

APPLICATION NO PA/2014/0754

APPLICANT Mrs E Wise

DEVELOPMENT Planning permission to erect a detached house

LOCATION Plot 1, Land off Howe Lane, Goxhill,

PARISH **GOXHILL**

WARD Ferry

CASE OFFICER Scott Jackson

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Moratorium on new dwellings in Goxhill

POLICIES

National Planning Policy Framework: Paragraph 49 states that housing applications should be considered in the context of a presumption in favour of sustainable development.

Paragraphs 56 and 64 relate to design and assert that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

North Lincolnshire Local Plan: Policies H5 (New Housing Development), H8 (Housing Design and Housing Mix), T1 (Location of Development), T2 (Access to Development), T19 (Car Parking Provision and Standards) and DS1 (General Requirements) apply.

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire), CS7 (Overall Housing Provision) and CS8 (Spatial Distribution of Housing Sites) apply.

CONSULTATIONS

Highways: No objections, recommend standard conditions HC11, HC13 and HC17.

Highways Drainage Team: The proposed development has the potential to suffer from a level of flooding due to surface water run-off or drainage overflow. Care should be taken with floor levels and openings. Any advice offered by the Environment Agency or Drainage Authority should be acted upon.

Anglian Water Developer Services: The foul drainage from this development is in the catchment of North Ferry Water Recycling Centre that will have available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most

suitable point of connection. The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the planning authority will need to seek the views of the Environment Agency. We request that the agreed strategy is conditioned in the planning approval.

Environmental Health: This department is of the opinion that the previous intrusive investigation has not fully investigated the plot 1 area and as such there remains the potential for land contamination to be present which could be harmful to human health. The applicant should be asked to engage a suitably qualified consultant to prepare an informed sampling strategy for approval by this department prior to undertaking intrusive investigation. Should the application be approved then it is recommended the full suite of contaminated land investigation conditions are applied.

In respect of noise, Environmental Health comment as follows: The building envelope of plot 1 shall be constructed as recommended in the noise report so as to provide sound attenuation against external noise, not less than 25dB(A), with windows shut and other means of ventilation provided.

Network Rail: No objection in principle. Comments raised relating to drainage, use of crane and plant, excavation and earthworks, boundary security, ongoing operations of the level crossing, method statements, notification of commencement of works, use of machinery, scaffolding, height of boundary treatments, encroachment onto Network Rail land, noise and sound-proofing measures, landscaping, lighting and access to railway.

Historic Environment Record: This proposal does not adversely affect any heritage assets or their settings. No further comment.

North East Lindsey Drainage Board: No objections providing that the surface water is directed to soakaways as indicated. If, however, ground tests show that soakaways are not suitable then the Board must be consulted further regarding an alternative method and a written consent issued.

PARISH COUNCIL

No objection to this proposal but request that all relevant Health and Safety and environmental assessments are carried out prior to the disposal of the 45 metre high spoil heap which is currently on the proposed site. This spoil heap was excavated from the rear of this site and there are concerns that it may contain contamination from a previous use of this land. In addition, the parish council would like to see tree protection measures around the red hawthorn trees which are on the highway verge.

PUBLICITY

Neighbouring properties have been notified by letter. No comments have been received.

ASSESSMENT

The application site was previously the location for a workshop and showroom (belonging to Abbey Windows); the site has been cleared. It is located on the main highway thoroughfare that bisects Goxhill (Howe Lane) in an east to west direction. It is located adjacent to the railway line and level crossing (to the east), opposite a number of shop units and the

Brocklesby Hunt public house (this has closed). Mature screening exists along the site boundaries. The site is located within the settlement boundary, and the area to the west of the site is residential in nature.

The main issues in the determination of this planning application are the principle of development, impact on the character and appearance of the street scene, impact on residential amenity and drainage issues.

Principle

The site is located in the settlement boundary for Goxhill where there is a presumption in favour of development. Policy CS2 (Delivering More Sustainable Development) of the adopted Core Strategy states that development should be focused on small-scale developments within the defined development limits of rural settlements. Policy CS8 (Spatial Distribution of Housing Estates) applies and states that new housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel. The dwelling proposed here consists of small-scale infill development on a brownfield site in an area of Goxhill where the land to the west of the site is predominantly residential in nature. It is worth noting that planning permission was previously granted in 2007 (PA/2007/0508) and 2010 (PA/2010/0522) for the erection of three dwellings, with a two-storey detached dwelling proposed on this plot. In light of the above, the principle of residential development on this site is considered acceptable.

Impact on street scene

As noted in the previous section of this report planning permission was granted for a two-storey detached dwelling on this plot. This proposal is for a detached dormer bungalow which is to be set back from the edge of the highway footpath by 10 metres with provision for off-street parking to the front. The setting back of the dormer bungalow from the highway footpath is consistent with the positioning of residential properties to the west of the site. The scale of the dormer bungalow is proportionate to the size of the plot. It is proposed to be set in from the eastern and western boundaries by 1.8 metres, which allows for areas of pedestrian circulation around the dwelling. The setting back of the dormer bungalow allows for views into the site and for the existing trees within the highway verge (to the south) to frame views of the proposed dwelling. These existing trees within the highway create a greened appearance to the front of the site, thereby allowing the proposed dormer bungalow to better assimilate into the street scene. The existing trees within the highway verge are outside the control of the application site and therefore cannot be removed. Furthermore, they are protected by way of being positioned within the highway. In summary, the trees, by virtue of their position within the highway verge, will continue to contribute to the visual amenity of the street scene.

In terms of its height, the proposed dormer bungalow will have a ridge height of 6.8 metres, which will be below the ridge lines of the existing pairs of semi-detached dwellings located along the northern side of Howe Lane to the west of the site. The design of the proposed dormer bungalow differs from that which was previously approved (more contemporary in appearance and lower in its ridge height). Balance and symmetry are the focus of the principal elevation with the dormer windows in the roof slope in vertical alignment with a ground floor window and garage door. The front door is positioned centrally, is flanked to either side by a single window and is framed within a pitched roof entrance canopy. The pitch of the roof to the entrance canopy corresponds with the pitch of the dormer windows

within the front roof slope, thereby creating further balance. The addition of a single-storey sunroom to the side introduces varying ridge heights and adds visual interest. Further visual interest is added in detailing such as stone cills and a chimney on the rear roof slope, which is visible above the ridge line of the bungalow. With the exception of the eastern wall (which has been intentionally left blank due to the proximity to the railway line), each of the elevations is broken up by window and door openings. The front and rear slopes are broken up by dormer windows, rooflights and a chimney. It is considered prudent to recommend a condition relating to the details of the proposed external facing materials; this will ensure that the dormer bungalow assimilates into the street scene.

Residential amenity

The proposed dormer bungalow will be positioned approximately 40 metres to the south of the dwelling permitted on the plot to the rear (planning application PA/2013/0946); this is considered a sufficient separation distance between the dwellings to negate potential for loss of residential amenity through overlooking. There is sufficient space within the site for the parking of a minimum of two vehicles. An area of private amenity space measuring 100 square metres is proposed to the rear of the dormer bungalow, which is considered sufficient to meet the everyday needs of the potential occupants. The eastern elevation of the proposed dormer bungalow has been left intentionally blank in order to protect the living conditions of the potential occupants due to the proximity to the railway line. In addition it is considered prudent to recommend a condition requiring the development to be carried out in accordance with the Noise Impact Assessment submitted with the planning application. It is worth noting that any potential purchasers of this property will be aware of the proximity of the site to the railway line and the level crossing. In addition it is considered prudent to attach the consultation response from Network Rail should permission be granted, which sets out the requirements of the developer in close proximity to a railway line and level crossing.

Drainage

There is a moratorium on new residential development in Goxhill and this is in place because of ongoing drainage issues in certain areas of the settlement. However it should be emphasised that every application for new housing development in the village must be considered on its own merits, giving full consideration to the drainage and sewerage conditions for each individual site. No objections have been received from Anglian Water in respect of the proposed method of foul drainage disposal, this being via mains sewerage in this case. No comments have been received from the Environment Agency regarding drainage of the application site which lies in an area of low flood risk (Flood Zone 1). The proposal is for a more vulnerable use (residential) in an area at lowest risk of flooding (Flood Zone 1), therefore the proposed development is considered acceptable in flood risk terms. A condition is recommended requiring details of a surface water drainage scheme to be agreed before any development takes place on the site, this will include the submission of percolation tests. This will ensure that the drainage scheme is effective and that surface water flooding will not occur as a result of the development. Subject to this condition, and for the reasons outlined above, it is considered that the proposed dwellings will not result in an unacceptable burden on the drainage system in the area and will not lead to an increased risk of flooding.

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: EW/14/1/1 A and EW/14/1/2.

Reason

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

3.

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.

4.

No trees shall be wilfully damaged or destroyed or uprooted, felled, lopped or topped nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees without the previous written consent of the local planning authority. Any trees removed without such consent, or dying or being severely damaged, or becoming seriously diseased, shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees on the site.

5.

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

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

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.

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.

9.

The residential curtilage of the dwelling hereby approved shall be constructed in accordance with the sound attenuation measures outlined in the Noise Impact Assessment produced by ENS Limited to provide sound attenuation against external noise not less than 25dB(A), with windows shut and other means of ventilation.

Reason

To ensure that the proposed development protects the living conditions of the potential occupants of the dwelling, in the interests of residential amenity, to comply with policies H5 and DS1 of the North Lincolnshire Local Plan.

10.

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.

11.

No development shall take place until a scheme for the disposal of surface water, including percolation tests where necessary, has been submitted to and agreed in writing by the local planning authority, and the dwelling shall not be occupied until it is connected to the approved drainage system.

Reason

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

Informative 1

The site is located adjacent to the railway line and level crossing; these are operated by Network Rail. Your attention is therefore drawn to Network Rail's comments relating to building close to railway lines, which are attached to this decision notice.

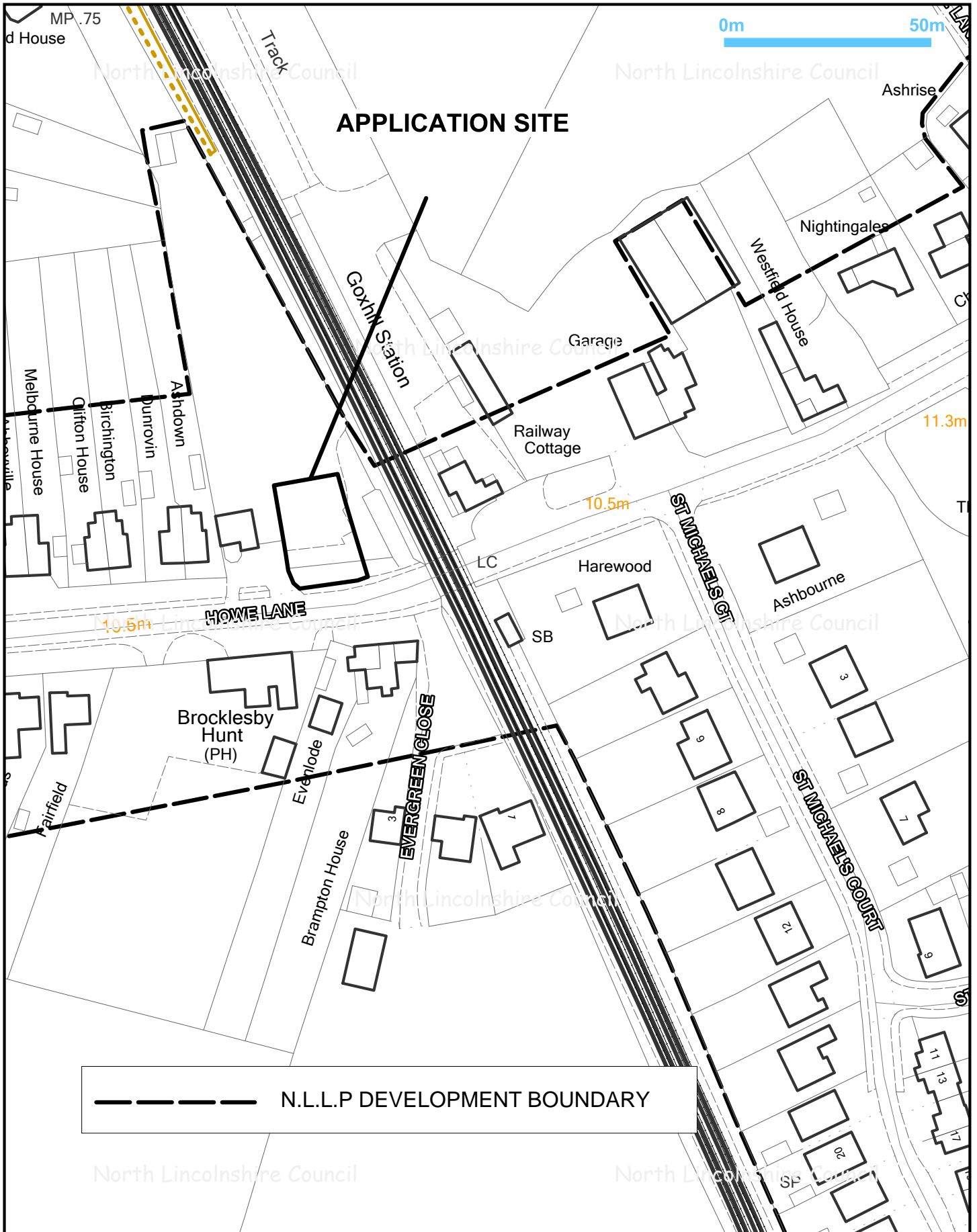
Informative 2

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 3

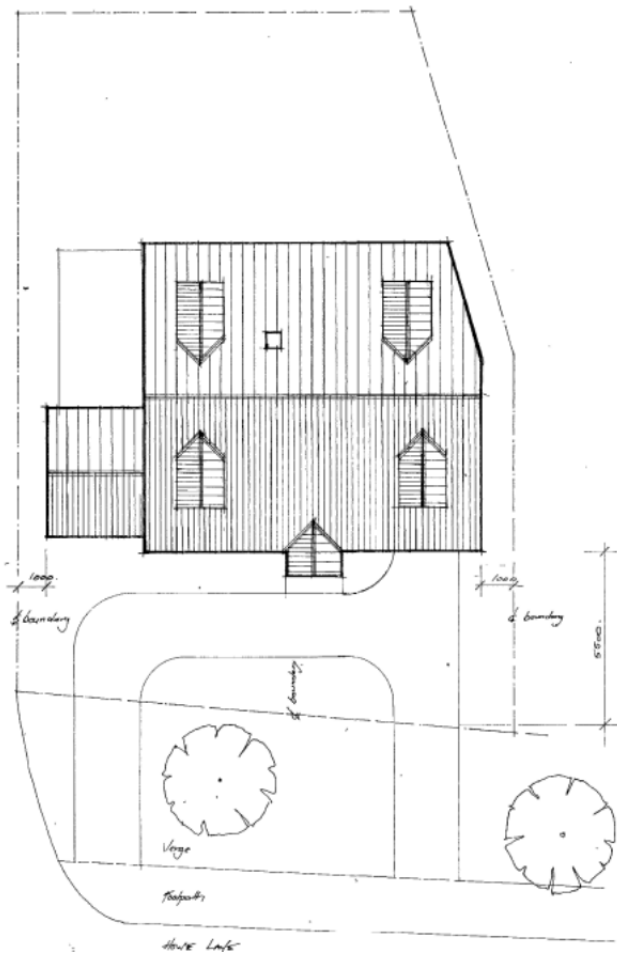
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



----- N.L.L.P DEVELOPMENT BOUNDARY

Title: PA/2014/0754			
Drawn by: Sue Barden	Date: 26/11/2014	Scale 1:1250	

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Proposed Front Elevation

