

APPLICATION NO	PA/2015/1109
APPLICANT	Mr Clive Davis
DEVELOPMENT	Planning permission for demolition and rebuild of existing house and barns
LOCATION	Uplands Lodge, East Marsh Road, Goxhill, DN19 7NQ
PARISH	Goxhill
WARD	Ferry
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Applicant request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

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 64 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 the area and the way it functions.

Paragraph 100 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

North Lincolnshire Local Plan: Policy RD2 – Development in the Open Countryside

Policy RD10 – Replacement, Alterations and Extensions to Dwellings in the Open Countryside

Policy DS1 – General Requirements

Policy DS16 – Flood Risk

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 CS19 – Flood Risk

CONSULTATIONS

Highways: No objection subject to conditions.

Drainage Team: No objection but offer informative comments.

Environmental Health: No objection subject to conditions.

Historic Environment Record: No objection subject to conditions.

Environment Agency: Object to the grant of planning permission.

PARISH COUNCIL

No objection.

PUBLICITY

Neighbouring properties have been notified by letter and a site notice posted. No letters of comment or objection have been received.

ASSESSMENT

The application site is an existing equestrian facility located in the open countryside outside of Goxhill. The site consists of a dwelling, a large range of stables, a converted office building and a large agricultural/industrial building, as well as associated hard surfaces and parking/turning areas. The site is in a relatively isolated position a significant distance outside the defined development boundary for Goxhill. The surrounding area is predominantly agricultural in nature and the site is surrounded by open fields, with relatively open boundaries. This application seeks planning permission to demolish and rebuild the existing dwelling and barns.

Planning permission was recently granted to remodel and extend the dwelling and attached stables (PA/2015/0295). The current proposal will result in a similar development but involves the rebuild of the existing structures as opposed to their remodelling/extension.

The main issue to consider in the determination of this application is whether the scale and appearance of the proposed development would be harmful to the character or appearance of the open countryside and whether the development would be safe from flooding.

Principle

The most relevant development plan policies in the determination of this application are policies RD10 and DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

Policy RD10 relates specifically to dwellings located in the open countryside and sets out the criteria against which replacement dwellings and extensions to existing dwellings in the countryside will be assessed. Policy RD10 requires that replacement dwellings do not exceed the volume of the original dwelling by more than 20%, exclusive of normal permitted development rights, and would not be substantially higher in elevation. Compliance with policy RD10 is also dependent upon the impact of the proposed development on the character and appearance of the area and the amenity of neighbouring properties; these issues are assessed below.

Policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy set out the council's approach to development in areas at risk of flooding. The application site sits within flood zone 2/3a (Tidal) of the Strategic Flood Risk Assessment for North Lincolnshire and the Environment Agency Coastal Hazard Mapping zone and as such is in a high flood risk zone. These policies seek to direct new development to areas at lowest risk of flooding and only permit development in areas of high risk where it provides wider sustainability benefits to the community that outweigh flood risk; is on previously developed land; and a Flood Risk Assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere.

Visual impact

The proposal will result in a large dwelling and will add approximately 80% in terms of volume to the original dwelling which is significantly more than the 20% additional volume allowed by policy RD10 of the North Lincolnshire Local Plan. The intention of this policy and the afore-mentioned volume restriction is to protect the character of the open countryside. The applicant dwelling forms part of a large range of buildings, including the stable blocks and attached, converted office building, and the dwelling stands to the rear of these structures. The application site is therefore located towards the rear of the site, screened from East Marsh Road by existing buildings. Where the buildings are visible from a public highway they will be seen against the backdrop of existing buildings on the site. The works have been designed to be sympathetic to the existing structures and will result in an attractive courtyard development. Furthermore, it is proposed to use good quality materials, including York handmade bricks and a slate roof. For these reasons it is considered that the proposed extensions and remodelling, whilst large in scale, will have no significant impact on the character or appearance of the open countryside.

In addition to the above, it should be noted that the proposed scheme is essentially identical to the previous scheme which still benefits from live planning permission (PA/2015/0295), the only difference is that the current proposal does not make use of the existing structures. The Historic Environment Record has been consulted on the application and has raised no objection to the demolition of the buildings and their re-building subject to a condition securing a scheme of photographic recording. The buildings are not listed, nor are they located in a conservation area. As such it is considered that the demolition of the existing buildings is acceptable and that their loss would not be detrimental to the character of the area.

Amenity

There are no neighbouring properties directly adjacent to the application site and as such the proposed extensions will not result in any unacceptable loss of amenity to neighbouring properties.

Highway safety

The proposed development does not propose any alterations to the existing access into the site. Furthermore, the site has large hard-standing areas for parking and turning which are unaffected. The council's Highways department has been consulted on the application and has raised no concerns with regard to highway safety.

Flood risk

The site is located within an area of high flood risk and the Environment Agency's (EA) Coastal Hazard Mapping area. Whilst the site does have live consent for alterations and extensions to the existing dwelling to form a development very similar to that proposed, the current proposal is for a new-build replacement dwelling and as such flood risk has to be considered, particularly with regard to what mitigation measures could be incorporated within the new dwelling.

The EA has confirmed that the Flood Risk Assessment submitted with the application does not identify appropriate measures to deal with the flood risks to the proposed development and future occupants. The EA Coastal Hazard Maps show that flood depths in excess of 2 metres could impact the application site. Taking velocities into account, the site lies within a future hazard category classified as 'danger for all'. In accordance with the agreed approach within the North and North East Lincolnshire Strategic Flood Risk Assessment, the depths from the Hazard Mapping inform the appropriate finished floor levels. For depths greater than 1.6 metres, as in this location, it is unlikely that mitigation measures would prevent flood water from entering the building at ground-floor level. Therefore, the proposal should be at least two-storey with no ground-floor habitable accommodation and the first-floor living accommodation must be above the highest predicted flood depth. Safe ground floor accommodation will not be achievable with these depths and as such the applicant should re-design the development with all living accommodation located at first-floor level or above.

The applicants have been made aware of the objection from the EA and have discussed this with them. They are not willing to re-design the development to locate all habitable accommodation at first-floor level or above and as such the EA maintain their objection on the grounds that the development will not be safe from flooding and recommend refusal on this basis. The failure to submit an acceptable Flood Risk Assessment to demonstrate that the development will be safe from flooding is contrary to policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

Conclusion

The submitted Flood Risk Assessment is not acceptable as it does not identify appropriate measures to deal with the risk of flooding. The development would not be safe from flooding due to the potential depth of flood water in the event of a breach or overtopping of flood defences in the area. For these reasons the development is contrary to policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and paragraph 100 of the National Planning Policy Framework.

Update

This application was discussed at the planning committee meeting on 27 April when members determined that they were minded to grant planning permission contrary to officer

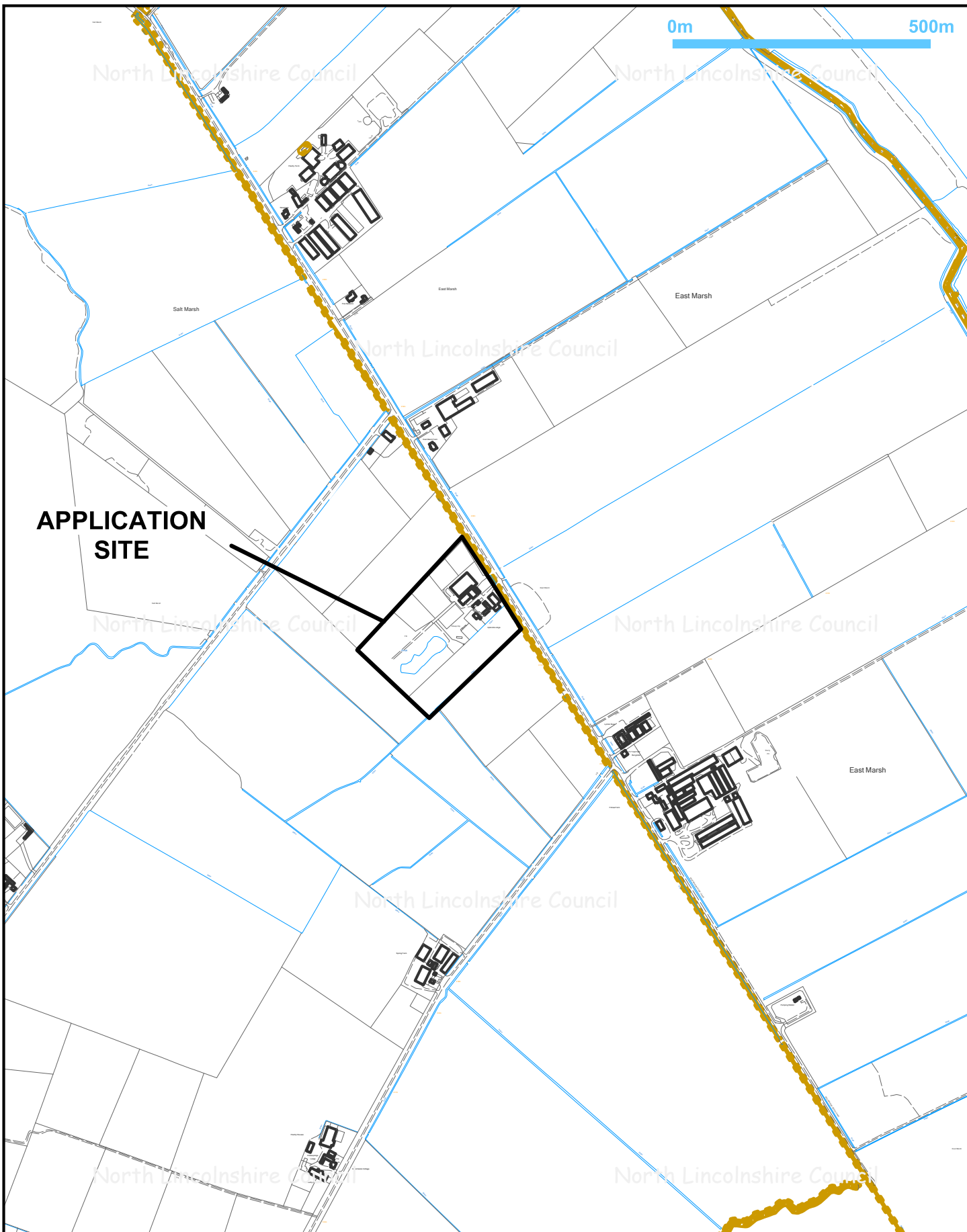
recommendation. Due to the outstanding Environment Agency objection against the application it was necessary to re-consult with this body to ascertain whether they intended to refer the application to the Secretary of State to determine whether the application should be determined by way of a public inquiry. The Environment Agency has now responded to this consultation and has confirmed that they do not intend to refer the application to the Secretary of State and as such the local planning authority may now issue a decision on the application. At the previous committee meeting it was decided that the application would have to be brought back to committee following consultation with the Environment Agency to allow members to confirm their decision and it is for this reason that the application is again before members for a decision.

RECOMMENDATION Refuse permission for the following reasons:

The submitted Flood Risk Assessment does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306. In particular, it does not identify appropriate measures to deal with the flood risks to the development and future occupants. The proposed development is therefore contrary to policies DS16 of the North Lincolnshire Local Plan, CS19 of the North Lincolnshire Core Strategy and paragraph 100 of the National Planning Policy Framework.

Informative 1

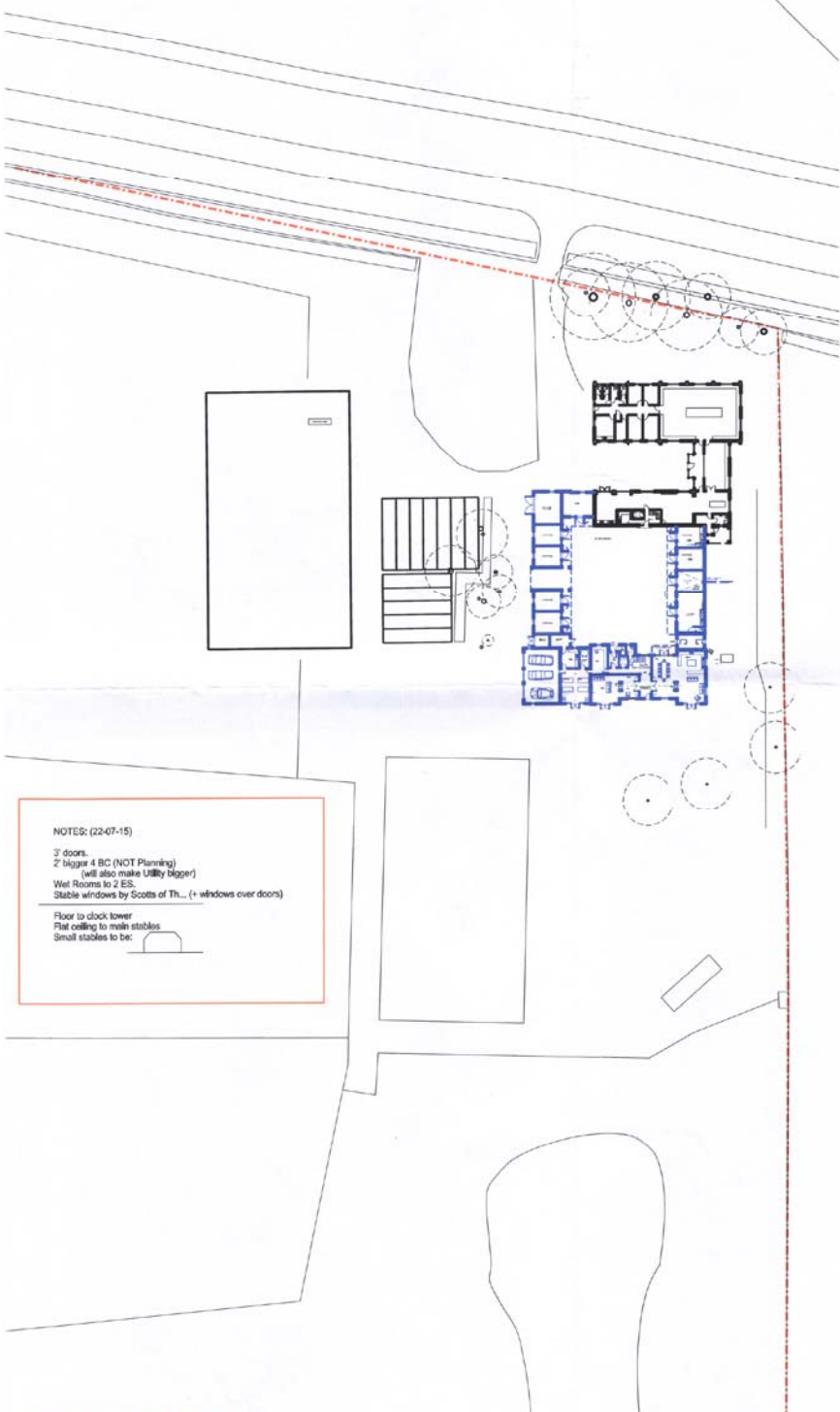
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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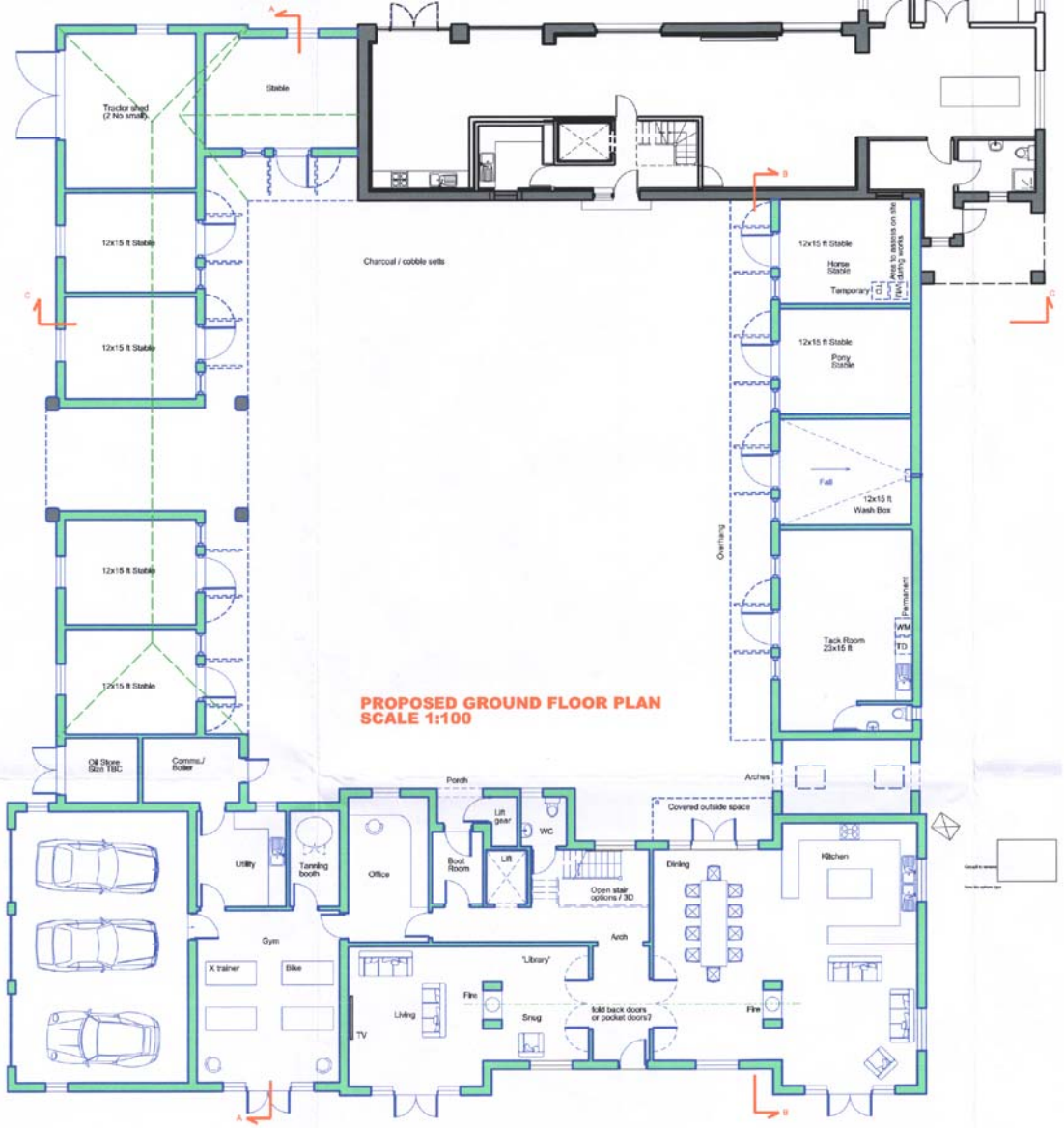
	<p>© Crown copyright and database rights 2016 Ordnance Survey 0100023560</p>	 <p>www.northlincs.gov.uk</p>	<p>Director of Places Peter Williams BSc,DMS,CEng,MEI,MCMI,AMIMEChE</p>
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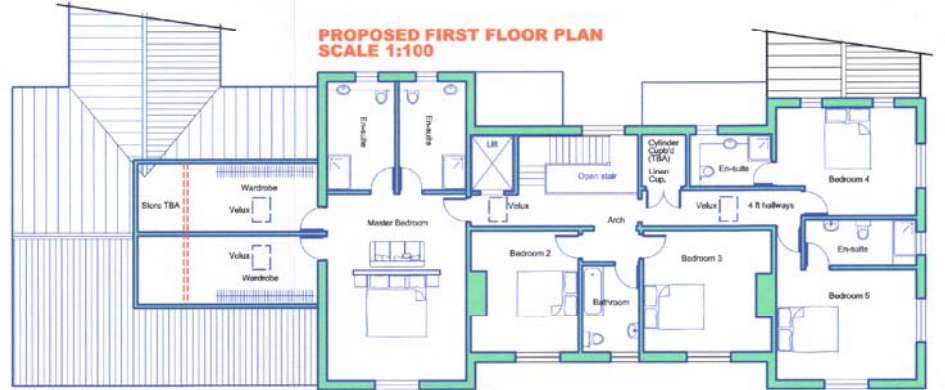
NOTES: (22-07-15)

- 3' doors.
- 2' bigger 4 BC (NOT Planning) (will also make Utility bigger)
- Wet Rooms to 2 ES.
- Stable windows by Scotts Th... (+ windows over doors)
- Floor to clock tower
- Flat ceiling to main stables
- Small stables to be:

PROPOSED SITE PLAN



PROPOSED GROUND FLOOR PLAN SCALE 1:100



PROPOSED FIRST FLOOR PLAN SCALE 1:100

PA/2015/1109 Proposed Elevations - Not to scale



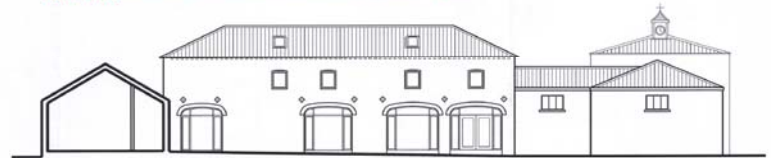
PROPOSED FRONT (SOUTH-WEST) ELEVATION
SCALE 1:100



PROPOSED NORTH-WEST ELEVATION / SECTION B - B (from courtyard)
SCALE 1:100



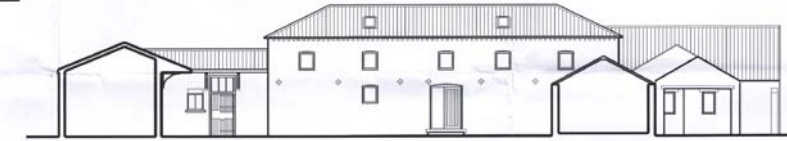
PROPOSED BACK (NORTH-EAST) ELEVATION
SCALE 1:100



PROPOSED (NORTH-EAST) ELEVATION
SCALE 1:100



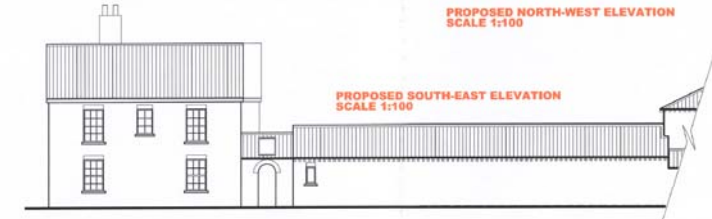
PROPOSED SOUTH-EAST ELEVATION / SECTION A - A (from courtyard)
SCALE 1:100



PROPOSED SOUTH-WEST ELEVATION / SECTION C - C (from courtyard)
SCALE 1:100



PROPOSED NORTH-WEST ELEVATION
SCALE 1:100



PROPOSED SOUTH-EAST ELEVATION
SCALE 1:100

