

<b>APPLICATION NO</b>	<b>PA/2013/1388</b>
<b>APPLICANT</b>	North Lincolnshire Homes
<b>DEVELOPMENT</b>	Planning permission to erect 13 two-bedroom, three-person bungalows
<b>LOCATION</b>	Site of Hallcroft Close, Blackmoor Road, Haxey
<b>PARISH</b>	<b>HAXEY</b>
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Graeme Moore
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Eckhardt – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** 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) and H8 (Housing Design & Housing Mix).

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Design Quality) and CS9 (Affordable Housing).

## **CONSULTATIONS**

**Highways:** Advise conditions.

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

**Environment Team (Trees & Landscape):** No objections.

**Environment Team (Ecology & Biodiversity):** Advise conditions to secure biodiversity enhancements.

**Humberside Police:** No objections.

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

**Public Open Space:** No objections.

**Strategic Housing:** No objections as the application is for 100% affordable dwellings.

**Yorkshire Water:** No objection subject to the imposition of a condition restricting development within 3 metres of the water main.

**Environment Agency:** No objections.

## **PARISH COUNCIL**

No objections to the proposal, however would like to see the imposition of a condition restricting the occupation of the dwellings to people who reside in Haxey parish.

## **PUBLICITY**

Neighbouring properties have been notified, and site and press notices posted. One letter of comment has been received requesting that Hallcroft Road be widened.

## **ASSESSMENT**

Planning permission is sought for the erection of 13 two-bedroom bungalows on the cleared site bordering Hallcroft Close and Blackmoor Road, Haxey. The site was previously occupied by a series of linked one-bedroom bungalows, operated by North Lincolnshire Homes, which had come to the end of useful life and required extensive modifications to bring them up to modern standards. The decision to demolish the properties was taken in 2013, with the site cleared and the existing trees being retained on site. The site is surrounded by typical mid 1960s type former social housing, all being two-storey and semi-detached with modest front gardens.

**The main issue to consider in the determination of this application is whether or not a condition should be applied to any permission stipulating that the occupation of the dwellings should be restricted to those people who live within the parish of Haxey.**

The proposed re-development of the site will create 13 two-bedroom bungalows arranged in a courtyard setting, albeit the courtyard being taken up by private gardens, each with on plot car parking and secure bicycle and bin storage. The dwellings, being bungalows, do not give rise to any concerns of overlooking and/or loss of privacy, and the level of private amenity space afforded to the dwellings (at least 55 square metres per dwelling) is well within required limits. The design of the bungalows themselves provides a modern interpretation of a traditional bungalow, with areas of cladding to the front and side of the dwellings to help break up their façades. In line with the policy agreed in October 2009, a Building for Life audit has been carried out and a score of 10.5 has been provisionally scored, which is acceptable and may rise higher once the scheme is built.

Highways and the other statutory consultees have no objection to the proposal, subject to conditions, where applicable. Whilst the letter of comment has requested that Hallcroft Road be widened, this is not considered to be a determining matter for the application.

The only concern with the application is whether or not a condition should be applied to any permission stating that the occupation of the dwellings shall be limited to people who reside within the parish of Haxey or who have ties to it. Whilst conditions restricting the occupation of dwellings can be applied in instances of development in the countryside, the proposal to be determined lies within a defined sustainable settlement and it is therefore considered

that the imposition of a condition is not required. Furthermore, it is considered that a condition of this nature fails to comply with Circular 11/95 and the tests outlined within it. The development and its occupants can be adequately controlled via the Full Joint Allocations Policy which is a joint venture with North Lincolnshire Homes and all other Registered Social Landlords (RSLs) who operate in the authority and controls how and when dwellings are occupied, and which was adopted by the council on 10 January 2013. It is therefore considered that the imposition of a condition is not required, nor is it sufficient to justify a refusal based upon the omission of such a condition.

Therefore, in accordance with policies DS1 and H8 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3 and CS5 of the North Lincolnshire Core Strategy, the application is recommended for approval.

**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: 12817/011, 12817/012, 12817/013, 12817/014, 12817/015 and 12817/017.

Reason

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

3.

None of the dwellings shall be occupied until the sewage disposal/drainage works to serve these dwellings have been completed in accordance with the submitted plans.

Reason

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

4.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

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.

6.

Construction operations shall be limited to between the hours of:

8am to 6pm Monday to Friday; and

8am to 1pm on Saturdays;

with no construction operations taking place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase, neither shall any installation of equipment on site be permitted outside these hours, without prior written approval from the local planning authority.

Reason

To protect the amenity of surrounding residential dwellings, in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to bats or nesting birds during demolition and construction works;
- (b) details of wildlife friendly trees and shrubs to be planted;
- (c) details of bat boxes and nest boxes to be installed;
- (d) proposed timings for the above works in relation to the completion of each building.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

8.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant or their successor in title shall submit photographs of the installed bat box and nest box features, within two weeks of installation, as evidence of compliance with this condition.

Reason

To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

9.

Within 3 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.

10.

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.

11.

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.

12.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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.

13.

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.

14.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

15.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees on the site.

16.

No trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees without the previous written consent of the local planning authority. Any trees removed without such consent, or dying or being severely damaged, or becoming seriously diseased, shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

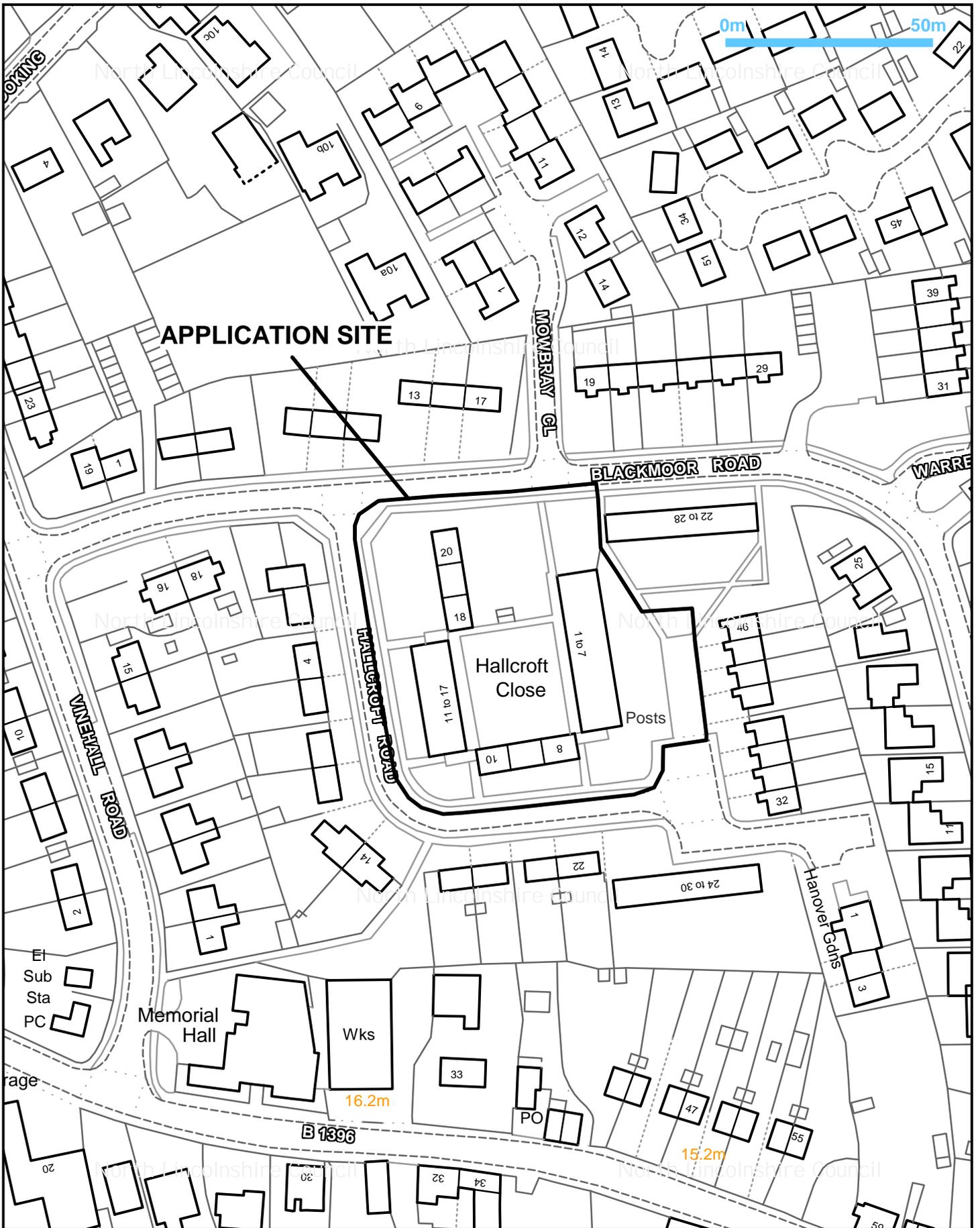
In order to protect the existing trees on the site.

## **Informatives**

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.
2. 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

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Scale 1:1250



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PA/2013/1388 Proposed Layout Plan Not to scale

