

Officers Report

Planning Application No: 142532

PROPOSAL: Application for approval of reserved matters to erect 6no. dwellings, considering access, appearance, landscaping, layout and scale following outline permission 135868 granted 03 May 2018.

LOCATION: Land off Carr Road North Kelsey Market Rasen LN7 6LG

WARD: Kelsey

WARD MEMBER(S): Cllr P Howitt-Cowan

APPLICANT NAME: Miss H Shepherd

TARGET DECISION DATE: 21/05/2021

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Rachel Woollass

RECOMMENDED DECISION: Grant permission

This application is presented to planning committee as this was requested at May's planning committee in 2018.

Description:

The site comprises a field off Carr Road, which is bounded by hedging. The site lies within North Kelsey which is defined as a medium village in the Central Lincolnshire Local Plan. There are residential properties to the south, residential properties including a pond to the east, Beeches Farm to the west and residential garden to the north of the site.

The application seeks approval of reserved matters to erect 6 dwellings, considering access, appearance, landscaping, layout and scale following outline permission 135868 granted 03 May 2018.

Relevant history:

135868 - Outline planning application for residential development of up to 9no. dwellings - all matters reserved. Permission granted 03/05/18

142929 - Outline planning application for residential development of up to 9no. dwellings - all matters reserved being removal of conditions 4, 5 & 6 of planning permission 135868 granted 3 May 2018 - removal of footpath provision and adoptable roads. Awaiting decision

Representations:

Chairman/Ward member(s): Cllr Morris - this site does constitute a flooding risk and that having multiple access points is just asking for trouble on such a narrow road, I would ask the planning committee to carefully consider these points when arriving at their decision.

North Kelsey Parish Council: Object to this application on the following reasons –

- There are 3 proposed access point on to Carr Road - it is felt that only one should be necessary, with internal access to plots within the site.
- Concerns raised about flooding on the road at this area
- Concerns about congestion caused by extra car parking, and the road being wide enough to accommodate all vehicles.
- Concern about impact on wildlife by removal of the hedge.

Local residents: Objections received from Hartwell Crescent, Axholme, Lyndon, Woodbine Farm, Fir Tree Cottage, Lucas House, Beck House, Lakeside Lodge, Woodpeckers and The Beeches with the main concerns –

- Excess traffic on Middle Street, already busy with farm traffic and also it will upset any natural animal conservation as hedgehogs or frogs and toads crossing
- Carr Road is a no-through road largely used by the agricultural vehicles and horses making the site unsuitable
- Access to the site would be through the village passing the primary school
- Large and agricultural vehicles already have difficulty getting down Middle Street
- North Kelsey has already had 2 housing developments in the last 2 years. Not all the dwellings have sold
- North Kelsey has been seriously over-developed
- After heavy rainfall, this piece of road floods
- Would like to see the land left as green space for wildlife and fauna as it seems within the village every green space is being built on
- Other planning applications in close proximity to the proposed site have been rejected
- Building on ever decreasing green spaces impacts wildlife and has a negative impact on the environment
- Since outline planning was granted there have been at least 17 new 3/4/5 bed properties granted planning permission and built in the village, plus several barn conversions and old property brought back into use. There has been no corresponding increase in infrastructure
- Properties are all large detached properties large detached properties intended to appeal to people moving into the village from elsewhere and are not the properties that the village needs to house younger locals who want to stay in North Kelsey – affordable property is needed to keep young people who have grown up here living in the village. North Kelsey is in danger of becoming a dormitory village for people who work elsewhere and do not contribute to the life of the village or support what little business remains such as the local farm shop.

- 3 new accesses are a danger to vehicles, pedestrians and horse riders
- 3 exits mean 3 breaks in the long established hedge
- If it is decided that the development can go ahead surely it is more sensible to allow only 1 access road into the development, determined by safety and exit visibility, with driveways to the properties branching off the access road within the development itself (see possible sketch plan attached). The four plots along the side of the road could be turned, possibly by 180 degrees so

that their back gardens face the road or it might even be necessary to reduce the number of properties on the site to 5 given the sizes proposed. The hedge will only be broken in one place which is a more ecological and aesthetically pleasing design as well as being much safer as pedestrians and other road users will only have to take account of one entry/exit for vehicles, pedestrians and presumably, since there are also stables planned, horses and their riders entering/leaving the site.

- Perhaps consideration should be given to providing a parking lane at the side of the road along the development side

- Given the high water table and mirrored terrain undulations with Lakeside Lodge, we have concerns that any topographic adjustments, however minor, would affect drainage along the east boundary of the proposed development site. The reserved matters application documentation gave no indication whether such topographic adjustments are intended. Were such topographic adjustments planned, we ask for clarification that the east boundary be afforded the same considerations regarding drainage as those taken elsewhere on the site, and request to be notified accordingly.

- Proposed south-boundary ditch adjustments made to accommodate increased surface water disposal levels (arising from the site development) may impact neighbouring infrastructure: specifically, utilities supplied through the part of the ditch fronting neighbouring properties.

- On other recent developments, of a similar size in North Kelsey, care appears to have been taken to restrict the number of access ways to the main road by having all properties serviced for vehicular traffic by one service road or cul de sac. This development should have the same feature as it will discourage residents, service vehicles and courier vehicles to park on the narrow Carr Road. Instead they will use the service road. An added benefit of this arrangement would be that those properties that do front Carr Road could then have south facing back gardens, always a selling point.

- The plans put forward exceed the 1000 square metres of gross internal floor space that was a condition of the original outline planning application. If this is the case then the plans should be revised before any consent is granted.

- note that the plans show no garages for what are large detached properties. This is inconsistent with other recent developments in the village, mainly on Brigg Road, where all detached properties have a garage included. If I was a buyer I would want to have a garage. I understand that garages would be included in the 1000 square metres of gross internal floor space calculation that has been applied to the site. I do wonder whether garages have been omitted, on purpose, so as to maximise the gross internal floor space of the properties and then have them built under some new planning application(s) at a later date. If 1000 square metres of gross internal floor space is a condition for "purposes of proper planning and to ensure that affordable housing is not required" then this should remain the case for the foreseeable future, and it should be made a condition of this consent that no garages can be built say for 10 years.

- A condition of outline planning was that the developer must provide a 1.2 m wide footpath from the development down to West Street. No details of this

footpath seem to be shown on this application. As a concerned local resident I would want to see, and have the opportunity of commenting on, this part of the plan. Constructing this footpath is not straightforward as it will in part cover the drainage trench, which the applicant plans to use for surface water drainage, and may require existing properties to sell land for its construction.

The footpath construction must remain a condition of any planning approval.

- The drainage proposal has not provided sufficient information to meet the conditions laid down in the outline planning approval. Specifically I do not see any detailed information of what will happen to the surface water from the site when it leaves the development area. In order that residents, who have consistently raised flooding along Carr Road as being an issue, should have the right to critique any plans for what happens to the surface water drainage beyond the development boundary.

- In your supplementary letter dated 16th of April 2021, advising of the change of the stables building to a garden store and carport, surprised that the change does not include a garage for the large property at the rear of the development site. It appears to me that this change has been made superficially and with the intent that at some future time the garden store and car port will be converted into stables, with or without planning permission being sought. I feel it should be a condition of planning that stables will not be permitted on this site. There already exists around the village of North Kelsey much land given over to horse pasture and stables, particularly further down Carr Road and Southfield Road. If stables are permitted, either now or in the future, then to my knowledge it will represent the only ones within the village boundary. Also as previously stated, horses are one of the road safety risks and road safety will not be enhanced if horse livery is permitted in this site.

- The change of planning from a stable on drawing number to a carport/garden store just adds another building on to the site, changing the landscape.

- Hope that the build is carried out as sensitively as possible with respect to the neighbouring boundaries, ours included.

- Concerned that in the future the land which is left as paddock under this Development will then be built upon, totally destroying the beautiful, and biodiverse land that it is now.

LCC Highways and Lead Local Flood Authority: No objections - Highways

- Dwelling numbers have reduced to the point that the revised layout shown will not require the construction of an adoptable highway to serve the dwellings.

- Plots 5 and 6 will be served by a private drive.

- The frontage footway will no longer be required.

- The submitted layout is acceptable.

Drainage

- The submitted drainage strategy is acceptable in principle however the Local Planning Authority should satisfy themselves that the ultimate outfall point is secure for the lifetime of the development.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017).

Development Plan

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP26: Design and Amenity

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in February 2019. Paragraph 213 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

- **National Planning Practice Guidance**
- *National Design Guide (2019)*

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

This application considers only whether to approve those matters of **access, layout, scale, appearance and landscaping**, that were reserved for subsequent approval ('reserved matters'), when outline planning permission was granted.

- Principle
- Appearance and Scale
- Access and Layout
- Landscaping
- Residential Amenity

Assessment:

Principle

The principle of dwellings in this location has already been established in outline permission of 135868. Therefore this application will seek to address whether the dwellings are acceptable in terms only of the outstanding reserved matters.

This application only seeks approval of the reserved matters that are outstanding following the grant of (outline) planning permission – access, appearance, landscaping, layout and scale.

Appearance and Scale

For planning purposes¹:

“appearance” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“scale” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings;

The national design guide sets out the characteristics of well-designed places and demonstrates what good design means in practice. This guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

The guide was published 1st October 2019.

Plot 1 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite, and a bathroom at first floor. The height to the ridge is approximately 8.4m and including the chimneys is 9.8m.

The materials are as follows –

- 1 - Roof tiles - Wienerberger 2020 Antique Slate
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Wienerberger Oakington Buff brick.
- 4 - Bricks - Wienerberger Reclaimed Shire Sovereign Stock.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.

¹ Article 2(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Plot 2 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite, and a bathroom at first floor. The height to the ridge is approximately 8.4m and including the chimneys 9.6m.

The materials are as follows –

- 1 - Roof tiles - Natural Red Concrete Tile.
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Wienerberger Oakington Buff brick.
- 4 - Bricks - Wienerberger Reclaimed Shire Sovereign Stock.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.

Plot 3 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite area, and a bathroom at first floor. The height to the ridge is approximately 8.4m and including the chimneys 9.6m.

The materials are as follows –

- 1 - Roof tiles - Wienerberger 2020 Antique Slate
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Wienerberger Oakington Buff brick.
- 4 - Bricks - Wienerberger Warnham Red Brick.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.

Plot 4 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite, and a bathroom at first floor. The height to the ridge is approximately 8.6m and including the chimneys 9.8m.

- 1 - Roof tiles - Natural Red Concrete Tile.
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Wienerberger Oakington Buff brick.
- 4 - Bricks - Wienerberger Reclaimed Shire Sovereign Stock.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.

Plot 5 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite and dressing area, and a bathroom at first floor. The height to the ridge is approximately 9.6m and including the chimneys is 11m.

- 1 - Roof tiles - Wienerberger 2020 Antique Slate
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Wienerberger Oakington Buff brick.
- 4 - Bricks - Wienerberger Reclaimed Shire Sovereign Stock.

- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.
- 7 - Fascias - Cream - RAL 9001.

Plot 6 consists of a lounge, dining room/snug, kitchen/dining/living area, utility room and W/C at ground floor with 4 bedrooms, one with ensuite and dressing area, and a bathroom at first floor. The height to the ridge is approximately 9.5m and including the chimneys 11m.

- 1 - Roof tiles - Wienerberger 2020 Antique Slate.
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Georgian Red - Imperial Handmade Brick Co.
- 4 - Bricks - Traditional Buff Waterstruck – Imperial Handmade Brick Co.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Cream - RAL 9001.
- 7 - Fascias - Cream - RAL 9001.

Plot 6 also has a carport and garden store. This was initially submitted as stables. However, the outline did not include stables as part of the proposal and therefore these were changed to a domestic building. This is approximately 6m in height and 3.7m to the eaves. The roof overhangs at the front. The materials are as follows –

- 1 - Roof tiles - Natural Slate
- 2 - Bricks - Blue/Black Engineering Brick.
- 3 - Bricks - Georgian Red - Imperial Handmade Brick Co.
- 4 - Bricks - Traditional Buff Waterstruck – Imperial Handmade Brick Co.
- 5 - Gutter/Rain Water Pipes - Black - RAL 9005.
- 6 - Windows & Doors - Pale Brown - RAL 8025.
- 7 - Fascias - Cream - RAL 9001.
- 8 - Cladding - Cedral Click Beige C02

There are various building types surrounding the site built in various different materials. The proposal would therefore not be out of keeping with the existing character of the village.

The proposal provides large dwellings rather than smaller dwelling types. The dwellings amount to less than 1000sqm and therefore the need for affordable housing is not triggered.

The proposal would be in accordance with policy LP26.

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy LP26 is consistent with the principles of the NPPF and is given full weight.

Access and Layout

'Access' - in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

Policy LP13 states that development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.

The proposal provides 3 accesses on to the road. Plots 5 and 6 are served from the most northerly access. Plots 3 and 4 from the most southerly and plots 1 and 2 from the remaining access.

Concern has been raised with regards to highway safety and congestion.

Whilst there are 3 access points onto Carr Road, this is not considered to be unsatisfactory. Turning space has been provided within plots to allow a car to leave in a forward facing gear.

Given the level of housing, which is minor, no concerns are raised with regards to congestion. The properties are all provided with adequate parking.

A footpath has not been shown as the applicant wishes to remove this requirement in a variation to the outline permission. The variation application is running concurrently with this application. As the number of dwellings within the reserved matters applied for is 6, the frontage footpath is no longer required as confirmed by LCC Highways. Whilst the outline did state up to 9 dwellings, the outline has now expired therefore no further reserved matters can come forward. Should committee refuse the removal of this condition on the outline, it is requested that the reserved matters is delegated back to the officer for the plans to be amended to show a footpath.

The number of housing being applied for and the layout no longer requires the construction of an adoptable highway.

Furthermore LCC highways have been consulted upon the application and have no objections to the proposal.

It is considered that the proposal would be in accordance with policy LP13.

A resident has suggested that the four frontage plots could be turned and that their back gardens face the road.

The NPPF design guide states that successful streets are characterised by buildings facing the street to provide interest, overlooking and active frontages at ground level.

The suggested arrangement would be considered poor design and this has not been recommended.

Paragraph 109 of the NPPF states 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 LP13 is consistent with the principles NPPF and is given full weight.

Landscaping

“landscaping”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

Policy LP17 states that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area.

Various trees including Malus Rudolph, Field Maple, Hornbeam Fastigiata along with grass, hedgerow infill, 1.8m high close boarded fencing, 1.2m high timber post and rail fencing and permeable paving are proposed for the hard and soft landscaping.

This would be acceptable and would be in accordance with policy LP17.

Paragraph 127(b) of the NPPF states that planning policies and decisions should ensure that developments:

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

Policy LP17 is consistent with the principles of the NPPF and is given full weight.

Residential Amenity

Policy LP26 states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

There are no concerns with regards to amenity. There is more than adequate separation between existing and proposed properties.

The dwellings all have a good sized gardens.

The proposal would be in accordance with LP26.

127 (f) states that planning policies and decisions should ensure that developments:

- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy LP26 is consistent with the NPPF and is attached full weight.

Other matters

[Paragraph 55](#) of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;

4. enforceable;
5. precise; and
6. reasonable in all other respects.

A resident has requested a condition be attached to say no garages to be built for 10 years. This is not necessary or reasonable would therefore not meet the 6 tests² for conditions.

It would also not be reasonable to condition the carport/garden shed to not be stables. The stables would require permission in their own right and would be determined on their own merits.

Any development on the paddock would require permission and would be considered on its own merits.

Drainage and flooding were extensively investigated and considered at outline stage. The drainage strategy has been assessed by the Lead Local Flood Authority and they have stated that the drainage proposed is acceptable in principle.

Other planning applications may have been refused in close proximity to the site. However, these applications were considered on their own merits.

With regards to infrastructure, this is a matter to be dealt with at outline stage.

Conclusion

The proposal has been considered against the Development Plan namely policies LP1: A Presumption in Favour of Sustainable Development, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views and LP26: Design and Amenity in the Central Lincolnshire Local Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. The proposal is acceptable. The proposal does not have an adverse impact on neighbouring dwellings or on the prevailing character or appearance of the area and would not be detrimental to highway safety. The proposal is recommended for approval subject to the following conditions. Should the committee refuse to remove the footpath condition on the outline application, it is requested that this application is delegated back to officers to amend the plans and the plans condition be amended accordingly.

Conditions stating the time by which the development must be commenced:

None

Conditions which apply or require matters to be agreed before the development commenced:

² <https://www.gov.uk/guidance/use-of-planning-conditions>

None

Conditions which apply or are to be observed during the course of the development:

1. With the exception of the detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

RDS 11576 03 J	RDS 11576 11 A
RDS 11576 04 E	RDS 11576 12 C
RDS 11576 05 B	RDS 11576 13 A
RDS 11576 06 E	RDS 11576 14 A
RDS 11576 07 B	RDS 11576 15 E
RDS 11576 08 D	RDS 11576 16 A
RDS 11576 09 B	RDS 11576 17 A
RDS 11576 10 D	RDS 11576 18 C

The works shall be in accordance with the details shown on the approved plans and in any other documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

2. Unless otherwise agreed in writing with the Local Planning Authority, the external materials shall be as stated on the plans.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the NPPF and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with policy LP17 of the Central Lincolnshire Local Plan.