

<b>APPLICATION NO</b>	<b>PA/2014/0533</b>
<b>APPLICANT</b>	Ms L Garrett
<b>DEVELOPMENT</b>	Outline planning permission to erect a detached dwelling with landscaping reserved for subsequent approval
<b>LOCATION</b>	2 Hollingsworth Lane, Epworth
<b>PARISH</b>	<b>EPWORTH</b>
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Andrew Willerton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Redfern – significant public interest)

## **POLICIES**

### **National Planning Policy Framework:**

Section 7 (Requiring Good Design)

Section 12 (Conserving and Enhancing the Historic Environment)

### **North Lincolnshire Local Plan:**

Policy DS1 (General Requirements)

Policy HE2 (Development in Conservation Areas)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

### **North Lincolnshire Core Strategy:**

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

## **CONSULTATIONS**

**Highways:** No objection subject to conditions.

**Severn Trent Water Ltd:** No objection.

**Conservation Officer:** No objection.

**Environmental Health:** No objection subject to conditions.

**Historic Environment:** No objection, advises consultation with the Conservation Officer.

**Epworth Society:** No comments received.

**Yorkshire Water:** No comments received.

## **TOWN COUNCIL**

No observations.

## **PUBLICITY**

Neighbouring properties have been notified by letter, and site and press notices posted. Two letters of objection have been received during each of the two rounds of public consultation. The following concerns have been raised:

- The narrowness of Hollingsworth Lane and lack of a public footpath leads to highway safety issues caused by an increase in traffic associated with the proposed development.
- Present on-street parking causes highway safety issues with regard to users of Hollingsworth Lane and ingress/egress to driveways to present properties that may be exacerbated by the proposed development.
- Noise generated by vehicles parking on the proposed driveway which is to the west of 4 Hollingsworth Lane which has a bedroom and lounge to this side. Present vehicle movements at unsocial hours already occur and the provision of more vehicle parking will worsen the situation.
- The proposed development would represent a 'squeezing in' of a dwellinghouse into a small plot that is the garden of number 2 which would impact the character of the conservation area.

## **ASSESSMENT**

The application site is 2 Hollingsworth Lane, Epworth. The site is within both the development limit and the conservation area. Outline planning permission is sought to erect a detached dwelling with landscaping reserved for subsequent approval.

This application is a resubmission of PA/2014/0101 which was withdrawn to allow issues with Highways to be addressed. The application was then resubmitted as PA/2014/0533 in June 2014 and received an objection from the conservation officer owing to a lack of information to allow assessment, given that the site is within the conservation area. Further information has now been received to allow for assessment by the conservation officer with a new round of public consultation which followed receipt of the additional information.

**The main issues to consider in the determination of this application are whether the proposed new dwellinghouse, in terms of its proposed access, appearance, layout and scale, will be harmful to the historic character of the conservation area, have a detrimental impact upon the residential amenity afforded to neighbouring properties, and/or adversely impact upon highway safety.**

The precise application site is land to the east of the garden space associated with 2 Hollingsworth Lane. Number 2 is a two-storey dual-aspect property with frontages on the east elevation overlooking the garden space and application site as well as the north elevation being 'edge of footpath' facing onto Hollingsworth Lane itself. Number 2 has a conservatory off the east elevation facing onto the garden. The garden itself has a gentle incline with the eastern end being higher than the west where the dwellinghouse exists.

The application site is on the edge of the conservation area with the boundary running around the curtilage of number 2, thus including the garden space. However, the properties opposite to the north of the application site and adjacent to the east are not within the conservation area. Therefore there is a contrast between old and new within the immediate context depending on whether the land in question is within the conservation area or not.

It is proposed that 12.5 metres by 19 metres to the eastern end of the garden of number 2 be separated to create a new building plot. On this plot it is proposed that a new one-and-a-half-storey dwelling be constructed with a driveway to the east of the plot and additional parking space for number 2. The proposed dwellinghouse is to be set back from the boundary with Hollingsworth Lane by 1 metre with the existing boundary wall being lowered to 1 metre in height. The dwellinghouse itself is proposed to be of a simple vernacular with traditional windows and doors that are appropriate to its location within the conservation area. The dwellinghouse proposed is to be of the following dimensions: 10 metres deep, 6.15 metres wide, 4 metres to eaves height and 6.6 metres to maximum roof ridge height.

The dwellinghouse has been positioned with a 1 metre set-back from the highway to allow for highway visibility from the driveway but also to keep the sense of enclosure found within the conservation area with 'edge of footpath' properties and follows design guidance provided by the Highways team and the Conservation Officer. In addition, the position of the dwelling will be balanced as it will be sited almost equidistant between the neighbouring properties to the east and west. In terms of the driveway and parking facilities the proposed location is in place of the present driveway that serves 2 Hollingsworth Lane. The proposed layout of the site also allows for the property to enjoy a maximised level of private amenity space through the siting of the dwellinghouse close to the front boundary. It is therefore considered that the site is acceptable in terms of layout and addresses the differing needs of conservation and highway safety.

The Conservation Officer's response describes how the key consideration in conservation terms is that the development respects the layout and form of the traditional street scene. It is considered that the proposed development does respect the traditional street scene in this case. The majority of the existing boundary wall of number 2 to Hollingsworth Lane is now to be retained and only the portion adjacent to the proposed dwellinghouse will be lowered to 1 metre in height. On balance this is found to be acceptable with regard to the constraints placed on the site by Highways yet retaining as much of the historical assets of the conservation area as possible. It is recommended by the Conservation Officer that, should the application be approved, samples of materials and further details regarding windows and doors are required to be submitted to and approved in writing by the local planning authority to ensure that the details of the proposed building are in keeping with the

character of the conservation area. It is therefore considered that the appearance of the dwelling will be in keeping with the character of the conservation area.

In terms of Highway safety, it is acknowledged that Hollingsworth Lane is a narrow road and that there are parking issues within the centre of Epworth. The proposals submitted have been found to be acceptable by the Highways team which has recommended conditions to ensure that the vehicle parking is secured prior to occupation of the proposed dwellinghouse and that there is no impact on highway safety in terms of surface water drainage, visibility and loose materials. It is therefore considered that the proposed access and parking arrangements are satisfactory with regard to the proposed development.

The proposed dwellinghouse occupies a small footprint and is modest in scale which reflects the size of the plot. The proposed dwellinghouse is one-and-a-half storeys which is considered acceptable and does not compete for dominance with 2 Hollingsworth Lane, and will give the impression of being a converted outbuilding. Residential properties to the east of the site are all detached dormer bungalows of similar height, although larger in footprint. There is a difference in land levels between number 2 and the application site, but as the proposed dwellinghouse is only one-and-a-half storeys and has a maximum height of 6.6 metres, there will be only a moderate difference in height of the two dwellings when viewed from Hollingsworth Lane. The scale of the proposed dwellinghouse is therefore considered acceptable with regard to its plot size and the greater locality.

Assessment is required to determine whether or not the proposed dwellinghouse will have an adverse impact on the residential amenity of neighbouring properties. Two properties are potentially affected by the proposed development: the applicant's property to the west (2 Hollingsworth Lane) and number 4 to the east, from which a letter of objection has been received. Number 2 has several windows to habitable rooms and a conservatory on its eastern elevation that faces toward the proposed dwellinghouse. The proposed development passes the 30 degree rule when applied to windows on the west elevation of number 2 but not when applied to the windows on the western elevation of the conservatory. However, given the conservatory is glazed to three sides, it is considered that it would be unreasonable to refuse the application with regard to a loss of light to this room alone. In any case, the windows to the eastern elevation of number 2 would only be affected with regard to a loss of light from the proposed development in mornings due to the siting of the proposed dwellinghouse to the east. In terms of privacy, it is proposed that a new 1.8 metre high fence be installed along the new boundary between the two properties and the proposed dwellinghouse is not to have windows in its western elevation resulting in no loss of privacy to number 2 as a result of the proposal.

With regard to 4 Hollingsworth Lane, a window exists on its western elevation that may be affected by the proposed development. The present boundary treatment between number 4 and number 2 is a brick wall approximately 2 metres high that screens the majority of the window from view from the application site. The window is unlikely to suffer an increase in loss of light as a result of the proposed development that is some 7 metres away, given the presence of this boundary wall that is to be retained. In addition, it is considered that no significant loss of privacy is likely to occur as a result of the proposed development because there are no windows proposed in the eastern elevation. In any case, the siting of the dwellinghouse in relation to number 4 would not result in a loss of privacy to private amenity space in its possession. It is therefore considered that no significant loss of residential amenity will occur to neighbouring properties.

Two letters of objection to the proposed development have been received from 4 Hollingsworth Lane, to the direct east of the application site, and from 1a Hollingsworth Lane which is close to the application site. Concerns raised within these relating to the size of the plot, the impact on the conservation area and highway safety have been discussed previously. The level of parking to be provided is considered adequate with regard to the level of proposed development. Noise and nuisance issues of vehicular parking are not considered to be satisfactory reasons for refusal given that the driveway and off-road parking for number 2 already are in existence in the proposed location.

Following assessment it is recommended that outline planning permission be granted with landscaping reserved for subsequent approval.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
Approval of the details of the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

**Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.  
Plans and particulars of the reserved matters referred to in condition 1 above, relating to the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

**Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

3.  
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

**Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.  
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.  
The development hereby permitted shall be carried out in accordance with the following approved plans: Ref. 866 Drawing No. 1 of 1 dated 13/10/14 and Ref. 866 Drawing No. 1 of 2 dated 10/11/14.

Reason

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

6.

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.

7.

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.

8.

Notwithstanding the provisions 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), nothing shall at any time 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 1 metre 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.

9.

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

Reason

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

10.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

11.

Construction hours shall be limited to the following:

8am to 6pm Monday to Friday

8am to 1pm on Saturdays.

No construction operations shall take place on Sundays or Public/Bank Holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect the residential amenity afforded to neighbouring properties.

12.

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.

13.

No development shall take place until a materials schedule of windows and doors, including surrounds, has 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.

14.

Notwithstanding the provisions of Classes A, B, C and 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 extensions, alterations or buildings shall be installed to the dwellinghouse or be erected on the site other than the dwellinghouse expressly authorised by this permission.

## Reason

To protect the character of the conservation area and to ensure that the private amenity space associated with the dwellinghouse remains.

### **Informative 1**

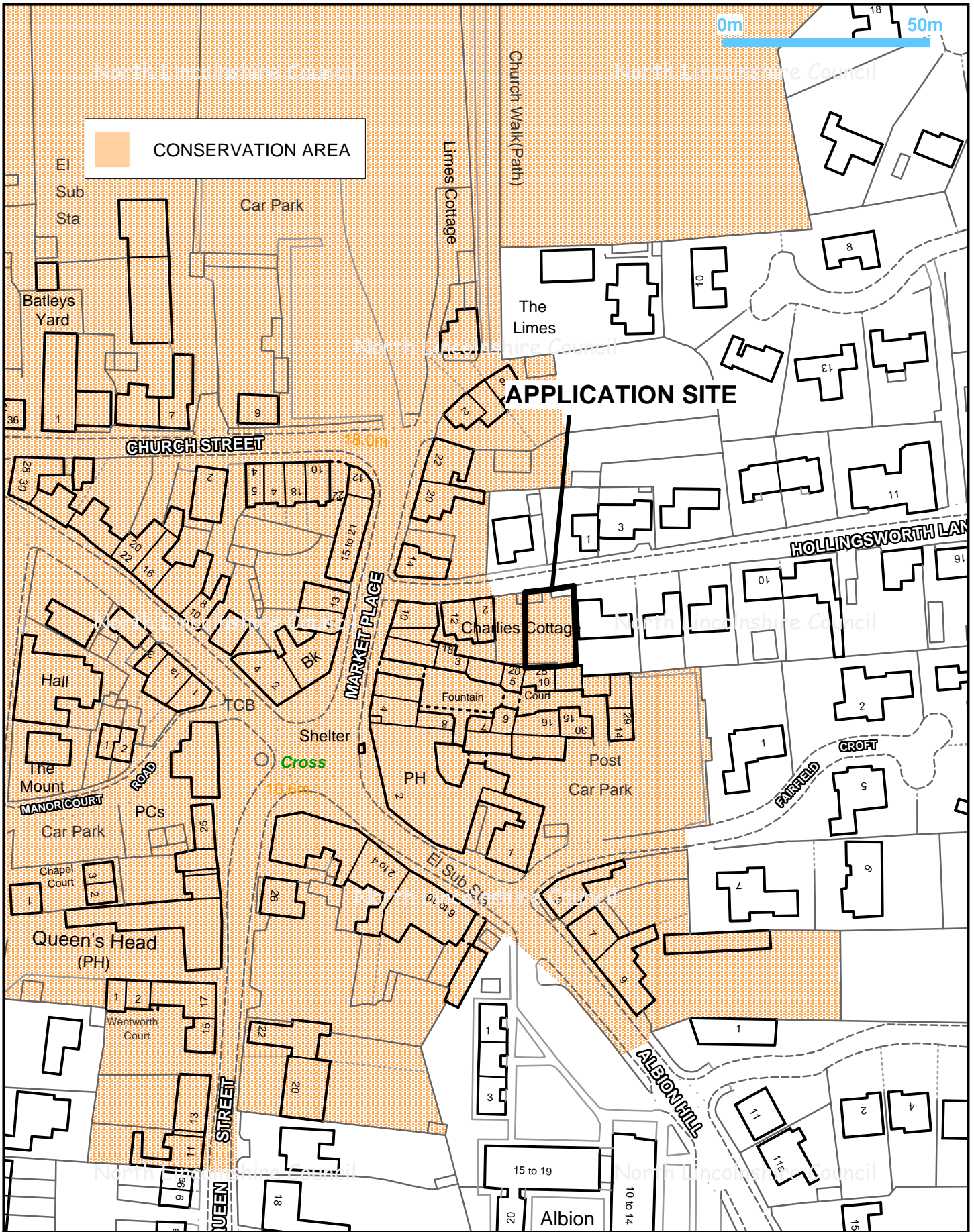
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.





Title: PA/2014/0533

Drawn by: Sue Barden

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PA/2014/0533 Proposed Layout Not to scale

