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| APPLICATION NO | PA/2011/0735 |
| APPLICANT | Mr J Mason |
| DEVELOPMENT | Outline planning permission to erect a detached dwelling and garage (resubmission of PA/2011/0399) |
| LOCATION | The Tustings, 120 North Street, Winterton |
| PARISH | WINTERTON |
| WARD | Burton Stather and Winterton |
| SUMMARY RECOMMENDATION | Refuse permission |
| REASONS FOR REFERENCE TO COMMITTEE | Applicant request to address the committee |

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy H8 (Housing Design and Housing Mix) requires new residential development to respect and reflect the form, scale, massing, design and detailing of the local environment; have a high standard of design and layout; protect existing natural and built features that contribute to the amenity of the area; prioritise the needs of pedestrian movement, taking into account safety, health and the security of residents; and provide residents with a sense of identity and an appropriate mix of dwelling size and types.

Policy RD2 (Development in the Open Countryside) only allows proposals for development in the open countryside which are essential to the efficient operation of agriculture or forestry; employment-related development related to the open countryside; affordable housing; outdoor sport or countryside recreation provision; re-use and adaptation of existing rural buildings; farm diversification; replacement, alteration or extension of existing dwellings; or essential for the provision of roadside or utility services; provided that the open countryside is the only appropriate location and development cannot be accommodated within defined development boundaries; the proposal accords with other specific requirements of this chapter of the local plan; it would not be detrimental to the character or appearance of the open countryside or nearby settlement in terms of siting, scale, massing, design or materials; it would not adversely affect residential amenity or highway safety; the proposal must be capable of being served by public transport; and make the best use of existing and new landscaping.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) states that the spatial vision and future development requirements will be delivered through the spatial strategy for North Lincolnshire as outlined below:

- (a) delivering an urban renaissance in Scunthorpe and supporting its role as a major sub-regional town

- (b) supporting the market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire
- (c) supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism
- (d) supporting the development of key strategic employment sites at the South Humber Bank, Humberside Airport and Sandtoft Airfield
- (e) supporting the protection and enhancement of North Lincolnshire's world class natural and built environment to ensure the continued attractiveness of the area as a place to live, work and visit.

All future growth, regardless of location, should contribute to sustainable development, in particular in respect of those criteria set out in policy C2 as well as the other policies of the plan.

Policy CS2 (Delivering More Sustainable Development) states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted. Development should be focused on:

- (1) 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;
- (2) previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs;
- (3) small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside defined development limits will be restricted and only development essential to the functioning of the countryside will be allowed. A sequential approach will also be applied to ensure that development is, where possible, directed to areas that have the lowest possibility of flooding.

Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport
- be located where it can make the best use of existing transport infrastructure and capacity
- where large freight movements are involved the use of rail and water transport should be maximised

- contribute towards to the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development
- to be constructed and operated using a minimum amount of non-renewable resources including increasing the use of renewable energy in construction and operation
- take account of local environmental capacity and to improve air, water and soil quality and minimise the risk and hazards associated with flooding
- be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.

Policy CS8 (Spatial Distribution of Housing sites) states that the principal focus for housing is previously developed land and buildings within the development limits of Scunthorpe followed by a greenfield urban extension to the west of the town. The market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton are also expected to accommodate 18% of new housing development. In rural settlements in the countryside and in the open countryside outside development limits, housing development will be strictly limited to development which relates to agriculture, forestry or to meet a special need associated with the countryside. The first priority is to re-use previously developed land and buildings within North Lincolnshire's built-up areas. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built-up areas. Development on greenfield sites will only be allowed where it can be demonstrated that this will bring additional community benefits, contribute to building sustainable communities and is acceptable in terms of its impact on the quality of the urban space and adjoining countryside. Flood risk will also be taken into account, as this will be a determining factor in the distribution and location of housing.

CONSULTATIONS

Highways: Advise conditions.

Severn Trent Water Ltd: No objections.

TOWN COUNCIL

No response received.

PUBLICITY

Neighbouring properties have been notified. No representations have been received.

ASSESSMENT

Outline planning permission is sought for a detached dwelling next to The Tustings, 120 North Street, Winterton. All matters are reserved for subsequent approval, so there is little information in relation to the scale and massing of the proposed new dwelling, other than it is to be smaller than the existing dwelling known as The Tustings.

The main issues to consider in the determination of this application are whether or not the proposed new dwelling is contrary to the local plan and adopted core strategy and whether or not the proposal can be considered as a departure due to the current health of the applicants.

As the proposal is outside the development boundary, the most relevant policy is RD2 of the North Lincolnshire Local Plan. Policy RD2 of the local plan is supportive of new dwellings in the open countryside only if they are for essential agriculture or forestry workers. The applicants have not put forward a justification for a new dwelling on the grounds of there being a need for an essential agriculture or forestry worker, therefore it is considered that the proposal is contrary to policy RD2.

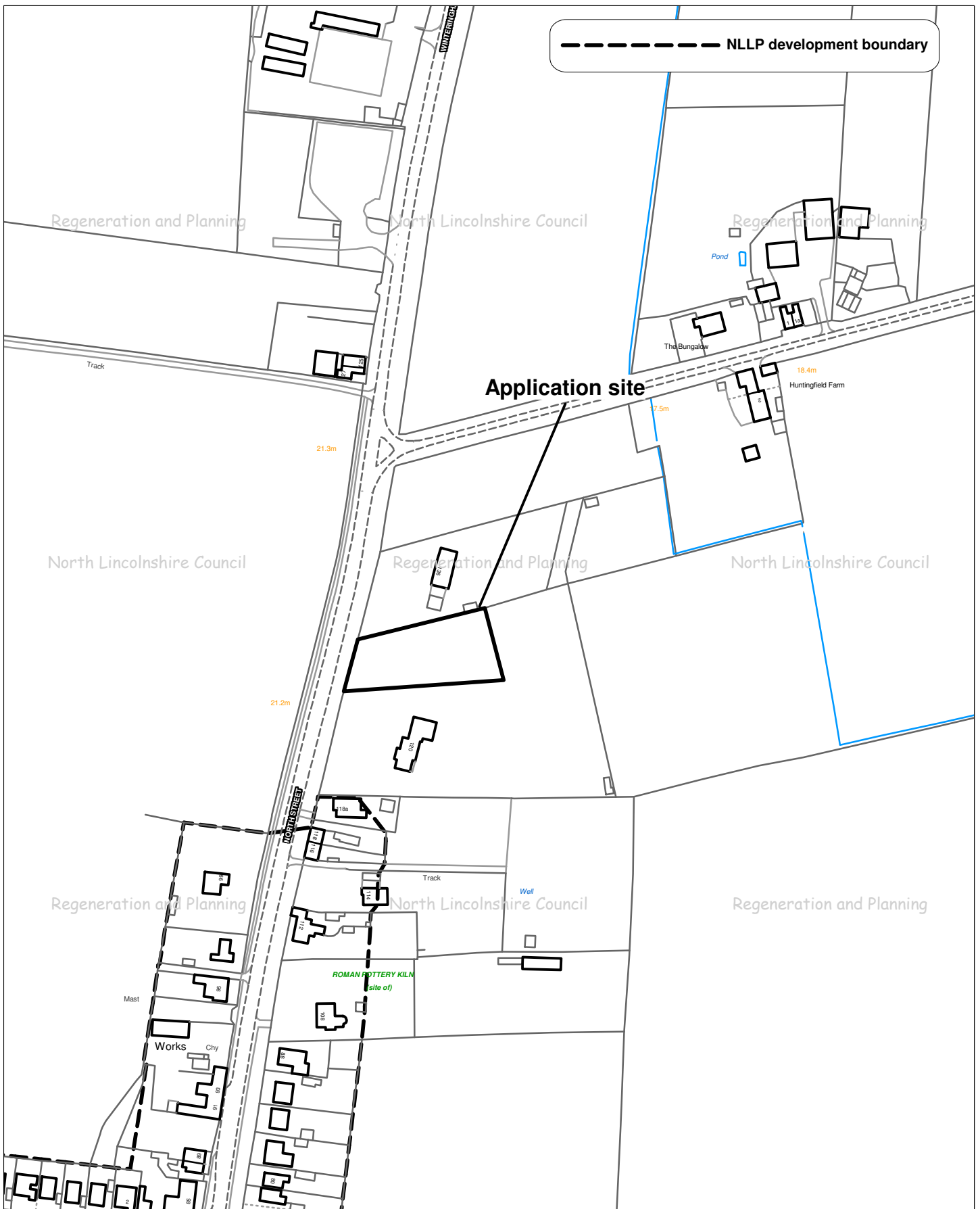
Furthermore, the proposal fails to comply with criterion 2 of policy CS1 of the adopted core strategy in that, as a greenfield location, it does not meet 'identified' local needs, rather the needs of the applicants. It is also considered that the proposal fails to comply with policy CS2 of the core strategy. With regard to policy CS8, there is no justification to depart from this policy as the proposal fails to demonstrate that it will bring additional community benefits, contribute to building sustainable communities or is acceptable in terms of its impact on the quality of the urban space and adjoining countryside.

The applicants have attached a short statement and a letter of support from their GP, but there is no information in these that is persuasive enough to consider a departure from policy. Indeed, before allowing a new dwelling to be constructed in the open countryside (even for their own needs) the applicants should first consider whether or not there are any suitable properties and/or land within the defined development limit of Winterton that could be developed first – a process which is endorsed within the core strategy. The argument that there would be a community benefit through extra council tax revenue is a misnomer as the applicants could easily purchase a property that is currently for sale and that would also generate council tax income for the authority.

In conclusion, the proposal fails to comply with policy RD2 of the North Lincolnshire Local Plan and policies CS1, CS2 and CS8 of the North Lincolnshire Core Strategy. As the proposal has failed to take into account a sequential approach to site selection and has identified the site on the basis of ease and availability, there is no special justification to depart from established planning policy, and the proposal is recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

The proposed new dwelling is located in the open countryside and is not identified for an essential agriculture or forestry worker, nor have the applicants demonstrated that there is special justification to depart from established policy. Furthermore, the applicants have failed to demonstrate a sequential approach to site selection and whether or not they have identified any existing housing stock that can meet their requirements. The proposal is therefore contrary to policy RD2 of the North Lincolnshire Local Plan and policies CS1, CS2 and CS8 of the North Lincolnshire Core Strategy.



----- NLLP development boundary


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 NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

 Head,

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