

<b>APPLICATION NO</b>	<b>PA/2008/1650</b>
<b>APPLICANT</b>	Mr M Haywood
<b>DEVELOPMENT</b>	Planning permission to erect a detached house with garage (including demolition of an existing garage/store)
<b>LOCATION</b>	Land adjacent to White Cottage, 2 West Street, Hibaldstow
<b>PARISH</b>	<b>HIBALDSTOW</b>
<b>WARD</b>	Ridge
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Hibaldstow Parish Council
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.</p> <p><b>North Lincolnshire Local Plan:</b> Policy HE5 (Development Affecting Listed Buildings) applies – the adjacent building to the east is a grade II listed building. Proposals that damage the setting of a listed building will be resisted.</p> <p>Policy H3 (Previously Used Land) identifies a sequential approach to housing development and encourages the use of previously used land ahead of greenfield land.</p> <p>Policy H5 (New Housing Development) sets out the criteria for assessing new housing proposals. The policy requires new housing to be in keeping with the scale and character of the settlement, have acceptable access and parking arrangements, be of a suitable scale, layout and height, be built of appropriate materials and not detrimentally affect the residential amenity of neighbours.</p> <p>Policy H7 (Backland and Tandem Development) sets out the criteria on which proposals in backland and/or tandem positions will be assessed. The policy makes it clear that such development will only be allowed if there is no adverse effect upon the amenities of neighbouring residential properties.</p> <p>Policy H8 (Housing Design and Housing Mix) states that new residential development will be permitted provided</p>

that it respects and reflects the form, scale, massing and design of the local environment; improves and enhances the character of the area; protects existing natural and built features; prioritises the needs of the pedestrian; provides residents a sense of identity; and creates an appropriate mix of dwelling size and type.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

Policy T2 (Access to Development) requires all development to have a satisfactory access.

## **CONSULTATIONS**

**Highways:** Advise conditions.

## **PARISH COUNCIL**

Object to the proposal on the following grounds:

- over-development of the site
- loss of light to neighbouring property
- application not in keeping with surroundings
- traffic, access and parking considerations
- the parish council support an objection made by a resident

## **PUBLICITY**

The application has been advertised by way of press and site notices and neighbouring properties have been notified. Letters of objection have been received raising the following material issues:

- loss of amenity to neighbouring properties (daylight, sunlight, privacy and outlook), building would be oppressive and cause overshadowing/overlooking, blocking south-facing aspect
- effect on setting of a listed building, proposed site is within the mature garden of a grade II listed building, charming old barn would be demolished, setting of listed building would be compromised should it become isolated from its surroundings
- traffic, access and parking considerations, a further driveway would lead to significant reduction in number of parking spaces causing traffic, parking and road safety problems
- design and scale of proposal, access for building work and repair, building up to boundaries of plot, design does not compliment adjacent properties as they are built on frontage; a bungalow set away from the north boundary would be a more logical solution (but would not address all issues)
- effect of building works on services
- Hibaldstow has seen vast building growth and proposal would erode rural feel of village and make it unsightly and dense

## ASSESSMENT

The application site comprises a side garden to a listed building, with a detached garage/store to the north-west corner of the plot. It is proposed to subdivide the garden and to demolish the garage/store and erect a two-storey detached three-bedroom dwelling.

**The main issues to be considered in the determination of this application are the living conditions of neighbours, highways and parking, and the impact upon the setting of the listed building.**

The application site is the side garden to a grade II listed building, 2 West Street, a white-washed rendered domestic building with a clay pantile roof. The plot falls to the west of the listed building and fronts the highway along its entire width.

To the north is 6 West Street, a relatively new detached house with main windows directly facing the application site and with its access running adjacent to the site. To the west is 8 West Street which has a blank gable end facing this site. Following discussions with the agent

conveying initial concerns, an amended plan has been submitted which moves the proposed dwelling forward by 3 metres to give a larger private rear garden area; this also reduces any impact upon 6 West Street. 8 West Street is not materially affected as it has only a blank wall facing the site. The applicant's property (number 2) has one ground floor window facing the site but, due to the distance (16 metres wall to window, 26 metres window to window), this property would not be adversely affected. Number 6 is to the rear and has main windows facing the site. However, due to the reasonable distance between the proposed and existing dwellings (approximately 14.8 metres between the part of number 6 containing windows and the proposed new dwelling) and the design of the proposed dwelling, no material loss of light, privacy or outlook would occur. The new dwelling would have only secondary windows on the rear above ground floor level and a condition can be imposed requiring these to be obscure glazed and fixed shut.

The plans for the new proposed dwelling include a garage and space for at least one car on the drive. Although the new drive would lead to the loss of on-street parking space, Highways officers do not object to the proposals and at neither of the site visits carried out by the case officer was there any sign of demand for on-street parking in this location; on the second visit no cars were parked on the street from at least Cocketts Lane to Station Road.

2 West Street is a grade II listed building and due consideration must be given to its setting. However, there are several buildings already in closer proximity than the proposed new dwelling and it would have its remaining garden space as a buffer between the historical building and the proposed new dwelling. The impact upon the setting of the listed building would not be significant or unacceptable.

The proposals are considered acceptable in terms of the living conditions of neighbours, traffic and parking and the setting of the listed building. The design of the proposed dwelling is acceptable and would be in keeping with the existing properties 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 shall be carried out in accordance with the attached amended plan received by the local planning authority on 16 January 2009 reference 563.03A.

Reason

To define the terms of the permission and to reduce the impact of the development on the living conditions of the adjoining dwellings in accordance with policy H5 of the North Lincolnshire Local Plan.

3.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order re-enacting that order with or without modification), no new window openings shall be created in any wall or roof slope of the dwelling other than those shown on the submitted plan.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy H5 of the North Lincolnshire Local Plan.

4.

Before the dwelling is first occupied, the corridor windows at first floor in the rear elevation and the rooflight window to the attic space shall be obscure glazed in accordance with details to be submitted to and approved in writing by the local planning authority and permanently fixed shut and shall thereafter be retained in that condition.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy H5 of the North Lincolnshire Local Plan.

5.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority 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.

6.

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 first occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policy H5 of the North Lincolnshire Local Plan.

7.

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.

8.

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.

9.

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

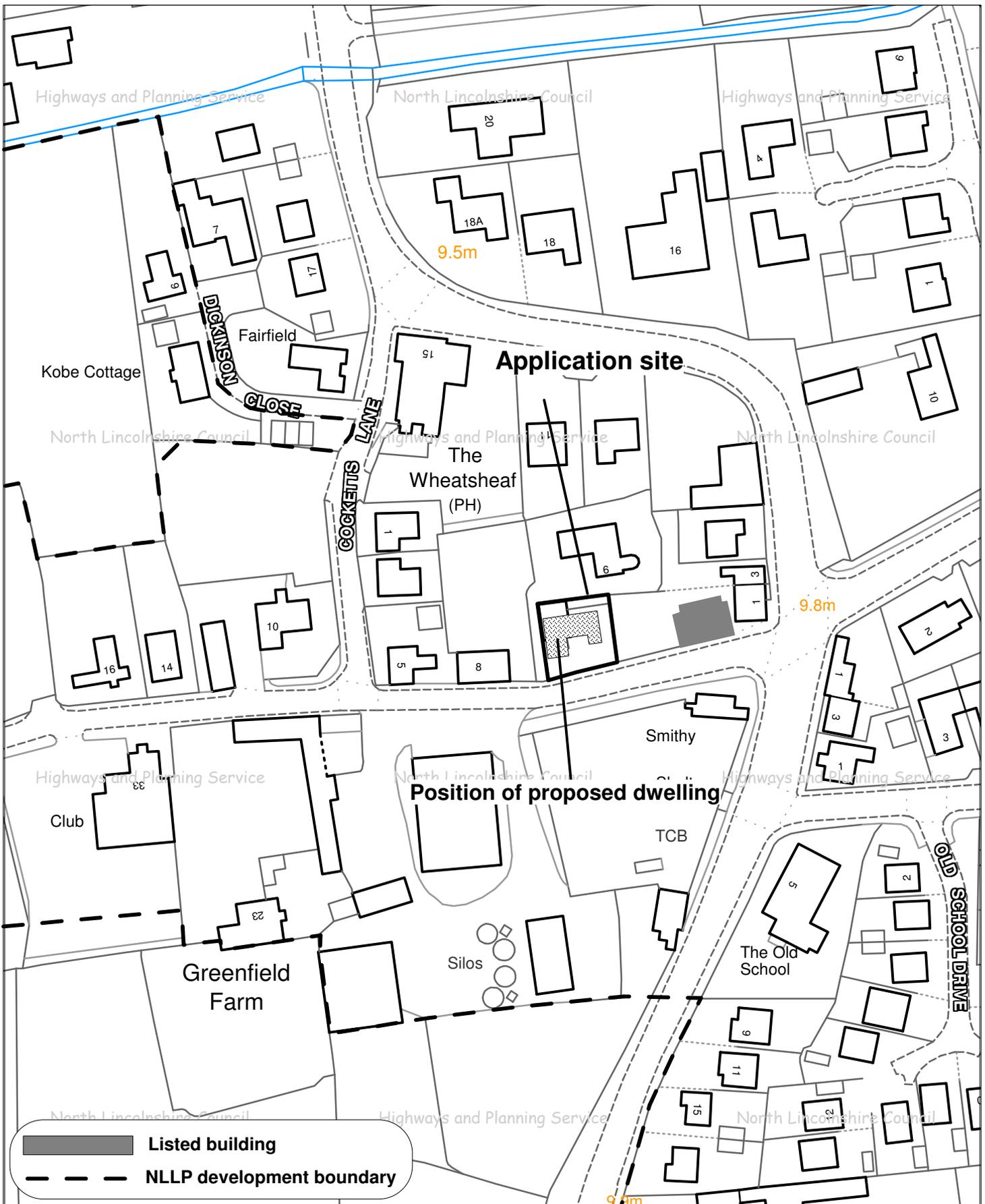
In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

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.



Drawing Title: 2008/1650

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**Highways and Planning Service**

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