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| <b>APPLICATION NO</b>                     | <b>PA/2014/0316</b>   |
| <b>APPLICANT</b>                          | Mr R Mills  |
| <b>DEVELOPMENT</b>                        | Planning permission to erect a detached dwelling house (resubmission of PA/2014/0022) |
| <b>LOCATION</b>                           | Land adjacent 35 New Trent Street, Ealand   |
| <b>PARISH</b>                             | <b>CROWLE</b>   |
| <b>WARD</b>                               | Axholme North   |
| <b>CASE OFFICER</b>                       | Nicholas Lawrence   |
| <b>SUMMARY RECOMMENDATION</b>             | <b>Refuse permission</b>  |
| <b>REASONS FOR REFERENCE TO COMMITTEE</b> | Agent request to address the committee  |

## **POLICIES**

### **North Lincolnshire Local Plan:**

Policy DS1 (General Requirements) sets out criteria against which all proposals will be considered and includes references to quality of design, amenity, conservation, resources and utilities in the development and use of land.

Policy H8 (Housing Design and Mix) sets out a number of factors that new residential development should incorporate. The policy aims for residential development proposals to take account of the surrounding environment and reflect the need for good design which should complement the area.

Policy DS16 (Flood Risk) requires that new development should not be at risk from flooding.

### **North Lincolnshire Core Strategy:**

Spatial Objective 3 (Delivering Better Homes) – to provide a sufficient quantity and range of good quality homes that are well designed, affordable, sustainable, located close to everyday services and meet the needs of North Lincolnshire's people.

Policy CS2 (Delivering More Sustainable Development) – proposals should comply with sustainable development principles, which includes being designed to a high standard.

Policy CS3 (Development Limits) seeks to ensure that development occurs in sustainable locations.

Policy CS5 (Delivering Quality Design in North Lincolnshire) requires all new development to be of a high quality and appropriate to its context.

Policy CS8 (Spatial Distribution of Housing Sites) – the purpose of this policy is to set out the spatial distribution of housing in North Lincolnshire in the most sustainable locations.

Policy CS19 (Flood Risk) – the objective of this policy is to safeguard people and property from the risks of flooding.

**National Planning Policy Framework (NPPF):** Core Planning Principles that are to underpin decision-taking and include in part: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas; and encourage the effective use of land by re-using land that has been previously developed.

Section 6 – Delivering a Wide Choice of Quality Homes

Section 7 – Requiring Good Design

Section 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

**National Planning Practice Guidance (NPPG):** Sections on Design, and Flood Risk and Coastal Change

## **CONSULTATIONS**

**Highways:** No objection subject to conditions (HC8, HC11, HC13 and HC15).

**Environment Agency:** No objection to the application.

## **TOWN COUNCIL**

The town council raised strong objections on the following grounds:

- over-development of the site
- change of use from garden to residential
- not in keeping with surroundings, inappropriate development
- massive impact on surrounding dwellings.

## **PUBLICITY**

Neighbouring properties have been notified and six letters of objection have been received addressing the following material issues:

- even more hideous than before
- loss of amenity
- out of character
- insufficient width to support a dwelling
- boxy and lacking character

- spoil the look of the chapel
- enough housing in Ealand
- access cause traffic issues.

## **ASSESSMENT**

### **Application site**

The application site comprises a rectangular-shaped parcel of land on an east-west axis totalling some 261 square metres in area. The subject land has a frontage width of 5.8 metres onto New Trent Street, with a depth of some 45 metres. The application site is bounded to the north by open land leading to the Methodist chapel and to the east, south and west by residential development.

The character of the area is predominately residential and to the south this is marked by semi-detached properties with an average plot width of 8 metres, a pattern that is repeated to the east of the application site, whereas the dwellings to the west of the application site are detached, set within sizeable front and rear gardens. The location plan submitted with the planning application does not provide an accurate record of the surrounding residential development.

The application site is within the defined settlement boundary for Ealand as shown on Inset Plan 14 of the adopted local plan. The site is also within Flood Zone 2/3a of the North Lincolnshire Strategic Flood Risk Assessment (SFRA).

The agent states in support of the proposed development, within the Design and Access Statement, that the site does have permission for a large workshop building. Whilst permission was granted for the described development, this expired in August 2013, some seven months before the current application was submitted.

### **Planning history**

Planning permission was sought by the same applicant for the erection of a two-storey house on the application site (PA/2013/0022). The proposed dwelling had a footprint of 11.9 metres by 4.23 metres, with the rear element of the dwelling protruding some 3 metres beyond the rear wall of 35 New Trent Street (ie the adjoining property).

The application was refused on 28 February 2014 for the following reasons:

1.

*The proposed development, by reason of its form, mass, siting and design, would be inappropriate for the application site and would affect the amenity afforded neighbouring properties. As such the proposal is contrary to policies DS1 and H8 of the North Lincolnshire Local Plan, policies CS2 and CS5 of the North Lincolnshire Core Strategy, and guidance set within the National Planning Policy Framework.*

2.

*The proposed site is located within flood zone 2/3a as shown within the Strategic Flood Risk Assessment (SFRA) for North Lincolnshire. Proposals for residential development within this area will only be allowed where they comply with the sequential and exceptions test, as shown in paragraphs 100 to 102 of the National Planning Policy Framework and*

*policy CS19 of the North Lincolnshire Core Strategy. No details have been submitted to comply with the requirement therefore, the proposal fails to address the aforementioned national and local policies.*

### **Proposed development**

Planning permission is sought for the erection of a single-storey dwelling comprising a kitchen/living area, hall, bathroom and one bedroom.

In terms of form, the proposed dwelling measures 11.60 metres by 4.10 metres, compared to the earlier dwelling which had a depth of 11.90 metres and width of 4.23 metres, and would be within 0.2 metre of the boundary with 35 New Trent Street. In terms of its relationship with 35 New Trent Street, the front of the dwelling is in line with the front of number 35. However, the Drawing Alternative Roof Profile shows that the dwelling protrudes 1 metre beyond the rear of number 35, whereas the Block Plan and Site Plan show a protrusion of 2.7 metres. It is the latter figure which is considered to be correct and no reliance should be placed upon any aspect of the Alternative Roof Profile Drawing.

On the matter of design, it is proposed that the entrance to the dwelling will be via the east elevation and consequently the dwelling will present 'gable on' to New Trent Street and appear as a building with a striking narrow vertical emphasis dominated by a single window. Due to the constrained width of the application site and the disposition of the living accommodation, coupled with the proximity of 35 New Trent Street, all window openings are to the north, south and east elevations of the proposed development. The western elevation will appear as a blank wall to 35 New Trent Street, a distance of 3.7 metres. The roof, although adopting a pitch design, is stepped upwards to the rear of the proposed dwelling.

### **Principle of the development**

Core strategy policy CS2 adopts a sequential approach to delivering the development objectives within North Lincolnshire. With regard to Ealand, the Core Strategy will allow small-scale developments to meet local identified needs; whereas Core Strategy policy CS3 seeks to restrict development, including residential, within defined settlement boundaries subject to a number of considerations that incorporate the character of a settlement and sustainability. These broad requirements are set out within the NPPF.

In this instance the application site is within the identified settlement boundary in a settlement that is deemed to be sustainable or can improve its level of connective sustainability. In principle the development is acceptable, albeit the applicant has not identified a local need.

### **Character of the area**

The character of the application site is one of dwellings that front onto the local highway network within a common plot size and arrangement. The dwellings are read as being part of the street (eg front doors to the road) and are clearly legible. The NPPF and the NPPG note that in promoting a development there should be a full assessment of character.

In this case the dwelling would appear as being crammed into a site that is inappropriate for the proposed development form. It is accepted that not all dwellings have front doors facing the highway which tends to occur where a dwelling is at a road junction. This arrangement does not arise in this case and it is considered that the form, design and disposition of the

dwelling is out of character with the area and as such it is contrary to the policies of the local plan, core strategy and guidance within the NPPF.

Character of the area also embraces design as they are inexplicably linked. In this regard the stepped form would appear as a discordant feature and, coupled with the restricted size of the plot and form of the building, the scheme does not represent good design, which is a constituent element of securing sustainable development. The agent has expressed the view that the purpose of the stepped roof is to break up the effect of one long roof slope, thus giving the building more visual interest. He also draws the decision-takers eye to a site at Outgate. It is considered that the stepped ridge line detracts from what is a simple roof form and, with regard to the site at Outgate, the ridge is seen as a single line, is a building with accommodation across two floors and is of a comparable height to surrounding dwellings, none of which are applicable in this case. Therefore no weight should be attributed to the site at Outgate in the decision-taking process.

### **Amenity**

On the matter of amenity, it is considered, due to the proximity of the proposed dwelling to 35 New Trent Street, that the proposal would adversely affect the amenity afforded the residents of number 35 and would therefore be contrary to the relevant policies of the local plan and core strategy.

### **Flood risk**

Whilst the Environment Agency (EA) has not objected to the scheme on the basis of the submitted Flood Risk Assessment, as noted above, the site is within Flood Zone 2/3a of the SFRA and there is a requirement of the applicant to address this matter, independent of the role of the EA in the determination process.

The NPPF looks to direct development away from areas of highest risk from flooding and dwellings should only be permitted in Flood Zone 3a where both the sequential and exception tests of the NPPF are passed. The applicant has not set out grounds as to how the sequential test is met or convincing evidence that the development would provide wider sustainability benefits to the community that outweigh flood risk (ie the sequential and exception test).

The submitted exceptions test notes that more vulnerable uses (eg residential development) may be permitted if all three conditions of the exceptions test are met (ie development is safe from flooding; site must be previously developed land; and provides wider sustainability benefits to the community). With regard to the first condition, the applicant proposes to raise the building approximately 0.4 metre above the ground level.

On the second condition, the application does not constitute previously developed land. With regard to the third condition the applicant has not demonstrated in any evidence based form that the scheme provides wider sustainability benefits to the community.

Therefore the proposal does not meet all the conditions of the exceptions test.

### **Other matters**

Whilst a number of the matters raised in response to the publicity have been addressed above, there are other issues to consider. With regard to the effect upon the Methodist chapel, this building is not listed or in a conservation area and, allowing for the distance

between the proposed dwelling and the chapel, it is considered that its setting would not be adversely affected. Turning to other issues, the highways department is of the view that there are no highway safety issues connected with the proposed development.

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

1.

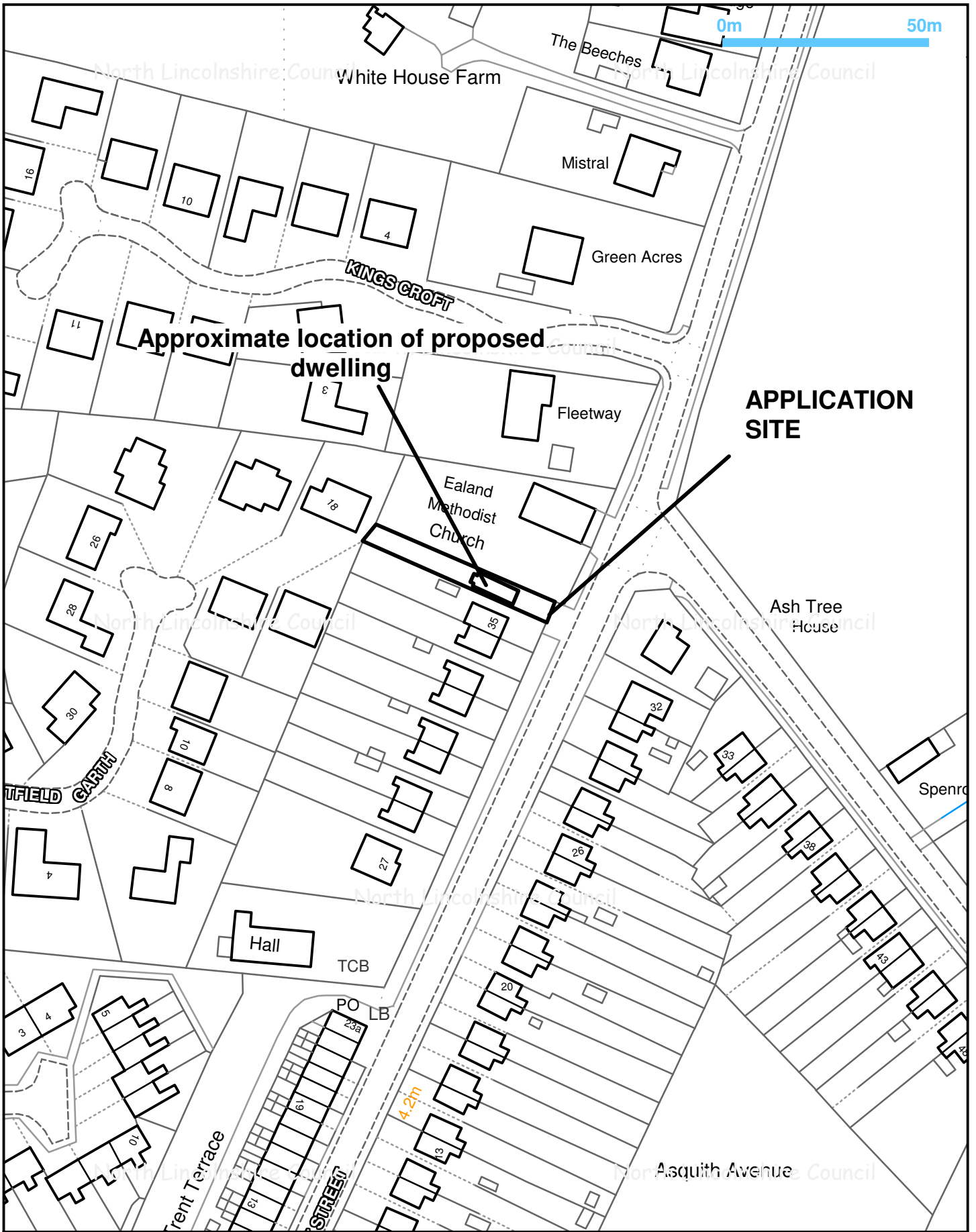
The proposed development, by reason of its form, mass, siting and design, would be inappropriate for the application site and would affect the amenity afforded neighbouring properties. As such the proposal is contrary to policies DS1 and H8 of the North Lincolnshire Local Plan, policies CS2 and CS5 of the North Lincolnshire Core Strategy, and guidance set within the National Planning Policy Framework and National Planning Practice Guidance.

2.

The proposed site is located within flood zone 2/3a as shown within the Strategic Flood Risk Assessment (SFRA) for North Lincolnshire. Proposals for residential development within this area will only be allowed where they comply with the sequential and exceptions test, as shown in paragraphs 100 to 102 of the National Planning Policy Framework, policy CS19 of the North Lincolnshire Core Strategy, and policy DS16 of the North Lincolnshire Local Plan. No details have been submitted to comply with the requirement, therefore the proposal fails to address the aforementioned national and local policies.

**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.



Title: PA/2014/0316

Drawn by: Sue Barden

Date: 20/05/2014

Scale 1:1250

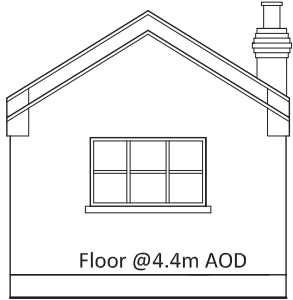
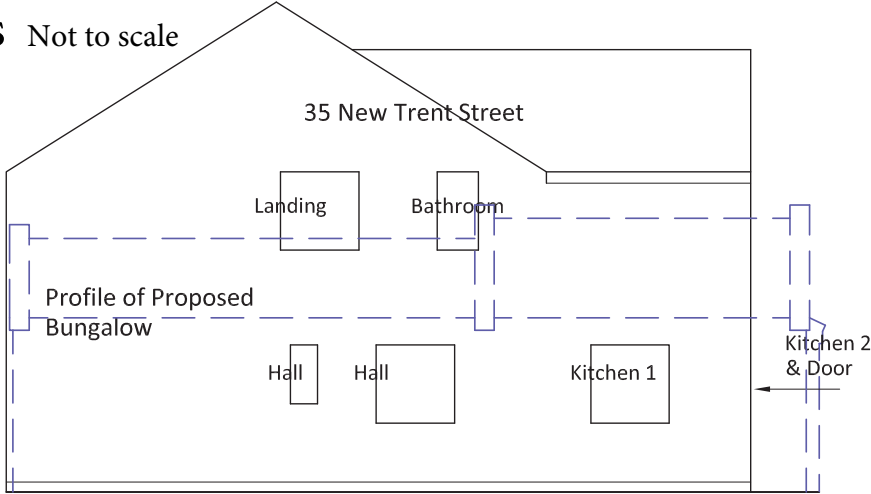


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Ordnance Survey 0100023560



**Director of Places**  
**Peter Williams**  
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PA/2014/0316 Elevations Not to scale



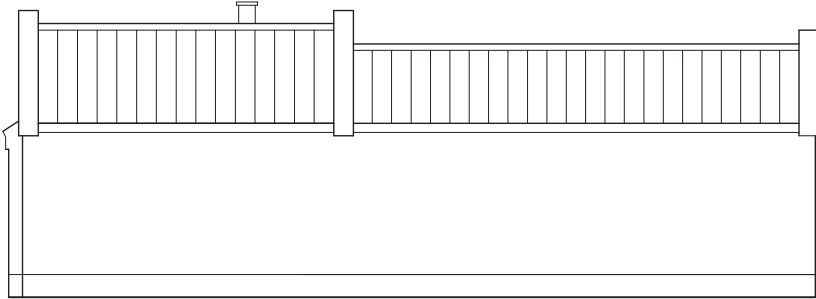
FRONT ELEVATION



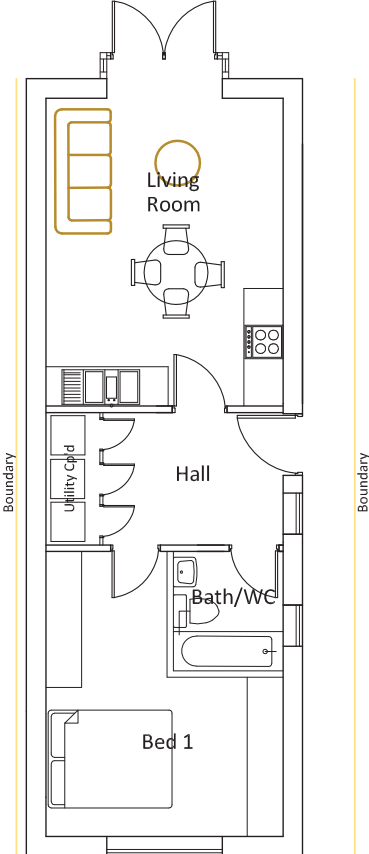
RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



FLOOR PLAN



PA/2014/0316 Block Plan Not to scale

Jubilee  
Methodist  
Church

BM 4.14m

Lawned area

1.8m fence

1.8m fence

Approved PA/2010/0696

Site Level 4.0m AOD

SUDS compliant  
surface

35

et

