

<b>APPLICATION NO</b>	<b>PA/2011/1484</b>
<b>APPLICANT</b>	Dieter Nelson Planning Consultancy Ltd
<b>DEVELOPMENT</b>	Planning permission to erect two detached dwellings (resubmission of PA/2011/0875)
<b>LOCATION</b>	Land adjacent to St David's, Chapel Street, Goxhill
<b>PARISH</b>	<b>GOXHILL</b>
<b>WARD</b>	Ferry
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Goxhill Parish Council Officer discretion (Goxhill moratorium)

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy H8 (Housing Mix and Design) states that new residential development will be permitted providing that it reflects the local environment, incorporates a high standard of layout and protects existing natural and built features that contribute to the amenity of the area.

Policy DS1 (General Requirements) states that the design and appearance should reflect or enhance the character of the immediate area and there should be no loss of amenity to neighbouring land uses through overlooking or overshadowing. The policy also states that there should not be an adverse effect on trees covered by tree preservation orders and the development must ensure retention of features that make an important contribution to the character or amenity of the site. Policy DS1 also states that suitable drainage shall be provided and any off-site drainage problems overcome.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) states that proposals for all new development will, wherever possible, ensure the retention of trees and woodland hedgerows.

Policy DS14 (Foul and Surface Water Drainage) states that satisfactory provision should be made for the disposal of foul and surface water either prior to planning permission being granted or by condition.

**North Lincolnshire Core Strategy:** Policy CS3 (Development Limits) applies.

Policy CS5 (Delivering Quality Design in North Lincolnshire) states that all new development should be well designed and appropriate for their context

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape) requires the protection of trees to be specified as appropriate.

## **CONSULTATIONS**

**Highways:** Advise conditions (3-6).

**Anglian Water Developer Services:** No comments.

## **PARISH COUNCIL**

Object to the proposal on the following grounds:

- The planning moratorium is still in force and no new development should be granted until the drainage problems within the village have been resolved.
- The site has a history of refusal due to the protected trees. The parish council consider that the ground disturbance and development of this site would have an adverse impact on the trees. These are mature trees which cannot be replaced once lost.
- The proposed dwellings are of a large scale and would overbear and dominate this small site. One smaller property would be less intrusive to the street scene.

## **PUBLICITY**

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

- adverse visual impact
- adverse impact on the character of the area
- increased flooding
- Goxhill has existing drainage issues and the proposed development would make it worse
- land should be left undeveloped
- the plot is only suitable for one dwelling
- the area to be covered by the properties and hard standings is not acceptable (drainage)
- loss of privacy
- increase in traffic/highway safety
- over-development and backland development
- loss of light
- overbearing impact
- impact on protected trees

## ASSESSMENT

The application site is a vacant plot accessed from Chapel Street. There are trees protected by tree preservation orders to the eastern (front) and southern boundaries. There are other trees and shrubs within the site which are not protected. The site is largely surrounded by residential development with a mix of two-storey houses on Chapel Street and bungalows and dormer bungalows on Stothards Lane.

This application seeks planning permission for the erection of two detached dwellings. One dwelling is proposed to the front of the plot and one to the rear. Access will be gained from Chapel Street in an existing gap between the protected trees.

Previous applications have been made for different residential developments on the site, including recently for three dwellings. None of the previous applications have been approved – they have all been withdrawn. The previous application PA/2011/0875 was for three dwellings, which was considered to be unacceptable. Two applications were submitted in 2005 for single dwellings. These applications were withdrawn due to the potential impact on the protected trees.

**The main issues in determining this application are whether the proposed development is acceptable in terms of the effect on drainage, protected trees, the amenity of neighbouring properties and the character and appearance of the area.**

The moratorium within Goxhill is still in place which requires each application for new dwellings to be determined on their merits following consultation with council's engineering officers specifically with regard to areas of the village known to have experienced flood events due to heavy rainfall.

The applicant has indicated that surface water drainage would be dealt with by attenuation tanks, grey water harvesting and soakaways, and that the drive construction would be in permeable block paving or similar. The engineer has confirmed that this would be acceptable and a condition is proposed to ensure a satisfactory drainage scheme is achieved in line with policy DS14.

The protected trees on the site give a great deal of character to the site and contribute to the street scene and general locality. These trees are considered to be an important part of the site and measures should be taken to ensure their protection. The Arboricultural Report and the Design and Access statement submitted with the application detailed designs, techniques and methods to prevent or minimise damage and allow the appropriate trees to be retained. A condition is therefore proposed which requires the Arboricultural Method Statement and Tree Protection Plan to be followed. The proposal therefore meets the criteria of policies LC12 and CS16.

With regard to visual impact and character, the proposed designs are considered to be acceptable and will fit in well with the surrounding properties. The existing trees on the site will provide some screening and reduce any visual impact from the development. The proposal therefore accords with policies H8, DS1 and CS5.

Issues have been raised with regard to the suitability of the plot for two dwellings and whether it should be left undeveloped. It is considered that the plot is large enough to accommodate two dwellings and the best way to achieve this is with one dwelling to the front and one to the rear so as to have less impact on the protected trees. It is accepted

that the development could be considered as backland, however as both properties are new there is no loss of amenity. There are examples of other such development around this part of Goxhill. The proposal is therefore considered to be acceptable in terms of character, density and layout.

With regard to traffic/highways issues, Highways have been consulted and raise no objection to the proposal subject to conditions.

Concerns have been raised in respect of impact on the amenity of neighbouring properties, namely by loss of privacy, overbearing impact and loss of light. The location of the windows to plot 2 (to the rear), together with the angles between the windows and the trees on the site would minimise any overlooking between windows. There may be some overlooking to the rear of the neighbouring gardens, however any overlooking of private garden area is considered to be minimal. With regard to loss of light and overbearing impact, there is a good separation distance between the proposed dwellings and the neighbouring properties and so any such impact will be minimal.

The proposal is therefore considered to be acceptable and meets the requirements of the relevant local plan and core strategy policies.

**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: 02, 03, 04 and 05.

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 policy 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 policy 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 and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space 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.

No development shall begin until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 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.

8.

No development shall take place until details of all paving materials have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

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

9.

No development shall take place until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. Such scheme shall attenuate run-off rates to current levels. The approved scheme shall be implemented to the satisfaction of the local planning authority prior to the dwellings being occupied.

Reason

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

10.

Before the dwellings are first occupied, the en suite window in the side elevation of plot 1 and the bathroom and en suite windows in the rear elevation of plot 2 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.

11.

All development shall be carried out in accordance with the submitted Arboricultural Method Statement and revised Tree Protection Plan.

Reason

In order to protect the existing trees on the site.



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**Regeneration and Planning**

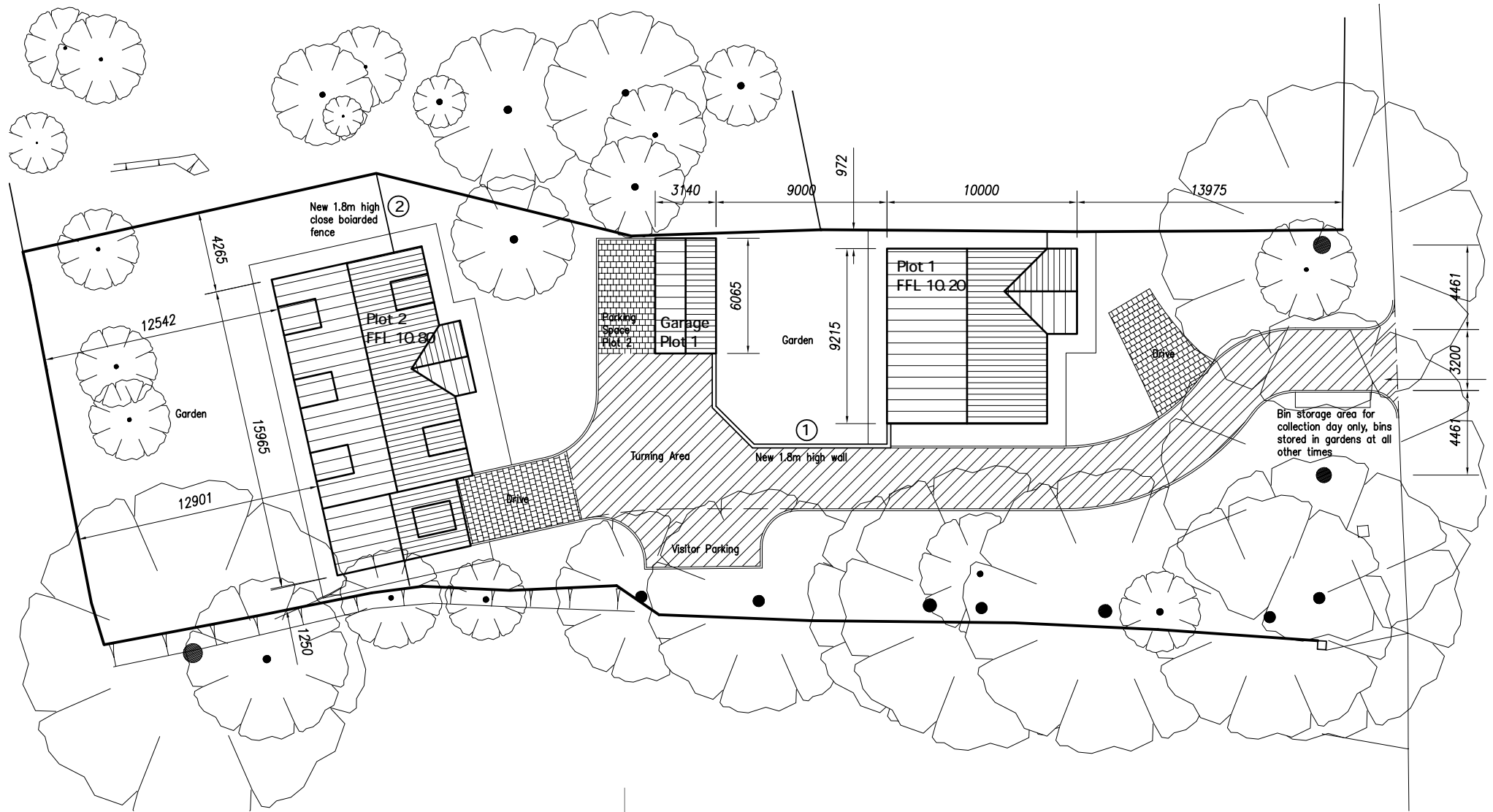
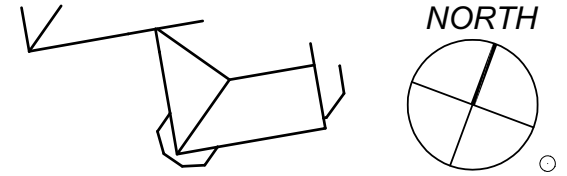
Head,

Marcus Walker BA (Hons), Dip URP, MA, MRTPI

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# PA/2011/1484 - PROPOSED LAYOUT DO NOT SCALE



Rev	Date	Revision
A		
B		
C		
D		
E		

**dieter nelson**  
planning consultancy

Unit 12 Cleethorpes Business Centre,  
Wilton Road Industrial Estate,  
Humberston, Grimsby, NE Lincs,  
DN33 4AS  
Tel: 01472 816304  
Email: [info@dieter-nelson.com](mailto:info@dieter-nelson.com)  
Mob: 07875 750031

Project **PROPOSED RESIDENTIAL DEVELOPMENT  
AT LAND OFF CHAPEL STREET  
GOXHILL**  
Title **PROPOSED SITE PLAN**

Date **NOV 2011** Rev  
Scale **1:200** Drwg No. **02**  
Sheet **A 3**