

**APPLICATION NO** PA/2010/0715

**APPLICANT** Mr P Brimble

**DEVELOPMENT** Planning permission to erect a detached house and detached double domestic garage

**LOCATION** Cherry Lodge, John Harrison's Close, Barrow upon Humber

**PARISH** **BARROW UPON HUMBER**

**WARD** Ferry

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Third party request to address the committee

## **POLICIES**

**North Lincolnshire Local Plan:** Policy ST2 (Settlement Hierarchy) identifies Barrow as a medium growth settlement.

Policy H1 (Housing Development Hierarchy) allows new residential development in medium growth settlements where the development is compatible with the scale, character, location, facilities and existing environmental quality.

Policy H5 (New Housing Development) sets out the criteria against which new housing development will be assessed.

Policy H8 (Housing Design & Housing Mix) requires new development to respect and reflect the form, scale, massing, design and detailing of the local environment.

DS1 (General Requirements) requires a high standard of design for all developments.

DS14 (Foul Sewage & Surface Water Drainage) seeks to ensure the satisfactory provision in all developments for the disposal of foul and surface water.

## **CONSULTATIONS**

**Highways:** No objections subject to conditions (3, 4, 5, 6 & 7).

## **PARISH COUNCIL**

No objections.

## **PUBLICITY**

Neighbours have been notified by letter and five objections have been received raising the following issues:

- (i) the sewerage system cannot cope with any more development in the area and will cause more flooding
- (ii) concerned about loss of trees on the boundary
- (iii) the development is out of character with the close
- (iv) the lanes cannot cope with the additional lorries that will be required and will cause a road safety hazard
- (v) a building on this plot will spoil the view/outlook
- (vi) the development will create overlooking to adjacent properties
- (vii) is the site important in terms of archaeology/contaminated land.

## **ASSESSMENT**

The application site lies within the settlement boundary for Barrow and is located on an area that is currently used as part of the applicant's existing front garden. Vehicular access is proposed from the applicant's existing driveway onto John Harrison's Close. The plot measures approximately 20 metres deep by 24 metres wide. The proposal also includes a detached double garage.

**The main issues in determining this application are whether the development fits in with the character of the area and whether building one further dwelling on John Harrison's Close will create problems of flooding.**

As referred to above, the application site is within the development boundary for Barrow; there is therefore no objection in principle to the erection of one dwelling on this site, but neighbours have a number of concerns regarding the development. The site is located within Zone 1 of the SFRA. The site has a low probability of flooding and therefore the Environment Agency is not required to be consulted on this proposal. However, the surrounding area did experience some flooding due to blocked drains in 2007 and one neighbour expresses concerns about more recent flooding, again due to blocked drains. The council's engineers have confirmed that there have been problems with the drains but regular maintenance is now carried out. They have asked that the developer be made aware of this and that measures are taken to ensure that the development does not exacerbate any flood risk to the existing property. The applicant is aware of this issue and has proposed a water harvesting system for surface water. The foul sewage will discharge to the main sewer. Additionally, a condition has been imposed for the details of both surface and foul water disposal methods to be submitted and approved in writing to ensure that the methods of disposal will be adequate.

It has been suggested that the development of the site is out of keeping with the character of the area. However, the scale and design of the proposed dwelling is considered to be appropriate in this location as there are a mix of house styles, sizes and designs. The plot allows for sufficient garden space and includes parking, access and turning facilities.

Concern has been expressed that the development will lead to increased lorry movements to the detriment of highway safety, however lorries will only access the site during the construction period and the overall impact of one additional dwelling on the highway network is not considered to be so great that planning permission should be refused. It has

also been suggested that the dwelling will create overlooking to neighbouring properties, however the windows that serve first-floor habitable rooms are on the front of the property looking towards the driveway or Johnson's Close. There are four rooflights in the rear elevation that serve a corridor and bathroom and it is not considered that the proposed dwelling will create any overlooking. Neighbours opposite have also expressed concern about loss of view/outlook but this is not a material planning consideration and cannot be used to assess the proposal.

Archaeology and contaminated land issues have also been raised and these matters have been addressed through the imposition of planning conditions to ensure that all relevant details can be considered. It is therefore considered that the site can accommodate the proposed development without adversely affecting the residential amenities of surrounding residents and, subject to conditions, will not increase the risk of flooding in the area.

**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: C002/A1/201 rev A, C002/A1/202 rev A, C002/A1/203 rev A, C002/A1/204 rev A and C002/A1/205 rev A.

**Reason**

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

3.  
No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

**Reason**

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

4.  
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 policies T2 and T19 of the North Lincolnshire Local Plan.

5.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces 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.

The proposed dwelling shall not be occupied until the private driveway has been constructed, in accordance with the approved details, up to the junction of the vehicular access serving it.

Reason

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

7.

At no time shall any building materials be stored on the highway.

Reason

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

8.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works

- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

9.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

10.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

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.

12.

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.

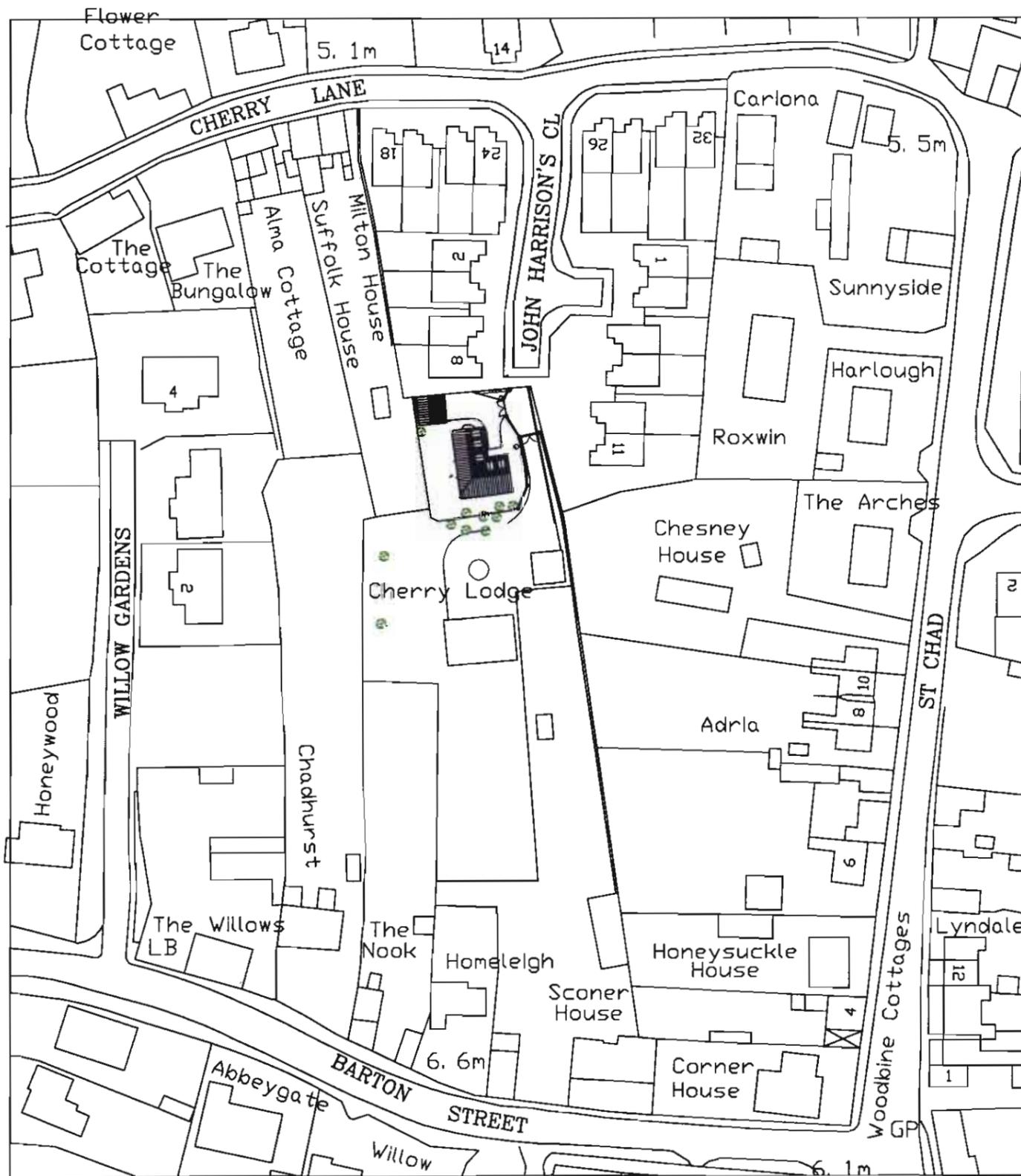
13.

Notwithstanding the provisions of Class A to E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking and re-enacting that order with or without modification, no buildings or extensions shall be erected on the site other than those expressly authorised by this permission.

Reason

To maintain the present living conditions of adjoining property in accordance with policy DS5 of the North Lincolnshire Local Plan.

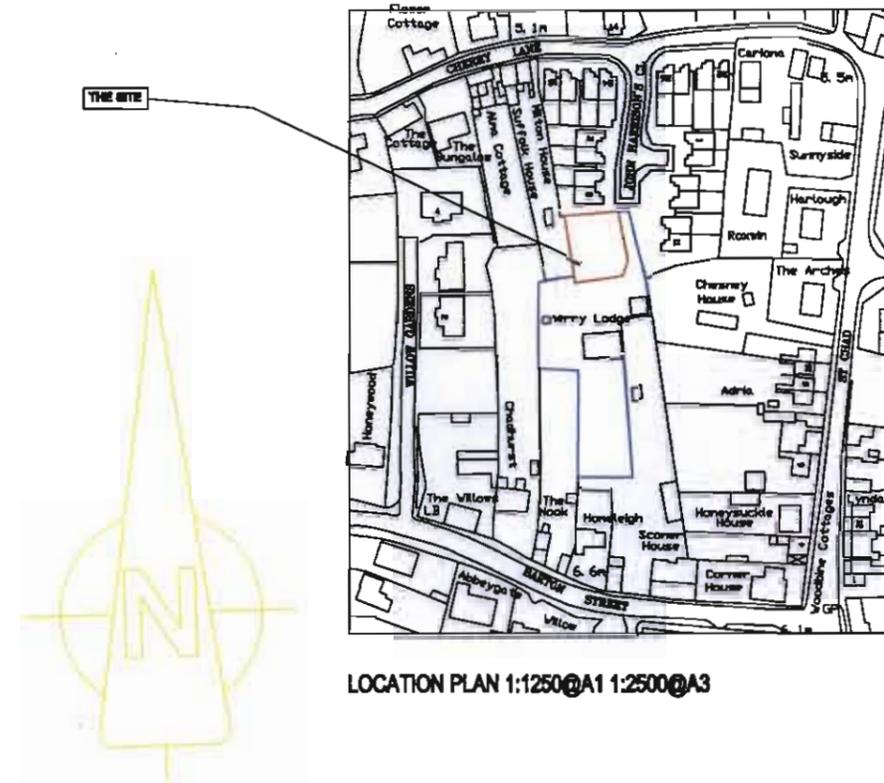




BLOCK PLAN 1:500@A1 1:1000@A3

**NOTES**  
 ALL DIMENSIONS & DETAILS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS ON SITE  
 THIS DRAWING IS THE COPYRIGHT OF SHEPHERD TECHNICAL SERVICES  
 THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE FOLLOWING Dwg. NO.

- 00000001 LOCATION & BLOCK PLAN
- 00000002 SITE LAYOUT
- 00000003 PROPOSED PLANS
- 00000004 PROPOSED ELEVATIONS
- 00000005 DOUBLE GARAGE GA



LOCATION PLAN 1:1250@A1 1:2500@A3

DEVELOPMENT CONTROL SECTION	
30 JUN 2010	
DATE RECEIVED	
Related To	

A	17.06.10	ISSUED FOR PLANNING
Rev	Date	Description
Issued for: <b>PLANNING</b>		
Client/Owner Mr & Mrs P. Brinkley		
PROPOSED DETACHED DWELLING HOUSE ON LAND AT CHERRY LODGE JOHN HARRISON CLOSE BARRON-UPON- HUMBER NORTH LINCOLNSHIRE		
Drawing Title <b>Location &amp; Block Plan</b>		
Shepherd Technical Services 110 Southfield Road Sheffield South Yorkshire S18 7PL		

SHEPHERD TECHNICAL SERVICES Architectural, Civil & Structural Design Consultants	
Date	Jun 10
Scale	AS SHOWN
Drawn	CS
Checked	
Drawing No. C002/ A1 / 201 rev A	