

APPLICATION NO	PA/2015/0839
APPLICANT	Mr & Mrs R Burnett
DEVELOPMENT	Planning permission for the erection of 7 dwellings with recreational open space (to be used as school playing field) and associated access road (including the demolition of 70 High Street)
LOCATION	Land north and west of 7 Vicarage Lane, Wootton
PARISH	WOOTTON
WARD	Ferry
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Agent request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 15 states that at the heart of the National Planning Policy Framework 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 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 22 states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 34 states that plans and decisions should ensure developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 48 states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. 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.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites relevant policies which guide housing supply should not be considered up-to-date.

Paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

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

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style. It is, however, proper to seek to promote or reinforce local distinctiveness.

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy HE9 (Archaeological Evaluation)

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 CS23 (Sport, Recreation and Open Space)

CONSULTATIONS

Highways: Comments regarding driveway construction.

Archaeology: Holding objection. Awaiting results of archaeological investigations.

Humberside Police: Comments regarding designing out crime.

Public Open Space: The proposed area of public open space is considered ample provision. Further discussion would be required regarding the use of the land as a school playing field, particularly regarding ownership and maintenance. If it is to be allocated as public open space it must be a communal facility accessible to all which may cause conflict if it is also to be used by the primary school. If it is to be an area of public open space transferred over to the local authority to maintain and adopt, a 10-year maintenance commuted sum is required.

Fire and Rescue: Comments.

Public Health: No objections.

Drainage: Initial objection. Further information is required regarding the use of SuDS.

Environmental Health: Advise conditions regarding construction hours and methods.

Environment Agency: No comments.

Education: Requires further information regarding the area of open space.

Strategic Housing: An off-site affordable housing contribution of £29,592.08 would be required should members be minded to approve this application. The applicants are in agreement with this contribution. This commuted sum figure is calculated on 10% of 40% of the average house price of a dwelling within North Lincolnshire.

PARISH COUNCIL

Objects to the proposal on the following grounds:

- greenfield site
- alternative brownfield sites available in the village
- outside of the development boundary
- unacceptable to demolish house to proceed with development.

PUBLICITY

Neighbouring properties have been notified by letter, two site notices have been posted close to the site and a press notice posted. Thirteen letters of objection have been received raising the following material issues:

- greenfield site
- outside of the development boundary
- would create a public footpath from Vicarage Lane – would lead to loss of privacy and question who would maintain the footpath
- concerns over the future of the open space
- concerns regarding crime (particularly in relation to the footpath)
- comments over boundary treatment
- who would maintain the open space and how would it be used?
- loss of privacy
- impact on wildlife
- unsuitable access from Vicarage Lane
- goes against paragraph 55 of the National Planning Policy Framework as not exceptional circumstances for residential development in the open countryside
- potential drainage issues/increased risk of flooding
- potential land ownership issue
- road/highway safety concerns
- sustainability.

ASSESSMENT

The application site is a large area of land to the north of High Street and west of Vicarage Lane. There is an existing detached bungalow on the site and the remainder of the land is currently horse paddocks. It is proposed to retain the bungalow on the site and an area of land to the north of the bungalow as paddock land. The remainder of the land is proposed to be residential development comprising seven 'Captains of Industry' five-bedroomed houses together with an area of public open space, which is proposed to also be used by Wootton Primary School. It is proposed to demolish 70 High Street in order to create a vehicular access off High Street. The access off Vicarage Lane would solely serve the existing bungalow. A footpath is proposed to run from High Street to Vicarage Lane, along the edge of the private drive. There is existing woodland to the north of the site and many existing trees along the edge of the site. Landscaping is also proposed as part of the development.

The site is located outside the development boundary for Wootton in both the North Lincolnshire Local Plan and in the proposed Housing and Employment Land Allocations DPD. As such the site is in the open countryside where residential development is strictly controlled.

The main issues in determining this application are whether residential development outside the development boundary is acceptable, and whether the proposal is acceptable in terms of amenity of neighbouring properties, character of the area, highway safety and in all other planning respects.

Concerns have been raised over drainage and potential for flooding from the proposed development. The council's drainage team has also objected to the proposal due to insufficient information regarding SuDS. The applicant is aware of this objection and is happy to work with the drainage team to achieve a suitable outcome. However as the recommendation for this application is for refusal it is not considered appropriate to request such extra information at the expense of the applicant. However if the members are minded to approve this application, this drainage information can be submitted prior to a formal decision being made.

Similar concerns have been raised with regard to archaeology. Again, it is not considered appropriate to request this information prior to the application being determined. However the applicant is willing to submit the requested information should the members be minded to approve the application.

As part of the application it is proposed that an area of open space is provided to the rear of the houses on High Street. It is proposed that this area is to be used by Wootton Primary School as a playing field and also as general public open space. It is not yet clear how this area will be controlled, operated or maintained. However a full schedule of these details could be agreed prior to the application being determined, should the members be minded to approve this application.

Concerns have been raised regarding loss of privacy to existing dwellings on High Street. Due to the layout of the proposed development, the size of existing gardens, and existing and proposed landscaping, it is not considered that there would be any loss of privacy as a result of this development.

Objections have been made regarding highway safety and the existing and proposed accesses. Highways have been consulted and have no objections to the proposal from a highway safety/traffic generation point of view. The proposed layout is shown as a private driveway although the design looks to conform to an adoptable layout. The highways officer advises that the provision of an adoptable road of this length, particularly the length of road required to reach the first dwelling, would have significant cost implications. The advice of Highways is to reduce the number of units to five and serve them by means of a private driveway. However, if the applicants wish to retain the number of units and given that technically an adoptable standard access road can be achieved, conditions can be advised should members be minded to approve the application.

The main issue regarding this application is that the proposed development lies outside the development boundary and is not considered a sustainable site for residential development.

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 National Planning Policy Framework, housing supply policies within the adopted development plan should be considered out-of-date or silent in that regard. The applicant has undertaken an appraisal of the council's five-year supply document and concludes that the council requires a 20% buffer of housing sites, and that the council cannot demonstrate a five-year supply. This supporting documentation has been inspected by the council's

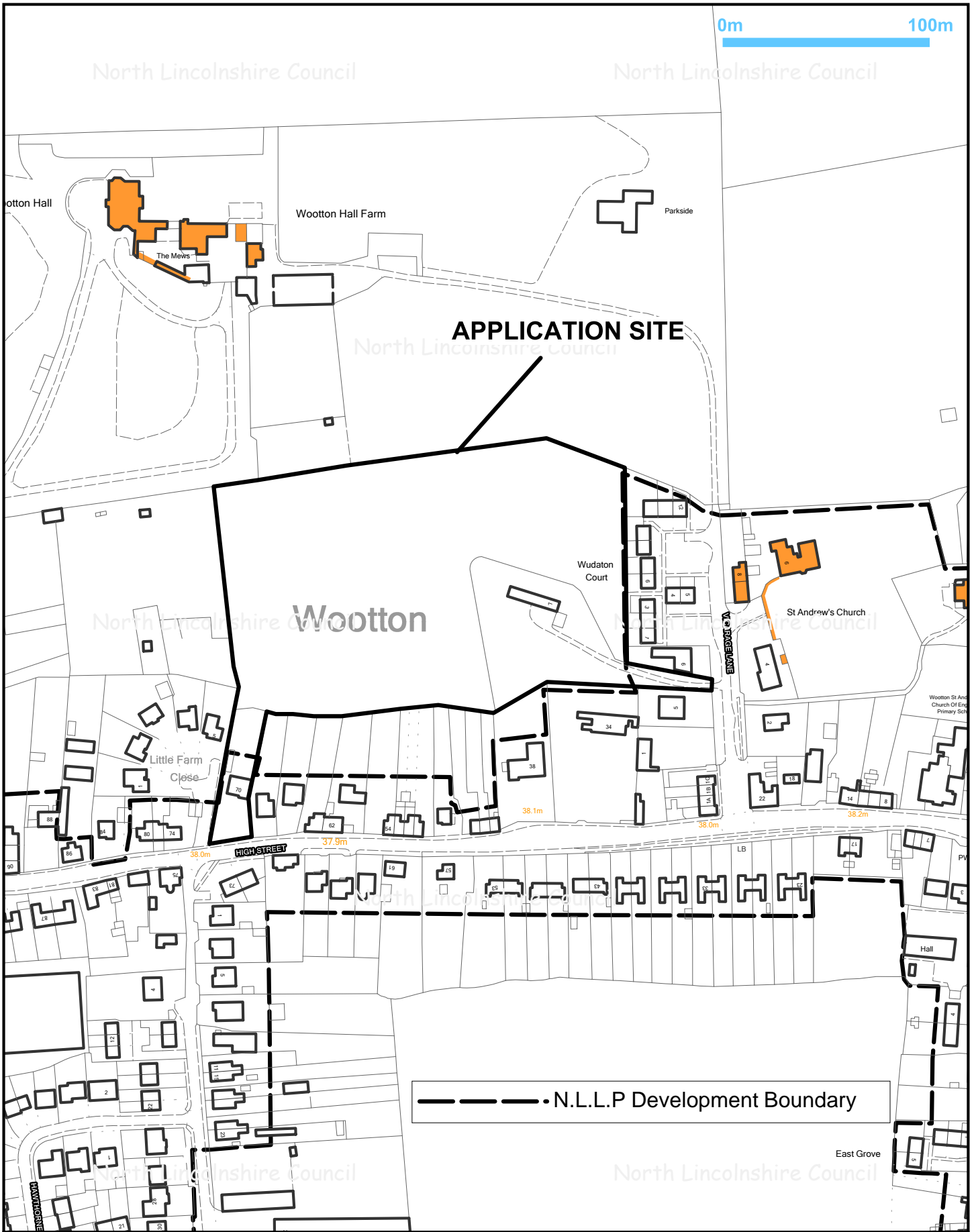
Spatial Policy Section who remain firmly of the view that the council's five-year supply can be demonstrated. In light of this response it is considered that there is insufficient justification for the proposed development which would result in a development undermining the council's spatial objectives of locating new housing developments within established settlement boundaries. The proposal is therefore considered contrary to policies CS2, CS3 and CS8 of the Core Strategy, along with policy RD2 of the local plan.

RECOMMENDATION Refuse permission for the following reasons:

Given that the council can demonstrate an up-to-date five-year supply of housing sites, there is insufficient justification for this residential development being located outside the defined development boundary for Wootton. The proposal would result in inappropriate development outside of any established settlement boundary contrary to policies CS2, CS3 and CS8 of the North Lincolnshire Core Strategy, along with policy RD2 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.



Title: PA/2015/0839

Drawn by: Sue Barden

Date: 06/10/2015

Scale 1:2500 at A4

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PA/2015/0839 Proposed site layout - Not to scale



