

<b>APPLICATION NO</b>	<b>PA/2015/1202</b>
<b>APPLICANT</b>	Lincolnshire Co-Op
<b>DEVELOPMENT</b>	Planning permission to erect a convenience food store with car parking and access road
<b>LOCATION</b>	Mellers Coaches Ltd Howe Lane, Goxhill
<b>PARISH</b>	<b>GOXHILL</b>
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Ann Scott
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Significant public interest Departure from the development plan

## **POLICIES**

**National Planning Policy Framework:** Paragraph 56 requiring good design. Delivering sustainable development, paragraph 19 supporting sustainable economic growth. Economic growth should be supported through the planning system.

**North Lincolnshire Core Strategy:** CS1, CS2, CS3, CS5 and CS14.

**North Lincolnshire Local Plan:** ST2 (Settlement Hierarchy), ST3 (Development Limits), RD2 (Development in Open Countryside), RD4 (Alternative Uses of Industrial and Commercial Sites in Minimum and Medium Growth Settlements), RD5 (Alternative Uses of Industrial and Commercial Sites in the Open Countryside), DS1 (Development Standards), DS3 (Planning Out Crime), DS4 (Changes of Use in Residential Areas), DS7 (Contaminated Land), C2 (Community Facilities in Minimum Growth Settlements), T1 (Location of Development), T2 (Access to Development), HE5 (Listed Buildings), LC11 (Areas of Amenity Importance).

## **CONSULTATIONS**

**Environmental Health:** The applicant has submitted additional information in relation to contamination following the request from the EH officer. Their comments are awaited on the revised information.

**Environment Agency:** No objections.

**Conservation Officer:** The conservation officer has no objections to the proposal but suggests that the proposed materials for the roof should be grey slate and not pantiles as shown on the submitted plans. The materials can be agreed by a planning condition.

**Drainage:** Comments in relation to adjacent watercourse, and suggests conditions in relation to replacement of carrier drain pipe.

**Highways:** Suggest conditions.

**Network Rail:** No objections in principle – suggest conditions relating to drainage, abnormal loads and landscaping.

## **PARISH COUNCIL**

No response received – any views received to be reported.

## **PUBLICITY**

Neighbouring properties have been notified.

Five letters of support have been received making the following comments:

- the provision of a retail and community facility in Goxhill would be beneficial as existing shopping facilities are limited
- parking at the nearby local shop is inadequate
- there would be less need to travel out of the village to shop
- currently there is a lack of choice in the village, the existing site would be tidied up, and many residents struggle to travel further afield for shopping.

Eight letters of objection have been received on the following grounds:

- there is not enough population to support two shops
- the existing shop has served the community for many years
- a new shop would have a detrimental effect on existing community facilities
- most residents shop in Barton or elsewhere
- most of the site is outside the development boundary
- loss of existing green space, landscaping not sufficient, loss of existing landscaping to the front of the site, an urban shop that would dominate the street scene
- the scale of the new shop is inappropriate for the size of the village
- concerns with regard to the location of the shop close to the rail crossing
- the new shop would be opposite a resident's house and would not be very well screened.
- wishes to see a re-design to reflect landscape enhancement in relation to local nature reserve.

## **ASSESSMENT**

### **Planning policy**

The proposed development is sited on an existing former coach yard, which is partially outside the development limits, and some of the land has a protection policy in terms of local nature conservation. However, the majority of the site is previously developed land which is in a poor state visually and environmentally with the potential for contamination which could be mitigated by this development proposal. There are limited shopping facilities available in the village. The proposal will generate 2 full-time and 12 part-time jobs.

The application has to be advertised as a departure from the development plan as the site is partly outside the development limits. The consultation period for this will expire on 28 January 2016.

The relevant planning policies for consideration as part of this application are set out in the policy section of this report. The proposal to erect a convenience food store with car parking and access is considered to be acceptable in planning policy terms. The proposal will provide additional community facilities in Goxhill and will reduce the need for residents to travel further afield to shop. This will therefore accord with the criteria set out in the National Planning Policy Framework which seek to ensure that new development is sustainable. Policy CS14 of the North Lincolnshire Core Strategy seeks to ensure that new retail development will protect and enhance the vital town, district and local shopping centres in North Lincolnshire. The sequential approach has been taken to this proposal and the outcome is that there are no other sites that are suitable, viable or available in Goxhill for this type of development. The proposed store would offer a facility in addition to existing facilities already in Goxhill which would reduce the need for residents to travel to other towns nearby for shopping. The site is also partly in an area of amenity importance and policy LC11 of the North Lincolnshire Local Plan will only permit development where it would not adversely affect their open character, visual amenity or wildlife value or compromise the gap between conflicting land uses. The site is bounded by the railway line and railway station to the west, an existing dwelling and large outbuilding to the east boundary, and Howe Lane to the southern boundary, and the northern boundary between the rail line and Greengate Lane is open land. It is considered that the proposal does not erode the open character or amenity value of the area of amenity importance. The building and car park are well related to the line of existing buildings which are fairly linear with large rear gardens and outbuildings to the rear, and is not considered to erode the gap between conflicting land uses. The proposal therefore accords with the criteria in policy LC11.

### **Residential/visual amenity**

The proposed building will measure approximately 34 metres long by 15.3 metres wide, by 8.8 metres high to the ridge. The proposed materials are specified in the application as red facing brickwork under a clay pantile roof. The shop is intended to be open 7am to 11pm.

Howe Lane is primarily a residential area, however in this part of Howe Lane the area is characterised by some commercial development, a hairdresser's and a public house which is now derelict, and the site lies close to the rail crossing on Howe Lane. The site was formerly a coach yard and garage and is characterised by a former work shop/office premise to the front and a row of garages to the west boundary. These buildings will be demolished as part of the current proposal.

There is some existing landscaping/hedging to the current site frontage but this has little amenity value and will be removed as part of the proposal. The car parking will be to the front of the site, with an improved vehicular access and car parking area.

It is considered that there will be no adverse impact on adjacent residential property and that the impact on the streetscape is acceptable.

Some objections have been received to the proposal on grounds of impact on existing retailers in the village and the need for further retail facilities in the village and concerns with regard to most of the site being outside the development limits for the village. Some letters of support have been received in relation to the need for new shopping facilities and the tidying up of the existing site which is presently visually in a poor state. One letter of comment has been received that the shop is opposite them and they do not consider it will be adequately screened by landscaping.

### **Contamination/archaeology**

The site, being a former coach depot, is likely to be contaminated from oil/petrol or other similar contaminants. An initial contamination report demonstrates that levels are low, but further information has been requested from the Environmental Health officer due to the age of the contamination information which was from several years ago. The matter of contamination is, however, possible to overcome by means of a planning condition to ensure that the method and mitigation measures for contamination on the site are dealt with appropriately. Further information has been requested from the applicants in relation to an updated contamination report and has now been submitted. The comments of the Environmental Health Officer on the additional information are awaited and any views received will be reported to the Planning Committee.

In relation to archaeology, a supporting statement has been submitted with the application which confirms that there is no significant likelihood of any archaeological remains being found within the site and further investigation is not required. The Council's Archaeological Officer has no objections to the proposal and considers that no further investigation is required.

### **Design**

The proposed design of the building, in terms of siting, scale and appearance, is considered to be appropriate to this location and will be in keeping with the existing character of this part of Goxhill. The materials proposed are considered to be acceptable with the exception of the proposed roof tiles as, following consultation with the Conservation Officer, it is considered that slate will be a more appropriate material, given that next to the site is a grade 2 listed building. However the impact on the listed building has been assessed and the development is not considered to adversely affect the character or appearance of the setting of the listed building. The proposal accords with policy HE5 of the North Lincolnshire Local Plan relating to listed buildings.

### **Nature conservation**

The site is situated in an area of local nature conservation importance and it is likely that conditions will be necessary to preserve or enhance the likelihood for any species, however it is considered that this is likely to be fairly limited due to the previous use of the site. It is not considered that the proposal will adversely affect the character or nature conservation value of the site.

## **Flood risk/Drainage**

The site is in flood risk Zone 1 and is in an area at the lowest risk of flooding. A flood risk assessment is not required therefore. It is considered that the proposal is not likely to increase the risk of flooding to the locality. The Drainage team suggests conditions in relation to measures to deal with surface water run-off and drainage.

## **Landscaping**

There is existing landscaping on the boundaries in the form of some soft and hard landscaping features; these will be either preserved or enhanced as part of the development proposal and conditions can be imposed in order to secure this. The parish council has requested further information and amendments in relation to this in respect of the local nature conservation status of part of this site. Again this can be dealt with by a planning condition to ensure that the site is properly developed and that there is no significant adverse impact on the locality in terms of amenity/nature conservation.

## **Development limits/rural development location**

The rear section of the site lies outside the development limits for Goxhill and is therefore situated in an area classed as rural/open countryside for policy purposes. However, the site is well related to the existing Village centre for the rural settlement of Goxhill and there are no other suitable sites within the village which could accommodate the type of development proposed. The sequential approach has therefore been taken and the proposal is considered to be acceptable in planning policy terms. The development limit will run through the shop with the latter two-thirds being outside the development limit. However, this is considered to be acceptable – the previous use as a coach yard and garage was more of a heavy commercial/industrial use and this proposal will be less intensive to the benefit of the local community as an additional shopping facility within the village.

## **Highway safety**

The proposal is unlikely to be detrimental to the locality on the grounds of highway safety subject to the use of appropriate conditions.

## **Impact on listed buildings**

The site is adjacent to the existing grade 2 listed railway crossing cottage. The development is not considered to adversely affect the historic character or appearance of the listed building.

## **Conclusions**

The application is considered to be in accordance with relevant national planning guidance and the planning policies set out above and is recommended for delegated approval by the Head of Development Management subject to conditions and subject to the expiry of the consultation period for advertising the application as a departure from the development plan and no other additional comments received.

## RECOMMENDATION

**Delegate approval to the Head of Development Management to grant permission upon the expiry of the consultation period for advertising the application as a departure from the development plan 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: 1407-12 Rev A, 1407-13, 1407-14 Rev A, 1407-15 Rev A, 1407-16 Rev A, 1407-17 Rev B, 5125/100 Rev P1 and 5215/110 Rev P1.

Reason

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

3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority 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.

5.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

6.

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.

7.

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.

8.

No development shall take place until details of:

- (i) the method of constructing the vehicular access service road and turning head;
- (ii) the footway fronting the site; and
- (iii) the removal of the redundant access point to the western frontage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

This condition is imposed for the avoidance of doubt and in accordance with policies DS1 and T2 of the North Lincolnshire Local Plan.

9.

The development shall not be brought into use until:

- (i) the access road to the service and customer parking area;
- (ii) the loading, off-loading and turning areas for all vehicles;
- (iii) the parking spaces and access aisles (including surface markings);
- (iv) the cycle parking facilities; and
- (v) the footway fronting the site;

have been provided and all these facilities shall be thereafter retained.

Reason

This condition is imposed for the avoidance of doubt and in accordance with policies DS1 and T2 of the North Lincolnshire Local Plan.

10.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

11.

The travel plan, once approved and in place, shall be subject to monitoring on an annual basis for a period of three years from the approval date. The monitoring report on the impact of the travel plan shall be submitted to the local planning authority on the first of January each year following the grant of planning permission. All amendments to the approved travel plan identified as a result of the monitoring process shall be implemented and retained.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

12.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

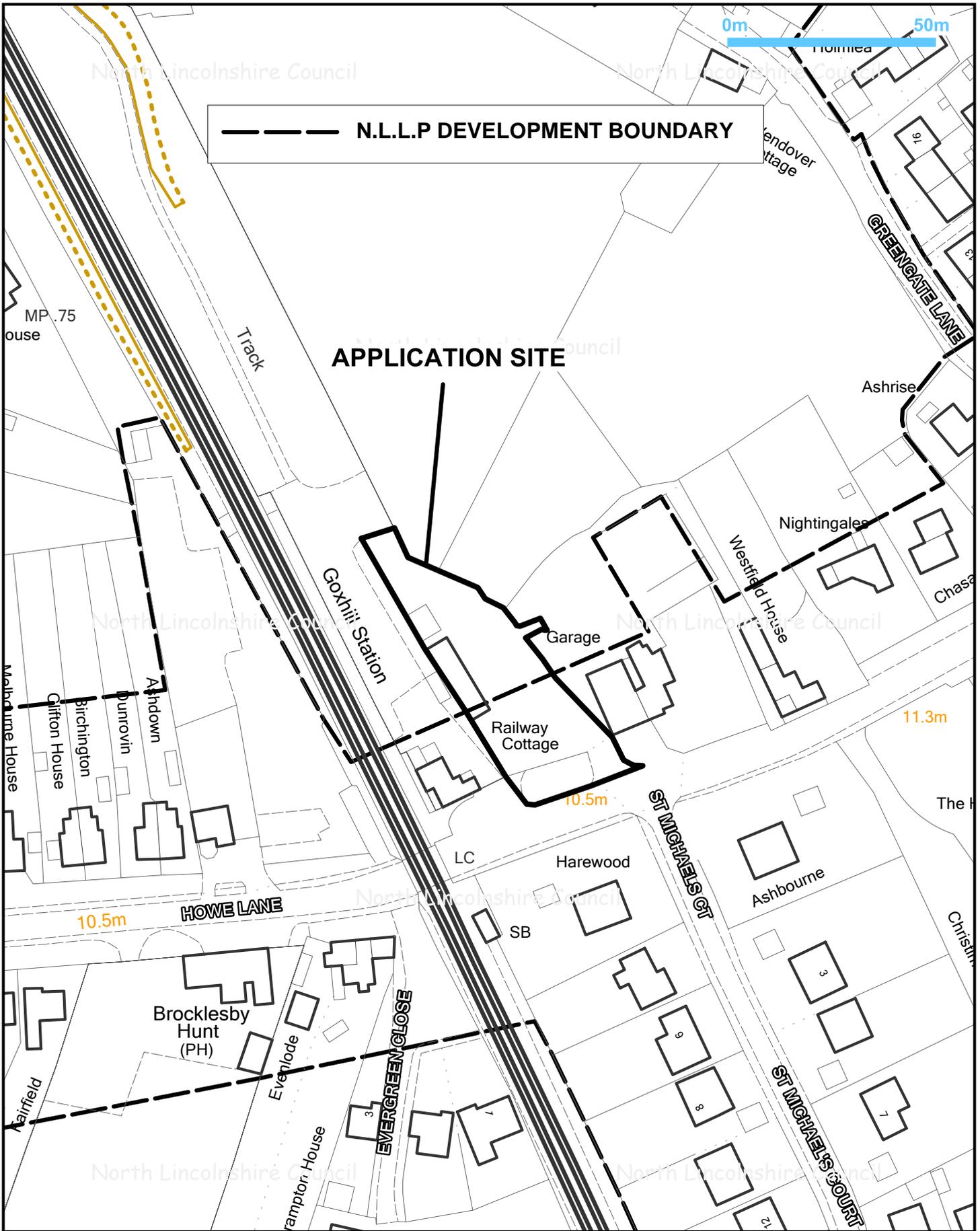
**Informative 1**

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.

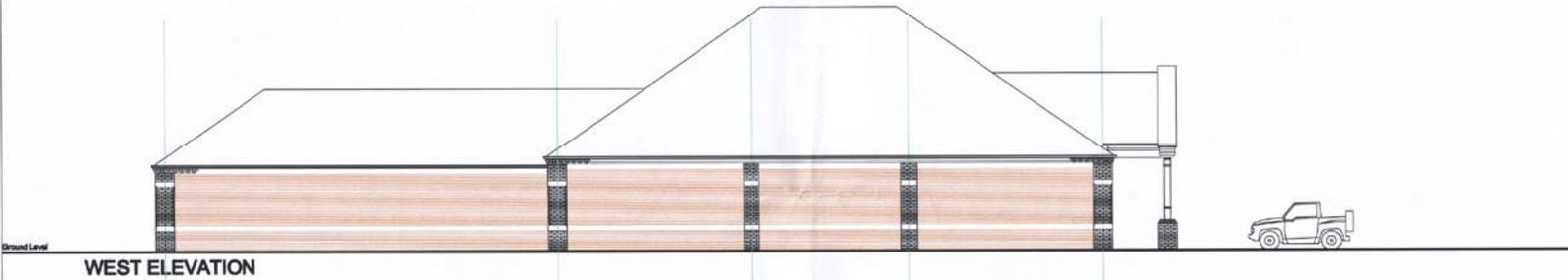


Title: PA/2015/1202			
Drawn by: Sue Barden	Date: 16/12/2015	Scale @A4 1:1250	

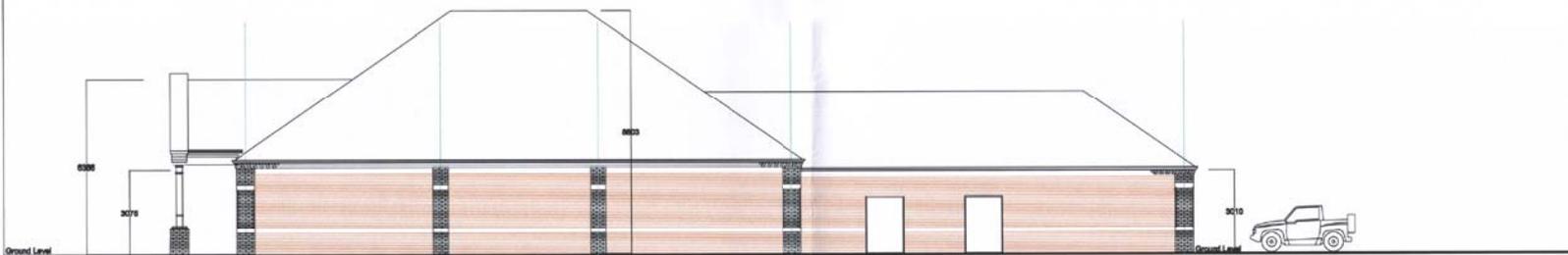
	<p>© Crown copyright and database rights 2015 Ordnance Survey 0100023560</p>	 <p><b>NORTH LINCOLNSHIRE COUNCIL</b> www.northlincs.gov.uk</p>	<p><b>Director of Places</b> <b>Peter Williams</b> BSc,DMS,CEng,MEI,MCMI,AMIMechE</p>
---	--	--	---



PA/2015/1202 Proposed Elevations Not to scale



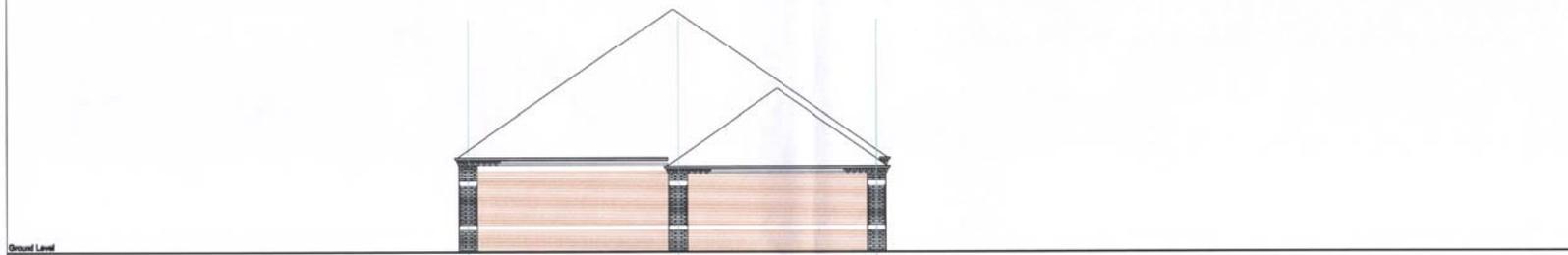
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

