

APPLICATION NO	PA/2019/2035
APPLICANT	Mr Chris Morley
DEVELOPMENT	Outline planning permission to erect four single-storey dwellings with all matters reserved for subsequent consideration
LOCATION	Land adjacent to 17 Common Road, Wressle, DN20 0DH
PARISH	Broughton
WARD	Broughton and Appleby
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest

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 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

North Lincolnshire Local Plan: Policies RD2, HE9, H5, H8, T2, T19, HE9, DS1, DS7, DS14 and DS16 apply.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS16, CS17, CS18 and CS19 apply.

CONSULTATIONS

Highways: No objection subject to conditions relating to visibility, access, turning and parking.

Drainage (Lead Local Flood Authority): No objections subject to conditions relating to surface water.

Environmental Protection: No objection subject to a contamination condition.

Historic Environment Record: The application site lies within an area where archaeological remains are anticipated and construction works may destroy archaeological evidence. A programme of archaeological monitoring and recording should be maintained during construction groundwork. The applicant should submit a written scheme of investigation (WSI) for archaeological mitigation to be considered with this application.

This procedure is in accordance with paragraph 199 of the National Planning Policy Framework (NPPF), and local planning policies CS6 and HE9. Where the planning authority is minded to grant consent prior to the submission of a mitigation WSI, pre-commencement conditions would be required to secure the archaeological mitigation scheme.

Ecology: The site has limited biodiversity value at present. If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework. No objection subject to conditions.

TOWN COUNCIL

Object. The site lies outside the development boundary and on a narrow road.

PUBLICITY

Advertised by site and press notice. Sixteen letters of objection have been received raising the following issues:

- unsustainable
- should be on brownfield land
- no special need for the development
- contrary to policy
- loss of wildlife
- increase in traffic
- outside the development limit
- insufficient infrastructure
- footways in poor condition
- potential further expansion of Wressle
- out of character
- previous application refused

- increased risk of accidents
- lack of facilities in Wressle
- light pollution
- congestion
- quality of water affected
- footpaths unsafe
- footpaths narrow to Broughton
- road is too narrow and in poor condition
- loss of hedgerow
- pollution
- brownfield land available in Wressle
- not sustainable development
- only an hourly bus service
- loss of privacy
- tree planting may affect adjoining dwelling
- boundary wall may be affected.

ASSESSMENT

The application site consists of an agricultural field located on Common Road in Wressle. The site is located outside the defined settlement boundary for Wressle, in the open countryside. To the east of the site are some residential properties forming the ribbon development of Wressle. Outline planning permission is sought to erect four dwellings with all matters reserved for subsequent consideration. Four recent planning applications for residential development in Wressle have some bearing on this application as three were refused on lack of sustainability grounds:

PA/2018/503: Outline planning permission for 13 dwellings on land adjacent to The Poplars, Brigg Road, Wressle – refused at planning committee.

PA/2017/613: Outline planning permission to erect one dwelling with all matters reserved, Green Lane, Wressle – refused at planning committee and subsequently dismissed at appeal.

PA/2017/1801: Outline planning permission for residential development (six dwellings) on land off Brigg Road, Wressle – refused under delegated powers and dismissed at appeal.

PA/2019/2026: Outline planning permission for four dwellings on land west of Brigg Road, Wressle – undetermined.

The main issue in the determination of this application is the principle of development, taking into account housing supply and sustainability.

Principle

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.

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. 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 Wressle. 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 part of the development plan, 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 HELAP. The application site is entirely outside the defined development boundary for Wressle and is therefore in breach of policies CS2, CS3 and CS8 of the CS and RD2 of the LP.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 11 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which guide the supply of housing should not be considered up-to-date. A recent Supreme Court judgement (Suffolk Coastal DC vs Hopkins Homes Ltd [2017] UKSC 37) provides clarity on the policies which are considered 'relevant policies' for the supply of housing. These do not include general restrictive policies such as those restricting development in the open countryside. As such, policies RD2 and CS3 are considered up-to-date. However, the weight to be afforded to them needs to be balanced against the need to deliver new housing and the broader merits of the scheme when viewed in the context of sustainable development.

A recent review of the of the Five Year Housing Land Position Statement has identified that the council's housing land supply has reduced from five years and six dwellings, to four years. The council has prepared a Housing Delivery Action Plan in accordance with the NPPF and PPG. The Action Plan will assist in securing a five-year land supply; some of the actions include reviewing the windfall allowance calculation, and working with developers to bring forward outline planning applications.

This statement confirms that North Lincolnshire Council does not currently have a five-year supply of deliverable housing sites. The consequence of this shortfall is to demonstrate that current policies are failing to deliver a five-year supply of housing in accordance with paragraph 11 (footnote 7) of the NPPF and they are, therefore, failing to meet short-term housing needs. As such it is considered that there is a clear and demonstrable need for housing development in the area. Accordingly, the operation of paragraph 11 of NPPF triggers a tilted balance whereby there is a presumption in favour of sustainable development and development proposals should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits (paragraph 11, b, ii).

The NPPF identifies that there are three overarching objectives to sustainable development: economic, social and environmental objectives (paragraph 8). The NPPF is clear that these objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

Taking each of the three dimensions of sustainable development (as defined in paragraph 7 of the NPPF as economic, social and environmental roles) into consideration, the proposed development would have the economic benefits of delivering housing outside the settlement boundary in Wressle; this would contribute to the under supply of housing in North Lincolnshire and would provide construction jobs in the short term. Whilst the proposal would increase the local population, there would be a reliance on the private car to access facilities in either Brigg or Broughton and no access to any facilities within Wressle, particularly given the number of dwellings being proposed in this case (four). The proposal is not for affordable housing and does not constitute dwellings for the specific circumstances associated with this countryside location; it will be for up to four market houses.

With the exception of a children's play area, there are no public services or amenities within Wressle and therefore there is a reliance on the settlements of Broughton (0.5 miles away) and Brigg (2.8 miles away) for day-to-day needs. Whilst it is recognised that there is a regular bus service available between Broughton and Brigg (which is accessible in Wressle), and to the wider area, including Scunthorpe, it is considered that, given the lack of facilities within Wressle, future occupiers of the development would require the use of a private motor vehicle. 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. There is no direct highway footpath access from the site to the nearest bus stop on Brigg Road as this involves crossing Brigg Road which has a 40mph speed limit. There is a footpath link to Broughton but this involves crossing Common Lane which has a national speed limit. The path is narrow, uneven and overgrown in some places and would not be suitable for wheelchairs, or those with prams or pushchairs. The proposal would result in hazards to pedestrian safety if the dwellings were permitted on this site. Due to the relatively remote

nature of the site, together with its distance from local facilities and the number of dwellings proposed, the proposed development would not minimise the need to travel and would promote reliance on the private car to access everyday facilities. The development would therefore be contrary to policy CS2.

The proposed development, including the provision of a vehicular access, whilst in outline form, would alter the character and appearance of the countryside and the open and greened appearance of the site. Given the fact that the site is relatively open and lies outside the settlement boundary, it is considered that the landscape impact would be significant in this instance. Whilst an ecology and protected species survey has been submitted, no landscape survey/assessment has been submitted with the application. It is worth noting that the planning inspector's reports for both PA/2017/613 and PA/2017/1801 concluded that the proposals would have a detrimental impact on the character and appearance of the area and have an unacceptable impact on the existing setting of the village. The proposal is therefore contrary to policy CS3 of the Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

The applicant considers that paragraph 78 of the NPPF is relevant to this case. This states that:

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'

In this case Wressle is identified as one of the smaller rural settlements in the council's Sustainable Settlement Survey 2016 as it only has one of the seven key facilities (an hourly bus service). It has a population of approximately 106 residents with 44 dwellings. Wressle has a development boundary located tightly around the main built form of the settlement which allows for some limited growth within Wressle. Growth is limited because of the lack of facilities in Wressle leading to an increased need to travel to the larger settlements for shopping, leisure, schools and employment for example. In this case the proposed new dwellings cannot support local services as there are no local services apart from a one hourly bus service in Wressle. The inspector, in determining the appeal for PA/2017/1801, stated that there is no compelling evidence that a scheme on the scale proposed (for six dwellings) would provide the necessary impetus for the village to attract service providers. The same applies to this case for four dwellings.

Wressle does not form a group of settlements. Whilst Wressle is sited close to Broughton, the application site is not within reasonable walking distance to Broughton. It is not conceivable, due to the narrow footway and lack of footway close to the application site, leading to pedestrians crossing the road, that potential occupiers of the dwellings, especially those with prams or pushchairs, would walk to Broughton, to the shop, public house or school for example. The speed limit of the road is national speed limit and there is no cycleway on the road to Broughton or Brigg. There is an hourly bus service to Brigg and Broughton but occupiers would need to cross Brigg Road to the bus stop making this unappealing to those with shopping or young children, or elderly people for example. The proposal would increase the need to travel by private vehicle. With regard to any support the proposed dwellings might offer to local services, given that future occupants would need to use a car to access services, the likelihood is that occupants would choose to access services in larger settlements, and are less likely to support local services. These factors all create an unsustainable form of development.

Furthermore, the inspector considered in appeal PA/2017/1801 that the proposal for six dwellings would make a moderate contribution to the HLS and the scheme attracts weight accordingly. However, the detrimental effect of a greenfield development in the countryside that would be likely to lead to an increase in journeys to access services and a reliance on private motor vehicles, and the unacceptable impact on character and appearance, would significantly and demonstrably outweigh the modest benefits of the proposal.

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. Whilst it is accepted that there is no five-year housing land supply, the provision of four dwellings is not considered to meet the sustainability tests, particularly on a greenfield site. The site is not for affordable housing to meet a proven need and no other justification has been submitted to allow the application to be determined as an exception to planning policy. The adverse impact of granting planning permission would, on a social and environmental dimension, significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. For these reasons the principle of development is not considered to be acceptable in this case.

Character

In terms of the impact of built development upon the character and appearance of the open countryside, it is considered that any scale of residential development on this site would have a detrimental visual impact on the area. Whilst the site is afforded some limited screening along southern and western boundaries, it is considered that, because the principle of residential development on this site is considered contrary to planning policy, the subsequent development of any scale of housing on this open countryside site would be detrimental to its character and appearance.

Highways

No objections have been received from Highways in terms of the access to the site. This aspect of the proposal accords with policy T2 of the North Lincolnshire Local Plan.

Ecology

In terms of ecology, an ecological appraisal has been submitted with the application. The council's ecologist has been consulted on the proposal and raises no objections subject to conditions which will be imposed if permission is granted. The proposal would therefore not result in demonstrable harm being caused to wildlife on the site. The proposal accords with policies CS5 and CS18 of the Core Strategy.

Drainage

The site lies in Flood Zone 1 of the council's SFRA and is therefore at low risk of flooding. The applicant has submitted a Flood Risk Assessment and SuDS report. The LLFA has no objections to the proposal subject to conditions which will be imposed if permission is granted. Comments made by third parties are noted in respect of drainage and water quality issues, but these can be addressed through a condition requiring the submission of a drainage strategy. The proposal now accords with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the Core Strategy.

Archaeology

The site has potential for archaeological remains. This issue could be addressed through planning conditions and therefore this aspect of the proposal accords with policy HE9 of the North Lincolnshire Local Plan and policy CS6 of the Core Strategy.

Other issues

Issues raised such as light and air pollution are noted, but it is not considered that four dwellings would result in significant light or air pollution to the area. Concerns about overlooking, potential impact on the boundary and tree planting would be considered under a reserved matters application.

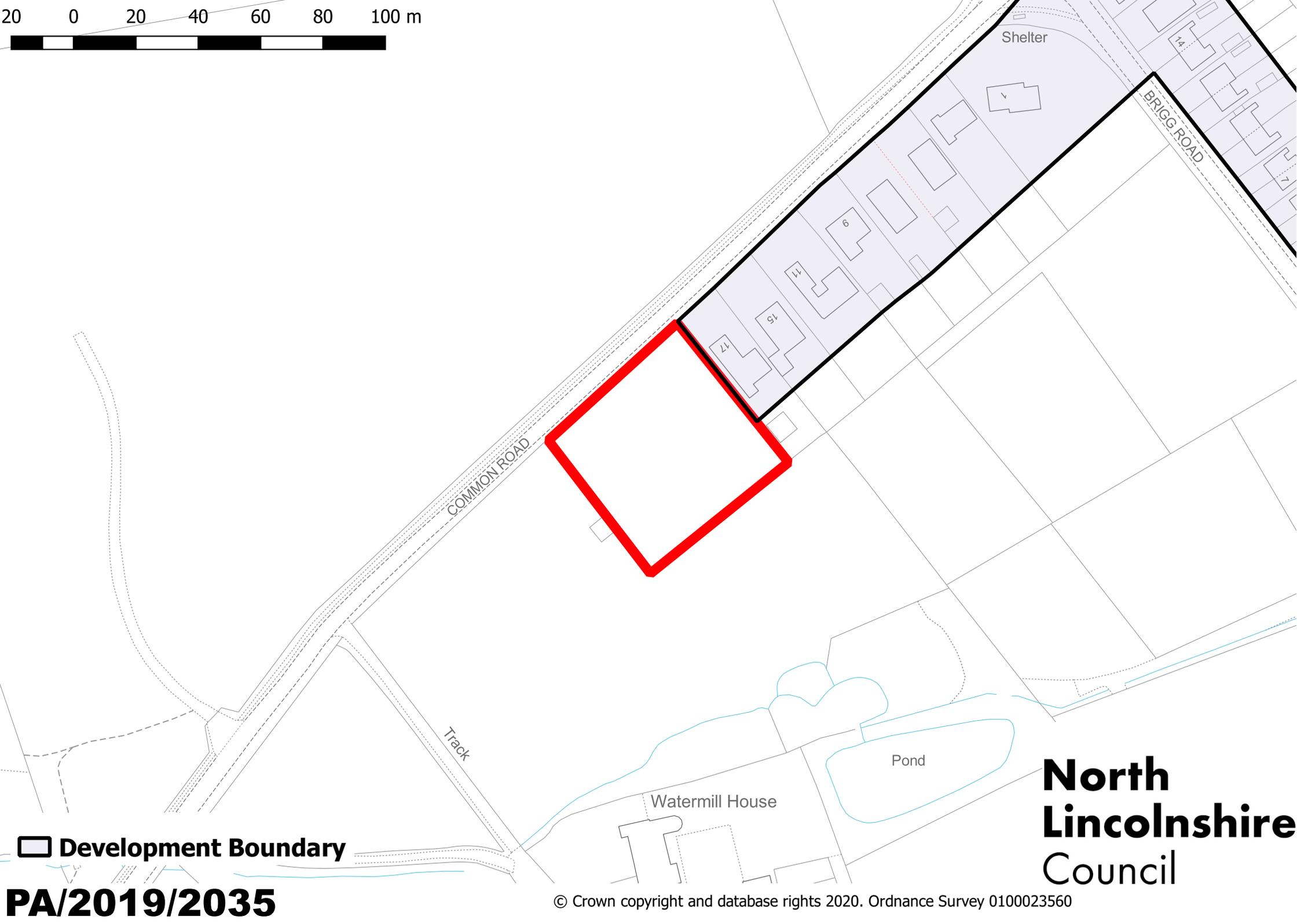
RECOMMENDATION Refuse permission for the following reasons:

1.

In relation to sustainable development, it is considered that the adverse social and environmental impacts outweigh the benefits of the proposal and therefore the presumption in favour of sustainable development set out in paragraphs 8 and 11 of the National Planning Policy Framework has not been met. The proposed development is therefore contrary to policies RD2 of the North Lincolnshire Local Plan, CS2, CS3 and CS8 of the North Lincolnshire Core Strategy, and paragraph 78 of the National Planning Policy Framework in that the site lies outside of a defined settlement boundary, within the open countryside, is located in an unsustainable location, remote from local services and would adversely affect the character and appearance of the open countryside. In addition, no evidence has been provided to justify a special need for new dwellings in this location.

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.



 Development Boundary

PA/2019/2035

**North
Lincolnshire
Council**