



The Planning Inspectorate

Appeal Decision

Hearing held on 7 October 2014
Site visit made on 7 October 2014

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 October 2014

Appeal Ref: APP/Y2003/A/14/2221377

7 Lakes Industrial Estate, Crowle Wharf, Ealand, Scunthorpe DN17 4JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Colin Muscroft against the decision of North Lincolnshire Council.
 - The application Ref PA/2013/1256, dated 30 September 2013, was refused by notice dated 9 April 2014.
 - The development proposed is described as 'outline planning permission for residential development on 0.80ha of land approx at 7 Lakes Industrial Estate, Ealand, Scunthorpe'.
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Decision

1. The appeal is allowed and planning permission is granted for residential development at 7 Lakes Industrial Estate, Crowle Wharf, Ealand, Scunthorpe DN17 4JS in accordance with the terms of the application, Ref PA/2013/1256, dated 30 September 2013, subject to the conditions set out at the end of my decision.

Procedural Matters

2. I have used the Council's description of development from their decision notice for my formal decision as opposed to that described on the application form as this description is more precise.
3. The application was submitted in outline, with all matters reserved. It was confirmed at the Hearing that the site plan submitted is for illustrative purposes only and I have dealt with the appeal on this basis.

Main Issue

4. Based on all that I have seen, read and heard, the main issue in this case is whether or not the site would provide a suitable site for housing, having regard to the principles of sustainable development, housing land supply, and the provision of employment land in the Council area.

Reasons

5. The appeal site lies to the west of the village of Ealand, and is located between the A161 and 7 Lakes Country Park, a large recreational and residential caravan park. The site forms part of a larger vacant area which is accessed by

appellant at the Hearing on public transport times was accepted by the Council to show that the site would meet the relevant accessibility criteria. Whilst the distances and pedestrian access to local schools is not ideal, the range of facilities available in Ealand and the proximity of the railway station show to my mind that the site has good accessibility, particularly in the context of a rural area.

11. Economically the proposed site would have a positive effect in terms of construction jobs in building new houses, and socially the residents of the proposal would add to the village, providing more support to local services and facilities. The small increase in the supply of housing to the area that the scheme would provide would also be a social benefit. The environmental effect of developing the land would be minimal and the proposal would have the potential to improve the character of the area. I therefore consider that the proposal would constitute sustainable development.
12. The site has formed part of a larger allocation for employment land since 1993. Since this time there have been a number of permissions for varying forms of employment development on the wider site, but very few have been implemented, and none on the actual appeal site. The allocation has been marketed for around 7 years with little interest. It is common ground amongst the parties that there is an oversupply of employment land in the Council area, with the Council stating that there is an oversupply of 141 hectares, or 96% over the plan period from 2011 to 2026. A loss of 0.80 hectares would therefore have very little impact on the overall provision of employment land in the area.
13. The Council consider that in a local sense the site is required as an allocation to support the market town of Crowle and the Isle of Axholme. However, I note that the proposal would still leave around 3.2ha of land for employment uses, and that a further employment site is allocated to the south of the railway in Ealand, which provides for around 7.4ha, as stated by the Council in the Hearing. There would therefore remain over 10ha of employment land suitable for local employment uses, in addition to the large strategic site of Sandtoft located nearby.
14. I do not agree that the proposed development would sterilise the remainder of the employment site. Conditions could be applied at reserved matters stage to ensure suitable boundary treatments and landscaping is applied to the site boundaries. B1 uses are also suitable for provision within residential areas, and possible B2 or B8 uses could be utilised on other parts of the site or with suitable buffer areas. I also note in this respect that the overall site directly abuts the 7 Lakes Country Park, and the residential caravans within that site, upon which any industrial use would have a similar effect as to the proposed development, if not greater, given the differing noise insulation qualities of a house and a caravan.
15. The wider site is identified within the Council's Housing and Employment Land Allocations Development Plan Document (the DPD). The DPD is at a relatively advanced stage and has been submitted for examination. This is likely to take place in November 2014, and accordingly the Council consider that the future use of the site, which has been identified through the developing DPD for the past 7 years, should be determined through the Local Plan process. However, given the amount of land that would remain for employment uses both locally

doubt. I have also imposed a condition ensuring that the mitigation measures included in the submitted flood risk assessment (FRA) from March 2014 are incorporated and that finished floor levels of the proposed development are set at the height recommended by the FRA.

21. Given the brownfield nature of the site, I have also imposed a condition concerning the site contamination and remediation scheme (if necessary) in the interests of the environment, although I have simplified the condition provided by the Council to make it more precise. I have also included reference to noise and dust controls during any required remediation works given the closeness of the residents of the Country Park. Given the proximity of the railway line and other local noise from road traffic, I have also imposed a condition requiring a noise impact assessment and mitigation measures if required, in the interests of the future living conditions of residents.
22. A condition is also imposed for a scheme of pedestrian improvements to be submitted to ensure the site is well linked to the main village of Ealand and the railway station. Although there is a tactile paved crossing area and small central refuge on the A161, this is a busy road and improvements will help to ensure that the proposal is sustainable, and has no adverse impact on highway safety. Finally I have also imposed a condition concerning foul and surface water drainage, in the interests of the environment.
23. 7 Lakes Country Park request that any permission includes conditions relating to boundary treatments, landscaping and proposed building heights. Such matters would be considered at reserved matters stage.
24. I therefore conclude that the proposed site would provide a suitable sustainable site for housing. The minor adverse impact of granting permission through the loss of a small area of employment land would not significantly and demonstrably outweigh the benefits of granting consent. In addition, the proposed affordable housing adds weight to my decision.
25. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Jon Hockley

INSPECTOR

SCHEDULE OF CONDITIONS:

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

required. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.