

<b>APPLICATION NO</b>	<b>PA/2016/1531</b>
<b>APPLICANT</b>	Keigar Homes Ltd
<b>DEVELOPMENT</b>	Planning permission for revised plot layout and change of house type to plot 6 previously approved under PA/2015/1195 and to erect two additional detached dwellings and a detached double garage including associated access, drives, gardens and private shared driveway
<b>LOCATION</b>	Former Brocklesby Hunt Inn, Howe Lane, Goxhill, DN19 7HL
<b>PARISH</b>	Goxhill
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Leanne Pogson-Wray
<b>SUMMARY RECOMMENDATION</b>	<b>Subject to the variation of the Section 106 agreement, grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Goxhill Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 7 – Achieving sustainable development.

Paragraph 55 relates to the promotion of sustainable development to ensure that housing is located where it will enhance or maintain the vitality of rural communities.

Paragraph 56 relates to good design and attaches great importance to the design of the built environment. Good design is indivisible from good planning and should contribute positively to making places better for people.

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire) sets out the spatial vision for North Lincolnshire. Rural settlements will be supported with a strong focus on retaining and enhancing existing facilities and services to meet local needs. Development within rural settlements will be limited and should take account of levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS2 (Delivering More Sustainable Development) allows for small-scale developments within the defined limits of rural settlements to meet identified rural needs.

Policy CS3 (Development Limits) relates to development limits which will be applied to rural settlements, of which Goxhill is one. The limit will be drawn to reflect the need to protect and enhance settlement character, protecting areas of open space or land with the characteristics of open countryside within and adjacent to settlements by not including them within development limits; large rear gardens or paddocks stretching without the village's built form will also be excluded.

Policy CS5 (Delivering Quality Design in North Lincolnshire) – new development in North Lincolnshire should be well designed and appropriate for its context. It should contribute to creating a sense of place. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character or quality of the area will not be acceptable.

Policy CS7 (Overall Housing Provision) – proposals for housing should include a variety of house types, sizes and tenures to meet local housing needs.

Policy CS8 (Spatial Distribution of Housing Sites) – new housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Policy CS9 (Affordable Housing) – new residential development of three or more dwellings in rural settlements must make provision for affordable housing which is accessible to those unable to complete in the general housing market. To this end a contribution of 10% is required.

**North Lincolnshire Local Plan:** Policy H5 (New Housing Development) – new housing development should meet the criteria set out in policy H5 including that the scale, layout, height and materials are in keeping with and compatible with the character and amenity of the immediate environment and the settlement as a whole.

Policy H8 (Housing Design and Housing Mix) – new residential development will be permitted provided that it respects and reflects the form, scale, massing, design and detailing, materials, and nature of the local environment.

Policy RD2 (Development in the Open Countryside)

Policy DS1 (General Requirements) – a high standard of design is expected in all developments.

Policy DS2 (Planning Benefits) – development proposals will be expected to have regard to existing levels of infrastructure, services and amenities.

Policy DS3 (Planning Out Crime) – new development should take into account personal safety and security.

## **HISTORY**

Planning permission was granted under PA/2015/1195 for the demolition of the rear of the public house and outbuilding and conversion of the public house to two new dwellings and erection of a further eight dwellings and associated works including garaging, driveways, landscaping and access road.

Permission was granted under PA/2016/1279 to revise plot layout to reposition approved house type and to increase rear garden (plot 7) to that currently approved under PA/2015/1195.

## **CONSULTATIONS**

**Highways:** No objections subject to including previous conditions relating to PA/2015/1195.

**Archaeology:** No objections.

**Ecology:** Advise conditions regarding biodiversity enhancements as outlined in the submitted details.

**Environmental Health:** Comments regarding trial pits relating to discharge of condition for previous application. Requests further information regarding this information or the full contamination conditions.

## **PARISH COUNCIL**

Object to the proposal on the following grounds:

- over-development within a rural settlement
- development within the open countryside
- would need to amend the Section 106 agreement; no agreement has been made with residents with regard to the community asset.

## **PUBLICITY**

Neighbouring properties have been notified by letter. Four letters of objection have been received raising the following issues:

- the site is outside the development boundary
- parking problems
- sewerage problems.

## **ASSESSMENT**

This application was deferred at the last meeting of the Planning Committee to enable members to visit the site prior to making a decision.

Planning permission was granted in March 2016 for residential development on the site of the Brocklesby Hunt public house. The majority of the site is outside defined settlement limits; however, as PA/2015/1195 has been implemented, the principle of residential development on this site has been established. In September 2016 permission was granted to change the plot layout to plot 7, extending the garden across part of the garden areas for Brampton House and Evenlode. This plot extension land-locked the area of land to the south (the end garden areas of these neighbouring dwellings), giving the opportunity for this proposed development. This proposal is for the re-arrangement of plot 6 and two further dwellings.

**The main issues in determining this application are whether the proposed additional dwellings are appropriate in terms of development outside the development**

**boundary and whether the development would have any adverse impact on parking, drainage or amenity.**

As previously stated, the site is outside the development boundary for Goxhill, where applications for residential development would normally be strictly controlled. PA/2015/1195 was approved although the application was contrary to policies CS2 and CS3 of the Core Strategy. This decision establishes the principle of residential development on this site. As such two further dwellings are not considered to adversely affect the rural area, have an adverse impact on the open countryside, or have an adverse impact on sustainability.

The public house is listed as a community asset and, as part of the Section 106 agreement to PA/2015/1125, provision was made for discussions between residents and Keigar Homes to look into the purchase of the Brockelsby Hunt to be used as a community facility. A period of 12 months was given for such discussions. To date, no agreement has been made. If no agreement is made within such time frame, the public house can be converted to two dwellings as per the approved plans. The remainder of the Section 106 agreement included off-site commuted sum provision towards affordable housing and public open space. An amended Section 106 agreement will be required for increased contributions.

Concerns have been raised regarding parking and sewerage, although these concerns relate to the wider site, with objections raised regarding the overall development. These concerns are not specific to this proposal and have been addressed with conditions attached to the original application, which will be replicated for continuity.

The proposed development for an additional two dwellings and the re-arrangement of plot 6 are in keeping with the styles, designs and layout of the remainder of the development and would not have any adverse impact on the character of the area or amenity of neighbouring properties. The proposal would continue along the same form of the eastern side of the layout of the existing approved scheme.

Environmental Health have requested full contamination conditions as it was felt that some further information was required further to the discharge of conditions for PA/2015/1195. However, these conditions have been discharged with Environmental Health stating that no contamination was found during trial pit investigations. This site was previously domestic garden with no history or indicators of contamination. As such it is considered unreasonable to include such a condition and therefore the standard monitoring condition is proposed.

## **RECOMMENDATION**

**Subject to a variation to the Section 106 agreement previously signed in conjunction with planning permission PA/2015/1195, providing for increased contributions towards the provision of affordable housing, the committee resolves:**

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Development Management upon completion of the obligation;**
- (iii) if the obligation is not completed by 14 June 2017 the Head of Development Management be authorised to refuse the application on grounds of non-**

**compliance with policy CS9 of the Core Strategy as it fails to make sufficient provision for affordable housing; and**

**(iv) the permission so granted be 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: BH/162/101 rev B, BH/162/102 rev A, BH/162/105 rev C, BH/162/107 rev D, Bu/AS/12/103, GA/BH/P6, KI.su/AS/12/103, Du/AS/12/102, BH/162/104 rev G, BH/162/108 rev B and associated supporting documents.

Reason

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

3.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

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

Reason

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

4.

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.

5.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site into 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.

6.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

7.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

8.

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

Reason

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

9.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

10.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

11.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

12.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

13.

Prior to any demolition, site clearance or construction activities taking place the applicant shall submit to the local planning authority a dust management plan for approval. The approved dust management plan shall be adhered to until the construction phase has been completed.

Reason

To safeguard adjacent residential property.

14.

Construction operations shall be limited to the following hours: 8am to 6pm Monday to Friday 8am to 1pm on Saturdays. No construction operations shall take place on Sundays or public/bank holidays. HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority. Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

15.

The proposed surface water discharge rate from the site into the highway drain must be restricted to no more than 5 litres per second.

Reason

To prevent the increased risk of flooding to themselves and others.

16.

The proposed underground surface water drainage system shall be designed to attenuate water so that no above-ground flooding occurs up to and including a 1 in 100 year storm event plus climate change.

Reason

To prevent the increased risk of flooding to themselves and others.

17.

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.

18.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

19.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted document, 'Biodiversity Management Plan: Former Brocklesby Hunt Public House, Goxhill, North Lincolnshire' dated December 2014 and the submitted drawing number BH/162/04. The management prescriptions set out in sections 5, 6 and 7 of the management plan shall be carried out in their entirety in accordance with the timescales set out in the work programme in section 8. All biodiversity features shall be retained thereafter. The applicant or their successor in title shall submit a report to the local planning authority upon completion of the management prescriptions, with photographs of the biodiversity features, to provide evidence of compliance with the management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

### **Informative 1**

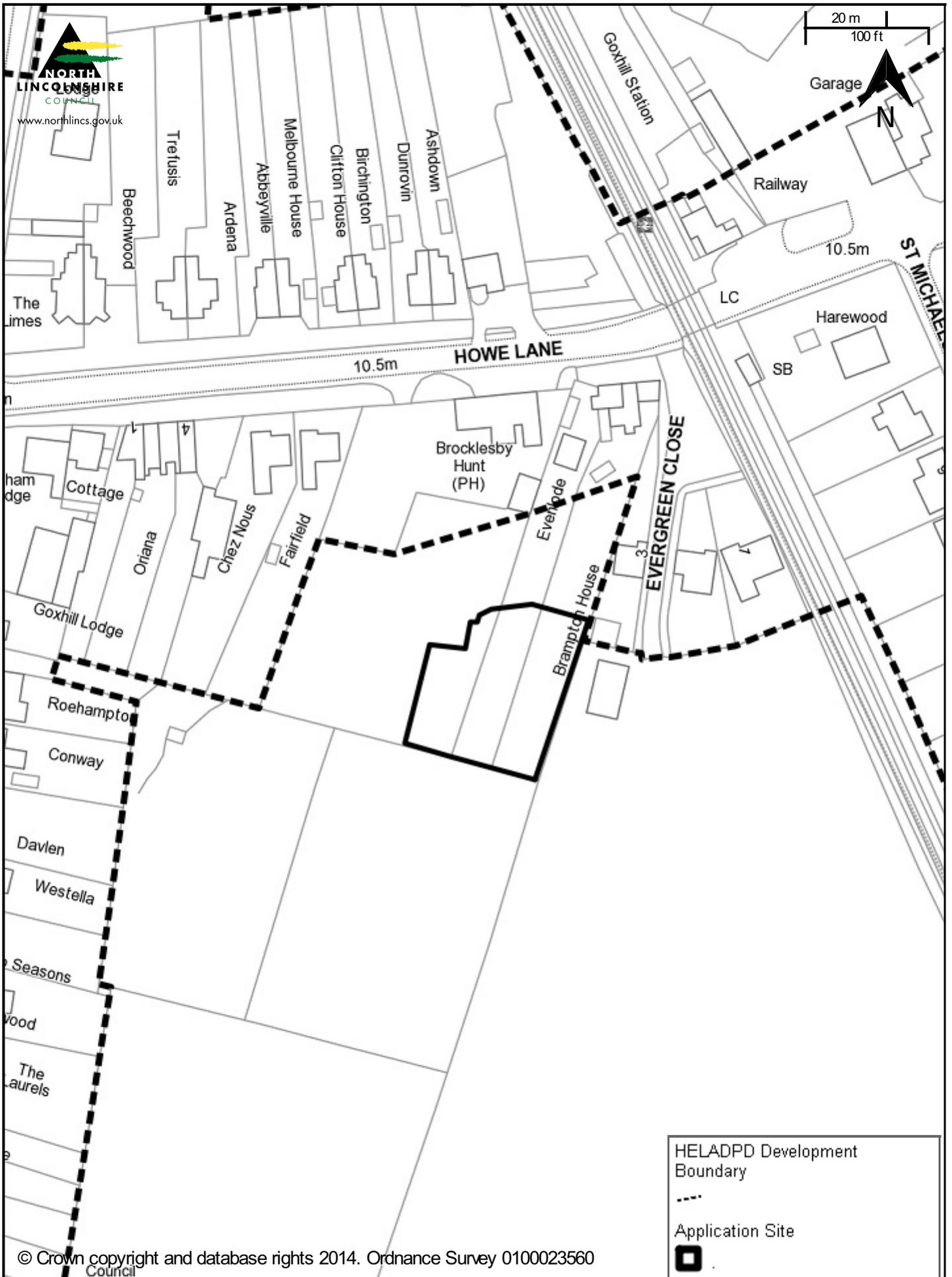
This application must be read in conjunction with the relevant Section 106 Agreement.

**Informative 2**

Please note that those planning conditions which were formally discharged against planning permission PA/2015/1195 are also considered to be formally discharged as part of this planning permission. The conditions are replicated for continuity and to allow changes to be made to those details previously approved.

**Informative 3**

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.



PA/2016/1531

Drawn by: S Barden

Scale @A4 1:1250

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# PA/2016/1531 Proposed layout - Not to scale



G	RED / BLUE BOUNDARIES ADDED,	MdS	28.08.16
F	UPDATED FOR PLOTS 6, 11 & 12,	MdS	02.08.16
E	PLOT 7 REVISED,	MdS	28.07.16
<small>Site Layout</small>		<small>Drawn by Date Approved</small>	

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Residential Development at  
 former BROCKLESBY HUNT  
 HOWE LANE, GOXHILL

SITE LAYOUT			
<small>DATE</small>	<small>MD</small>	<small>DATE</small>	<small>SCALE</small>
	MdS	11.09.15	1/500 @ A3
<small>REF NO</small>	<small>REF</small>		
BH / 162 / 104	G		

PA/2016/1531 3D Image - Not to scale

