

APPLICATION NO	PA/2009/1118
APPLICANT	Milap Homes
DEVELOPMENT	Planning permission to erect a detached dwelling
LOCATION	Land adjacent to 83 Burnham Road, Epworth
PARISH	EPWORTH
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: Policy H1 (Provision and Distribution of Housing) states that the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes, and that greater emphasis should be placed on meeting local needs in rural areas.</p> <p>North Lincolnshire Local Plan: Policy H5 (New Housing Development) states that new housing should be in keeping with the scale and character of the settlement and the immediate environment; have an area of private amenity space; and not result in overlooking, loss of privacy, loss of light or other loss of amenity to existing dwellings.</p> <p>Policy H8 (Housing Mix and Design) applies and states that new residential development will be permitted provided that it respects and reflects the form, scale, massing, design, detailing and materials of the local environment.</p> <p>Policy T2 (Access to Development) states that all development must be provided with a satisfactory access.</p> <p>Policies ST2 (Settlement Hierarchy), H1 (Housing Development Hierarchy), DS1 (General Requirements) T1 (Location of Development) and DS7 (Contaminated Land) also apply.</p>
CONSULTATIONS	Highways: Advise conditions.

Severn Trent Water Ltd: No objections or comments.

Yorkshire Water: No objection or comments.

TOWN COUNCIL

Object on the following grounds:

- The proposed house constitutes over-development of the site and dominates adjacent bungalows.
- The proposed house is forward of the building line.
- The planting of hedges and trees along the front boundary would impede visibility for vehicle users.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. No letters of representation have been received.

ASSESSMENT

The application site is a former petrol filling station on the corner of Blow Row and Burnham Road in Epworth. A public footpath runs west to east along the northern boundary of the site and the development boundary runs to the back of the site. Neighbouring properties are large, detached bungalows and there are a number of large detached two-storey dwellings along Burnham Road to the south of the site.

Two previous planning applications are relevant to this case. Planning application PA/2009/0336, for the erection of two dwellings, was refused on the grounds that it constituted over-development of the site and would result in an unacceptable level of private amenity space for the occupants of the proposed houses.

The second application (PA/2004/0630) was granted for two large, detached dwellings on the site of the former petrol filling station and 83 Burnham Road. This involved the demolition of the detached bungalow on the adjacent site, namely 83 Burnham Road. It should be noted that the dwelling that forms the basis of this application is proposed on the same footprint as that approved on the same site as part of planning application PA/2004/0630.

The main issues in determining this application are whether the proposed house constitutes over-development of the site, whether it would be forward of the building line, whether it would dominate the adjacent dwelling in terms of its size and scale, and whether the planting of boundary treatment along Burnham Road would reduce visibility for vehicle users.

As noted above, the proposed house is shown to be on the same footprint as that approved under application PA/2004/0630. Similarly the proposed dwelling is the same scale, size and design as that approved under PA/2004/0630. It would be set in from the southern boundary by 1.2 metres and from the northern boundary by approximately 1 metre at its nearest point. There is provision for an area of private amenity space to the rear which measures approximately 100 square metres and sufficient parking area to the front of the proposed house. Therefore the proposed house is not considered to constitute over-development of the site.

The proposed house would be sited forward of the adjacent property, namely 83 Burnham Road. However when the wider street scene is taken into account it is evident that the proposed house would be sited in a similar building line to Isle View which is sited adjacent to 83 Burnham Road and to Vermuyden located to the north. Therefore the proposed house is not considered to be out of keeping with the building line along Burnham Road.

There are two-storey dwellings located beyond the application site to the south along the Burnham Road frontage. These other two-storey dwellings are sited close to the site. Taking into account the built form along this section of Burnham Road the proposed dwelling is not considered to dominate adjacent properties.

A low wall and hedge are proposed to the front of the site. The council's highway department have considered the proposed boundary treatment to the site frontage and have raised no objections from a visibility perspective. A condition can be imposed requiring any form of boundary treatment to be maintained at a maximum height of 1.05 metres along the site frontage. This would ensure that driver visibility is not impeded.

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.

Within three 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.

3.

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.

4.

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.

5.

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.

6.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as

part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

7.

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.



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Highways and Planning Service

Service Director,
G Pople

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