

APPLICATION NO PA/2015/0812

APPLICANT Mr & Mrs G Curtis

DEVELOPMENT Outline planning permission to erect a detached dormer bungalow including access with all other matters reserved for subsequent approval

LOCATION Glanford, 24 Manton Lane, Hibaldstow

PARISH HIBALDSTOW

WARD Ridge

CASE OFFICER Leanne Pogson

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Departure from the development plan

POLICIES

National Planning Policy Framework: Chapter 1, paragraph 11; Chapter 6; paragraph 216.

North Lincolnshire Local Plan: Policies DS1 (General Requirements), RD2 (Development in the Open Countryside), H7 (Backland and Tandem Development) and H8 (Housing Design and Mix).

North Lincolnshire Core Strategy: Policies CS2 (Delivering More Sustainable Development) CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire).

CONSULTATIONS

Highways: Advises conditions regarding vehicle access, turning and parking, run-off and materials.

Drainage Team: Advises a condition regarding surface water flooding.

Environmental Health: Advises conditions regarding hours of construction.

PARISH COUNCIL

No objections or comments.

PUBLICITY

Neighbouring properties have been notified by letter. One objection has been received raising the following issues:

no indication of location of buildings

removal of trees would have an adverse impact on landscape character

concern over protection of hedge from access

traffic noise – gravel would be noisy

precedent for backland development

no details of construction materials submitted

no windows should overlook objectors

access should be shared with host property to eliminate noise and disturbance

concerns over how long the dwelling would take to construct.

ASSESSMENT

The application property is a red brick detached house with large gardens to the side and rear. There is a 1.8 metre high hedge (approximately) to the front boundary and trees and hedges to the front and side boundaries.

This application seeks outline planning permission for a detached dwelling (dormer bungalow) to the rear of the existing property with a separate driveway adjacent to the dwelling. There is good separation distance between the existing host dwelling and the neighbouring property to prevent any loss of amenity from the access, subject to suitable surfacing materials being used for the driveway.

The proposed dwelling is in a backland location, however there is a small residential development to the immediate north which is also in a backland location, with the proposed dwelling being between a property on Ellis Way and the host dwelling.

The main issues associated with this proposal are the principle of development and impact on residential and visual amenity.

Principle of development

Chapter 1 of the National Planning Policy Framework (NPPF): Presumption in favour of sustainable development, specifically paragraph 11, states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is embodied in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

The site is outside the development boundary in the North Lincolnshire Local Plan, however it would be inside the development limits under the proposed Housing and Employment Land Allocations DPD. Paragraph 216 of the National Planning Policy Framework states that due weight should be given to emerging plans, more so depending on the stage of preparation of the plan. The North Lincolnshire DPD is at an advanced stage and awaiting the Inspector's final decision following modifications.

A neighbour has raised concerns over setting a precedent for similar backland developments, however it must be noted that each case is judged on its own merits and the character of the immediate area is mixed with backland and frontage developments.

Impact on the amenity of neighbours and neighbourhood

Local plan policy H7 (Backland and Tandem Development) seeks to ensure that such development will not result in an adverse effect on the amenities of neighbouring properties through overlooking, loss of privacy, loss of amenity area and nuisance from vehicle movements. Such development should also not impact on the quality and character of the area through unacceptably increasing density, resulting in a proliferation of vehicle accesses or loss of important natural and man-made features.

Concerns have been raised by the objector regarding the loss of trees on the site. The trees are not protected and some of the trees and hedges will be retained as part of the proposal. It should also be noted that landscaping details will be submitted as part of the reserved matters application.

The issue of noise disturbance from the access/drive can be mitigated by condition regarding surfacing materials.

Other concerns raised relate to the details of the proposal which are not available at this time and would be assessed at reserved matters stage.

Subject to those matters reserved for future determination, the principle of siting a dormer bungalow in this location is considered to be appropriate development and not expected to have an unduly adverse impact on the amenity of neighbouring properties or on the character and appearance of the area.

In conclusion, it is considered that the proposal complies with all national and local planning policies, specifically the National Planning Policy Framework, Core Strategy policies CS2, CS3 and CS5 and policies DS1, H7 and H8 of the North Lincolnshire Local Plan 2003. It is also in accordance with the emerging Housing and Employment Land Allocations Development Plan Document.

RECOMMENDATION: Grant permission subject to the following conditions:

1.
Approval of the details of the layout, scale, appearance of the building(s) and 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 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2.
Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, appearance of any buildings to be erected and 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 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

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.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of vehicle parking and turning spaces within the curtilage of the site;

have been submitted to and approved in writing by the local planning authority.

Reason

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

6.

Adequate vehicle access and parking facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

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 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.

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.

10.

No development shall take place until details of the method of construction of the driveway have been submitted to and approved in writing by the local planning authority and the driveway shall be constructed fully in accordance with the agreed details.

Reason

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

11.

Construction and site clearance operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday

- 7am 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

For the protection of residential amenity.

Informative 1

The proposed development and adjacent properties have the potential to suffer from a level of flooding due to surface or ground water run-off and overland flow. Care should be taken with finished floor levels, threshold levels and location of openings. SuDS must be

considered and investigated (ie ground infiltration feasibility). Further advice can be sought by contacting the Drainage Team on 01724 297522. Any advice offered by the Drainage Team should be acted upon.

Informative 2

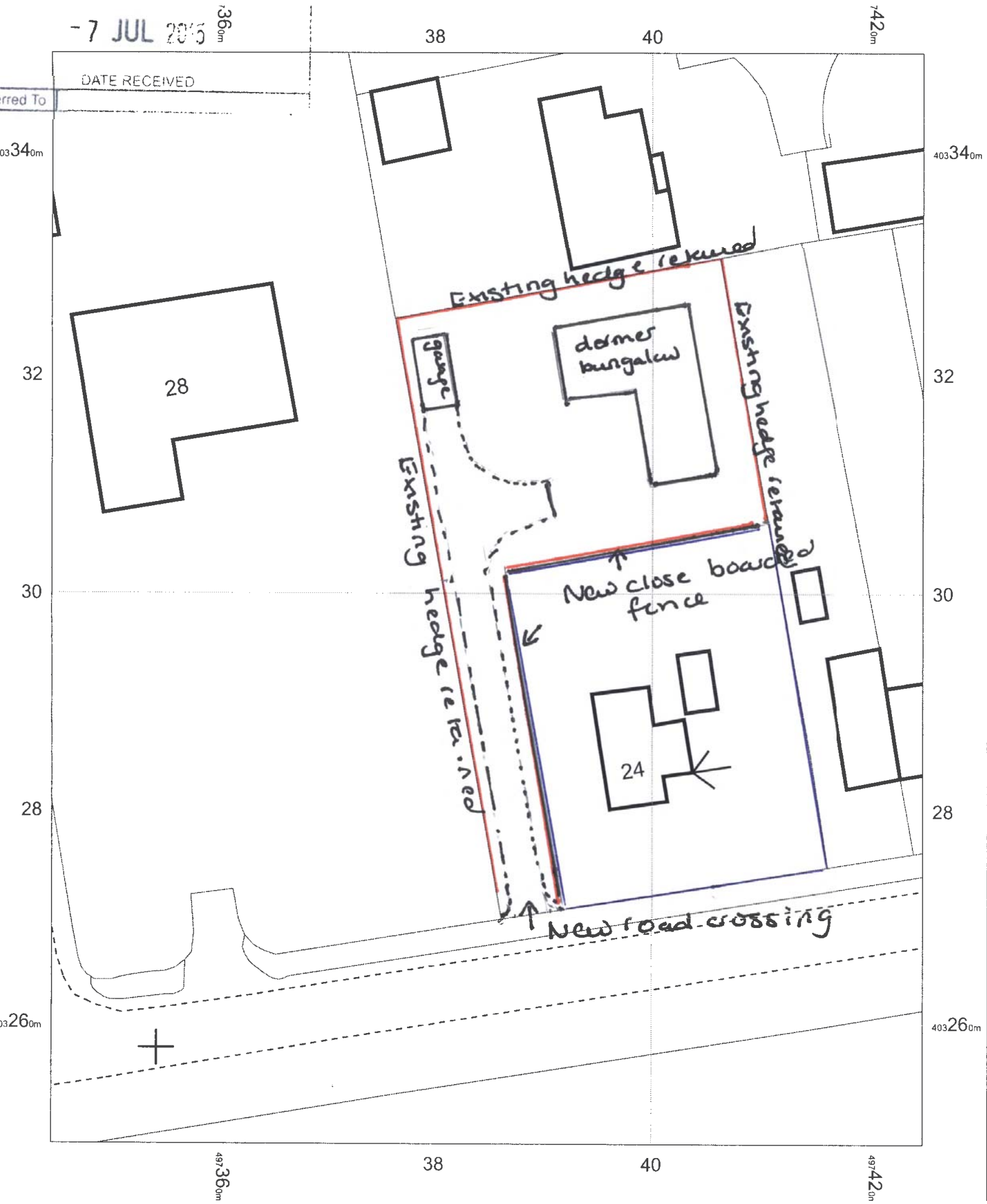
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

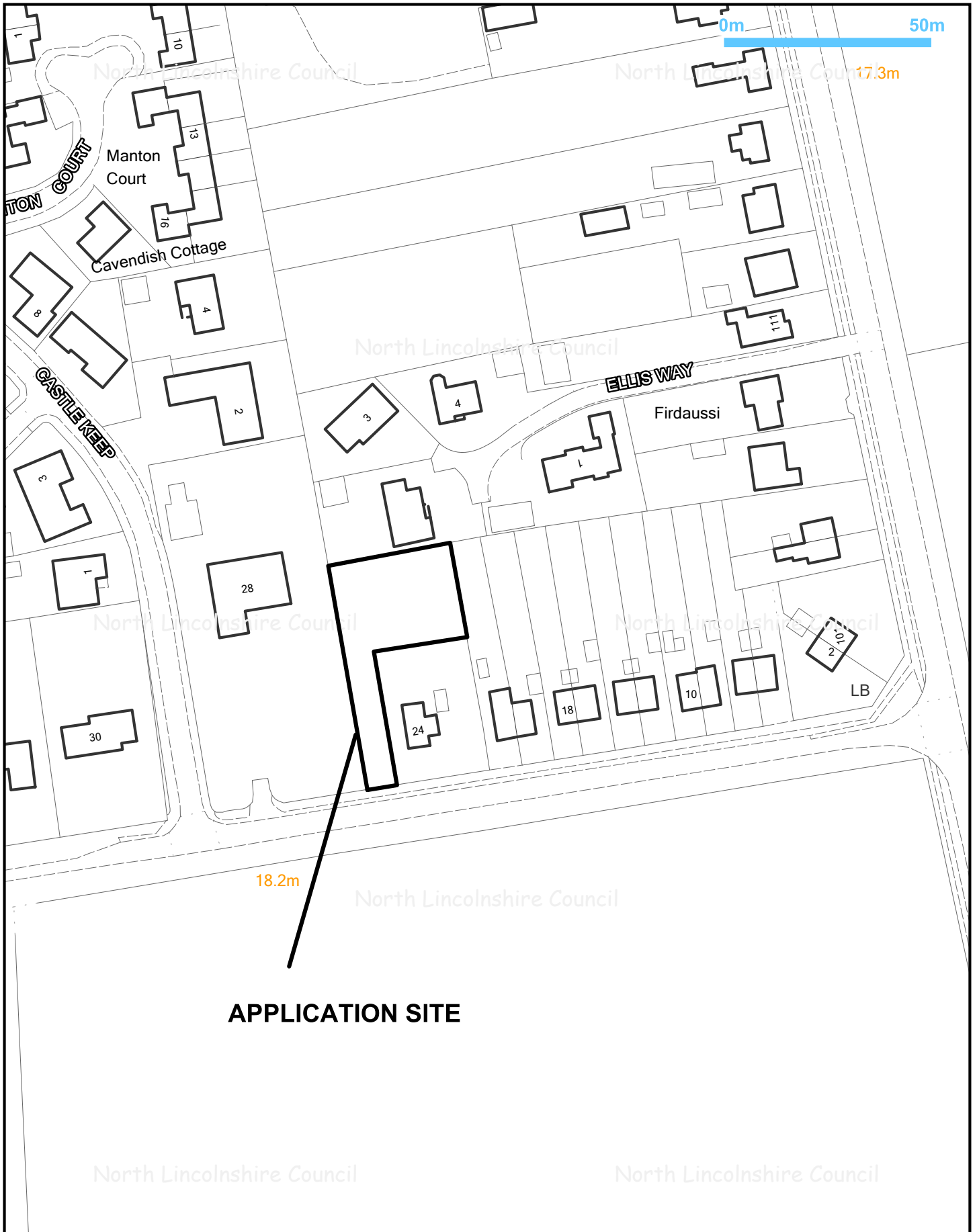
- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway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

PA/2015/0812 Proposed Layout - Not to scale





Title: PA/2015/0812		
Drawn by: Sue Barden	Date: 08/09/2015	Scale 1:1250

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