

APPLICATION NO	PA/2016/1184
APPLICANT	Mr Paul Couch
DEVELOPMENT	Outline planning permission for erection of a single-storey dwelling and garage with appearance, landscaping, layout and scale reserved for subsequent approval
LOCATION	Land adjacent 103 Westgate Road, Westgate, Belton, DN9 1PY
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Agent request to address the planning committee

POLICIES

National Planning Policy Framework: National Planning Policy Framework: 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.

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.

Section 10 (Meeting the challenge of climate change, flooding and coastal change) states that inappropriate development in areas of flood risk of flooding should be avoided by directing development from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

North Lincolnshire Local Plan: Policies DS1, DS16, LC14, RD2, T2, T19, H5 and H8 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7 and CS19 apply.

North Lincolnshire Housing and Employment Land Allocations Development Plan Document

CONSULTATIONS

Highways: No objection, but recommend conditions in respect of vehicular access and turning spaces, improvements to the existing vehicular access, an effective method for the disposal of surface water run-off from hard paved areas and no loose material within 10 metres of the adopted highway. In addition conditions are recommended in respect of the height of boundary treatment adjacent to the highway (1.05 metres) and the dwelling not being occupied until access, parking and turning are provided.

Historic Environment Team: This proposal does not adversely affect any heritage assets of archaeological interest or their settings. The site is within the LC14 policy area; the HER does not consider the proposal is contrary to the policy provided that the design and building materials are appropriate to the area. No objection.

Environment Agency: No comments to make. The proposal does not pose a significant risk in terms of flooding issues.

Environmental Health: The application for residential development is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks. No supporting information has been provided by the applicant that demonstrates the land has not been impacted by contamination, and that any potential risks can be reduced to an acceptable level. In the absence of this information a condition is recommended that a contaminated land investigation is undertaken.

PARISH COUNCIL

No objection.

PUBLICITY

The development has been advertised in the local press and neighbouring properties notified. No letters of representation 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. This is a resubmission of planning application PA/2014/0632 which was refused by the planning committee on the grounds that the site

lies outside a defined settlement, in the open countryside and is located in an unsustainable location, remote from local services and public transport.

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

Principle

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 does not 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 and on land adjacent to Grey Green Farm (PA/2015/1269) in Belton. These applications were approved by the planning committee contrary to officer advice on the basis that one would secure the future of the public house and it was infill development. 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; the second of the applications was located closer to the settlement boundary than the application being considered here. No such special justification can be put forward with this proposal. In addition this application was previously refused by the planning committee in 2014, there has been no significant change in planning legislation and the proposals remain the same as those previously refused planning permission, therefore the principle of residential development on this site is considered inappropriate.

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.

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 kilometres from the main body of Belton with its informal village centre including services such as a primary school, shop and doctor's surgery. The nearest public house is The Wheatsheaf located 0.49 kilometres to the west along Westgate Road. The nearest bus stop is 0.32 kilometres 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 metres 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 Development Plan Document (DPD). The nearest railway station is at Crowle, located approximately 4.83 kilometres from the site. Whilst the nearest bus stop is within the 400 metre 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 National Planning Policy Framework, which sets out a presumption in favour of sustainable development. For the reasons outlined above the proposed development is not sustainable and would not benefit from this presumption in favour.

Flood risk

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, which 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. The proposal is for 'more vulnerable' development in a high flood risk zone, therefore the proposed development needs to be assessed against the sequential and the exceptions test. The agent has failed to investigate whether there are any sites available within the defined settlement boundary for Belton at lower risk of flooding. Due to a lack of information it is considered that the sequential test is failed in this case.

Other issues

The proposal seeks outline planning permission with means of access to be considered and all other matters reserved for subsequent consideration (through the submission of a reserved matters planning application). Matters relating to the position and heights of windows, orientation of the dwelling, external appearance of the dwelling and scale would be considered at reserved matters stage. The potential loss of residential amenity arising from this subsequent planning application would be assessed at that stage of the planning process. Notwithstanding this a site plan has been submitted with the planning application, which shows that there will be sufficient land to serve as private amenity space for the

proposed property. In addition there is sufficient land within the site to provide a number of off-street parking spaces, together with a turning space.

RECOMMENDATION Refuse permission for the following reasons:

1.

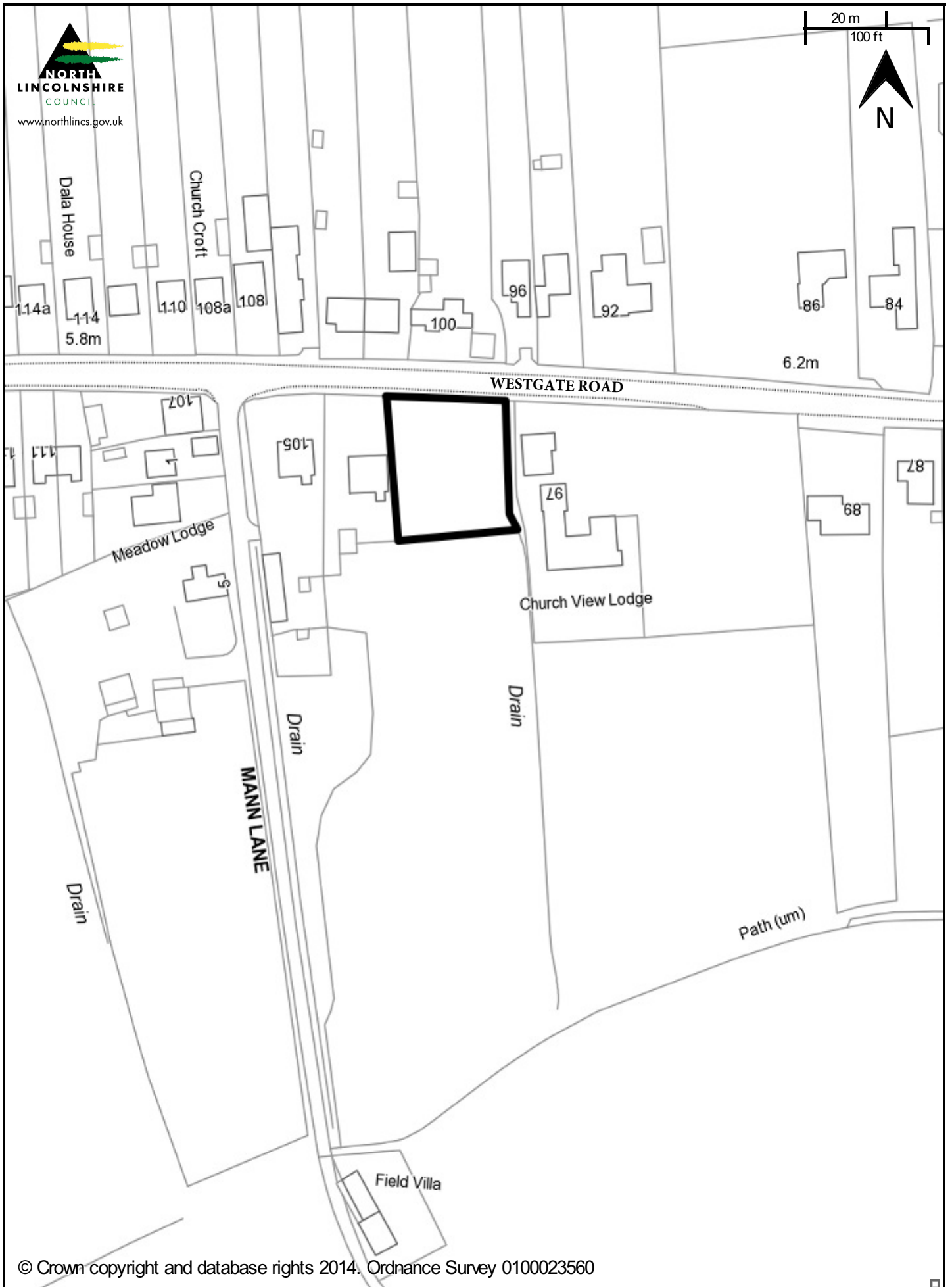
The proposed development is contrary to policies RD2 of the North Lincolnshire Local Plan; CS2, CS3 and CS8 of the North Lincolnshire Core Strategy; and paragraph 55 of the National Planning Policy Framework in that the site lies outside of a defined settlement, in the open countryside and is located in an unsustainable location, remote from local services and public transport. In addition no evidence has been provided to justify a special need for a dwelling in this location.

2.

The proposed residential development is classified as 'more vulnerable' in terms of flood risk vulnerability and the site is located in flood zones 2/3a as defined in the North Lincolnshire Strategic Flood Risk Assessment. The Planning Practice Guidance states that development should only be allowed where it passes the sequential and exceptions test. The applicant has provided no evidence as to whether there are any sites located within the defined settlement limit for Belton which are at lower risk of flooding; the proposal therefore fails the sequential test. The proposal is therefore contrary to policies DS16 of the North Lincolnshire Local Plan, CS19 of the North Lincolnshire Core Strategy and paragraphs 100, 101 and 102 of the National Planning Policy Framework.

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.



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