

APPLICATION NO	PA/2009/0886
APPLICANT	Mr S Fricker
DEVELOPMENT	Planning permission to erect a detached dwelling and a detached double domestic garage
LOCATION	85 Akeferry Road, Westwoodside, Haxey
PARISH	HAXEY
WARD	Axholme South
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>National Policy: Planning Policy Statement 7 (Sustainable Development in Rural Areas) states that isolated new houses in the countryside will require special justification for planning permission to be granted.</p> <p>North Lincolnshire Local Plan: Policy ST3 (Development Limits) states that development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p> <p>Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:</p> <ul style="list-style-type: none"> (i) essential to the efficient operation of agriculture or forestry; (ii) employment-related development appropriate to the open countryside; (iii) affordable housing to meet a proven local need; (iv) essential for the provision of outdoor sport, countryside recreation or local community facilities;

- (v) for the re-use and adaptation of existing rural buildings;
- (vi) for diversification of an established agricultural business;
- (vii) for the replacement, alteration or extension of an existing dwelling;
- (viii) essential for the provision of an appropriate level of roadside services or the provision of utility services;

provided that:

- (a) the open countryside is the only appropriate location and the development cannot reasonably be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan;
- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and the use of materials;
- (d) the development would not be detrimental to the residential amenity or highway safety;
- (e) account is taken of whether the site is capable of being served by public transport;
- (f) the development is sited to make the best use of existing and new landscaping.

Policy DS1 (General Requirements) also applies as amenity value and environmental quality of the area are key considerations.

CONSULTATIONS

Highways: Advise conditions.

Severn Trent Water Ltd: No objections.

Yorkshire Water: No objections.

PARISH COUNCIL

Object on the following grounds:

- The proposed dwelling is not in keeping with the street scene.
- The proposed dwelling is outside the development boundary for Westwoodside.
- The proposed dwelling constitutes over-development of the site.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Letters of objection have been received raising the following concerns:

- The proposed dwelling would be out of keeping with other properties along Akeferry Road, which are typically bungalows.
- The proposed dwelling would overlook the rear of neighbouring properties on Akeferry Road.
- The proposed dwelling would be outside the development boundary for Westwoodside.
- Setting the dwelling back from the road would result in it being out of keeping with the street scene.

ASSESSMENT

The application site is a piece of land between two existing dwellings, which extends behind the existing properties on Akeferry Road, Westwoodside. The site is located outside the development boundary for Westwoodside within the open countryside. Planning permission has previously been granted (PA/2002/1642) for a large detached dwelling on the site as part of a two dwelling development along with 83 Akeferry Road which has been constructed. The approved dwelling (PA/2002/1642) would mirror no. 83 exactly.

This application seeks planning permission to amend the design and siting of the previously approved dwelling and to erect a detached double garage. This would result in the dwelling being sited much further back in the plot away from the road. The justification for this is that it would reduce the impact on 87 Akeferry Road, which has several large windows along its western elevation. The design and appearance of the dwelling has also changed significantly.

The main issues to consider when determining this application are whether the proposed dwelling would have a detrimental impact on the character and appearance of the area and whether it would lead to a

loss of amenity to neighbouring dwellings through overlooking.

The application site is located outside the development boundary for Westwoodside and as such is located within the open countryside. Normally proposals for new dwellings within the open countryside would not be permitted unless they were essential for the efficient operation of an agricultural or forestry business. However, in this case planning permission has already been granted for the erection of a dwelling on the site and that permission is still live. The principle of erecting a dwelling on this site has therefore already been established.

It is recognised that the proposed development would encroach further into the open countryside than the dwelling that was originally approved on the site. However it is considered that the benefit that the re-siting of the dwelling would have on the amenities of the neighbouring property to the east outweighs any harm that would be created by this slight encroachment.

The proposed dwelling is large, however the dwelling previously approved on this is also a large detached property identical to that already built at 83 Akeferry Road. It will be much larger than the majority of the properties along Akeferry Road with the exception of no. 83. It is considered that although the proposed dwelling is large in scale it will not have an unacceptably detrimental impact on the character and amenity of the area above and beyond what has already been approved on the site. Setting back the proposed dwelling and altering its design may actually have a positive effect as the two large, completely identical dwellings that were originally approved are considered to be more harmful to the character of the area. Additionally the dwelling will be no more an over-development of the site than what has already been approved.

The majority of the properties along Akeferry Road follow a reasonably regular building line, sited much closer to the highway than the proposed dwelling. However the dwelling at 87 Akeferry Road has several large habitable room windows along its western elevation and would experience much greater loss of light and outlook should the dwelling that was originally approved be built on this site. Although it will be at odds with the other dwellings along the road, by setting this dwelling back level with the garage of no. 87 the loss of light and overbearing impact on this neighbouring property will be removed. The

benefits to the residential amenity of the neighbouring property are considered to outweigh any harm that the dwelling would have on the character of the street scene. A letter has been received from the occupiers of no. 87 confirming that they have no objections to the proposed scheme.

There are several windows in the side elevations of the proposed dwelling at first floor level. However the three windows in the western side elevation are all non-habitable room windows (en suite, dressing room and wet room). A condition has been recommended requiring these windows to be obscure glazed before the dwelling is occupied, thereby removing the possibility of overlooking from these windows. There is one first floor window in the eastern side elevation, which serves a bedroom. However, as the dwelling would be set back level with the neighbouring garage, overlooking into the garden of 87 Akeferry Road would be minimal. There is a distance of approximately 27 metres between the eastern elevation of the proposed dwelling and the garden of 91 Akeferry Road. That property also has a 2 metre high fence around its garden and therefore any overlooking to it would be minimal. A condition has been recommended requiring boundary treatments around the site to be agreed and erected before the dwelling is occupied. Therefore any overlooking created as a result of the proposed development would be minimal.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 85-10, 85-11, 85-12, 85-13, 85-14.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until details have been

submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

Before the dwelling is first occupied, the first floor en suite, dressing room and wet room windows in its western elevation shall be obscure glazed and shall be retained in that condition thereafter.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

5.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

6.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

7.

Nothing shall at any time, whether permitted by the Town and Country Planning (General Permitted Development)

Order or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

8.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

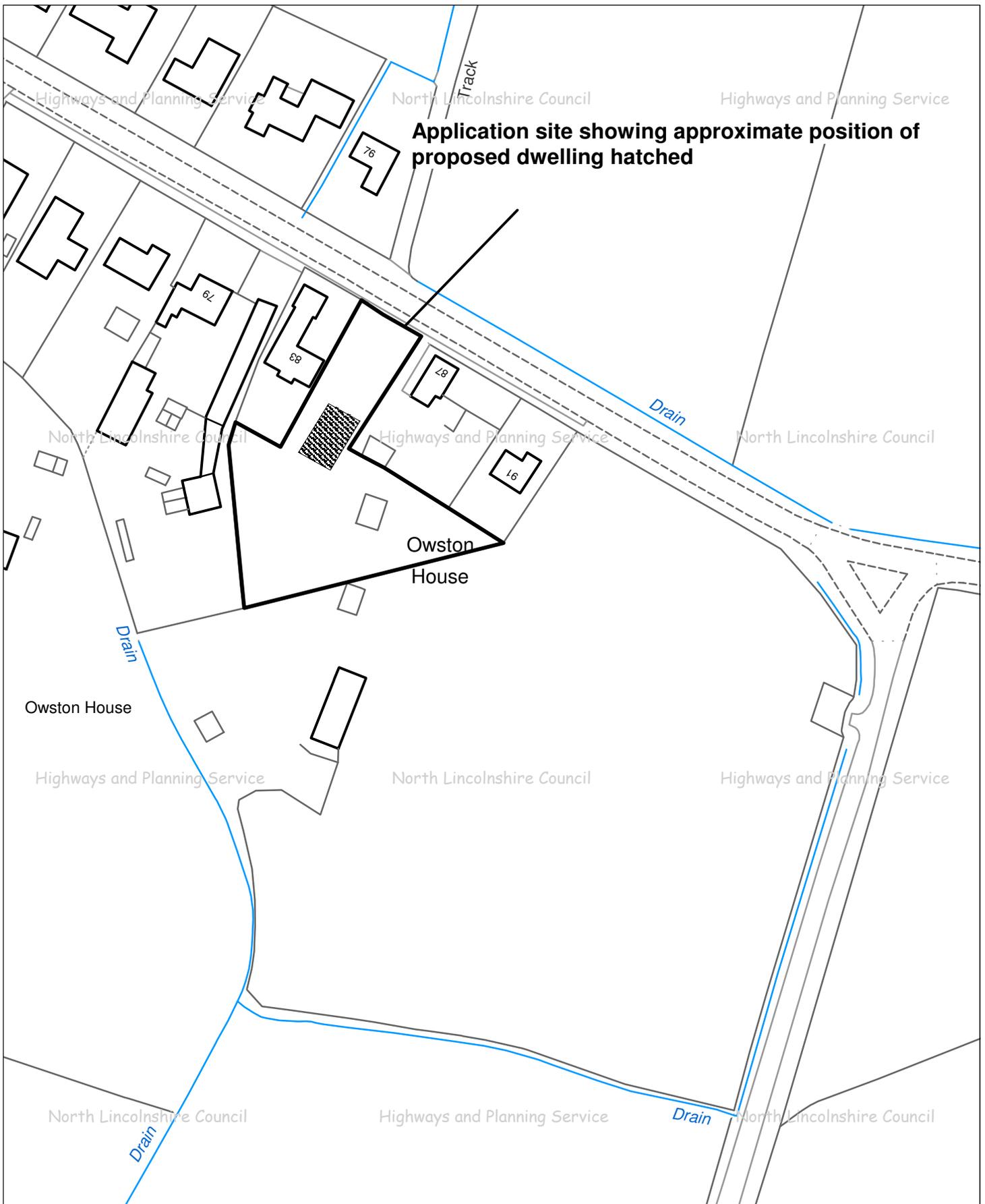
10.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

Application site showing approximate position of proposed dwelling hatched



Drawing Title: 2009/0886

OS Grid Ref: SK75729901

Drawn by: KC

Scale: 1:1250

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Highways and Planning Service

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