

<b>APPLICATION NO</b>	<b>PA/2014/0632</b>
<b>APPLICANT</b>	Mr P Couch
<b>DEVELOPMENT</b>	Outline planning permission for residential development (all matters reserved for subsequent approval)
<b>LOCATION</b>	Plot adjacent to 103 Westgate Road, Westgate, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Agent request to address the committee

## **POLICIES**

**National Planning Policy Framework (NPPF):** Paragraph 14 states that 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 of Core Planning Principle 4 states that 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. At paragraph 37 it states that 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 of Core Planning Principle 6 states that 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 64 of Core Planning Principle 7 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraphs 15, 47, 50, 55, 56, 60, 61 and 99 to 103 also apply.

**North Lincolnshire Local Plan:** Policy T2 (Access to Development) states that all development must be provided with a satisfactory access. In larger developments it should be served adequately by the existing highway network.

Policy DS1 (General Requirements) states that a high standard of design is expected in all

developments in the countryside. The proposal shouldn't result in unacceptable loss of amenity to neighbouring land uses through noise, smell, fumes, dust or other nuisance or through the effects of overlooking and overshadowing.

Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is employment-related development appropriate to the open countryside, provided that the development would not be detrimental to residential amenity or highway safety.

H8 (Housing Design and Housing Mix) states that new residential development will be permitted provided that it respects and reflects the form, scale, massing, design and detailing, materials and nature of the local environment and incorporates a high standard of layout which maintains and where possible improves and enhances the character of the area.

Policy DS16 (Flood Risk) states that development will not be permitted within floodplain where it would increase the number of people or buildings at risk, impede the flow of floodwater and increase the risk of flooding elsewhere.

Policies DS3, H10, T1, T6, T9 and T19 also apply.

**North Lincolnshire Core Strategy:** Policy CS2 (Delivering More Sustainable Development) states that a sequential approach to future development needs will be adopted. Where development takes place outside the defined development limits of settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place.

Policy CS8 (Spatial Distribution of Housing Sites) states that in rural settlements, in the countryside, outside of development limits, housing development will be strictly limited. Consideration will be given to development, which relates to agriculture, forestry or to meet a special need associated with the countryside. Any development should not have an adverse impact on the environment or landscape.

Policies CS1, CS3, CS5, CS7, CS18, CS19 and CS25 also apply.

## **CONSULTATIONS**

**Highways:** Recommend conditions in relation to vehicle access and turning spaces, improvements to the existing access, method of preventing surface water run-off onto the highway, no loose material within 10m of the highway, no boundary treatment above a height of 1.05 within 2m of the highway and the setting out and completion of vehicular access, turning and parking spaces.

**Severn Trent Water Ltd:** No objections or comments.

**Yorkshire Water:** No comments.

**Environment Agency:** The flood risk assessment confirms that the site is within flood zones 2 and 3a of the Strategic Flood Risk Assessment, however the land level is significantly above the critical flood level established for this area. No objection to the proposed development.

**Environmental Health:** Recommend a condition limiting hours of construction operations.

**Anglian Water Developer Services:** No response received.

## **PARISH COUNCIL**

No objection.

## **PUBLICITY**

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

## **ASSESSMENT**

The application site consists of an agricultural field located between 103 Westgate Road and Church View Lodge. It has a dropped kerb access from Westgate Road along its northern boundary and is partly enclosed by a low hedge along the same boundary. It is flanked by a detached bungalow to either side and is located outside the settlement boundary for Belton, on land classed as open countryside. The site is located within flood zone 2/3a of the Strategic Flood Risk Assessment and has a drainage ditch running along the eastern boundary. This application seeks outline planning permission with all matters reserved for subsequent consideration.

**The main issues in the determination of this planning application are the principle of development and flood risk.**

Due to its location outside of any defined development boundary, the application site is considered to be in the open countryside for the purposes of planning. The design and access statement states that residential development is being sought on an infill plot between 97 and 103 Westgate Road and constitutes a brownfield site. For the purposes of clarification this site doesn't constitute an infill plot, it is an existing agricultural field located outside the settlement boundary for Belton, within the open countryside. This is not a brownfield site, it is an agricultural field with an existing field access. The design and access statement makes specific reference to planning application PA/2014/0120 for the erection of two dwellings on part of The Wheatsheaf public house site. It is worth noting that the application at The Wheatsheaf public house was recommended for refusal, however the recommendation was overturned by the Planning Committee on the basis that it would secure the future of the public house. However the circumstances under which that planning application was considered differ from the proposals being considered here: it constituted development on a brownfield site and generated an income stream for the public house to re-open, thereby securing the future of a community facility. No such special justification has been put forward with these proposals, therefore there is no justification to support residential development in the countryside in this case.

Policy RD2 of the North Lincolnshire Local Plan sets out the type of development that is appropriate in the open countryside and the criteria against which all applications in the countryside will be assessed. Policy RD2 only supports residential development in the countryside where it is to meet some essential countryside need, such as farm workers' dwellings. Policy CS3 of the Core Strategy also restricts development in the countryside to that which is essential to the functioning of the countryside. The proposed development is contrary to these policies as it is for market housing not essential to the functioning of the

countryside, or any rural business, nor does it meet any special need such as providing affordable housing.

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. 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.

The application site is located approximately 0.8 km from the main body of Belton with its informal village centre including services such as a primary school, shop and doctors' surgery. The nearest public house is the Wheatsheaf located 0.49 km to the west along Westgate Road, which was closed at the time of writing this report. The nearest bus stop is 0.32 km to the west on Westgate Road. The local bus network does not offer regular services, with very select destinations and days of operation. The local planning authority would not normally expect people to walk further than 400 m to use public transport; this is part of the accessibility criteria that is used when assessing the sustainability of sites as part of the Housing and Employment Land Allocations DPD. The nearest railway station is at Crowle, located approximately 4.83 km from the site. Whilst the nearest bus stop is within the 400 m threshold set out in the accessibility criteria of the Housing and Employment Land Allocations DPD, it is considered that it is highly unlikely that the local bus service would be utilised, particularly given its irregular and infrequent services. The distance to the railway station at Crowle would necessitate the requirement for a private motor vehicle to be utilised.

For these reasons the proposed development does not promote the use of public transport or walking and instead will promote greater car usage. Therefore the site is considered to be in an unsustainable location, remote from everyday services and facilities.

Policy CS2 of the Core Strategy promotes sustainable development and sets out criteria against which all new developments should be assessed in this regard. These criteria include minimising the need to travel and making necessary journeys possible by public transport, cycling and walking and making sure that people have access to community and cultural facilities that they need for their daily lives. Due to the relatively remote nature of the site, together with its distance from local facilities, the proposed development would not minimise the need to travel and will promote reliance on the private car to access everyday facilities. Therefore the development would be contrary to policy CS2. It should also be noted that sustainable development is the key emphasis of the NPPF, which sets out a presumption in favour of sustainable development. For the reasons outline above the proposed development is not sustainable and would not benefit from this presumption in favour.

## **Flooding**

The site is located within Flood Zones 2 and 3a in the Strategic Flood Risk Assessment. A Flood Risk Assessment has been submitted with the planning application, this demonstrates that the land level at the site is significantly above the critical flood level established for this area. The Environment Agency has raised no objection to the proposed

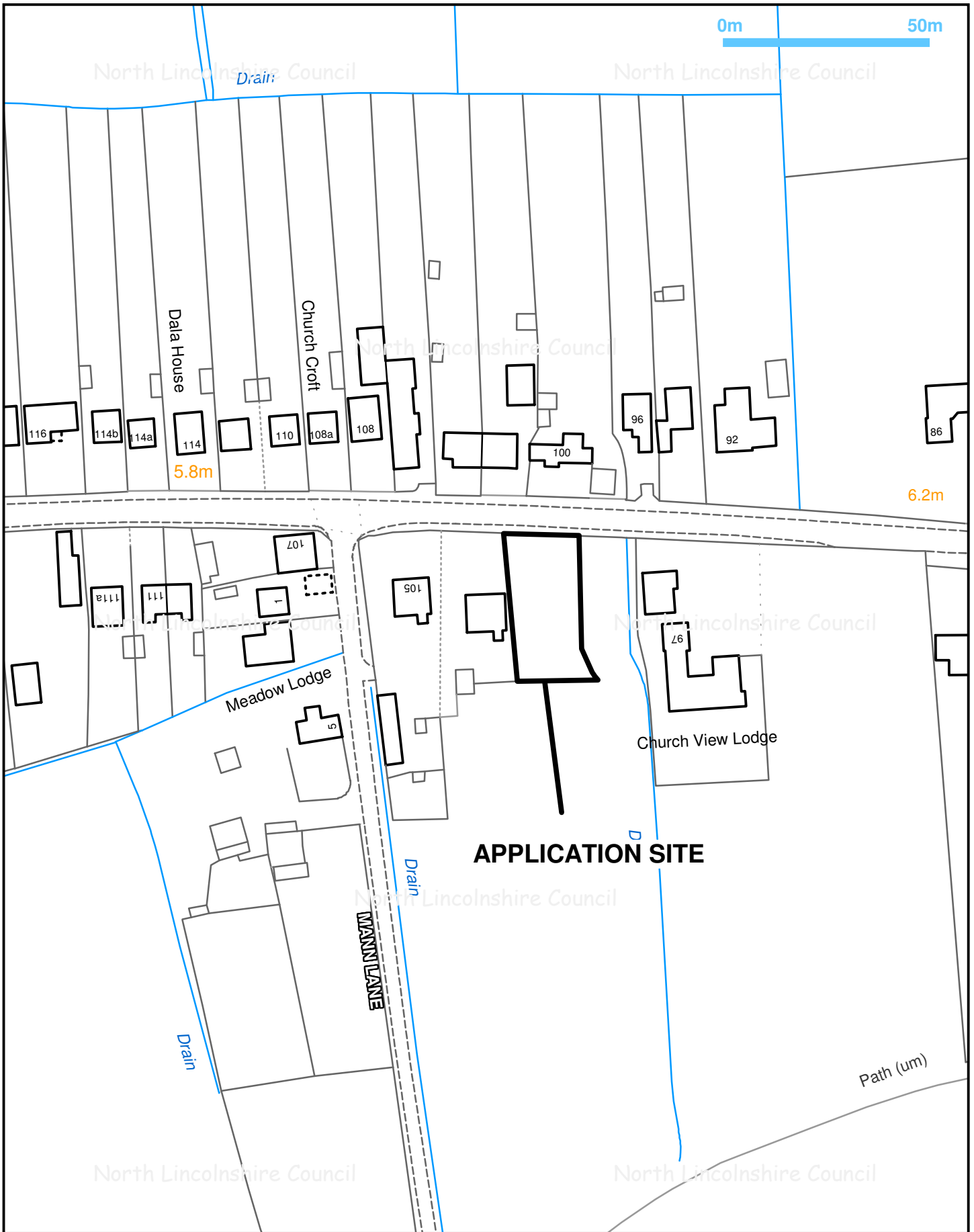
development on flood risk grounds. Therefore the proposed development is considered acceptable in terms of flood risk.

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

The proposed development is contrary to policies RD2 of the North Lincolnshire Local Plan, CS2, CS3 and CS8 of the North Lincolnshire Core Strategy and paragraph 55 of the National Planning Policy Framework in that the site lies outside of a defined settlement, in the open countryside and is located in an unsustainable location, remote from local services and public transport.

**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/2014/0632			
Drawn by: Sue Barden	Date: 06/08/2014	Scale 1:1250	



© Crown copyright and database rights 2014  
Ordnance Survey 0100023560



**Director of Places**  
**Peter Williams**  
BSc,DMS,CEng,MEI,MCMI,AMIMechE