

APPLICATION NO	PA/2015/1393
APPLICANT	Mrs C Williams
DEVELOPMENT	Outline planning permission to erect a detached three-bedroomed dwelling with appearance, landscaping, layout and scale reserved for subsequent approval
LOCATION	Land adjacent to 5 Beck Lane, Bottesford, DN16 3SE
PARISH	Bottesford
WARD	Bottesford
CASE OFFICER	James Roberts
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Bottesford Town Council

POLICIES

National Planning Policy Framework:

Paragraph 14 – at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 35 – plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

Paragraph 37 – planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 49 – housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 – planning authorities should ensure that appropriate provision is made for affordable housing within their area via appropriate plan-making and decision-taking.

Paragraph 56 – good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

North Lincolnshire Local Plan:

Policy H8 – Housing Design and Housing Mix

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

Policy DS1 – General Requirements

Policy DS14 – Foul Sewage and Surface Water Drainage

Policy DS16 – Flood Risk

Policy LC12 – Protection of Trees, Woodland and Hedgerows

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing Sites

Policy CS9 – Affordable Housing

Policy CS19 – Flood Risk

Policy CS25 – Promoting Sustainable Transport

CONSULTATIONS

Environmental Health: Object on the grounds that insufficient information has been provided in relation to land contamination. Recommend conditions in the event that permission is granted.

Highways: No objections subject to conditions.

TOWN COUNCIL

Object on grounds of flood risk and harm to character/visual amenity.

PUBLICITY

Neighbouring properties have been notified. Two letters of objection have been received raising the following concerns:

- The proposal would harm views from neighbouring properties.

- The proposal would be out of keeping with the character of the area.
- The proposal may devalue neighbouring properties.
- The proposal would detract from vehicular/pedestrian safety.

ASSESSMENT

The application site comprises an area of undeveloped land located to the side of 5 Beck Lane, Bottesford. The site, which is roughly triangular in shape, is located close to the junction of Holme Hall Avenue and Manor Road. The site is located within the existing settlement boundary and covers an area of approximately 340 square metres. Surrounding uses are predominately residential with open land to the east. The site contains a mature tree to the front of the dwelling which is protected by a Tree Preservation Order.

Full planning permission is sought to erect a detached three-bedroomed dwelling with appearance, landscaping, layout and scale reserved for subsequent approval. The applicant has supplied an indicative block plan with the application which shows vehicular access to the front of the site with the dwelling positioned centrally within the site.

The main issues in the determination of this planning application are the principle of development, and its impact on the character and appearance of the area, highway safety, trees, flood risk/drainage infrastructure and residential amenity.

Principle of development

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 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

Emerging policies are capable of carrying weight in the determination of this application in accordance with paragraph 216 of the NPPF. The Housing and Employment Land and Allocations Development Plan Document (HELADPD) is an emerging document considered in the determination of this application.

The proposal seeks outline permission for residential development on a site which is unallocated in both the existing and emerging allocation documents. All matters are reserved with the exception of access.

The proposal would result in the development of greenfield land within the Scunthorpe settlement boundary. Current and emerging local policy makes it clear that Scunthorpe should accommodate the majority of new development, including housing.

It is acknowledged that the proposal represents development on greenfield land. However, neither national nor local policy precludes developments of this nature provided they are not harmful to the character of an area nor wider sustainability objectives. Subject to further consideration of matters relating to character, other material planning considerations, and

given the highly sustainable location of the site, it is considered that the scheme would be broadly compatible with the spatial objectives for new development within North Lincolnshire.

The broad principle of development is therefore considered acceptable.

Impact on character and appearance of the area

Outline planning permission is sought for one dwelling with all matters reserved (except access). Any future dwelling would be positioned to the side of 5 Beck Lane, Bottesford and would broadly reflect the linear pattern of development along this stretch of Beck Lane. Properties in the locality vary in terms of design although the majority feature traditional pitched roof designs. The surrounding area is not architecturally sensitive and, subject to any reserved matters application being sensitive to the typical design type (traditional pitched roof with primary openings to front and rear), it is considered that the scheme would not disrupt the prevailing character of development in the locality.

Furthermore, the proposal would result in a housing density of approximately 33 dwellings per hectare which is acceptable. Both the existing and proposed dwelling could be provided with adequate rear garden areas which would be appropriate to the type of dwelling proposed. It is therefore considered that the proposed dwelling could be accommodated within the site without resulting in a cramped form of development which would be detrimental to the character of the locality.

It is therefore considered that the proposed scheme would not have a harmful impact on the character of the site or locality and accords with policy and guidance in this regard. It is therefore considered that the proposed scheme would not have a detrimental impact on the character of the area and accords with policies DS1, CS5 and relevant guidance contained within the NPPF.

Highways

The site is located within the existing settlement boundaries and benefits from good access to public transport links and local services. It is therefore considered that the scheme would be located within a sustainable location.

The council's Highways team has offered no objections to the proposed development. The proposed access point (off Beck Lane) would not result in conflicts with other vehicular movements given that it would be towards the end of a cul-de-sac. Whilst it is accepted that the proposal would result in an increase in vehicular movements, it is not considered that the scale of the development would place unacceptable strain on the existing highway network.

Subject to the range of conditions suggested by the council's Highways Engineer it is considered that the scheme would not have an unacceptable impact on vehicular or pedestrian safety and sufficiently accords with policy in this regard.

Flood risk/impact on drainage

The application site is not located within an area known to be at risk of flooding according to current local and national flood risk maps. Furthermore, given the scale of the proposed development, it is considered that the scheme would not place excessive pressure on existing drainage infrastructure. It is therefore considered that the proposed development

can be satisfactorily drained without placing unacceptable strain on existing drainage infrastructure. Furthermore, the proposal would not be at unacceptable risk from flooding and would not give rise to an increase in flood risk in the locality.

Impact on residential amenity

Given the outline nature of the proposed development, little detail has been provided regarding the design of the proposed dwelling. However, it is considered that, subject to suitable design, a dwelling could be accommodated within the site without resulting in unacceptable harm to neighbouring living conditions; any future dwelling should feature primary openings to front and rear and the dwelling should follow the pattern of built form along the highway. Subject to such design considerations, combined with appropriate landscaping and boundary treatments, it is considered that the scheme would not have an unacceptable impact on neighbouring privacy or light levels.

The council's Environmental Health Officer has suggested that working hours during construction be controlled. Given the close proximity of the site to neighbouring dwellings, it is considered appropriate to attach a condition in this instance. Subject to such a condition, it is considered that an appropriate balance would be struck between the protection of residential amenity and the need to support appropriate housing development.

Trees

The site contains a mature sycamore tree to the front which is protected by a tree preservation order. The applicant has submitted a tree report with the application which recommends that certain steps be taken to ensure that the health of this tree is not adversely affected during the construction and occupation stages. The council's Tree Officer has confirmed that the submitted documentation has satisfactorily demonstrated that the proposed development could be accommodated within the site without harming the health of the tree. With this response in mind it is considered that the proposal would not have an unacceptable impact on the protected tree and sufficiently accords with policy LC12.

Contaminated land

The council's Environmental Health team has indicated that the proposal should be accompanied by further information relating to contaminated land risks. However, there is no evidence that the site contains contaminants and this matter can be adequately controlled via condition.

Conclusion

The proposed development would make a small contribution towards housing provision in the locality and would result in a sustainable form of development. Furthermore, the proposal would not have a harmful impact on the character of the area, would not result in unacceptable harm to vehicular or pedestrian safety, has adequately addressed flood risk and drainage issues, would not harm the protected tree within the site, and would not result in unacceptable harm to neighbouring living conditions.

It is therefore concluded that the proposal sufficiently accords with adopted planning policy and guidance.

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: CW/15/02B and LTS/16001/Williams dated February 2016.

Reason

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

6.
The proposed development shall at all times be carried out in full accordance with the Tree Protection Plan and Arboricultural Method Statement LTS/16001/Williams dated February 2016.

Reason

To ensure the work is carried out in a correct manner to protect the health of the tree and its contribution to the visual amenity and character of the local landscape.

7.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking facilities serving it have been completed in accordance with details to be submitted to and approved in writing beforehand with the local planning authority and, once provided, the vehicle parking facilities shall be retained.

Reason

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

8.

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.

9.

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.

10.

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.

11.

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.

12.

Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

In the interests of residential amenity and to accord with policy DS1 of the adopted Local Plan.

13.

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.

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.

PA/2015/1393 Proposed Block Plan - Not to scale

