

DELEGATED ASSESSMENT

Application no: PA/2024/399

Proposal: Planning permission to erect a new dwelling including double garage, new driveway, pedestrian access and other minor ancillary

Location: 15 Highfields, Crowle, Scunthorpe, DN17 4NP

Applicant: Mr A Kitching

Officer: Daniel Puttick

POLICIES

National Planning Policy Framework: Sections 2, 4, 5, 8, 9 and 12

North Lincolnshire Local Plan: DS1, DS7, DS14, H5, H8 T1, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS5, CS7, CS8, CS19, CS25

New North Lincolnshire Local Plan Submission: SS1, SS2, SS3, SS5, SS6, SS10, H1, H2, DQE1, T1, T3, DM1

CONSULTATIONS

Highways: Looking at the submitted information the application for a new dwelling with access seems to be acceptable in principle. Conditions are recommended to be imposed on any permission granted.

LLFA Drainage: No objections subject to conditions and informatives.

Environmental Protection: Recommend a condition be imposed to deal with potential land contamination found during construction.

National Grid: There are no National Grid Electricity Transmission assets affected in this area.

National Gas: There are no National Gas assets affected in this area.

Crowle and Ealand Town Council: The Parish Council objects to this application on the grounds that the original stipulations in the land registry deeds state that the bungalows on Highfields cannot be seen from Eastoft Road. The application proposal is not in keeping with the properties in the area. The access and egress of this property is on a bend and the privacy of #17 Highfields is completely invaded as it will be totally overlooked.

PLANNING HISTORY

- 2/1975/0393: Layout of site and means of access – Approved
- 2/1976/0067: Roads sewers and landscaping – Approved
- 2/1981/0111: Erected a detached bungalow and garage - Approved
- 2/1986/0219: Erection of a detached bungalow and garage – Approved
- 2/1994/0508: Erection of a domestic extension - Approved
- PA/2009/1311: Planning permission to erect single storey extensions - Approved
- PA/2015/0078: Planning permission to erect a rear single storey extension (resubmission of expired approved application PA/2009/1311 with amendments) - Approved

PUBLICITY

A site notice was displayed on 11 April 2024 to fulfil the requirements of Section 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Nine letters of objection have been received. A summary of the material planning considerations raised in this objection are provided below:

- The proposed development would cause overlooking to 17 Highfields and result in a loss of outlook from the garden.
- The development is out of the building line and would be seen on the approach into Crowle from Eastoft. It would be out of character for Highfields as the estate has 43 bungalows constructed of brick.
- The new driveway would affect road safety and cause noise and disturbance for neighbouring occupants.
- Highfields has a restrictive clause limiting houses to bungalows only. The reason for this was so that properties were not visible from Eastoft Road and to avoid any impacts on views of Tower Hill from Eastoft Road.
- The house is in proximity to mature trees.

ASSESSMENT

Planning permission is being sought for the construction of a two-storey house on land at 15 Highfields. The property would be situated on part of the land associated with 15 Highfields which is located to the north of 17 Highfields.

The property would feature four bedrooms at first floor level, with an open plan kitchen, dining and living area, study, separate lounge, utility, WC and integral double garage at ground floor level. The building would be constructed in multi Grey facing brickwork at ground floor level with through coloured render above and timber cladding detailing to the projecting gable. Windows would be doubled glazed PVC-u in anthracite grey, with roof tiles in anthracite grey.

The main issues for the determination of this application include:

- Principle of the development
- Design and impact upon the character and appearance of the area
- Impact on residential amenity
- Highways safety and drainage

Principle of the Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

Policy CS1 of the Core Strategy sets out a spatial strategy for North Lincolnshire and identifies Crowle as a market town. The policy indicates that market towns will be supported as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire. It states an appropriate level and range of new housing development will be provided, with market towns providing for over 2171 new dwellings over the plan period.

Through Policy CS3 of the Core Strategy, the Council have identified a number of settlement boundaries for settlements throughout North Lincolnshire. The application site lies within the settlement boundary for Crowle as defined in the Housing & Employment Land Allocations DPD.

Policy CS8 of the Core Strategy 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.

The overall strategy for North Lincolnshire, as set out in Policy CS2 of the Core Strategy, identifies a sequential approach for development within North Lincolnshire: firstly in Scunthorpe, followed by the market towns and then rural settlements. The bulk of housing requirement for North Lincolnshire under this strategy is allocated for Scunthorpe at 82% of the total housing requirement with 18% in the market towns of

Barton upon Humber, Brigg, Crowle, Kirton in Lindsey and Winterton. There are no allocated housing sites within the rural settlements.

The application site is located within the settlement boundary for Crowle, in an area which is generally considered suitable for development in accordance with the spatial strategy for the distribution of new housing across North Lincolnshire. The principle of the development is therefore considered acceptable in accordance with Policies CS1, CS2, CS3 and CS8 of the North Lincolnshire Core Strategy.

Design and impact upon the character and appearance of the area

Policy DS1 of the Local Plan seeks to ensure that proposals are sympathetic in design, scale and materials to the existing dwelling and its neighbours, and seeks that materials and finishes do not contrast markedly with those of the original building or neighbouring properties.

Policy H5 of the Local Plan provides a number of spatial and design criteria with which new development will be expected to conform. Amongst those are requirements for development to be in keeping with the character and scale of the settlement, designed to ensure the conservation and retention of features of particular architectural, historic or archaeological interest or important features which make important contribution to the character of the site and surrounding area, and where appropriate or necessary provide substantial and suitable landscaping.

Policy H7 of the Local Plan states in relation to backland and tandem development that proposals will be permitted provided that they meet a number of specific criteria, including that it would not affect the general quality and character of the area in which it is located by unacceptably increasing the density of development in that area, or resulting in the loss of important natural and man-made features, or leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety.

Policy H8 of the Local Plan states that new residential development will be permitted provided that it meets a number of requirements, including that it respects and reflects the form, scale, massing, design and detailing, materials and nature of the local environment.

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for their context, and that it should contribute to creating a sense of place. The policy goes on to state that the Council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. The policy states that 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.

The NPPF seeks to ensure the creation of high quality, beautiful and sustainable buildings and places, stating that this is fundamental to what the planning and development process should achieve. Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The application site would be accessed via a new driveway from Highfields. The property would be positioned to the rear of 17 Highfields. Highfields is a circular estate road with a single row of properties positioned either side of the highway. Properties within Highfields are bungalows predominantly of brick construction, and comments from local residents objecting to the application attest to restrictive covenants imposed which limit the scale of the dwellings within the estate. There is a distinctive character derived from the layout, design and scale of properties within Highfields. Whilst there is a variety of types of house within the estate, there is relative uniformity in the use of materials and overall scale being limited to a single storey. These aspects contribute positively towards the character of the area given its context adjacent to open countryside. Another distinctive feature within the estate is the presence of the water tower to the rear of 15 Highfields, which is a noticeably higher structure. Its juxtaposition in relation to the modestly sized properties adds interest to the area.

The proposed dwelling would be positioned to the rear of 17 Highfields. By virtue of its scale, it would be visible in views from Highfields and beyond the estate. Owing to its size and use of contrasting materials, it would appear at odds with the prevailing character of the estate and would be harmful to the cohesive appearance of properties within the street scene. Given the proximity of the dwelling to the water tower and the scale in relation to this feature, the development would fail to integrate successfully and would be seen as an incongruous feature which would be visually jarring as a backdrop to existing properties.

Policy H7 of the Local Plan seeks to avoid the unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety. Safety impacts are considered elsewhere in this report, however the effect of the introduction of a driveway in this location requires consideration.

Highfields is characterised by properties which generally sit close to the highway and are served by driveways leading to the principal elevation of each dwelling or garage associated with it. Driveways are visible in context with each property, and as a consequence the proposed arrangement would appear at odds with the established layout of the estate. This would compound the negative impacts caused by the scale, layout and appearance of the property which is generally considered to be unsatisfactory and out of keeping with the character of the area.

A number of objections raise concerns about impacts on the character of the area from Eastoft Road. Upon inspection of the site it was evident that the design and layout of the estate ensures that properties are not readily visible from Eastoft Road and that the water tower appears as the prominent developed aspect of this view. The rural approach to the settlement is preserved by this arrangement, a feature which would be significantly diminished by the introduction of a dwelling of the scale and design proposed. The development would have a harmful impact on the character and appearance of the landscape as a result, leading to urbanising impacts upon the rural fringe of the settlement.

For these reasons, the proposals would fail to integrate successfully within the site. The proposed house would breach a clearly defined and long-established building line, with the scale and use of materials markedly contrasting with properties within the estate. The effect of this would be harmful to the character and appearance of

the area, and the landscape character of the settlement edge. The proposals are considered unacceptable in terms of their design, would fail to reflect local distinctiveness and would result in harmful impacts upon the character and appearance of the area contrary to Policies DS1, H5, H7 and H8 of the North Lincolnshire Local Plan, Policy CS5 of the North Lincolnshire Core Strategy and the aims of the NPPF.

Residential Amenity

Policy DS1 of the Local Plan seeks to ensure suitable standards of amenity for existing and future residents and users, and states no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Policy H5 of the Local Plan requires, amongst other things, that development does not result in overlooking or loss of privacy to existing developments, or any other loss of amenity to existing dwellings. It also requires that provision is made within the curtilage of each dwelling (except for upper storey flats) for an area of private amenity open space.

Paragraph 135 of the NPPF indicates that planning policies and decisions should ensure that, amongst other requirements, developments create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

The property would be located to the north of 17 Highfields. Notwithstanding that there is separation between the two buildings, the rear of the neighbouring property and in particular its garden area would be severely overlooked by the proposed development, resulting in a loss of privacy for occupants of the affected dwelling. In addition, by virtue of its scale and proximity to the boundary between the site and the neighbouring dwelling, and taking account of the sense of spaciousness which the property currently enjoys, the new development would appear overbearing and would affect the outlook currently enjoyed. The effects of the development would be harmful to the amenity of occupants of 17 Highfields, and would fail to preserve current standards of amenity enjoyed by residents here.

Concerns have been raised in letters of objection about loss of daylight and overshadowing effects, however by virtue of the position of the proposed dwelling to the north of existing buildings this would not occur. The scale of properties within Highfields is such that there would be no impacts in terms of overshadowing or daylight loss for occupants of the proposed dwelling, and adequate living conditions would be afforded to occupants of the new development.

Concerns have also been raised about the introduction of a new driveway leading down the side of the property, and potential for noise and disturbance this would cause. The driveway to 15 Highfields is located close to the boundary with 17 Highfields, however the proposed development would see a new driveway installed closer to the boundary, with parking and turning areas to the immediate north of the garden area to 17 Highfields. This arrangement would be likely to give rise to an increase in activity closer to the boundary with 17 Highfields, which could be harmful to the amenity of occupants of this property. However, conditions could be imposed

to mitigate against potential noise disturbance, such as the use of acoustic fencing and other landscaping measures. As a result, whilst these concerns are noted in this instance the impacts would not be considered significant enough to justify withholding planning permission. In any event, there are wider concerns associated with the scale, design and layout of the property which would be more harmful to the amenity of occupants of the neighbouring dwelling and provide sufficient grounds to refuse the application.

For reasons set out above, the proposed development would result in harmful impacts on the living conditions of occupants of existing properties in terms of loss of outlook and overbearing impacts, overlooking and loss of privacy. The proposed development is contrary to Policies DS1, H5 and H7 of the North Lincolnshire Local Plan, Policy CS5 of the Core Strategy and the aims of the NPPF.

Highway Safety

Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T1 of the Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 of the Local Plan states that all proposals should be provided with a satisfactory access, whilst Policy T19 of the Local Plan relates to car parking provision and standards, and in summary requires developments which result in additional parking needs to incorporate proposals to fully meet that demand.

Policy CS25 of the Core Strategy seeks to support and promote a sustainable transport system in North Lincolnshire that offers a choice of transport modes and reduces the need to travel through spatial planning and design and by utilising a range of demand and network management tools.

The application has been assessed by the highway authority, who raise no objections to the proposed development subject a condition. A number of comments received highlight concerns with the proposed arrangements, some of which relate to perceived effects on property value which are not a material planning consideration. In absence of any objection from the highway authority it is not considered that the scale or nature of the development would give rise to significant impacts which would be prejudicial to road safety. Highfields is a relatively low traffic estate and during an inspection of the site it was noted that vehicle speeds were low. The relatively low number of trips generated by the proposed development would be unlikely to present risks to road safety, and sufficient space could be made within the site to accommodate an appropriate level of parking to meet the demands of the property.

Concerns are raised by some residents in relation to potential impacts during construction, however it is considered that suitably worded conditions could be imposed to deal with construction traffic, parking of operatives and storage of materials. Conditions could also control timings of deliveries/collections to help minimise disturbance and impacts on the road network.

In absence of any objection from the highway authority, whilst the concerns of residents are noted, the proposals are considered to provide adequate parking. The relocation of bins to the rear yard of the premises would be unlikely to be harmful to the safe operation of the road network, and the overall impact of the development on highway safety would be acceptable, subject to conditions, in accordance with Policies T2 and T19 of the North Lincolnshire Local Plan, Policy CS25 of the North Lincolnshire Core Strategy and the aims of the NPPF.

Flood Risk and Drainage

The application site is located within Flood Zone 1 and is therefore at a low risk of flooding given its elevated position.

Policy DS14 of the Local Plan seeks to ensure satisfactory provision is made for the disposal of foul and surface water from new development. The LLFA/Drainage Team have been consulted on the application and recommend conditions be imposed to any permission granted. Precise details for surface and foul water drainage provision can be secured by condition. Subject to accordance with such a condition, the proposed development would be acceptable in accordance with Policy DS14 of the Local Plan.

Conclusion

The principle of new housing within Crowle is acceptable and the construction of a house in this location would be consistent with the spatial distribution aims of the development plan. There are no concerns in relation to highway safety and conditions could be imposed to deal with surface and foul water drainage provision. However, the proposed development would be out of keeping with the character of the area and would result in harmful impacts on living conditions for occupants, contrary to policies DS1, H5, H7 and H8 of the North Lincolnshire Local Plan, Policy CS5 of the North Lincolnshire Core Strategy and the aims of the NPPF. It is therefore recommended that planning permission be refused for reasons set out in this report.

RECOMMENDATION: Refuse planning permission.