

DELEGATED ASSESSMENT

Application no: PA/2021/1386

Proposal: Outline planning permission for a single residential building plot with appearance, landscaping, layout and scale reserved for subsequent consideration

Location: Land adjacent 23 East Lound Road, Haxey, DN9 2LW

Applicant: Mr Todd Watson

Officer: Jennifer Ashworth

POLICY

Saved Policies of the Local Plan (2003) – H5: New Housing Development (Part Saved), DS1: General Requirements, DS3: Planning Out Crime, LC14: Area of Special Historic Landscape Interest, T2 – Access to Development, T19: Car Parking Provision and Standards and Appendix 2

Core Strategy (2011) – CS1: Spatial Strategy for North Lincolnshire, CS2: Delivering More Sustainable Development, CS3: Development Limits, CS5: Delivering Quality Design in North Lincolnshire, CS7: Overall Housing Provision,

Housing and Employment Land Allocations DPD (2016) - The site lies within the development limits of Haxey and is unallocated as shown on Proposals Map Insert 23 Haxey. The southern and northern boundaries of the site abuts an area identified under LC14 : Area of Special Historic Landscape Interest.

Neighbourhood Planning – The Haxey Neighbourhood area was designated on 28 April 2020. North Lincolnshire Council will work alongside the Parish Council and Neighbourhood Plan Steering Group to take a Plan for the parish forward. A Plan is yet to be adopted.

NPPF

CONSULTATIONS

HIGHWAYS

Highways recommend that the following conditions be applied to any permission that is minded to be granted on this application:

Recommended Conditions

HC2

HC13

HC14(2m)

HC17

HW1

LLFA DRAINAGE TEAM

The LLFA Drainage Team has no objection to the proposed development subject to the imposition of the following planning conditions:

Recommended Conditions

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason: In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Councils Local Plan & Policies CS18 and CS19 of the North Lincolnshire Councils Core Strategy and paragraph 163 of the NPPF

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site is 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 and thereafter so retained.

Reason: To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with Policy DS16 of the North Lincolnshire Councils Local Plan & Policies CS18 and CS19 of the North Lincolnshire Councils Core Strategy and paragraphs 155, 157, 163 & 165 of the NPPF

HAXEY PARISH COUNCIL: No objection but has the following comment:

A large plot that can accommodate the proposal, within the development limits of Haxe.

It is identified in the application as garden and therefore is subject NPPF 70 the local plan does allow for small infill development but fails to recognise the importance of large garden on the character of rural villages.

The DAS 4.1b Policy CS2 states development should be focused on para 3 “Small scale developments within the defined development limits of rural settlements to identified local need”. It is the latter part of this policy that has not been met as no indication as to what type of dwelling is proposed and until this is identified we cannot support the proposal as the only current need for Haxey like most rural villages is social or affordable housing, should it meet this housing need the parish council would support the proposal however if it is for market housing then it would fail the test for this policy and we cannot support it.

ENVIRONMENTAL PROTECTION: The following comments have raised but no objection has been made:

Contaminated Land

The application for residential development is a sensitive end use. The applicant has submitted a screening assessment which shows the site forms part of an existing residential garden.

Historical maps held by this department do not indicate a former land use that would give rise to contaminated land. This department would therefore recommend the inclusion of the following condition:

Recommended Condition

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 by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Noise, Light, Odour and Air Quality

The department has no further comments to make.

YORKSHIRE WATER:

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

Recommended Condition

No construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken. (In the interest of public health and maintaining the public water supply)

Water Supply

The proposed construction of an access road will affect YW's 3" diameter cast iron water main, that runs in the footpath/verge on East Lound Road. The position of apparatus on YW record drawings is indicative only and the exact position and depth of the apparatus can only be determined by excavation.

The developer must avoid alterations to the ground level in the area of land over the main and, during the construction phase of the development, adequate protective measures must be implemented to ensure that the main will not be damaged by additional loading i.e. from plant machinery.

PUBLICITY

A site notice was displayed. There have been no public comments received in response to this site notice.

MATERIAL CONSIDERATIONS

Planning History

There is no relevant planning history for the development site. There are relevant planning application/s for land adjacent which are identified below:

Application Ref.	Description of Development	Site Address	Decision
2/1987/0084	Erection of a detached dwelling and the construction of a vehicular access – outline Planning	23 East Lound Road, Haxey, DN9 2LW	FP / Conditions
2/1987/0514	Erection of a detached bungalow and installation of a septic tank – Full Planning	23 East Lound Road, Haxey, DN9 2LW	FP / Conditions
PA/2007/0374	Planning Permission to erect a two storey extension	Bracken House, East Lound Road, Haxey, DN9 2LW	FP/Conditions 30/03/2007
PA/2013/1552	Application for a lawful development certificate for an existing use as a dwelling	25 East Lound Road, Haxey, DN9 2LW	Lawful Development Certificate 27/11/2013
PA/2015/1082	Planning permission to construct pitched roof over existing flat roof of bungalow and erect an extension to dwelling to	25 East Lound Road, Haxey, DN9 2LW	FP/Conditions 18/11/2015

	include an attached garage		
PA/2020/1382	Application to determine the requirement of prior approval for a change of use of agricultural building to dwelling	15 East Lound Road, Haxey, DN9 2LW	Prior Approval 17/11/2020

Over the years the wider site has been brought forward for residential development comprising a mixture of detached bungalows and two storey detached properties as well as conversion of agricultural buildings. A review of the site history does not detail any history for the site adjacent to the west to which this application relates. The application site appears to form part of the garden space of the adjacent property to the west. The application site is maintained by the applicant (keeping the grass cut, planting areas tidy etc.) who also lives in the adjacent property 21 East Lound Road.

Planning Designations / Considerations

The site lies within the development limits of Haxey and is unallocated as shown on Proposals Map Insert 23 Haxey. The southern and northern boundaries of the site abuts an area identified under LC14: Area of Special Historic Landscape Interest.

The site is not located within a Conservation Area and there are no TPO's or Listed Buildings located on or within close proximity of the site. The site does sit adjacent to an area of High Landscape Value and an area of special advert control.

The site is not located within an area of Flood Risk. The site is not located within an Air Quality Management Area. The site is identified as Grade 2: Very Good on the Agricultural land Classification Yorkshire and The Humber (ALC003)(Updated 2011/11/18). The site is located within the 'Green Zone' and Fringe Area 3 when assessing the Council's Great Crested Newts Impact Risk Map. Within the Green Zone there is a moderate habitat suitability and great crested newts may be present.

THE SITE

The site comprises an area of existing domestic / agricultural / garden land which includes a well-maintained lawn, trees and shrubs along the boundaries and other areas of planting. Residential properties surround the site to the north, east and west whilst views across open farmland is to the south. The properties to the east and west comprise of detached bungalows. Existing planting which is set back within the application site currently screens both properties from the site. The northern boundary to the site is bound by trees and planting beyond which lies a detached property. This property is well screened from the site.

The application site is narrower than the adjoining parcels of land. Development of the site for residential use would need to take account of existing relationships with

properties to the west and east including in terms of overlooking, overshadowing and impact on amenity as well as being sympathetically designed taking account of the adjoining Area of Special Historic Landscape Interest. These matters are reserved for consideration at a later date.

Site Constraints / Features

The Authority has introduced a 'No waiting at any time' (NWAAT) restriction on E Lound Road which forms the southern boundary to the site.

The applicant has identified that the site is level. A review of the site shows that the property to the west is at a slightly raised position to the application site and East Lound Road is at an elevated position. Access into the site would need to gently slope down into the site. As such any development would need to take account of these level changes.

The property to the east has windows and an entrance door overlooking the application site. These are within close proximity to the site boundary and would need to be addressed as part of the emerging design for the site.

A defined boundary would need to be achieved between the application site and property to the west. This property currently maintains the application site as additional garden space. As with the property to the east, any development on the application site would need to take account of any existing windows which overlook the site.

An electricity cable crosses the application site. This would need to be taken into account as part of any subsequent reserved matters should the site be recommended for approval.

PROPOSED DEVELOPMENT

The applicant seeks permission for the erection of a single residential building plot. The application is made in Outline with all matters other than access being reserved for subsequent approval. The application form demonstrates that the proposed dwelling would be for market housing, 4+ bedrooms and include 2 vehicular parking spaces.

PRINCIPLE OF DEVELOPMENT

Outline Planning Permission is being sought for the erection of a single residential building plot. At this time the application is made in outline with all matters other than Access being reserved. The site is unallocated and within the development limits of Haxey as identified within the adopted Housing and Employment Land Allocations Development Plan Document Proposals Map - Insert Map 23 Haxey.

Policy CS2 and CS8 of the adopted Core Strategy seek a sequential approach to development focussing first on land within the Scunthorpe Urban Area followed by previously developed land and other suitable infill opportunities to meet identified local need within the Market Towns. Small Scale developments within the defined development limits of rural settlements (including Haxey) to meet local identified

need will then be considered. Policy CS1 restricts development in rural settlements and requires account to be taken to levels of local service provision, infrastructure capacity and accessibility. It also requires development to be in keeping with the character and nature of the settlement. This is further emphasised in Policy CS2 which identifies that development within rural settlements should meet identified local need and that development in rural settlements will be restricted.

Policy CS8 notes that new housing development within 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. This is further addressed in Paragraph 78 of the Framework which supports housing developments in rural areas that reflect local needs.

The site whilst in a rural settlement is within the development limits. Whilst the council have recently announced a five year housing land supply this is still yet to be tested at appeal, also this is not a ceiling figure. There still remains a demand for housing across the Local Authority Area and especially within rural areas. The emerging Local Plan, recognises the need to plan for different groups including the private rented sector, self-build and custom housebuilding, family housing, households with specific needs, student housing, travelling communities and housing for older people. This includes for both market and affordable housing. The authority is predominantly rural and comprises many historic towns and villages surrounded by countryside. The Sustainable Development and the North Lincolnshire Settlement Survey 2019 identifies Haxey as a large service centre which scored 14th overall out of settlements in NL on sustainability grounds. The emerging Local Plan is looking to identify Haxey as a location for future growth.

The application site is located within the development limits of Haxey and would serve to address local need. Whilst there are currently no buildings on the site, the land is a large plot which is considered suitable for the development of one residential unit. It is considered that redevelopment would be in accordance with Policy CS1, CS2 and CS8.

Policy CS 3 talks about development limits being applied to rural settlements, of which Haxey is identified as a rural settlement (para 5.47). Development limits are drawn in order to accommodate future development at a capacity suited to its services and other facilities and to protect and enhance settlement character. Development outside of these limits will be restricted.

As mentioned earlier, NLC have recently confirmed they have a five year housing land supply however, this is not a ceiling level for development and where suitable windfall sites come forward which accord with the development plan then they should be considered favourably. The proposed development would bring a currently underutilised site into use for residential purposes and act to serve local need. New residential development would also bring additional people into the area which would in turn support local services. The scale of development is considered appropriate for the site, subject to conditions. The site constitutes a suitable infill site within the development limits of Haxey.

As such the proposal is considered to be in accordance with Policy CS1, CS2 and CS8 as well as Paragraph 78 of the NPPF.

Sustainability

The Framework places a presumption in favour of sustainable development and assesses this in the three strands of economic, social and environmental. Policies H5, CS1, CS5, CS7 and CS8 places emphasis on creating housing developments that are sustainable and support sustainable communities and living, which in rural settlements includes development that meets identified local needs without increasing the need to travel. Policy T2 and CS2 further addresses the need to minimise travel and locate development near existing transport modes and infrastructure. Policy CS7 requires development to support the development of sustainable, balanced communities.

The settlement of Haxey is identified within the Sustainable Development and the North Lincolnshire Settlement Survey 2019 as a large service centre and scored 40 points in the North Lincolnshire Settlement Survey (2019) scoring 14th overall out of all the settlements in North Lincolnshire on sustainability grounds. The site is well served including having access to a local store, a Co-op, GP surgery and pharmacy as well as a church, ATM and public house. There is also a primary school and pre-school. The site is on the edge of the settlement and within 0.3 - 0.8 miles of these local facilities. These services are sporadically spread along the high street and other roads rather than being grouped together as a 'retail / service centre'. Public transport or use of a private car would be required to access a wider range of services further afield. Bus stops are located within walking distance to the site providing access to Doncaster and Scunthorpe. For these reasons the site is considered sustainable in the context of the NPPF.

It is considered that the proposed development would accord with Paragraph 11 of the NPPF and Policies H5, T2, CS2, CS5, CS7 and CS8, the latter of which seeks the efficient use of land at a density which is in keeping with the character of the area supporting the development of sustainable and balanced communities.

MATERIAL CONSIDERATIONS

RESIDENTIAL AMENITY

The proposed development seeks permission for single residential building plot with all matters, other than access, to be reserved.

Whilst the site itself is not located within LC14 the site does abut this area both to the north and south and as such any development and subsequent reserved matters applications would need to be sympathetic to the character, appearance and setting of the historic landscape and its features within this area. LC14: Area of Special Historic Landscape Interest – Paragraph 12.26 of the supporting text states *“It is essential that future development is not allowed to adversely impact on this valuable historic resource. This is particularly so in relation to the character of settlements and to individual buildings or overall groups of buildings in the open countryside”*.

Part Saved Policy H5 establishes a set of criteria for new housing developments. Any subsequent reserved matters submissions would need to address the criteria set out in Policy H5.

The applicant has submitted a Design and Access Statement, however, does not provide any additional detail regarding the type of property to be developed on the site. Should development be considered suitable on this site it would need to respect the surrounding properties and character of the street scene, which achieve open views across the adjacent agricultural land (Policy LC14) as well as properties which are set back and are partially hidden in view from the streetscene through the introduction of planting. The applicant states the plot is of adequate size and frontage to accommodate an average sized dwelling, together with having a suitable vehicular access. No definition is provided as to the meaning of 'average sized dwelling'.

The applicant has not provided an Indicative Plan to indicate where the proposed development might be sited. Any development on the site would need to be set back from the street and sit within the existing building line of adjacent properties and not be any further forward than 23 East Lound Road (as indicated on the sketch below).



Any residential development would need to be single storey with good separation distances achieved with the adjacent properties, as shown on the above plan. This would reflect the existing character of properties within this area and reduce any potential for harm to be caused through development of the site. The depth of any property on the plot also needs to take account of potential overshadowing, loss of day light and sun light that might occur from development.

The applicant is seeking permission for access into the site off the existing highway, East Lound Road. In order to reduce any potential harm it is considered this access road should not be extended beyond the point shown on the plan in order to preserve amenity rights of the adjoining property at 23 East Lound Road which has windows and an entrance door on this elevation. The driveway should also reflect

the existing drive at property 23 East Lound Road, with no hard surfacing being allowed along the frontage. See example Plan below:



It is clear that development of the site would remove this currently open and attractive private piece of land from the streetscene and bring properties closer together. However, it is considered that a sympathetic design could be achieved without causing undue harm to residential amenity, impact on the street scene or the character of the area. It is recommended that key Design Principles area discussed and agreed with the LPA as part of any Reserved Matters submissions.

Development of the site in accordance with a 'Indicative Plan' or key design principles would ensure the protection of the open views to the south, enable a sympathetic design to be achieved which takes account of surrounding policy area LC14 : Area of Special Historic Landscape Interest, as well as respecting neighbouring residential amenity and the character of the street scene.

It is considered the development site is suitable for a single residential dwelling. Any subsequent reserved matters applications would need to be in accordance with Policies DS1 and H5.

DESIGN

Policies H5 (Part saved), CS5 and DS1 seek to deliver quality design in North Lincolnshire. The proposal is made in Outline with all details other than Access being reserved. Whilst design is not a matter for approval at this time, given the site is located at the edge of a rural settlement and adjacent Policy Area LC14: Area of Special Historic Landscape Interest then consideration of any future design should take this into account.

The applicant identifies the site as an 'infill site', however, after visiting the site there is evidence that this site is used as additional garden space for the adjoining property (21 East Lound Road). The Contamination Screening Assessment which is submitted as part of the application submission package identifies the application land as domestic and agricultural land.

Paragraph 124 sub-section d) of the NPPF requires planning policies and decisions to support development that makes *“efficient use of land taking account of the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change”*. It is considered that a scheme can be achieved on the site that addresses and maintains the character of the area.

Page 70 of the NPPF discusses previously developed as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole curtilage should be developed) and any associated fixed surface infrastructure. This excludes land in built up areas such as residential gardens. The application site currently contributes to the making of the character in this area, however, it is considered that a sympathetic design could be achieved which would ensure this character was maintained. To achieve this the proposed residential unit should be set back from the main road with large areas of planting being created to the front similar to that of the adjoining properties.

Any subsequent Reserved Matters application would need to reflect guidance outlined within Policies H5 (part saved), CS5 and DS1. It is recommended that a detailed design and access statement to include a sunlight assessment which demonstrate that the proposed dwelling would not result in the detrimental loss of light or overshadowing of the neighbouring property be submitted as part of any subsequent reserved Matters application.

HIGHWAYS / ACCESS

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 of the Local Plan is concerned with parking provision as well as general safety and is also considered relevant.

The applicant has confirmed that 2 parking spaces to be provided on the site. Appendix 2 of the Local Plan sets out the parking requirements for new build residential properties. The application for suggests that the property to be built will have 4+ bedrooms. The Councils Highways Team have assessed the submission and have no objections subject to the attachment of conditions.

The applicant is seeking Outline Planning Permission with all matters reserved other than access. Whilst the applicant has provided a block plan which shows where the site will adjoin the adopted highway it is considered that the access into the site would have less impact on the character of the area and residential amenity of the neighbouring property if a planting strip is included along the boundary with 23 East Lound Road to reflect the same character and create an additional separation distance from this property. As such access will need to be addressed in further detail as part of a subsequent reserved matters application.

PLANNING BALANCE

The site is located within the development limits of Haxey, which is a sequentially preferable location in terms of development, the site is within walking distance to a

range of amenities and is served by a range of transport modes. It is considered that a sympathetically designed residential property could be achieved on the site which would appropriately address the character of the surrounding area, neighbouring properties and adjacent Area of Special Historic Landscape Interest.

It is considered, subject to subsequent reserved matters applications, that the application proposal accords with the policies of the statutory Development Plan and hence in accordance with Section 38(6) of the Act there is a presumption in favour of the redevelopment unless material considerations indicate otherwise. Material considerations including the Framework, add further support to the development plan presumption and as such the proposed development is considered to be acceptable.