

DELEGATED ASSESSMENT

Application no: PA/2022/873

Proposal: Planning permission to erect four affordable homes and associated car and visitor parking, new boundary treatments, and hard and soft landscaping

Location: land north of garages Warley Road, Scunthorpe

Applicant: Mr Martin Phillips, Ongo Homes Ltd

Officer: Jennifer Ashworth

POLICY

Saved Policies of the Local Plan (2003) – H5: New Housing Development (Part Saved), DS1: General Requirements, DS3: Planning Out Crime, DS14: Foul Sewage and Surface Water Drainage, DS16: Flood Risk; T2 – Access to Development, T19: Car Parking Provision and Standards and Appendix 2, LC11: Areas of Amenity Importance, S6: Small Local Centres and Corner Shops

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, CS8: Spatial Distribution of Housing Sites, CS9: Affordable Housing; CS17: Biodiversity, CS19: Flood Risk

Housing and Employment Land Allocations DPD (2016) - The site lies within the development limits of Scunthorpe and is to the south of Policy Area LC11 and west of Policy Area S6 as shown on Proposals Map Insert 36.

NPPF

CONSULTATIONS

Environmental Protection: No Objections to the proposed development subject to the inclusion of a condition in relation to the provision of a condition to address the potential for contamination of the site.

LLFA Drainage: No objection subject to conditions. The following comments are also made for consideration by the applicant / landowner when they come to discharge conditions:

1. There are fundamental discrepancies in the site investigation report and the proposed soakaway design. These issues need to be fully addressed. For example unstable and collapsed ground conditions during soakaway testing and BRE soakaway testing not being possible and the incorrect infiltration rate being referenced on the drainage layout
2. The detailed design also needs to include the access road leading to the development.
3. It must be noted that the developer owns land to the west which may be developed. It would be preferable that an overarching surface water drainage solution needs to be provided for the whole site if it to be developed in the long term. Soakaways would appear not be a good long term surface water drainage solution for this catchment and a high level overflow may be required into the surface water sewer on Warley Road.

Archaeology: No objection. The HER encourages developers to make use of the Extensive Urban Survey for planning and design purposes to ensure that new development sits well in its surroundings. The HER notes that the applicant has not submitted a Heritage Statement but equally does not request one be submitted.

Highways: No objection but recommend a condition be attached to ensure vehicle access and parking is completed prior to occupation.

PUBLICITY: A site notice has been displayed in accordance with Article 15 of the DMPO 2015 as amended.

LETTERS OF COMMENT: There have been no comments received in response to this site notice.

MATERIAL CONSIDERATIONS

Planning History

There is no relevant planning history for the site.

Planning Designations / Considerations

The site lies within the development limits of Scunthorpe.

The site is not located within a Conservation Area and there are no TPO's or Listed Buildings within close proximity of the site.

The site is located within SFRA Flood Zone 1 which is considered to be low risk of flooding.

THE SITE

The site is located to the north of an existing residential estate which includes accommodation in the form of flats which is operated by Ongo Homes. The site is located to the south of an existing recreational ground and north of Warley Road.

The land is currently laid to hardstanding and functions as an overspill car park for existing tenants on the wider site. The site appears underused and has not explicit allocation but is within the settlement boundary for Scunthorpe and Bottesford as identified by the Housing and Employment Allocations DPD 2016.

The assessment will therefore focus on the following issues:

- Principle of Development
- Planning Obligations
- Flood Risk
- Amenity and Environmental Issues
- Land Quality
- Highways
- Ecology
- Trees and Landscape

PROPOSED DEVELOPMENT

The applicant seeks planning permission to erect four affordable homes and associated car and visitor parking, new boundary treatments, and hard and soft landscaping.

PRINCIPLE OF DEVELOPMENT

Policy CS1 of the Core Strategy sets out the overarching spatial strategy for the district. It states that in Scunthorpe “...*High quality, well designed new housing will be provided on a range of previously developed sites within the urban area followed by a greenfield urban extension with a focus on areas to the west of the built up area*”.

Policy CS2 sets out a sequential approach to where development should be focussed. It states that “...*Previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions*” is the first priority.

Policy CS7 is concerned with the Spatial Distribution of Housing Sites and Policy CS8 is concerned Overall Housing provision. As well as setting out locations for the distribution of housing CS7 also sets out net density ranges (unless site constraints dictate). Housing density within Scunthorpe and Market Towns development limits are 40-45 dwellings per hectare. Policy CS8 states that the first priority is to re-use previously developed land and buildings within North Lincolnshire’s built up areas which will be promoted by setting a target of 30% of the housing provision on such land.

The proposal site represents previously developed land located within the settlement boundary for Scunthorpe and Bottesford and therefore conforms with the aforementioned planning policies. The proposal is therefore considered to be acceptable in principle aligning with the overarching spatial strategy and other relevant policies of the Plan.

Flood Risk and 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 applicant has submitted a drainage assessment report as well as a drainage strategy.

The LLFA Drainage Team have reviewed the proposals and consider there to be major detailed design issues which need to be resolved in relation to soakaway design, feasibility and locations (currently proposed on the northern boundary where localised surface water flood risk is present). For minor developments, the team also recommended that the developer consider upsizing the pipe network increasing storage around the development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on the applicant / landowners behalf to ensure an increased level of resilience for the development and its future occupiers.

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

- 1. No development shall take place until a detailed Flood Risk Statement and Drainage Strategy is submitted to and approved in writing by the Local Planning Authority. This should outline all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this and include preliminary drainage layout plans. SuDS should be considered. Full ground investigations must be carried out along with a feasibility assessment for infiltration. Infiltration tests should comprise full scale tests to demonstrate long term effectiveness and suitability*
- 2. 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.*
- 3. 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.*

Amenity / Design / Appearance

Part Saved Policy H5 and Policy DS1 refer to residential amenity. They both discuss the need to ensure development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings. Policy H5 states adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwelling should expect to enjoy. Policy DS1 states there should be no unacceptable loss of over shadowing.

Policies H5 (Part saved), CS5 and DS1 seek to deliver quality design in North Lincolnshire. Policy DS1 requires the design and layout to respect and where possible retain and / or enhance the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is concerned with delivering quality design in North Lincolnshire. It states that "...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable." This is reinforced by Local Plan policy, DS1 and CS5 as noted above.

Policy CS5 requires new development to consider the relationship between any buildings and the spaces around them, and how they interact with each other as well as the surrounding area. The function of buildings should also be considered in terms of its appropriateness for the context in which it is located.

The proposal seeks to erect four affordable homes, 1 pair of semi-detached 2-bed bungalows and two detached bungalows (1 either 1 bed for 2 people or 2 bed for 3 people and 1 three bed).

The curtilage area on offer is proportionate to that type of dwelling. Furthermore, all separation distances between dwellings are sufficient not to cause undue overbearing on one another. The location of openings too is in a location that would not give rise to unacceptable levels of visual intrusion. It is recommended that all bathroom windows are obscure glazed and retained as such thereafter in order to protect the living conditions of residents.

The proposed design is considered to be of high quality and relates well to the existing development within this area. In relation to materials the application form confirms that the main facing material for the walls will be brickwork. To add interest and variation and to break-up the extent of brickwork to the street facing facades, House Type A will feature fibre-cement cladding to the living room bay and apex; House Type B will feature through coloured render to the living room bay and apex; and House Type C will feature through coloured render to the entrance bay area. All pitched roof areas are to use interlocking concrete roof tiles, incorporating dry ridge and verge details, windows will be uPVC and main entrance doors will be composite and other external doors will be uPVC.

The boundaries between plots in rear gardens will include 1.8m high hit and miss timber fencing with concrete posts; boundaries to front gardens to be 0.9m high and include galvanised metal railings with black painted finish; feature 1.8m high brick walls with tile creasing and brick on edge header detail are proposed to the gardens of Plots 2 and 3; new perimeter fencing to the eastern and western boundary to be 1.8m high close boarded timber fencing with concrete posts. The proposed boundary materials will ensure an attractive environment is achieved whilst also allowing privacy for residents.

The proposal site relates well to the existing residential properties and footpaths within the area and are within close proximity to local facilities. The councils Environmental Protection Officer has no objections subject to the attachment of planning conditions relating to contamination. There is no such requirement in terms of the control of dust or noise and in any case external Environmental legislation exists that would mitigate impacts relating to those issues. It is therefore considered that subject to the aforementioned mitigation the proposal would be in accordance with policies DS1, H5 and DS11 of the North Lincolnshire Local Plan.

Contamination

Policy DS7 of the North Lincolnshire Local Plan is concerned with land contamination. It states that in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

The councils Environmental Protection Officer has been consulted and has reviewed the following reports which have been submitted:

- Eastwood & Partners Geotechnical and Geo-Environmental Site Investigation for Warley Road, Scunthorpe. Dated 13 May 2022, Ref: 46663-001 Issue 2
- Eastwood & Partners Remediation Implementation Plan for Warley Road, Scunthorpe. Dated 13 May 2022, Ref: 46663-008

The findings of the reports confirmed that one sample of topsoil contained elevated concentrations of copper (4,200 mg/kg) above the human health assessment value (2,400 mg/kg). Additional analysis took place from the sub samples which recorded no elevated contaminant concentrations above their respective human health or phytotoxicity assessment values. It has therefore been suggested that the initial elevated copper result is anomalous, and possibly due to laboratory error. Also, within TP03 an elevated level of zinc was recorded above the phytotoxicity assessment value. No asbestos fibres were identified within the top soil.

Within the made ground elevated levels of PAHs were recorded from HP02 (0.15m) above their respective human health criteria. TPH concentrations were below the level of detection and no asbestos fibres were identified.

None of the topsoil or natural ground samples recorded any concentrations in excess of the respective assessment values and therefore are considered suitable for re-use on site. However, with regards to the made ground remediation proposals have been recommended as follows:

“Where made ground is to remain beneath private gardens or soft landscaped areas of the proposed development, the material will require a capping layer of inert material above it. The capping layer should be a minimum of 600 mm thickness, with an anti-dig layer. At least 150 mm of this capping thickness should comprise topsoil, to act as a growing medium for plants”.

The report recommends that basic radon protective measures will need to be installed in all new dwellings and that protective measures may be required for new drinking water supply pipes laid. It is therefore recommended that the applicant liaise with the

water company and any correspondence shall be documented in the verification report.

Based on these findings the team has stated that there is a requirement for a land contamination survey, remediation and verification reports. The applicant has confirmed that further site investigations are planned for mid July to cover the full site and is happy to accept the proposed condition.

The condition is not considered unreasonable given the level of information that has been provided by the applicant. Therefore, subject to the aforementioned planning condition the proposal is in accordance with policy DS7 of the North Lincolnshire Local Plan.

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 site has good access to public transport links and some local services are within reasonable walking distance. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development. The proposal would utilise the existing private road which is designed to a standard which can cater for the residential development of these plots.

Given the scale of the proposed development it is not considered that the scheme would result in a significant or unacceptable increase in vehicular movements in the locality. Adequate off street parking provision will be provided within the site. With these factors in mind, and in the absence of an objection from the Council's Highways section, it is considered that the proposal, with the recommended conditions, would be acceptable in highway terms.

It is considered that subject to the aforementioned mitigation the proposal is in accordance with policies T2 and T19 of the North Lincolnshire Local Plan.

Conclusion

For the reasons set out in this report, it is considered that the location of the development within the current development limits is justified in this case and the proposal would not result in unacceptable harm in any other way. The scheme is considered to be designed to a high standard and will offer much needed affordable housing and as such sufficiently accords with the development plan and NPPF.

RECOMMENDATION: Grant Permission subject to the following conditions: