

<b>APPLICATION NO</b>	<b>PA/2010/1437</b>
<b>APPLICANT</b>	T G Sowerby Developments Ltd
<b>DEVELOPMENT</b>	Planning permission to erect 12 affordable dwellings
<b>LOCATION</b>	Land off Burton Road, Flixborough
<b>PARISH</b>	<b>FLIXBOROUGH</b>
<b>WARD</b>	Burton Stather and Winterton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Flixborough Parish Council Significant public interest

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** Policy H4 (Provision of Affordable Housing) applies.

**North Lincolnshire Local Plan:** Policy H8 (Housing Design and Housing Mix) – new residential development will be permitted provided that it:

- (i) respects and reflects the form, scale, massing, design and detailing, materials and nature of the local environment;
- (ii) incorporates a high standard of layout which maintains, and where possible improves, and enhances the character of the area;
- (iii) creates an appropriate mix of dwelling size and type.

Policy H13 (Exception Affordable Housing in Medium Growth Settlements and Minimum Growth Settlements) states that as an exception to other planning policies and where a proven local need exists, planning permission will be granted for affordable housing preferably inside development limits, but where this is not practical, immediately adjoining development limits where the council is satisfied that the need cannot be met in any other way and in accordance with the following criteria:

- (i) proof must be supplied of local housing need which cannot be met in any other way;
- (ii) the schemes should be small in scale, the maximum number of units must be a suitable size and type and must not exceed the identified local need requirement;
- (iii) the dwellings must always be secured by formal legal agreements to be allocated to those who are in local housing need;
- (iv) the dwellings must be shown to be available at a price which those identified as being in need can afford, and in all cases:

- new development should be planned to a high standard of design and landscaping to complement the character of the settlement;
- the proposals must, in all other respects, conform to normal planning and highway requirements;
- developments considered under this policy will only be granted planning permission provided that all dwellings are solely affordable housing units and no units are made available for general market housing;
- affordable exception sites must not be located within an industrial buffer area defined within policy IN6.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

Policy T2 (Access to Development) – all development must be provided with a satisfactory access.

Policy RD2 (Development in the Open Countryside) – development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is affordable housing to meet a proven local need.

## **CONSULTATIONS**

**Highways:** Advise conditions (9 to 18).

**Severn Trent Water Ltd:** Advise conditions regarding foul and surface water drainage.

**Environment Agency:** No comments.

**Anglian Water Developer Services:** Severn Trent provides wastewater services for Flixborough.

**NHS:** No objections.

**Humberside Police:** Comments regarding designing out crime/secured by design.

## **PARISH COUNCIL**

Object to the proposal on the following grounds:

- the road leading to the site is narrow
- general disturbance of the area to wildlife
- no amenities in village (only a public house and church)
- children's play area is at the far end of the village, remote from proposed site
- public transport service to the village is poor
- construction site traffic impact while under construction
- has Ferry Road, part of Flixborough parish, been considered?; also a vacant plot which was formally housing for Nypro workers on Stather Road?
- more information required on people supposed to want to live in the village as opposed to wanting to live in Flixborough parish

## **PUBLICITY**

Neighbouring properties have been notified by letter, and a site and press notice posted. A number of objection letters have been received, together with four letters of support. The following material issues have been raised:

### **Objections**

- access/transport problems – the road is narrow and close to a blind bend – dangerous access
- there are no amenities in the village apart from a public house and church
- is Flixborough village being confused with Flixborough parish?
- out of keeping with this part of the village (two-storey houses in an area of bungalows)
- other suitable sites, eg former Nypro housing on Stather Road
- stream providing surface water drainage not identified – will this stream be maintained?
- loss of wildlife/habitat destruction
- loss of privacy/overlooking
- outside the development boundary and therefore contrary to policy RD2
- questions raised over standard of Fordham Research

- need/necessity for affordable homes in the village
- poor public transport provision
- greenfield site
- ecological survey conducted at wrong time of the year
- antisocial behaviour
- concerns over sub-letting by private landlords
- increased risk of flooding
- a high percentage of homes in the village would be affordable if allowed
- would set a precedent to build housing on adjacent land
- tandem development
- contrary to policy H2 as there are no proposed housing sites in Flixborough
- unsuitable location
- fewer, larger properties would be more in keeping
- poor design
- poor drainage

### **Support**

- there is a need for affordable housing within the village
- it would be run by a housing association and therefore not sold to private landlords
- some people wanting affordable housing want to live in a village not a town
- not many affordable houses available at the moment
- young people who have lived in the village all their lives would be able to stay in the village

### **ASSESSMENT**

Planning permission has been submitted for the erection of 12 affordable dwellings on land off Burton Road, Flixborough. The site is currently agricultural land which lies outside the development boundary of Flixborough. The site is bounded by a variety of trees and hedges, with a large ash tree on the frontage. The development boundary runs along part of the southern boundary of the site and along the western boundary of the bungalows opposite. The site is therefore considered to be adjacent to the development boundary.

A mix of dwelling types is proposed with four detached two-bedroom bungalows, two detached three-bedroom houses, two three-bedroom semi-detached houses and four semi-detached two-bedroom houses. Most have good-sized gardens and all have off-road parking provision.

**The main issues in determining this application are whether the site is suitable in policy terms for affordable housing, and whether the scheme is acceptable in terms of impact on neighbours, highway safety and design.**

A large number of objections were received and a large number of issues raised. Many of these issues relate to the Fordham Research (Housing Needs Survey), confusion over Flixborough village and parish, needs/necessity etc. The council's Affordable Housing Officer has stated that North Lincolnshire Council commissioned Fordham Research to undertake a survey of every rural parish in North Lincolnshire in 2009, when there were 115 people from Flixborough Parish on the housing waiting list. Using the Government's methodology, 16 new homes are required in Flixborough each year, two for single person households (not elderly) and 14 households with children. He also states that the mix of property types proposed matches local needs and will help sustain the community, which is particularly important given the majority of the limited social housing provided in Flixborough by North Lincolnshire Homes is designated for older people rather than families. The council is therefore satisfied that the research was appropriately carried out and that there is a proven need for affordable homes in Flixborough parish. Although it is accepted that parts of Scunthorpe fall within the parish of Flixborough, this does not mean that all affordable housing for the parish should be located on the edge of Scunthorpe.

Objections have been raised relating to the access to the site, transport problems and general highway safety. Highways have been consulted and have stated that an adequate visibility splay can be achieved in either direction. Additionally, there are no recorded injury accidents in the area and, provided the frontage is cleared and graded correctly, the turning movements generated by the development are considered to be acceptable. Conditions have been advised to provide details of construction, lighting and drainage to be demonstrated to a suitable standard. Highways also advise that the proposed access road be constructed in accordance with the council's residential road design guide.

With regard to the quality of public transport, for the size and the location of the village, the public transport provision is considered to be acceptable and refusal on these grounds would not be justified.

Points have been raised which state that the proposal is contrary to local plan policies as it is outside the development boundary, on greenfield land, in an unsustainable location, there is a lack of amenities, it is not an allocated site and would set a precedent for similar development. As the proposal is solely for affordable housing, it is assessed against policy H13 which allows for affordable housing immediately adjoining development limits where a proven need exists, as an exception to other policies, subject to meeting certain criteria. It is considered that this application complies with policy H13 of the local plan and the principle of affordable housing in this location is acceptable.

Several issues have been raised relating to design, including overlooking, density and character. With regard to character, the properties fronting Burton Road are to be single-storey bungalows, to be in keeping with the existing bungalows which face onto this part of Burton Road. As the site is lower than the nearest adjacent bungalow and the properties closest to it are proposed to be bungalows, it is not considered that there will be any

overlooking or loss of privacy. Whilst it is accepted that the design of the properties is not modern or innovative, it does reflect the character of this part of Flixborough and is therefore considered acceptable. It should be noted that the proposal would not result in tandem development.

With regard to flooding, drainage and the stream, soakaways are to be used to drain surface water in accordance with details to be agreed by condition.

Concerns have been raised with regard to loss of wildlife, habitat destruction and the fact that the ecological survey has been conducted at an inappropriate time of year. The council's Environment Team have been consulted and have provided extensive comments on the proposed scheme. Conditions have been suggested regarding bat boxes and boxes for nesting birds, together with a detailed landscaping scheme. The Environment Team have raised concerns regarding the layout and design of the proposal in relation to the scarp slope/within the Lincolnshire Edge. However, conditions are suggested to ensure suitable materials are used within the development.

A number of objections relate to the proposal being for affordable housing, with issues such as the proportion of affordable to market housing within the village. There is no guidance which suggests an ideal proportion of affordable to market housing, however policy H8 encourages an appropriate mix of dwelling sizes and types. As the dwellings would be affordable in perpetuity and run by a housing association, private landlords will not be able to purchase and sub-let the properties. In terms of antisocial behaviour, this issue can occur in any type or tenure of housing.

With regard to internal consultees, the public open space co-ordinator has asked for an off-site commuted sum towards improving the play area. This is not considered to be appropriate due to the proposal being an exception site for affordable housing. The education department is not seeking educational contributions for the scheme as it is below the threshold and for affordable housing. A desk-top study has been submitted regarding potential contamination with which the Environmental Protection team are satisfied and, therefore, have no further comments to make.

Concerns have been raised regarding the impact of the proposed development on a mature ash tree to the front of the site. A tree survey has been submitted and the plans amended to show a 10 metre tree protection zone. This results in the bungalow on plot 1 being set back by 2 metres and the shared access and parking facilities being slightly amended to provide adequate protection zones to the ash tree.

**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 approved plans listed in schedule J1044 Drawing Issue Register received on 26 January 2011.

Reason

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

3.

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

Reason

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

4.

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

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

5.

No development shall take place until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before development is first brought into use.

Reason

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

6.

No development shall commence on the site until details of the arrangements for the affordable housing have been submitted to and agreed in writing by the local planning authority. Such details shall include:

- (i) arrangements to ensure that the dwellings remain available as affordable units both for initial and subsequent occupiers; and
- (ii) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the housing and the means by which such criteria will be enforced.

Reason

To ensure the provision of an appropriate level of affordable housing as part of the development in accordance with policy H13 of the North Lincolnshire Local Plan.

7.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of bat boxes or bat bricks to be placed within each dwelling and nest boxes for birds on four of the buildings. Once agreed the approved boxes/bricks shall be installed during construction or within three months of completion of the building works, and thereafter retained as such.

Reason

To safeguard the habitat of a protected wildlife species in accordance with policy LC5 of the North Lincolnshire Local Plan.

8.

No development shall commence until such time as details have been submitted to and approved in writing by the local planning authority of the means by which the proposed dwellings (excluding those defined as affordable housing) will comply with the provisions of the Code for Sustainable Homes as follows:

(a) 20% of properties shall meet Code Level 3; and

(b) 40% of properties shall meet Code Level 4.

Reason

To ensure the development complies with the requirements of PPS1 (Planning and Climate Change).

9.

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 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.

Reason

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

10.

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.

11.

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



Reason

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

12.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

13.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on 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.

14.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

15.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

16.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

17.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

18.

No development, whether permitted by the Town and Country Planning (Development Management Procedure) (England) Order 2010 or not, shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

19.

No development shall take place until details of how works are to be undertaken within root protection areas have been submitted to and approved in writing by the local planning authority. All works within these areas shall be undertaken by hand in accordance with the approved details.

Reason

In order to protect the existing trees on site.

## Application site showing position of proposed access



----- NLLP development boundary

Drawing Title: 2010/1437

OS Grid Ref: SE87091508

Drawn by: KC

Scale: 1:1250

Date: 24/01/2011



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