

DESIGN, ACCESS & PLANNING STATEMENT

**Planning application for
change of use of church grounds
land to garden land associated with Oak Barn
and temporary siting of a mobile lodge
for ancillary use**

**On land to rear of disused Church
Adjacent Oak Barn
High Street
Luddington
Scunthorpe
DN17 4QY**

Prepared by

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1. INTRODUCTION

Mark Simmonds Planning Services have been instructed to prepare and submit a planning application for the change of use of the church grounds land to rear of disused Church, to garden land associated with their property 'Oak Barn'.

2. THE PROPOSAL

The planning application seeks to obtain permission to use the land as garden land associated with their property and for the temporary siting of a mobile home for their elderly parents as a 'granny annex'.

Site plans accompany this application.

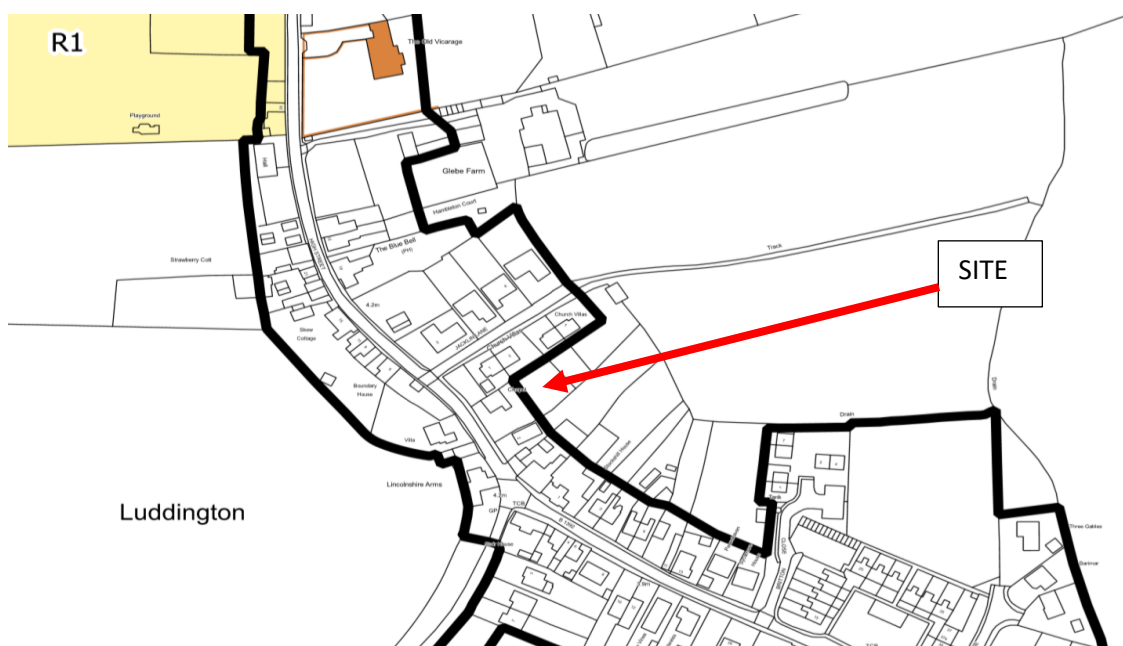
3. THE SITE

The site is located in the village of Luddington near Scunthorpe. The land which is laid to lawn is to the rear of a disused church, this church and land is all within the applicant's ownership. The proposed temporary siting of the mobile lodge would be close to the applicant's dwelling 'Oak Barn' which sits to the south and would be adjacent to their garden at the rear of their property.

4. THE LOCATION

The site is located just outside of but adjacent to the development boundary of Luddington. Residential development sits to the north, south and west. The applicant's property 'Oak Barn' fronts the High Street

The North Lincolnshire Housing and Employment Land Allocations maps show that the site location is just outside the settlement boundary for Luddington as shown below.



North Lincolnshire Housing and Employment Land allocations settlement map for Luddington.

Site Location



Aerial view of site location (google maps)



Wider aerial view of site location (google maps)



View of disused chapel within the site



Views of Oak Barn within the site



Proposed site for temporary mobile lodge

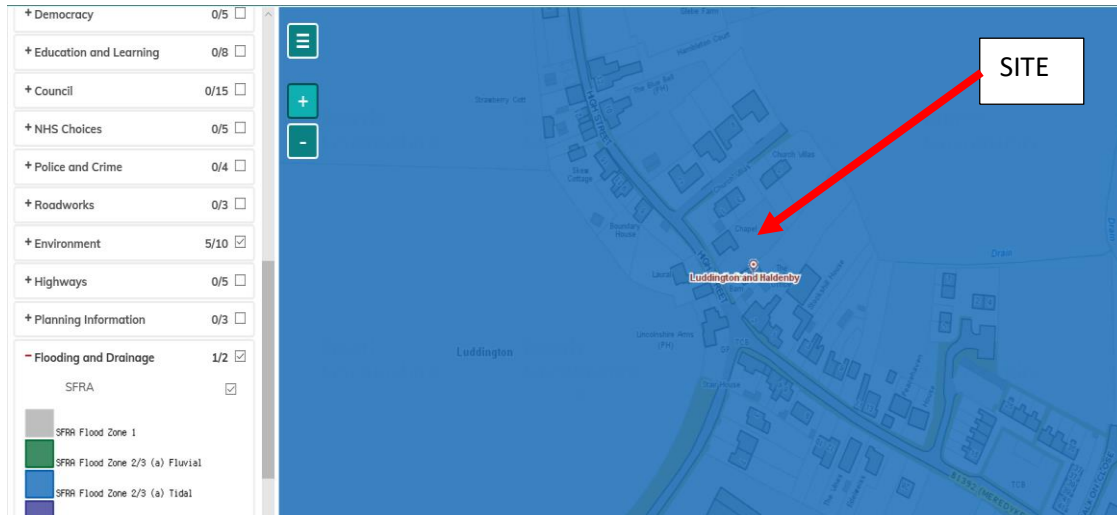


Oak Barn and proposed land

Metal railings to be removed

5. Flood risk

The North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA) shows the site to be within Flood Zone 2/3 (a) Tidal as demonstrated on the below map. A Flood Risk Assessment has been submitted alongside this application.



6. DESIGN, LAYOUT & ACCESS

A site plan has been submitted with this application showing the site location and the preferred site location for the temporary mobile lodge along with a floor plan and elevations for the lodge.

Access to the temporary mobile lodge will be through the gardens at the applicants property 'Oak Barn'. A ten metre section of the existing brick boundary wall at the rear between Oak Barn and the Church grounds will need to be removed along with the metal railings at the front between Oak Barn and the Church to enable the area to become one garden.

7. RESIDENTIAL AMENITY

The proposed siting of the temporary mobile lodge offers an acceptable level of private amenity space and would have acceptable separation distances from neighbouring properties to ensure no loss of residential amenity through overlooking, overshadowing, or having an overbearing impact.

8. ECOLOGY

Policy CS17 is concerned with Bio-Diversity which states that the council will promote effective stewardship of North Lincolnshire Wildlife. The policy is reinforced by paragraph 8 (in part) as well as paragraph 174 of the NPPF which puts forward bio-diversity principles. The proposed siting for the temporary mobile lodge is currently maintained grass land, therefore there would be no impact on the ecology of the site.

9. PLANNING POLICY

National planning guidance and Local planning policy dictates the principle of development and the features of the dwelling houses proposed and associated works on the site.

The National Planning Policy Framework (NPPF 2019)

It sets out Central Government's planning policies for England and how these are expected to be applied.

Paragraphs 7 and 8 define the commitment to sustainable development based on three dimensions:

"An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

"A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

"An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

This is followed by a commitment to a presumption in favour of sustainable development. Paragraph 11 states that "for decision-taking this means:

- c) Approving development proposals that accord with the development plan without delay, or;
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 11 states that for 'plan making' this means:

Plans and decisions should apply a presumption in favour of sustainable development.

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 14 states that “In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;

c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and

d) the local planning authority’s housing delivery was at least 45% of that required over the previous three years.

Paragraph 163 states that “when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems

North Lincolnshire Local Development Framework, Core Strategy (Adopted June 2011)

Policy CS3: Development limits

CS7 Overall Housing Provision

10. CONCLUSION

The proposed site is outside of but immediately adjacent to the settlement boundary of Luddington, however, the proposal is in part for the change of use of the disused church land to garden land associated with the applicants property 'Oak Barn' which in principle is considered to be acceptable. The proposals also include the temporary siting of a mobile home within this land to the rear to provide accommodation for the applicant's elderly parents, more specifically the applicant's father is suffering very poor health and the applicant needs to be close by to provide daily care and assistance. The property in which they currently reside is over an hour away, has no ground floor bathroom facilities and finding a property nearby which is suitable has been very difficult and unsuccessful.