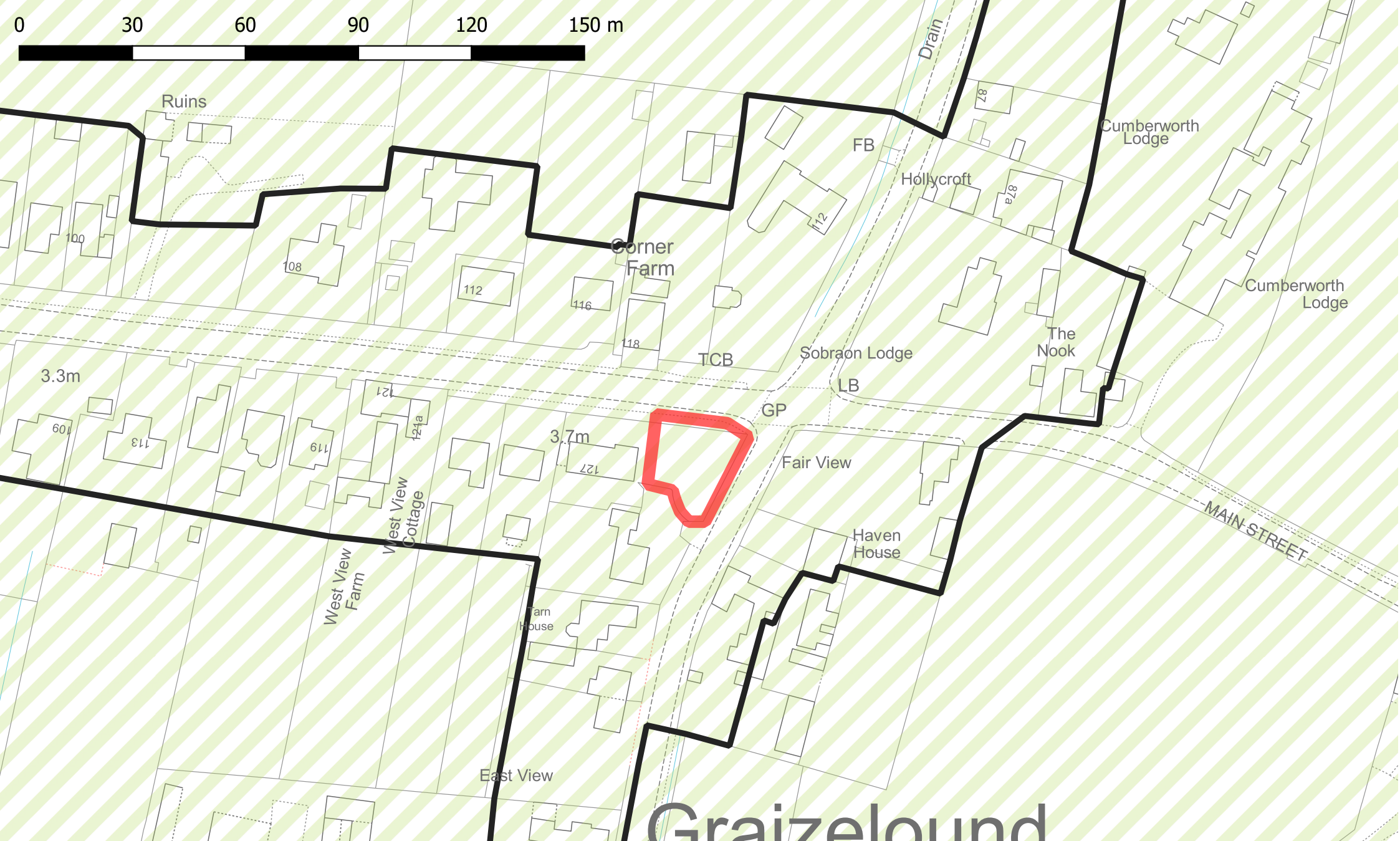
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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 4

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.

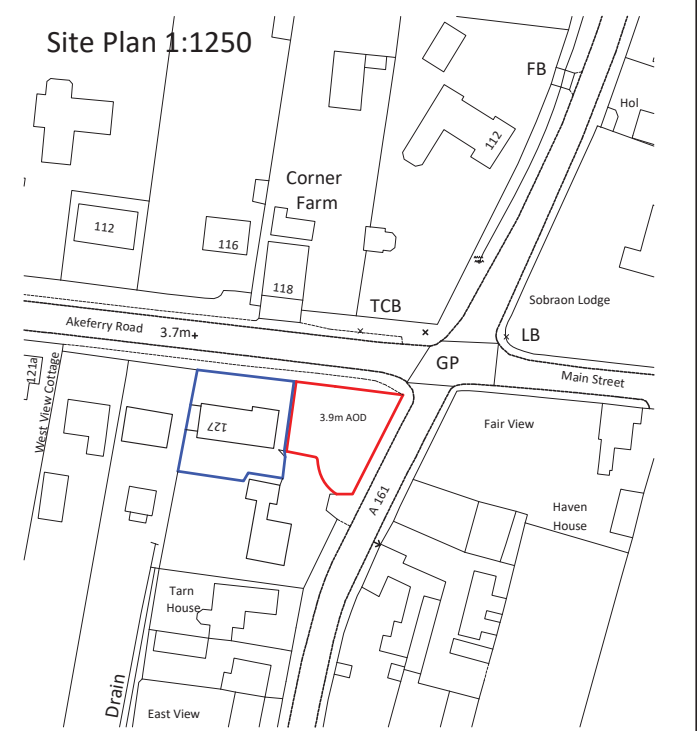
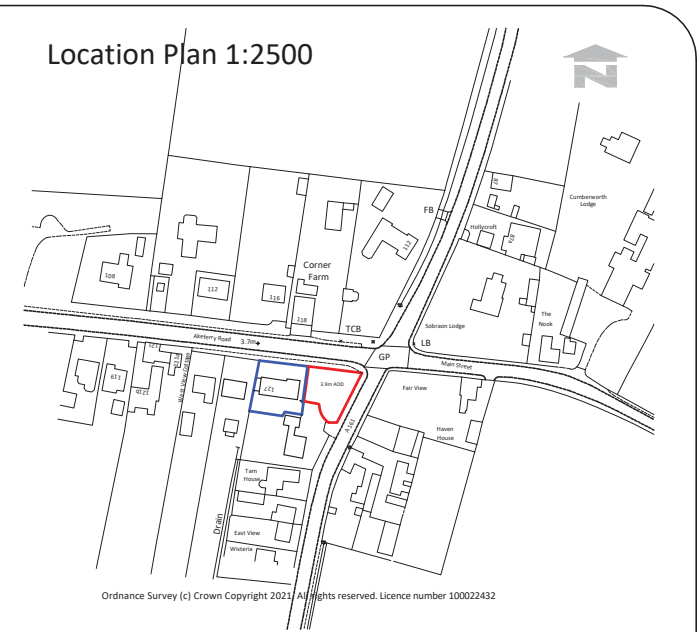
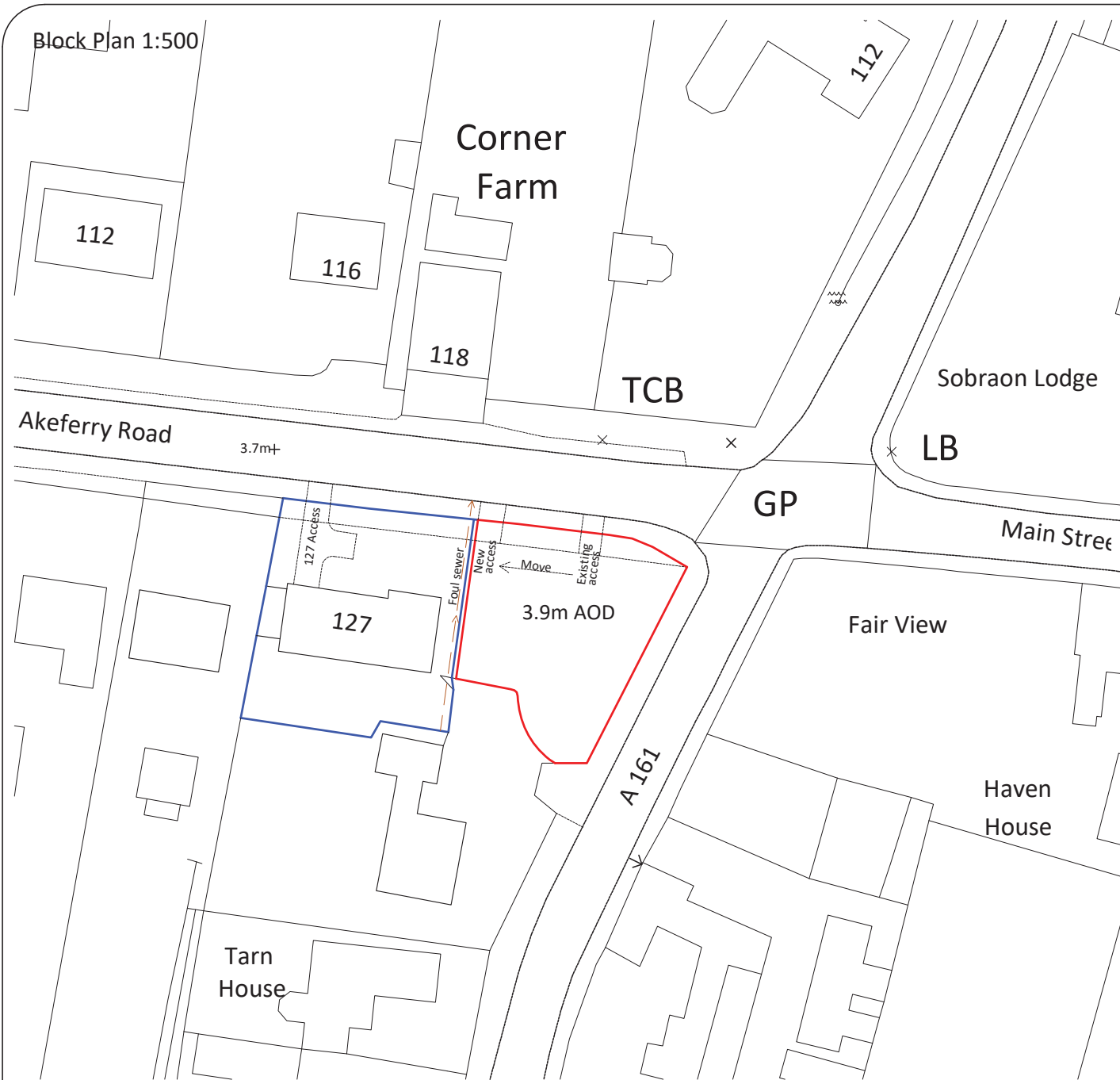



Graizelound

 LC14 Isle of Axholme Area of Special Historic Landscape Interest
 Development Boundary

**North
Lincolnshire
Council**

PA/2021/ Proposed access (not to scale)



Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client	Mr Stanley Farr			Proposal	Single building plot at Stanmar Lodge, 127 Akeferry Road, Graizelound, DN9 2NF	
	Date	8/9/21	Dwg No	1 of 1			
	Scale	As noted	Ref No	1150	Drawing	Location, Block and Site Plans	