

<b>APPLICATION NO</b>	<b>PA/2014/0862</b>
<b>APPLICANT</b>	Mr G Suszczenia
<b>DEVELOPMENT</b>	Planning permission to erect two detached three-bedroom dwellings with associated car parking
<b>LOCATION</b>	Land to the rear of Greenhill Stores, 2-4 Greenhill Road, Haxey
<b>PARISH</b>	<b>HAXEY</b>
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Nicholas Lawrence
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection Haxey Parish Council

## **POLICIES**

**North Lincolnshire Local Plan:** Policy H8 (Housing Design and Mix) seeks to ensure that residential development takes account of the surrounding environment and complements the area whilst not precluding innovative design.

Policy T19 (Car Parking Provision and Standards) – proposals should include adequate parking to fully meet demand.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) – landscaping, and tree and hedgerow planting schemes, will be required to accompany applications for new development.

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

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire) provides clear priorities for the distribution and location of development.

Policy CS2 (Delivering More Sustainable Development) sets out how policy CS1 will be applied and notes that design should be of a high standard.

Policy CS3 (Development Limits) looks to restrict development within defined settlement limits and will restrict development outside these boundaries to development that is essential to the functioning of the countryside.

Policy CS5 (Delivering Quality Design in North Lincolnshire) sets out the key design principles for all new development with the aim of ensuring that development supports the creation of a high quality built environment that is attractive to residents and visitors.

**National Planning Policy Framework:** Establishes a presumption in favour of sustainable development that should be seen as a golden thread running both through plan-making and decision-taking. Core Planning Principles – underpin decision-taking and include, in part, the securing of high quality design and standards of amenity, different roles and the character of different areas, and encourage the effective use of land. Establishes an overarching requirement to significantly boost the supply of housing.

Section 6 – Delivering a wide choice of quality homes will permit housing development on windfall sites where such sites have provided a reliable source of supply.

Section 7 – Requiring good design is an aspect of sustainable development and planning policies should not attempt to impose architectural styles or particular tastes.

**National Planning Practice Guidance:** Design – requires design to be of a high standard without prescribing the appearance of any building.

## **CONSULTATIONS**

**Highways:** No objection subject to conditions (4 to 7).

**Severn Trent Water Ltd:** No response received.

**Yorkshire Water:** No response received.

**Environmental Health:** No objection subject to conditions.

**Ward Councillor William Eckhardt:** I have no objections to this application. There is ample access and this would be sensible use of the other wasted bit of land.

**Ward Councillor Ron Allcock:** No response.

## **PARISH COUNCIL**

Object to this application as there would be an increase in traffic in an already busy area of the parish. The parking area for deliveries would be taken away due to it being the entrance to the new dwellings. The proposal is not in keeping with the current street scene and is backland development. The parish council would take a sympathetic view to a proposal to put in one dwelling with the addition of parking for the shop. Should the shop cease to trade that would have an effect on any decisions.

## **PUBLICITY**

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

## **ASSESSMENT**

The application site is roughly a rectangular-shaped parcel of land, save for the boundary to 4 Greenhill Road, on an approximate east-west axis totalling some 0.10 of a hectare to the north and rear of 2 Greenhill Road. The application site has a depth of 48 metres and frontage onto Greenhill Road of 12 metres that extends to 26 metres at the eastern extreme of the application site.

The land is bounded to the north principally by 8 Greenhill Road then by part of the garden to 10 Greenhill Road, to the east by part of the rear garden of 9 High Street and to the south by 3 and 5 High Street and 4 Greenhill Road.

In terms of current usage, the application site is used in part for limited ad hoc parking associated with the village shop and as a bin storage area, whilst the balance of the land was formerly the garden area to what is now Greenhill Stores. The application site is currently occupied by a two-storey brick building set back off the access onto Greenhill Road and two trees (a conifer and an ivy-clad apple tree).

The application site is within the defined settlement limit of Haxey as set out on Inset Plan 23 of the local plan.

### **Developmental history**

Members will recall considering application reference PA/2014/0123 for the erection of three dwellings of a contemporary design on the application site at their meeting of 7 May 2014. The report of the Head of Development Management recommended that planning permission be granted. However, members resolved to refuse the application the benefit of planning permission for the following reason:

*'The proposal represents over-development of the site and, by reason of the designs of the dwellings, would have a detrimental effect on the character and appearance of the area. The proposal is thus contrary to policy CS5 of the North Lincolnshire Core Strategy, policy H8 of the North Lincolnshire Local Plan and paragraphs 58 and 60 of the National Planning Policy Framework'.*

### **Proposed development**

The current application differs in two notable ways from the preceding submission: firstly, the number of dwellings is reduced from three to two; and secondly, the proposed dwellings adopt a more traditional approach in terms of design, form and presence.

In brief, planning permission is sought for the erection of two detached dwellings coupled with garden/amenity areas and parking. The scheme also encompasses two parking spaces for shop staff together with two parking spaces for shop customers. Neither of these aspects of the current application formally exist at present.

In terms of disposition, the proposed dwellings are within the eastern quadrant of the land within the ownership of the application and unit 1 runs parallel with the northern boundary and outbuilding. Unit 2 is at right-angles to unit 1 and is 'gable on' towards the rear gardens of numbers 3 and 5 High Street and is some 16 metres from the rear elevation of these dwellings. Access is via an existing entrance between numbers 4 and 8 Greenhill Road.

With regard to design, the proposed dwellings adopt a simple secular design that could best be described as polite, which is espoused by a pitched pantiled roof, domestic-scaled open porch, brick chimneys, and regularity of window arrangement with a vertical emphasis. In terms of finish, unit 1 will be fashioned from brick, whereas unit 2 will be rendered with brick detailing. Both dwellings have a common footprint of 5.6 metres by 9.8 metres, ridge height of 7.93 metres and eaves level of 5.42 metres. The type of brick, pantile and colour of render can be controlled by an appropriately worded planning condition should permission be forthcoming.

## **The main issues**

**The main issues in the determination of this application are: firstly, whether the proposed development would be acceptable in principle; and secondly, would the proposed development in its detailed form be harmful to the character and appearance of the area. Both issues have regard to the provisions of the development plan and other material considerations.**

## **The development plan and material considerations**

The development plan for the purposes of this application comprises the adopted North Lincolnshire Local Plan dating from 2003 and the North Lincolnshire Core Strategy issued in 2011. Materiality is set by the National Planning Policy Framework (the Framework) released on 27 March 2012 and the National Planning Practice Guidance (PPG) that went 'live' on 6 March 2014.

### **Main issue – the principle of the development**

The local plan, under its aims and objectives, seeks to make optimum use of derelict and under-used land, whilst recognising the need to conserve, and where possible contribute, to the character and identity of North Lincolnshire.

The core strategy sets the overarching framework for the period to 2026 against which development proposals should be considered.

Core strategy policy CS1 sets out the broad framework for the spatial development of North Lincolnshire and establishes a settlement hierarchy. Haxey is classified as a rural settlement where small-scale development will be permitted and such development will look to make the best use of land and buildings within these settlements. However, the policy does not define what constitutes small-scale development or best use of land.

Core strategy policy CS3 looks to focus development, including residential, within the defined development limits and these limits are strongly supported as a planning policy tool to concentrate development in sustainable locations. Core strategy policy CS8 reaffirms the position of policy CS1 by noting that new housing in the rural settlements can be achieved by way of small-scale infill that maintains the viability of the settlement. As with core strategy policy CS1, the core strategy does not define what constitutes small-scale development. Whilst this policy vacuum on the interpretation of scale of development exists, the local plan does provide a view that small-scale development represents three dwellings or less.

At the national level the Framework under section 6 looks to significantly boost housing supply by requiring councils to identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. Deliverable sites are those that are available now, are in a suitable location for housing and could be viably delivered at the point envisaged.

As part of meeting the housing requirement the Framework permits councils to make an allowance for windfall sites in the five-year supply. This can be undertaken if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. The Framework provides that:

*'Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends and should not include residential gardens'.*

The Core Principles of the Framework include, in part, the encouragement of the effective use of land.

As the application site is within a defined settlement boundary, occupies a suitable location for housing, is *small-scale* in nature, constitutes a windfall site that is deliverable and makes an effective use of land it is considered that the principle of residential development on this site accords with the aims and aspirations of the local plan, core strategy, the Framework and the PPG.

### **Main issue – effect upon the character and appearance of the area**

The character of any area is more than the visual flow of the type of buildings and their constituted materials; it also embraces the juxtapositions of buildings, their setting and the spaces they create. Any development ranging from adaptation though to new build of whatever scale should not be considered in isolation and must be informed by the wider context. This approach should have regard not only to buildings but also to the townscape and landscape of the area generally. National guidance requires an evaluation of an area's defining characteristics and development should take account of the character of the differing areas.

Design has due regard to characterisation, as the purpose of design is to consider its context and respond accordingly. This is not to imply that one of the purposes of design should necessarily be to 'fit in'; at its worst this can be little more than an excuse for mediocrity.

On this issue local plan policy DS1 under the heading of *design* requires that *'the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area'*. Local plan policy H8 will permit new development provided that a number of criteria are met that, in part, includes:

*'Respects and reflects the form, scale, massing, design and detailing, materials, and nature of the local environment*

*Incorporates a high standard of layout that maintains and where possible improves and enhances the character of the area'*

In terms of overarching policy provision, core strategy spatial objective 3 considers *'Delivering Better Homes'* and seeks:

*'To transform North Lincolnshire's image by ensuring that all new development exhibits a high standard of design and architectural quality that respects and enhances the distinctive landscapes and townscapes of North Lincolnshire's towns and villages.'*

Core Strategy policy CS5 references the need for new development to be well designed and appropriate to its context and cites at its first sentence that *'...design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area should be refused'*.

The Framework sees good design as being indivisible from good planning and it should contribute positively to making places better for people. Paragraph 64 notes:

*'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'.*

The PPG in considering design reiterates the above quoted aspects of the Framework although the PPG at paragraph 001 reference ID: 26-001-20140306 directly cites good quality design as constituting an integral element of sustainable development.

The Framework also allows councils to set out their own approach to housing density to reflect local circumstances. However, this approach must be subject to a robust and sustainable evidence base and a complete understanding of the character of the area where the density threshold is being set. In addition, any view taken by a council must have regard to the principle that the density of existing development should not dictate that of new housing by stifling change or require replication of existing styles or forms. In this instance there is no robust evidence base or characterisation study of the area upon which to support any assessment of housing density. It is therefore considered that any notional density figures carry little, if any, weight in the decision-taking process.

The character and appearance of the area is one where two-storey dwellings dominate, albeit there is no one dominant form of building or building pattern. The proposed development is set back from the highway, which is part of the development pattern of the village, and the positioning of the dwellings creates a sense of space and provides a glimpse of the village from the application site. The appearance of the dwellings follows that of the immediate and wider area and consequently it will add another layer of interest to the village.

In terms of the street scene, the application site is seen as a vacant site that leads onto built development. The proposed development replicates that arrangement, albeit by foreshortening the depth between the road and dwellings.

It is therefore considered that the form, design, appearance and disposition of the proposed dwellings embraces a settlement pattern common to the village, and the proposed development will not harm the character or appearance of the area. Indeed, it is considered that its consistency with local and national planning policy guidance improves the townscape quality of the area.

### **Other issues**

The parish council references the matter of highway safety. The council's Highways department is of the view that, subject to conditions, there will be no harm to users of the public highway and no evidence has been presented to overturn the given technical advice.

The consultation response from the parish council makes a comment about sympathetic consideration of a single dwelling and that their views would change should the loss of the shop occur. It is a tenet of planning law and good governance that each application should be considered on its own merits and the decision-taker cannot base a decision on something that is not presented for determination. Should members support the views of the parish council, it is the view of the author that, should the applicant appeal the decision of the council, then a costs claim would be successful.

**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: 90-001 Location Plan; 90-002 Rev B - Proposed Site Plan; 90-005 Existing Tree Locations; 20-101 Rev B - Unit 1 Proposed Ground Floor Plan; 20-102 Rev B - Unit 1 Proposed First Floor Plan; 21-102 Rev B - Unit 2 Proposed Elevations; 20-103 Rev B - Unit 2 Proposed Ground Floor Plan; 20-104 Rev B - Unit 2 Proposed First Floor Plan; 21-101 Unit 1 Proposed Elevations.

Reason

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

3.

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.

4.

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.

5.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

6.

No dwelling on the site shall be occupied until the private driveway has been completed, to a standard to be agreed beforehand in writing with the local planning authority, up to its junction with the vehicular access to that dwelling.

Reason

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

7.

The vehicle parking facilities for the shop as shown on drawing no. 90-002 Rev B at the front of the site shall, both for customers and staff, be clearly marked for the use of the shop/staff only and shall be completed before the first dwelling is occupied. These spaces shall be retained at all times whilst the shop is trading.

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 proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

9.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

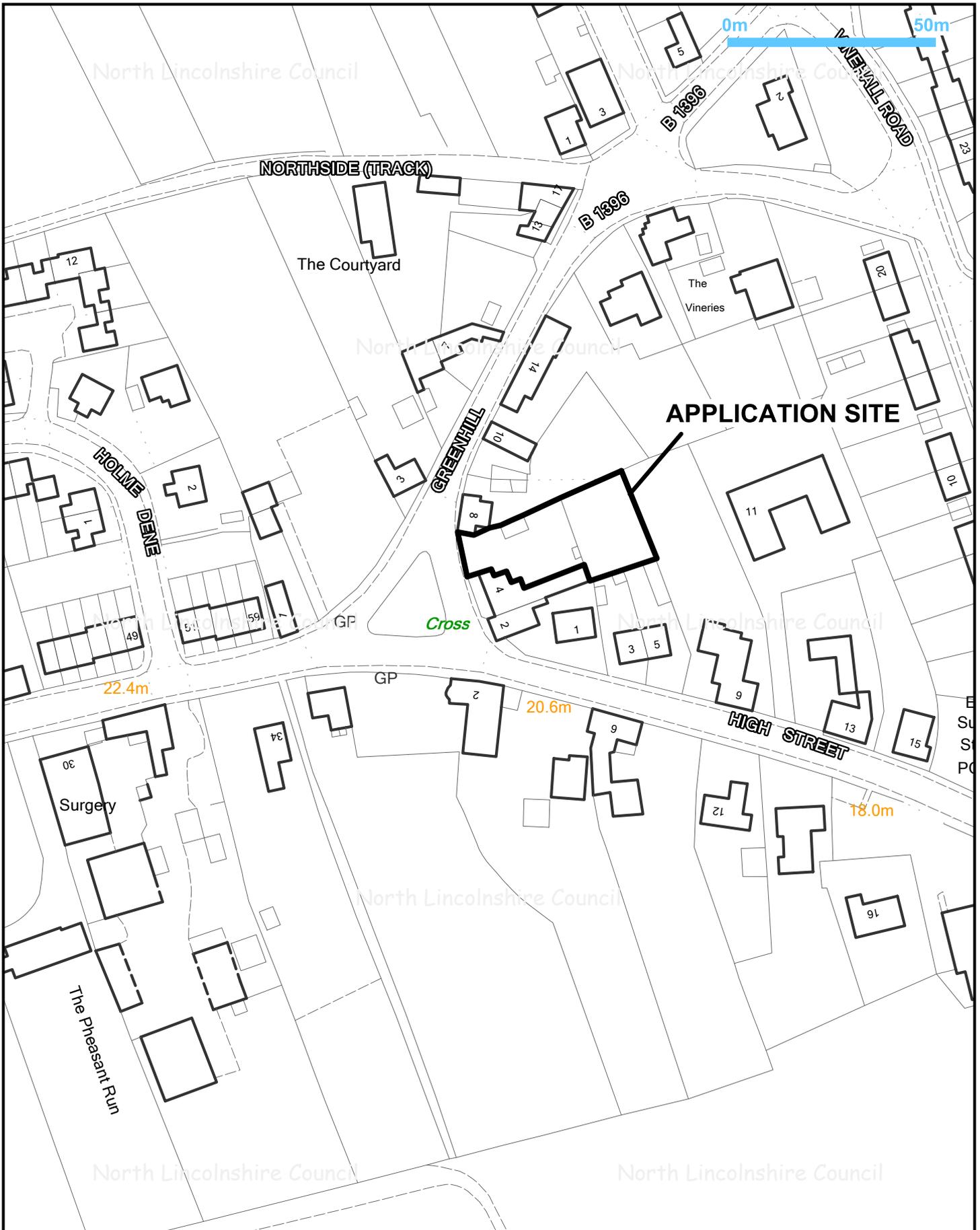
### **Informative 1**

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.

**Informative 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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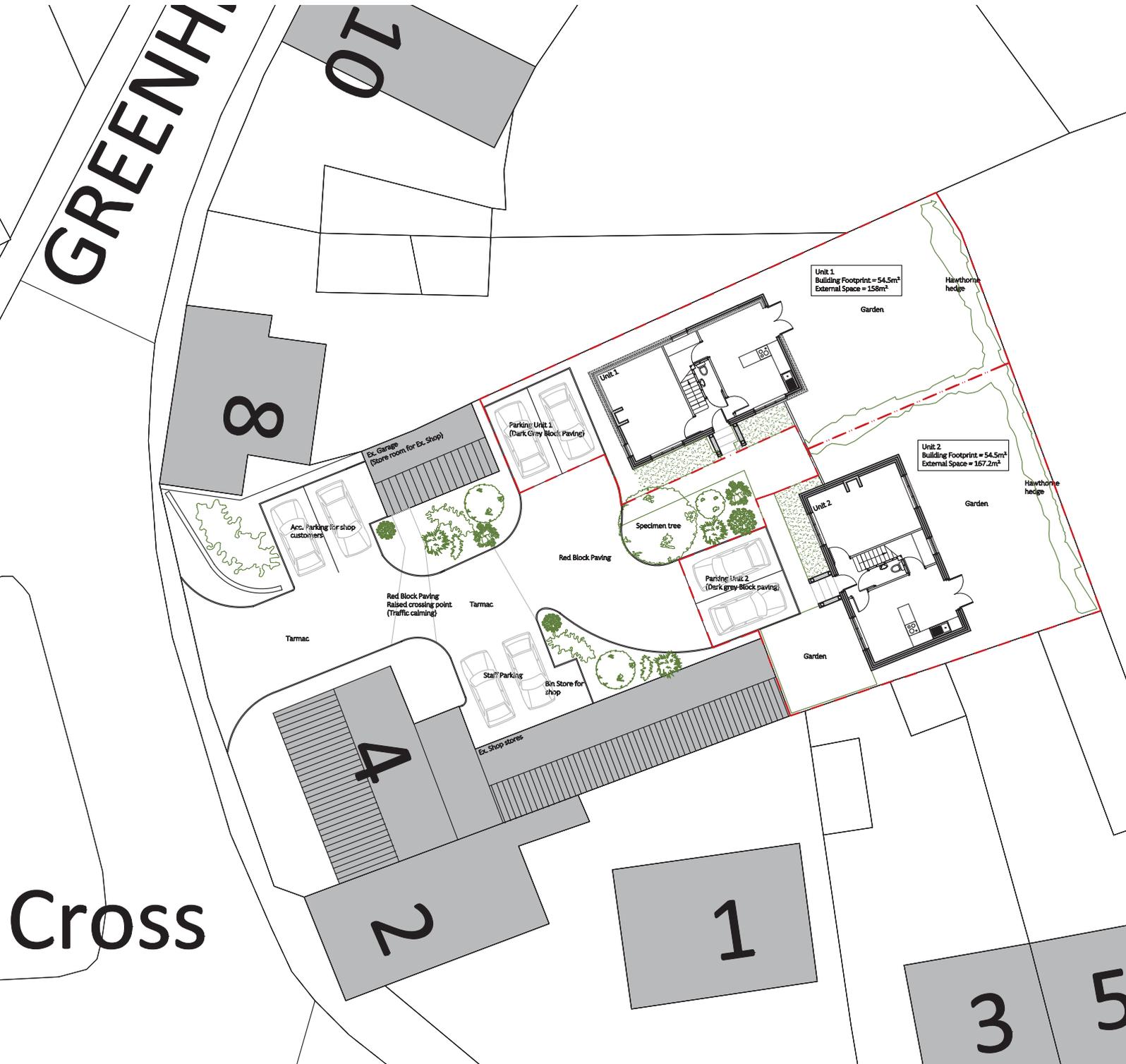


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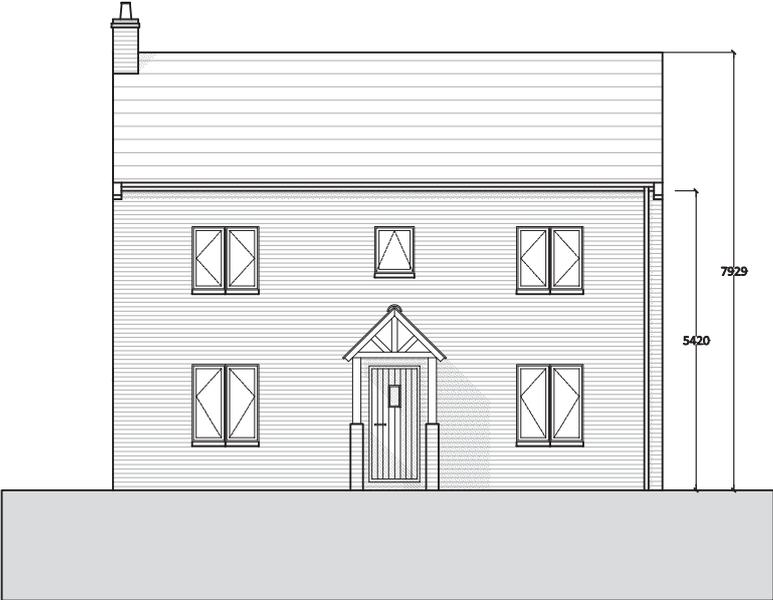
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Director of Places  
Peter Williams  
BSc,DMS,CEng,MEI,MCMI,AMIMechE

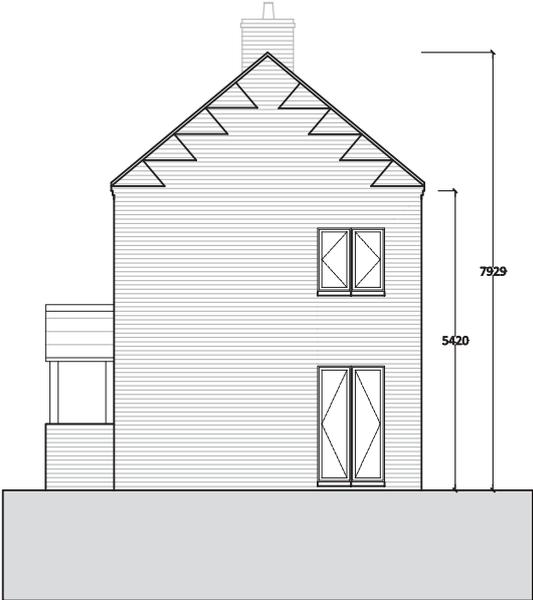


# PA/2014/0862 Proposed Elevations Unit 1

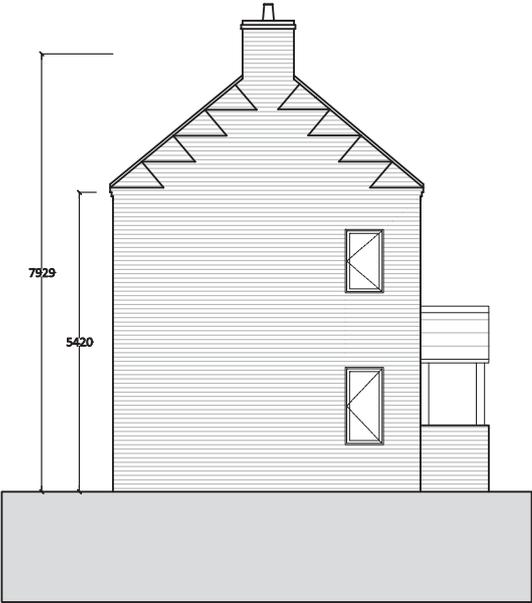
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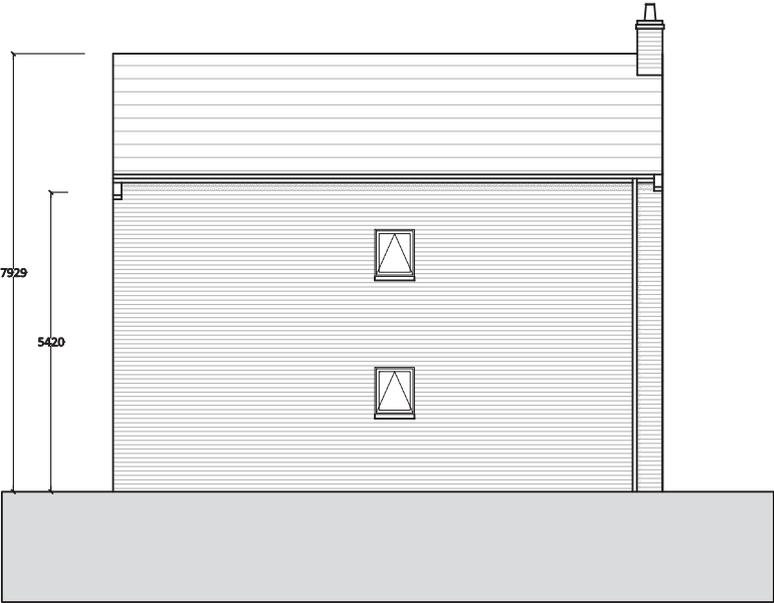
South Elevation



East Elevation



West Elevation



North Elevation

# PA/2014/0862 Proposed Elevations Unit 2

Not to scale

