

APPLICATION NO	PA/2018/598
APPLICANT	Mr James Smith
DEVELOPMENT	Planning permission to erect a pair of semi-detached dwellings
LOCATION	Land adjacent to East View, Station Road, Graizelound, Haxey, DN9 2NJ
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish council

POLICIES

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 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 56 states that the Government attaches great importance to the design of the built environment. 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 61 states that planning policies and decisions should address the connections between people and places and the integration of new development in to the natural, built and historic environment.

Paragraph 197 states that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

North Lincolnshire Local Plan:

Policy DS1 – General Requirements

Policy H5 – New Housing Development

Policy H8 – Housing Design and Housing Mix

Policy DS14 – Foul Sewage and Surface Water Drainage

Policy HE9 – Archaeological Evaluation

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS6 – Historic Environment

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing Sites

CONSULTATIONS

Highways: No objections subject to conditions.

Historic Environment Record (Archaeology): No objections as it is considered that this proposal would not adversely affect the character of the heritage asset (LC14 Historic Landscape) or its setting providing that the design and building materials are appropriate to the area and in accordance with policy.

Environment Team (Ecology): No objections subject to a condition regarding biodiversity enhancements.

Environmental Protection: No objections subject to a condition relating to contaminated land.

Environment Agency: No objections subject to conditions regarding the submitted Flood Risk Assessment.

LLFA Drainage: Advises an informative.

PARISH COUNCIL

‘A large plot which consists entirely of garden as described in the design access statement (DAS) within the building envelope of the rural hamlet of Graizelound. It is inaccurate to describe it as brownfield later in the DAS, as it has not been previously developed and is therefore not a windfall site. We believe one of the key features of rural villages and particular hamlets is the large gardens and impact of their loss affects the overall attraction of them. The overall size of the dwellings is large and will create a dominant feature within its immediate street scene.

While provision is made for turning on the site we have concerns as to the impact of additional vehicles accessing the busy A161 at a point where there is poor visibility due to the curve of the road.

We see no evidence to substantiate it will be affordable housing or that it meets the criteria laid down by government, therefore any grant of permission should include a condition that it meets local authority and government criteria for affordable housing, in the form of a s106 agreement.

The proposal lacks evidence to substantiate the scale of the development or that it meets an identified need CS9. The application is not consistent with NPPF 48 windfall site states “and should not include residential gardens”.

NPPF 53 Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

CS1 5.43 – To support this aim small-scale development will be allowed in rural settlements. However, the scale of new development will be limited and reflect local needs as well as the availability of facilities, services and infrastructure. Development will also make the best use of existing land and buildings within these settlements. Accessibility, in particular by public transport, walking and cycling, will also be a vital consideration. There will be a strong focus on ensuring the existing facilities and services are maintained and enhanced to meet local needs and sustain the quality of life for people in rural communities, as well as the diversification of the rural economy. Where future residential development takes place in these settlements it will be considered to be windfall development.

CS9 – Rural Exception Sites – Planning permission will be granted for the release of small rural exception sites within or adjacent to the development limits or within rural settlements for 100% affordable housing where a local need has been clearly identified. All proposals must be substantiated by evidence that the scale of development proposed meets the identified needs.

8.53 Affordable housing will be secured by a s106 legal agreement to ensure, where applicable, the provision remains affordable indefinitely. It is the council’s preference for affordable housing to be transferred by the developer to a Registered Social Landlord working as one of the council’s partners.

Haxey Parish Plan. Section housing and development. Action points. Restrict new housing development in certain locations e.g. on greenfield sites and in gardens. There is an issue with the water level in this area which has resulted in properties flooding or emergency vehicles/waste collection and concerns about the state of the hedge along Church Lane.’

PUBLICITY

Advertised by site notice. Two letters have been received raising the following issues:

- A site visit is required to assess the proposal.
- The site is not brownfield but an established wildlife garden.
- The development will change the community for the worst.
- If the dyke on the boundary is not maintained it will block and cause flooding which is already a problem in the area.

- The proposal is an urban development out of keeping with the rural hamlet.
- Parking and access are inadequate which will lead to parking on the road, reducing highway safety and existing poor visibility standards.

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 is sought to erect a pair of semi-detached dwellings within the settlement boundary for Graizelound. The land is currently part of the side garden of the property known as East View. The area is characterised by linear, street frontage development mainly in residential use.

The main issues in the determination of this application are: whether the site can be developed without having an adverse impact on the character of the area, including the historic landscape; whether the proposal would have an adverse impact on highway safety and provides sufficient parking/access; and whether the proposal would have an impact on flooding.

The application site is within the settlement boundary for Graizelound where, in principle, residential development is acceptable. The parcel of land is relatively large and the submitted plans demonstrate that the plot can accommodate a pair of semi-detached dwellings, together with a generous amount of private amenity space, parking and access for both existing and proposed properties. The scale and design of the proposal is not considered to be out of keeping with the area, nor is it considered to be an over-development of the site. There are a mix of house designs and styles in the area, with no particular architectural style or design being predominant. It is therefore considered that the character and appearance of the pair of semi-detached dwellings will not be detrimental to the character of the area.

Objections have been raised on the grounds that the development will create issues in relation to highway safety due to lack of parking and insufficient access/visibility. However, the highways department is satisfied that details submitted with the application are satisfactory, meet the required standards in all areas and will not cause any hazards to highway users to the detriment of highway safety.

Concerns have also been raised about the maintenance of a dyke, which could potentially result in flooding. However, the IDB and the council's drainage team have been consulted, and no concerns have been raised about the issue of flooding on the site. The ditch is clearly marked on the plans and adequate easement is provided to allow continued maintenance of the watercourse. In addition, a flood risk assessment has been submitted with the application, which has been considered by the Environment Agency. No objections have been raised subject to the development being carried out in accordance with the details contained in the FRA. A condition has been recommended to secure this.

Other concerns raised include impact on wildlife; loss of garden area; the site not being a brownfield plot; the development is not a rural exceptions site for affordable housing and a Section 106 is required; and the size and scale of the development is out of keeping with the rural character of the area. No evidence has been provided to demonstrate that any protected species are present on the site. Although the site may have been left to grow in a

more natural state rather than being manicured and made more formal, this does not demonstrate that the site is of any wildlife value. The applicant has not applied for planning permission for affordable housing. This is a development for open market housing within the settlement boundary of Graizelound. Consideration is given to the fact that the site is garden, and therefore not brownfield land, but this does not mean that the site is automatically discounted as being unsuitable for development. Each case is assessed on its own planning merits. In this particular case, the development of this garden area for residential purposes is considered to be appropriate. The scale and design of the dwellings is similar to others in the locality, with similar amounts of amenity space, and is not considered to be detrimental to the character of the area.

It is considered that the proposal complies with the relevant policies of the adopted Development Plan and is therefore recommended for approval.

RECOMMENDATION Grant permission 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: 676.10 and 676.11.

Reason

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

3.

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.

4.

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

Reason

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

5.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref 676GRZL, March 2018, by Keystone Architecture and the following mitigation measures detailed within the FRA:

- finished floor levels set no lower than 4.4 metres above Ordnance Datum

- flood resistant construction incorporated as described.

The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

To reduce the risk and impact of flooding on the development and future occupants.

6.

Works and biodiversity enhancements shall be carried out strictly in accordance with the submitted Biodiversity Management Plan ref. 676GRZL and the submitted drawings numbered 676.10 and 676.11. All biodiversity features shall be retained thereafter.

Reason

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

7.

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.

Informative 1

Records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team on 01724 297522, prior to any further construction works being carried out.

Informative 2

Please refer to the Environment Agency's 'Living on the edge - Riverside ownership rights and responsibilities' document which can be found online for further information. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

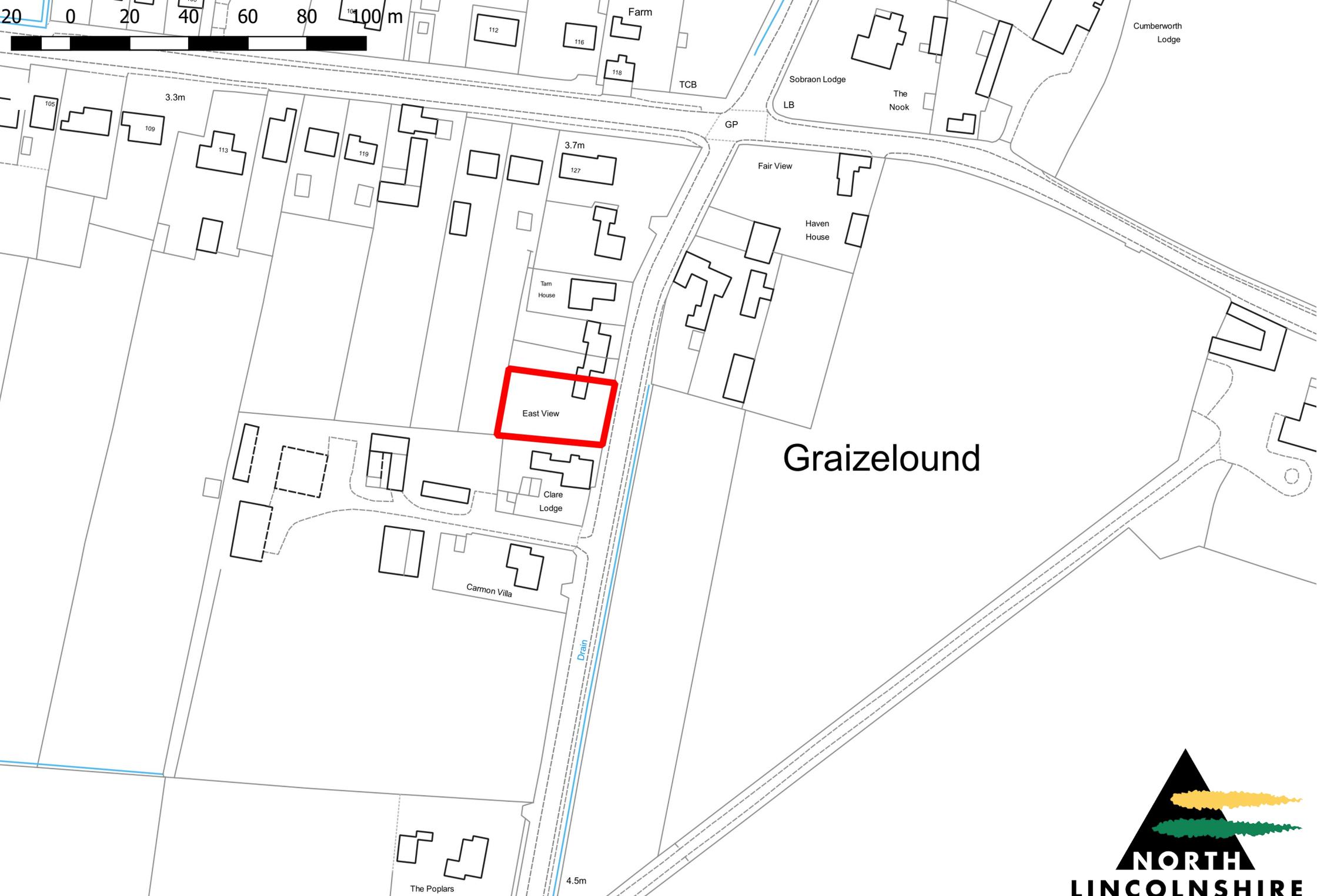
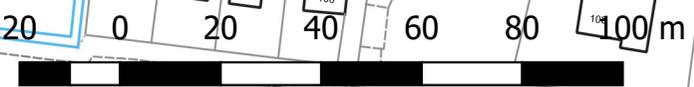
Informative 3

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 4

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.



Graizelound

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