

**APPLICATION NO** PA/2021/1869

**APPLICANT** Mr Josh Walshe

**DEVELOPMENT** Planning permission to erect a detached dwelling

**LOCATION** Land adjacent to 38 Scotter Road, Scunthorpe, DN15 8DR

**PARISH** Scunthorpe

**WARD** Crosby and Park

**CASE OFFICER** Tanya Coggon

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Application by a member of the council (Cllr Josh Walshe)

## **POLICIES**

### **National Planning Policy Framework**

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

### **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 DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

**North Lincolnshire Core Strategy:**

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

**Housing and Employment Land Allocations DPD:**

Policy PS1 (Presumption in Favour of Sustainable Development)

**CONSULTATIONS**

**Highways:** No objections subject to a condition relating to access and car parking.

**LLFA Drainage:** No objection subject to surface water drainage conditions.

**Severn Trent Water:** Foul water is proposed to connect into the public foul sewer, which will be subject to a formal section 106 sewer connection approval. Surface water is proposed to discharge to a soakaway, on which we have no comment. We advise an informative for the foul sewer.

**Environmental Protection:** A noise impact assessment has been submitted and, following comments from Environmental Protection, the applicant submitted a memo to address a number of concerns raised. If attenuation measures are installed as per the previously submitted noise impact assessment and the applicant's memo then the department would be satisfied that internal residential amenity would not be negatively impacted. Considering the above, the department recommends a condition relating to mitigation measures. A further condition is recommended relating to contamination.

**Ecology:** No ecological surveys are required. Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek a net gain in biodiversity in accordance with policy CS17 and the National Planning Policy Framework.

## **PUBLICITY**

The application has been advertised by site notices. No responses have been received.

## **ASSESSMENT**

### **Proposal**

Permission is sought to erect one detached dwelling within the garden area of 38 Scotter Road, which is also owned by the applicant. The proposed dwelling will be set back from the road with a substantial rear garden area. The dwelling will be four-bedroomed. The ground floor comprises a garage, hall, WC, lounge, utility and kitchen/diner. The elevations show the dwelling will be built from a mixture of brick and off white colour render with windows being grey coloured UPVC. The dwelling will face Scotter Road. The front elevation comprises brickwork and render with a rendered front gabled end and a tiled canopy. The dwelling will be 8.32m wide, 10.12m deep and approximately 8.9m high (to the ridge).

### **The site**

The site is located within the Scunthorpe and Bottesford Urban Area. The site forms part of the garden to 38 Scotter Road. The site is surrounded by dwellings to the north, south and east. To the west is Hebden Road industrial estate which adjoins the western boundary (rear) of the site. Scotter Road comprises a mix of housing types and designs, with dwellings fronting Scotter Road. Where the dwelling itself is proposed to be located is in Flood Zone 1 and is therefore at low risk of flooding with the remainder of the site (rear garden) located in Flood Zone 2/3a (tidal). The site is also at medium risk from surface water flooding.

### **Principle**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The site is located within the development boundary of Scunthorpe where in principle residential development is considered to be acceptable. Policy CS1 (Spatial Strategy) of the Core Strategy seeks to deliver an urban renaissance in Scunthorpe supporting its role as a major subregional town. Scunthorpe will be the focus for the majority of new development and growth, including housing, employment, retail, sustainable transport links, and higher order services and facilities to serve North Lincolnshire.

Policy CS2 of the Core Strategy seeks to ensure a sequential approach to development is adopted. Development should be focused on previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions.

Policy CS7 of the Core Strategy reiterates that the focus for new housing will be in the Scunthorpe urban area. Housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and support the development of sustainable, balanced communities. Within Scunthorpe and market towns' development limits a net density range of 40 to 45 dwellings per hectare should be achieved.

Policy CS8 of the Core Strategy states that the principal focus for housing is previously developed land and buildings within the development limits of Scunthorpe.

Policies CS1, CS2, CS7 and CS8 of the Core Strategy establish the principle of residential development on this site and the proposal generally accords with the relevant policies of the development plan. As such the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004 is engaged, which states that planning permission should be granted unless other material considerations indicate otherwise. The proposal is considered to represent sustainable development and the presumption in favour set out in paragraph 11(c) of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required on the technical elements of the proposal which will be discussed below.

## **Highways**

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. The application shows the main access to the site from Scotter Road with car parking provided within the application site. Highways have no objections to the proposal subject to conditions relating to access and car parking which are proposed to be imposed if planning permission is granted.

## **Flood risk and drainage**

In terms of flood risk, the dwelling itself is located within Flood Zone 1 and is therefore the optimum place for development in terms of flood risk. The proposed rear garden area is located in Flood Zone 2/3a (tidal) and is therefore at high risk of flooding. This will remain as garden land as it is presently. In terms of surface water drainage, this area of Scotter Road is a medium risk for surface water flooding. The LLFA originally requested pre-commencement conditions relating to the submission of a drainage strategy and details showing an effective method of preventing surface water run-off. Following the LLFA's comments, the applicant has amended the plans to update the submitted Flood Risk Assessment (FRA) and provide additional drainage details for the site. The LLFA considers that the drainage details shown on the amended drawing are acceptable and pre-commencement conditions are no longer required. The proposal therefore aligns with policies CS18 and CS19 of the Core Strategy and policy DS14 of the North Lincolnshire Local Plan.

## **Design and amenity**

In terms of the design of the dwelling, Scotter Road comprises a number of housing types and designs. The proposed dwelling is detached and will be constructed from brick and render. The dwelling has been designed to respect the character of the area and fronts Scotter Road. It will have an extensive rear garden area providing a good standard of private amenity space for future occupiers. Car parking and turning will be provided in the

form of a driveway on the site frontage. The proposed dwelling is located between a semi-detached dwelling to the north and a detached dwelling to the south. Due to its siting on the plot and its principal windows facing east (the front of the dwelling) and west (rear of the dwelling) no loss of privacy issues will be caused. The en-suite window proposed at first floor in the south elevation will be conditioned to secure privacy for future occupants of the dwelling and the adjoining neighbour. The boundary treatment comprises a 1.8m high boundary fence which will provide privacy between the proposed and existing dwellings. The proposed dwelling, in terms of design and amenity, therefore accords with chapter 12 of the NPPF, policies CS5, CS7 and CS8 of the Core strategy and policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

### **Biodiversity and landscaping**

In terms of biodiversity and landscaping, conditions will be used to secure an adequate landscaping scheme and biodiversity enhancements on the site. There is some hedging and trees on and adjacent to the site and the applicant proposes to plant additional trees. There are no tree preservation orders on the site. A condition is proposed to provide a more comprehensive landscaping scheme, which will improve biodiversity. The council's ecologist has been consulted on the proposal and finds it acceptable in terms of biodiversity subject to a condition relating to works and biodiversity enhancements to be carried out in accordance with the submitted biodiversity management plan. Subject to these conditions, the proposal will accord with policies CS5 and CS17 of the Core Strategy and DS1 of the North Lincolnshire Local Plan.

### **Noise**

Policy DS11 of the North Lincolnshire Local Plan is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise, do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas. Paragraph 187 of the NPPF is in part concerned with noise. It sets out requirements for how local planning authorities should ensure that new development can be integrated effectively with existing businesses and community facilities. Paragraph 187 of the NPPF states,

'Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or "agent of change") should be required to provide suitable mitigation before the development has been completed.'

The site lies adjacent to the Hebden Road industrial estate which has the potential to impact on the proposed development. A noise report has been submitted with the application which concludes that the ambient noise climate at the application site is characterised (dominated) by road traffic on Scotter Road, with some occasional noise associated with Black & White Coaches at the rear (Hebden Road). A scheme of sound insulation has been developed to protect residential amenity from the ambient noise climate. As a consequence, the ambient noise climate is not considered to represent a

constraint to the proposed residential development. The proposed residential development will not place any unreasonable constraints on the adjacent coach depot and therefore the development proposals align with the aims of the NPPF.

The report recommends that enhanced glazing in conjunction with trickle vents should be provided to habitable windows fronting Scotter Road and habitable rooms facing away from Scotter Road should be fitted with standard glazing in conjunction with standard trickle vents. In addition, the applicant's memo recommends that a 1.8m close-boarded timber fence is installed on the northern boundary of the site and the existing 2m high boundary fence along the western boundary of the site is made good. A scheme for acoustic mitigation and fencing can be conditioned.

Environmental Protection have assessed this report and had a number of concerns in relation to this noise assessment. In response, the applicant has submitted a memo addressing Environmental Protection's concerns. Environmental Protection have been consulted on this memo which provided further clarification on the submitted noise assessment. As a result, Environmental Protection are now satisfied that if the proposed attenuation measures are installed as specified in the noise assessment and the applicant's memo then the residential amenity of the proposed dwelling would not be negatively impacted. Environmental Protection recommend a condition that before the dwelling is occupied the mitigation measures set out in the noise assessment shall be installed in the dwelling and the fencing proposed in the applicant's memo shall be installed to the northern and western boundaries of the site. This condition is recommended to be placed on any planning permission and therefore, subject to this condition, the proposed development is acceptable in terms of noise and will align with the NPPF, policy CS5 of the Core Strategy and policies DS1 and DS11 of the North Lincolnshire Local Plan.

## **Conclusion**

The site is located within the development boundary of Scunthorpe where in principle residential development is considered to be acceptable through Core Strategy policies CS1, CS2, CS3, CS7 and CS8. In all other respects the proposed dwelling raises no substantive residential amenity, visual amenity, drainage, environmental, biodiversity or highway safety concerns. The proposal is therefore recommended accordingly below.

## **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: drawing no 1408.01 Rev D and 1408.02 Rev B.

### **Reason**

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

3.

The development shall be carried out in complete accordance with the drainage details submitted on drawing number 1408.01, Revision D, received on 10/02/2022.

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 159 to 169 of the National Planning Policy Framework.

4.

No above-ground works shall take place until a scheme for the disposal of foul water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

5.

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

Reason

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

6.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

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

7.

No above ground works 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.

8.

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 interests of the amenity of the locality in accordance with policy CS5 of the Core strategy and Policy DS1 of the North Lincolnshire Local Plan.

9.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted biodiversity management plan reference number 1408SCUN. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features to the local planning authority, within two weeks of installation, as evidence of compliance with this condition. The management prescriptions set out in the management plan shall be carried out in their entirety. All biodiversity features shall be retained thereafter.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

10.

Before the dwelling is first occupied the en-suite window in its southern wall shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties and the privacy of future occupants of the dwelling in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

Prior to occupation of the dwelling, the mitigation measures shall be installed in complete accordance with the submitted report reference ENS Noise Impact Assessment, dated 24 Jan 2022, ref: NIA/10146/22/10274/v2 Scotter Road and the submitted ENS memo from Thomas Crabb to Mr Jon Bayley, dated 14 March 2022. Full details of the specification, design and location of the proposed new fencing to be installed on the northern and western boundaries of the site shall be submitted to and approved in writing by the local planning authority before the dwelling is occupied.

Reason

To safeguard the amenity of occupiers of the proposed dwelling in accordance with policy CS5 of the Core Strategy, and policies DS1 and DS11 of the North Lincolnshire Local Plan.

### **Informative 1**

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



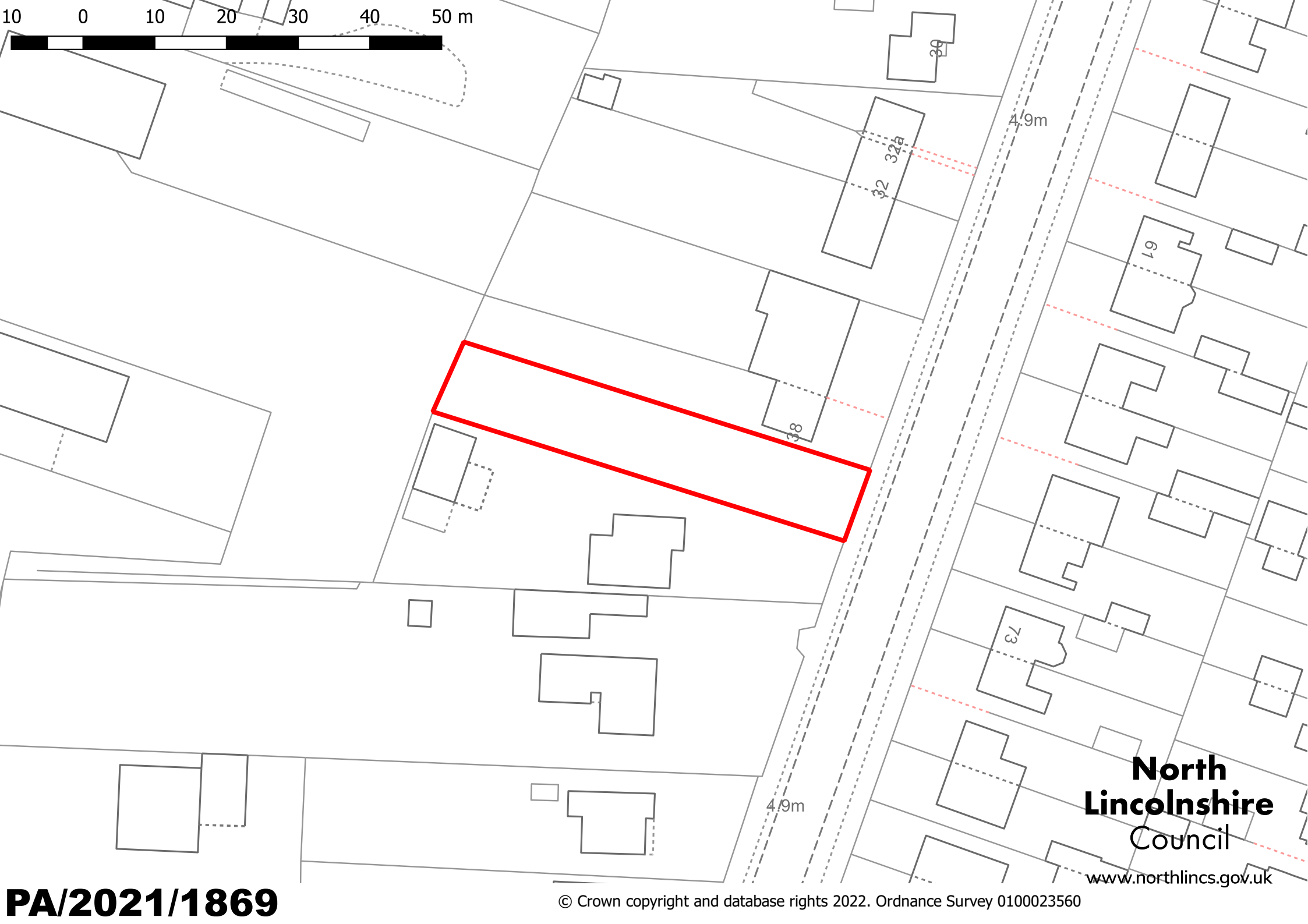
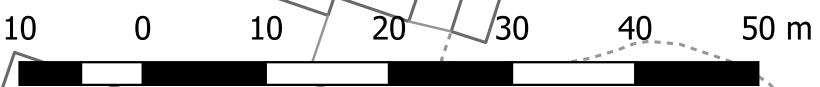
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

### **Informative 3**

Severn Trent Water advises that there is a public sewer within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. You may obtain copies of their current guidance notes and application form from either their website ([www.stwater.co.uk](http://www.stwater.co.uk)) or from the Build Team (telephone: 024 7771 6843/email: [building.over@severntrent.co.uk](mailto:building.over@severntrent.co.uk)).



**North  
Lincolnshire  
Council**

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**PA/2021/1869**

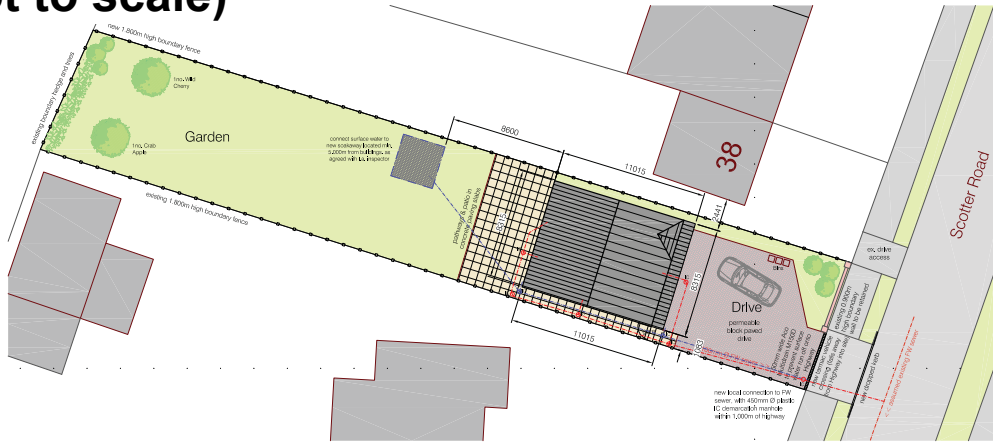
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# PA/2021/1869 Proposed layout (not to scale)



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Location Plan  
scale 1:1250



Proposed Site Layout  
scale 1:200

**NOTES:**

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications within these drawings or associated documents are to be notified to keystonearchitecture.

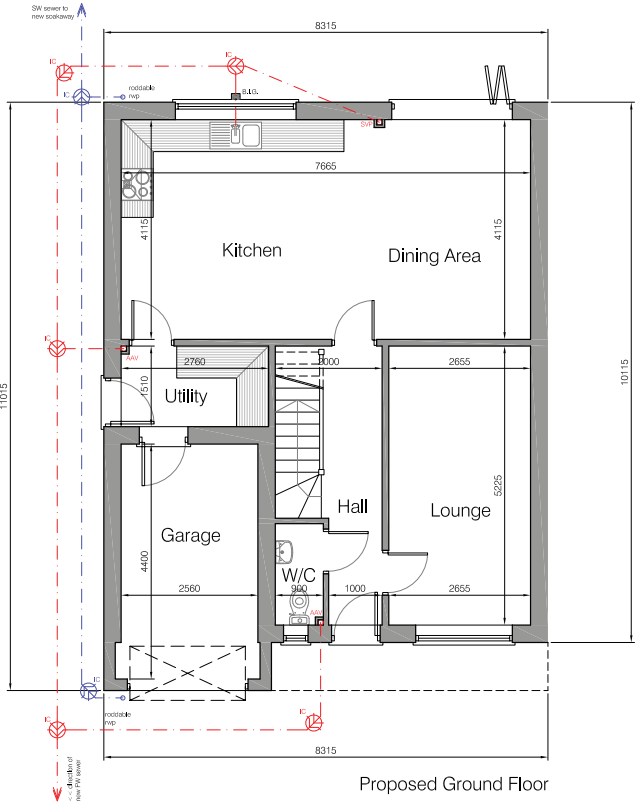
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All materials shall be fixed, installed or joined in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystone architecture.

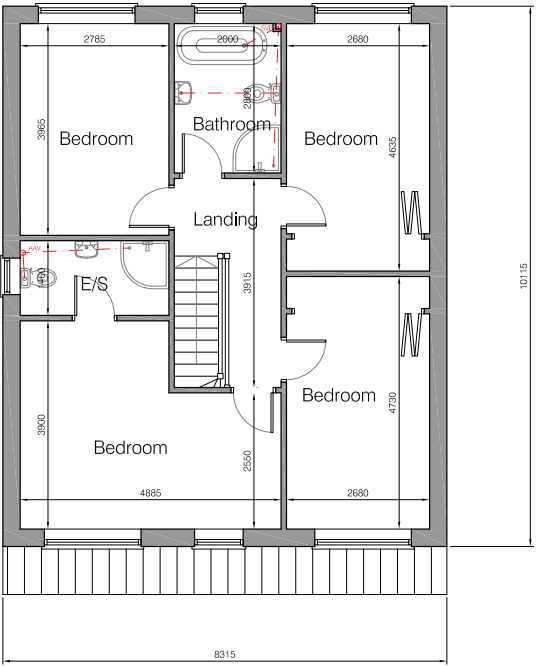
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A1



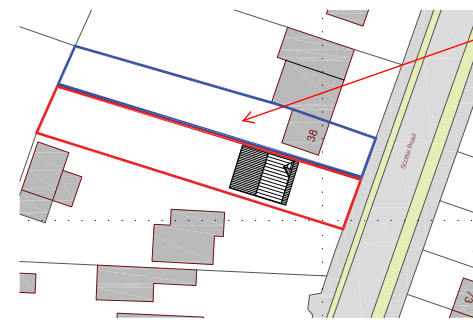
Proposed Ground Floor



Proposed First Floor

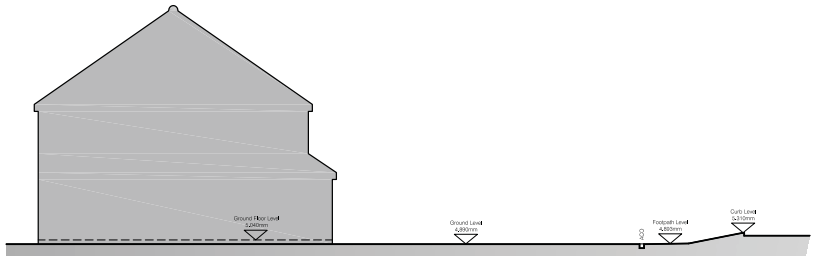


Existing Block Plan  
scale 1:500

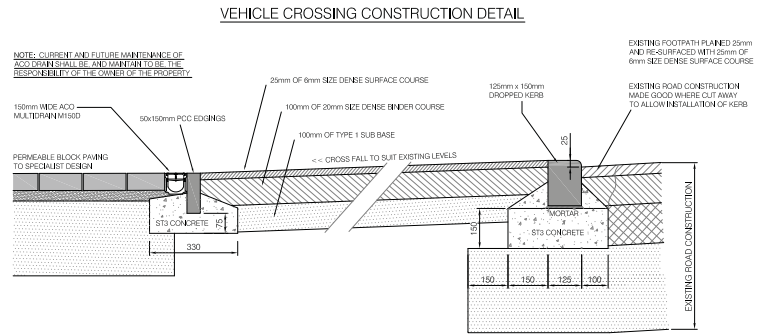


Proposed Block Plan  
scale 1:500

**Note the applicant owns the adjacent property (outlined in blue)**



Proposed Site Section  
scale 1:100



Rev.	amendment	date
D	App Draft Widened	10/02/22
C	Site and Footpath Sections Added	02/02/22
B	Swamp removed	20/10/21
A	Site Plan alterations	13/10/21

New Dwelling  
Scotter Road  
Souththorpe  
DN15 8DR

stage: Planning  
scale: 1:50 & as shown  
drawn by: JS

architect  
keystone architecture  
building consultants  
energy assessors  
project managers  
T: 01724 200 122  
www.keystonearchitect.co.uk  
info@keystonearchitect.co.uk

# PA/2021/1869 Proposed elevations (not to scale)

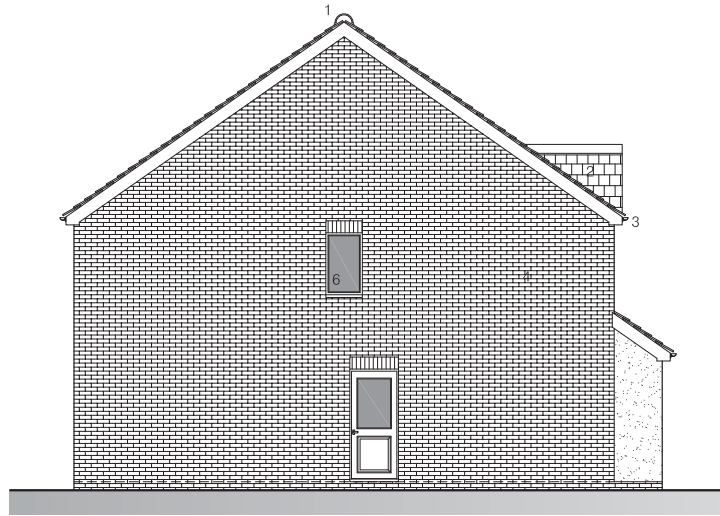
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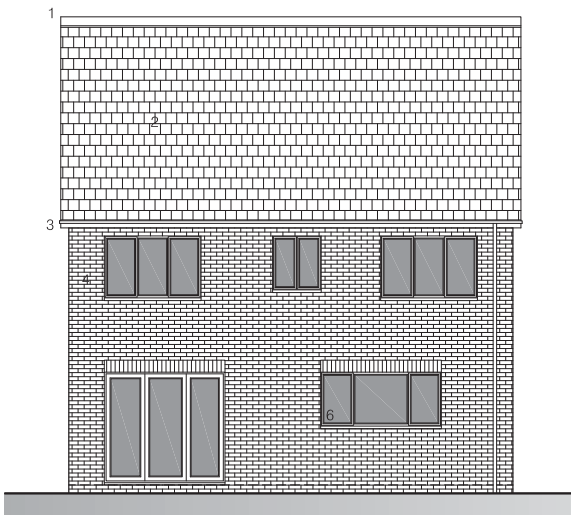
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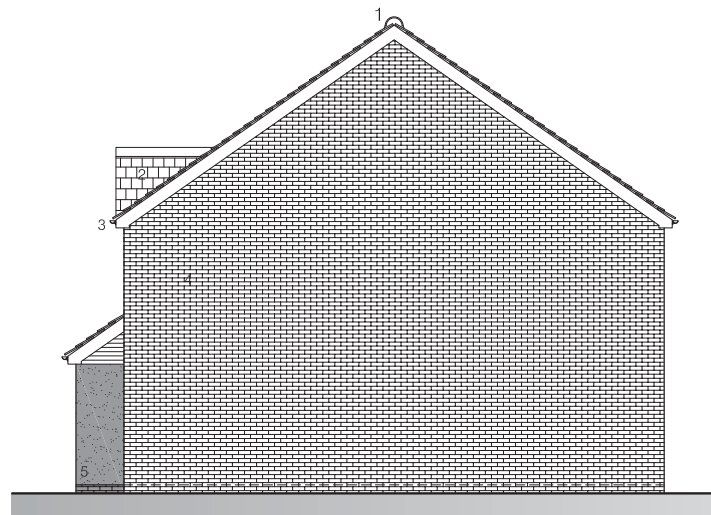
Proposed South - West Elevation



Proposed South - East Elevation



Proposed North - West Elevation



Proposed North - East Elevation

### Material Schedule:

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Ridge Tiles:</li> <li>2. Roof Tiles:</li> <li>3. Rainwater Goods:</li> <li>4. Brickwork:</li> <li>5. Render:</li> <li>6. Windows / Doors:</li> <li>7. Front Door:</li> <li>8. Garage Door:</li> </ol> | <p>grey concrete ridge tiles to match main roof<br/>                 grey <b>Marley Edgemere</b> concrete interlocking roof tiles<br/>                 black half round uPVC rainwater goods of white uPVC fascias and soffits<br/> <b>Forterra Abbey Blend</b> facing brickwork<br/>                 Off white self - coloured render<br/>                 new windows and doors in grey uPVC with brick soldier course head<br/>                 black composite<br/>                 GRP garage door in black</p> |
|---|--|

B	Sanitum removed			20/10/21
A	Garage door and window colour amended			13/10/21
rev	amendment			date
<b>New Dwelling</b>				
	Site	Proposed Elevations	dep. no.	1408/02 rev B
	Scotter Road	stage	Planning	drawn Oct 21
	Scarthope,	scale	1:50	drawn by JS
	DN15 8DR			