

APPLICATION NO	PA/2019/1469
APPLICANT	C Denton
DEVELOPMENT	Outline planning permission to erect a dwelling with all matters reserved for subsequent approval
LOCATION	Land west of Glovers Paddock, Ings Lane, Hibaldstow, DN20 9PJ
PARISH	Hibaldstow
WARD	Ridge
CASE OFFICER	Natasha McCann
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – local support for the application and personal mitigating circumstances as to why the original permission lapsed)

POLICIES

National Planning Policy Framework:

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision-making)

Chapter 5 (Delivering a sufficient supply of homes)

Chapter 9 (Promoting sustainable transport)

Chapter 11 (Making effective use of land)

Chapter 12 (Achieving well-designed places)

Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)

Chapter 15 (Conserving and enhancing the natural environment)

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy LC7 (Landscape Protection)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

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 CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS19 (Flood Risk)

Other documents:

Assessment of Five Year Housing Land Supply Statement – 1 April 2019 to 31 March 2024

CONSULTATIONS

Environmental Protection: No objection subject to conditions.

Highways: No objection subject to conditions.

Drainage: No objection subject to conditions.

PARISH COUNCIL

No comments received.

PUBLICITY

The application has been advertised by site and press notice. No comments have been received.

ASSESSMENT

The site

The application site is a piece of agricultural land located off Ings Lane, Hibaldstow and is outside the HELA DPD defined development limit for the settlement. The site lies between residential properties: Glovers Paddock to the east and Mayscroft to the west. Access to the site is via Ings Lane to the north. The site is not located within a conservation area and contains no listed buildings.

The proposal

Outline planning permission is sought to erect a dwelling with all matters reserved for subsequent approval. The proposed detached dwelling would be located to the west of Glovers Paddock.

The assessment will focus on the following issues:

- **principle of development**
- **drainage**
- **land quality**
- **highways.**

No indicative plans have been submitted with the application.

Principle of development

The application site is located outside of any defined settlement boundary and the proposal would represent a departure from the North Lincolnshire Local Plan. In determining whether the principle of residential development outside the settlement boundary is acceptable in this instance it is considered necessary to consider whether the proposed development is sustainable in planning policy terms.

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) (LP) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011) (CS), and the Housing and Employment Land Allocations DPD (2016) (HELAP).

Policy CS1 of the CS sets out a spatial strategy for North Lincolnshire, which, amongst other matters, provides that rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing local services to meet local needs and that any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS8 deals with the distribution of housing sites and prioritises development in Scunthorpe and the market towns, with brownfield sites and sites within development boundaries being the primary focus. With regard to rural settlements, the policy states that new housing 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 CS8, whilst restricting housing outside development limits, contemplates some greenfield development as it refers to allowing development on such sites where it can be demonstrated that this would bring additional community benefits, contribute to building sustainable communities and be acceptable in terms of its impact on the high quality environment and adjoining countryside. This overall approach is supported by policy CS2 which sets out a sequential approach for development.

Policy CS3 provides that development limits will be defined in future development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. The development limits were subsequently defined in the HELAP, and the application site is located outside the designated development limit for Hibaldstow.

LP saved policy RD2 restricts development in the open countryside other than in exceptional circumstances. This policy only supports residential development outside defined development limits where it is to meet an essential proven need and the open countryside is the only appropriate location for the development. Whilst this policy remains, it has largely been overtaken by policies in subsequent plans addressing the same issue (such as policies CS2 and CS3 referenced above).

The aforementioned policies are aimed at focusing housing within settlement limits as defined in the Housing and Employment Land Allocations DPD. The application site is entirely outside the defined development boundary for Hibaldstow and is therefore considered to be in breach of policies CS2, CS3 and CS8 of the Core Strategy and RD2 of the local plan.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11 and Footnote 7 (page 6) of the NPPF states that the presumption in favour of sustainable development applies for applications involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of housing sites and that housing applications should be considered in the context of the presumption in favour of sustainable development.

The five-year housing land supply statement sets out North Lincolnshire Council's assessment of its supply of housing land from 1 April 2019 to 31 March 2024, having regard to Government guidance on how this is calculated. This report states that North Lincolnshire has a five-year housing land supply of deliverable sites during the period April 2019 to March 2024. The five-year housing land supply has allocated two sites in Hibaldstow which will contribute 56 dwellings by 2023. Housing need for the area is therefore considered to be met.

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. No justification has been put

forward to substantiate the specific need for market dwellings in this countryside location; it is considered that the development (i.e. the market dwellings) does not constitute dwellings for specific circumstances associated with this countryside location; it will be for market dwellings. Based on the supporting information, the proposed development is contrary to these policies as it is predominantly for market housing not essential to the functioning of the countryside, or any rural business.

It is acknowledged that the host site has previously been granted outline planning permission for a dwelling in the same location under application PA/2015/1460. The previous application was recommended for refusal, but was overturned by committee and approved on 9 March 2016. The application has now lapsed in time contrary to condition 3 of the decision notice. As discussed above, North Lincolnshire Council has recently adopted a five-year housing land supply and, as such, the proposal has been considered on its own merits and is now contrary to policy.

Restricting development to land within development limits, if strictly applied, would severely affect the ability of the authority to address the need for housing. Overall it is considered that the proposal does not represent sustainable development in the context of the NPPF and Housing and Employment Land Allocations DPD policy PS1, which sets a presumption in favour of sustainable development. The adverse impact of granting planning permission would outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. For this reason, the principle of development is not considered to be acceptable in this case.

Drainage

Policy CS19 is concerned with flood risk whilst policy DS14 is concerned with foul sewage and surface water drainage. The application site is located within flood zone 1 and therefore is a preferred place for development in terms of flood risk. The council's drainage team has been consulted and has no objections subject to mitigating surface water drainage. It is considered, however, given that the proposal is for a single dwelling, this would be adequately covered at building regulations stage should permission be granted. Legislation under the Water Industry Act 1991 would provide necessary mitigation for the disposal of foul sewage.

Land quality

Policy DS7 is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. The council's environmental health team has raised no objection to the proposal subject to conditions in respect of land contamination.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety; both policies are considered relevant. The applicant seeks to reserve both access and layout for subsequent approval. Notwithstanding this, the plans indicate that access will be gained from Ings

Lane. The council's Highways department has no objections to the proposal subject to conditions.

Conclusion

As the number of additional units is only one, it is not considered that this would provide enough of a benefit in terms of housing provision to outweigh the identified policy conflict and the proposal does not accord with the presumption in favour of sustainable development. There are no material considerations to justify making a decision other than in accordance with the development plan.

RECOMMENDATION Refuse permission for the following reasons:

The siting of the proposed development outside of any defined development boundary has not been adequately justified and it is not considered that any benefits of a single dwelling in this rural location would outweigh the harm to the character of the area. Additionally, no evidence has been submitted to justify a special need for a dwelling in this location. The proposed development is therefore contrary to policies RD2 of the North Lincolnshire Local Plan; CS2, CS3 and CS8 of the Core Strategy; and paragraphs 11 and 79 of the National Planning Policy Framework.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

40 0 40 80 120 160 200 m



Development Boundary

Hibaldstow

Cherry Farm

Ppg Sta

INGS LANE

6m

KENT DRIVE

DALLISON'S R

NOOKINGS DRIVE

DRIVE

ROB

HOPF

**North
Lincolnshire
Council**

PA/2019/1469