

**APPLICATION NO** PA/2013/1256

**APPLICANT** Mr C Muscroft

**DEVELOPMENT** Outline planning permission for residential development

**LOCATION** 7 Lakes Industrial Estate, Crowle Wharf, Ealand, Crowle

**PARISH** CROWLE

**WARD** Axholme North

**CASE OFFICER** Graeme Moore

**SUMMARY RECOMMENDATION** Refuse permission

**REASONS FOR REFERENCE TO COMMITTEE** Applicant request to address the committee

## **POLICIES**

**National Planning Policy Framework:** Paragraph 15 – At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or specific policies in this Framework indicate development should be restricted.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Paragraph 22 – Planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that

purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 55 – To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

**North Lincolnshire Local Plan:** Policies DS1 (General Requirements), H8 (Housing Design and Housing Mix) and RD5 (Alternative Uses for Industrial and Commercial Sites in Minimum Growth Settlements).

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Design Quality), CS7 (Overall Housing Provision), Policy CS8 (Spatial Distribution of Housing Sites), CS9 (Affordable Housing), CS19 (Flood Risk) and CS27 (Developer Obligations).

## CONSULTATIONS

**Highways:** Advise conditions to ensure satisfactory access to the adopted highway.

**Severn Trent Water Ltd:** No objections subject to conditions relating to surface water and foul drainage.

**Canal & River Trust:** No objections.

**Humberside Fire & Rescue:** No objections.

**Strategic Housing:** The applicant will have to enter into a Section 106 agreement to secure the provision of two affordable dwellings on site.

**Public Open Space:** The applicant will have to enter into a Section 106 agreement to secure the provision of £12,663.99 for the maintenance and upgrade of existing facilities in the area.

**Environment Team (HER):** No objections.

**Environment Health:** Advise the imposition of conditions in relation to contaminated land and noise impact assessment in relation to adjacent water sports activities, industrial processes, the railway line and road traffic.

**Environment Agency:** No objection as the site lies within Flood Zone 1.

## TOWN COUNCIL

Object to the proposal on the grounds that the site lies outside the development boundary for Crowle and Ealand, would lead to the loss of allocated industrial land and is out of character with the area.

## **PUBLICITY**

Neighbouring properties have been notified, and site and press notices posted.

One letter of support for the application has been received, stating that the use of the land for residential purposes would not be out of character with the area and would sit well next to the existing 7 Lakes Country Park development.

A petition has also been submitted with over 100 signatures stating their support for the development of the site for residential purposes.

## **ASSESSMENT**

Planning permission is sought for residential development on 0.8 hectares of land at the 7 Lakes Industrial Estate, Crowle Wharf, Ealand. The site is currently undeveloped land and is allocated in the North Lincolnshire Local Plan for industrial development; however no development has taken place on the land. Permission was granted in 1996 (2/1996/0110) for the erection of industrial units and infrastructure works, including roads (2/1996/0100), however only the latter permission was implemented with the construction of the roads and associated infrastructure. The applicant suggests 20 houses can be accommodated on the site, however all matters of detail are reserved for subsequent approval.

The site lies to the north of the railway line running from Cleethorpes to Doncaster, which in turn is adjacent to the Stainforth canal. To the west/north-west is the 7 Lakes Country Park development and to the east is the defined settlement of Ealand, albeit separated by the A161. The surrounding area is flat, with no discernable landscape features in the immediate vicinity of the site.

**The main issues to consider in the determination of this application are whether or not the principle of residential development outside the settlement boundary, on an allocated industrial site, is acceptable.**

The site in question lies next to the A161 which is the main route running from north to south through the Isle of Axholme. It is serviced by existing infrastructure and is located close to Crowle railway station. There is an established bus service with a stop next to the site, Crowle itself lies within 1km and Crowle Market Place lies within 2km. As an allocated industrial site, its use for other purposes is prohibited by policy RD5 unless it can be proven that there is no demand for industrial units in this area and its continued allocation for industrial purposes is preventing the land from being brought into a worthwhile use. Paragraph 22 of the National Planning Policy Framework (NPPF) is quite clear in this regard in that the use of sites should be regularly reviewed. The applicant has subsequently submitted information detailing the attempts to sell and/or develop the site over a number of years. The site has been reviewed yearly in the Employment Land Review and deemed suitable for employment land, and is also proposed to be allocated for industrial use in the latest stage of the Housing and Employment Land Allocations (HELA) Development Plan Document (DPD). It is considered, therefore, that the proposal does not comply with established planning policy as outlined in policy RD5 of the North Lincolnshire Local Plan.

However, the applicant has argued that the council does not have a five-year housing land supply. In the absence of an identified five-year housing land supply, in accordance with paragraph 47 of the NPPF, housing supply policies within the adopted development plan should be considered out-of-date or silent in that regard. The applicant has argued, using

the 'Sedgefield' method, that the council does not have a five-year housing land supply. Specifically, the applicant believes that the council only has 1.2 years of housing land supply. However, the council does not agree with the applicant's report as he has not taken into account sites that have been granted planning permission or existing committed sites.

Without a five-year housing land supply, alternative sites, including those not identified within the adopted development plan or within defined settlements, can be brought forward and determined in accordance with the policies contained within the NPPF. The key requirement in this regard is that sites brought forward are sustainable. Although the site is within walking distance of the outskirts of Crowle, which is 1km away, the site is located next to the settlement of Ealand. As part of the Core Strategy a Sustainable Settlement Survey was carried out: this ranked the settlements in accordance with the level of services that are provided. In the survey Ealand scored 87 and the nearby market town of Crowle scored 173; Scunthorpe, in comparison, scored 3,655. Services in Ealand are limited, for instance the only pub in the village has closed and there are no shops or community facilities such as a library or school. The site is within walking distance of Crowle train station, which benefits from hourly services to Sheffield via Doncaster, with some services travelling through to Manchester Airport, and there is a bus stop adjacent to the site with services running every two hours to Scunthorpe. The Sustainability Appraisal that was carried out as part of the Core Strategy noted the good transport links of the site, but considered that Ealand and the site itself is not a sustainable location for the development of a large residential development.

The applicant has not demonstrated that the site is sustainable in relation to its location, and it is considered that the proposal fails to comply with policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy in that the proposal lies outside a defined settlement and is located in what is classed as the open countryside. The applicant has not gone through a sequential assessment of sites available for development as supported in policies CS1 and CS2 of the Core Strategy which steers development to Scunthorpe, then to the market towns of Kirton-in-Lindsey, Crowle, Winterton, Brigg and Barton, before settlements such as Ealand. Development should only occur outside prescribed development limits where it is identified to meet local needs, such as affordable housing. The applicant has not demonstrated this in their submission; it is therefore considered that the proposal fails to comply with policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy.

Whilst a petition containing over 100 signatures has been submitted in support of the application, this is not considered to outweigh the harm that the development would cause to the open countryside nor the sustainability of the site.

It should be noted, however, that the applicant has stated that he is willing to comply with the Section 106 requirements requested by Strategic Housing for the provision of two affordable dwellings on the site and for the commuted sum of £12,663.99 for the upgrade and maintenance of existing public open space in Ealand.

The proposal is considered to be contrary to policy RD5 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS7 and CS8 of the North Lincolnshire Core Strategy and is therefore recommended for refusal.

**RECOMMENDATION      Refuse permission for the following reasons:**

1.

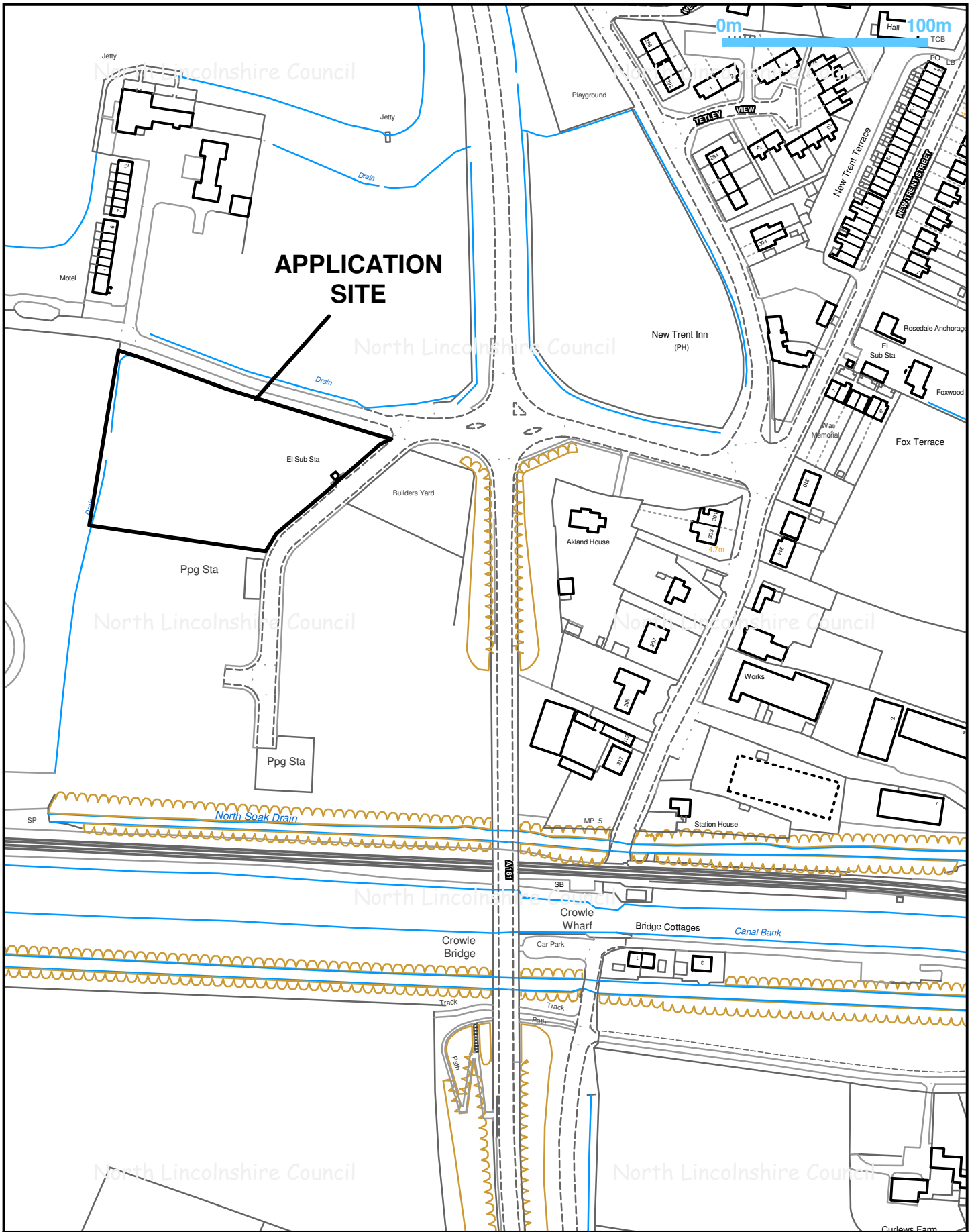
The proposal fails to comply with policies CS1, CS2 and CS3 of the North Lincolnshire Core Strategy in that the proposal lies outside a defined settlement and is not considered a sustainable location. The applicant has not supplied a satisfactory sequential assessment of sites available for housing development as supported in policies CS1 and CS2 of the Core Strategy which steers development to Scunthorpe, then to the market towns of Kirton-in-Lindsey, Crowle, Winterton, Brigg and Barton, before settlements such as Ealand.

2.

Insufficient evidence has been presented to demonstrate that the site is no longer required for employment uses. The proposal is therefore considered contrary to policy RD5 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.



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Drawn by: Sue Barden	Date: 26/11/2013		

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