

<b>APPLICATION NO</b>	<b>PA/2016/588</b>
<b>APPLICANT</b>	Mr Alan Doncaster
<b>DEVELOPMENT</b>	Outline planning permission to erect a detached bungalow with all matters reserved for subsequent approval
<b>LOCATION</b>	Land to the rear of 12A Lindale Gardens, Scunthorpe, DN16 2HW
<b>PARISH</b>	Scunthorpe
<b>WARD</b>	Kingsway with Lincoln Gardens
<b>CASE OFFICER</b>	Emma Stanley
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Tony Gosling – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 12 – Proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

**North Lincolnshire Local Plan:** Policy DS1 – General Requirements

Policy H8 – Housing Design and Housing Mix

**North Lincolnshire Core Strategy:** Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

## **CONSULTATIONS**

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

**Drainage Team:** Advise an informative relating to drainage details.

**Environmental Health:** No objections subject to a condition relating to contamination.

## **PUBLICITY**

Letters have been sent to neighbouring properties. One letter has been received commenting that issues relating to the previous refusal on the site still apply which were:

- The new access will change the character of the cul-de-sac and affect access to surrounding properties, and create an unacceptable increase in vehicular traffic which is currently more limited as the road is not a through road.
- The turning area will be obstructed by deliveries of materials.
- The development will devalue property.
- How many times can planning keep being applied for?

## **ASSESSMENT**

Outline planning permission is sought, with all matters reserved for subsequent approval, to erect a detached bungalow on a parcel of garden land to the rear of 12A Lindale Crescent. Although the land is behind Lindale Crescent, the site will gain vehicular access from Westfield Road, as the site shares a boundary with part of the turning area of this section of the highway.

**The main issue in the determination of this application is whether the site is suitable to accommodate a dwelling without adversely affecting the character of the area.**

Planning permission was refused for this development (PA/2012/0617) as it was considered that the shape of the plot would result in a contrived and awkward development that would be out of keeping with, and detrimental to, the character and appearance of the area. The applicant subsequently made an appeal against this refusal. In his consideration of the matter, the planning inspector considered that a well-designed bungalow on the plot would not be out of keeping with the character of the area and might even add interest to an otherwise ordinary area of residential development. Outline planning permission was consequently allowed for one bungalow, subject to conditions.

The applicant has not implemented the appeal approval and the permission has now expired. The current proposal seeks to obtain planning permission for the same development as allowed on appeal. The site area has not altered (33 metres wide and 26 metres deep) and the indicative access onto Westfield Road and position of the bungalow is exactly as allowed on appeal. The planning inspector concluded that a bungalow on this plot would not be out of keeping with the character of the area, and if carefully designed could even enhance the area. Although the appeal decision has now lapsed, no material changes in policy have been made since this time, and there have been no developments in the vicinity of the application site that would affect the development of the land.

One letter of objection has been received raising concerns about the proposed means of access, and how this will change the character of the area, and have a detrimental impact on safety, and parking and turning provisions in the area. However, no objections have been received from the Highways department and, subject to conditions, the means of access is considered to be adequate to serve the development, without any detriment to highway safety.

No other objections have been received, and given the comments made by the planning inspector regarding impact on the character of the area, which is still material to the determination of this application, the proposal is recommended for approval.

Some modifications to the conditions imposed by the inspector are proposed to ensure any issues of potential contamination and surface water run-off are appropriately dealt with.

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

1.

Approval of the details of the layout, scale, and appearance of the building(s), the means of access thereto 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, and appearance of any buildings to be erected, the means of access to the site 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.

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.

6.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2016/588/01 and PA/2016/588/02.

Reason

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

7.

No development shall commence until a flood risk statement and drainage strategy, which outlines all sources of flood risk (including surface water, ground water and overland flow) and proposals to mitigate this, has been submitted to and approved in writing by the local planning authority. This shall include sketch drainage layout plans and ground investigation details to support the feasibility of infiltration for the site.

Reason

To prevent the increased risk of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

### **Informative 1**

Our records indicate that the proposed development site is bounded by a historic buried watercourse on the southern boundary. Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. Any other drainage feature found during excavations must be immediately reported to the Drainage Team on 01724 297522, prior to any further construction works being carried out.

Please refer to the Environment Agency's 'Living on the edge - Riverside ownership rights and responsibilities' document which can be found online for further information.

There are Severn Trent surface water and foul sewers located within the property boundary. Please contact them direct for further details.

### **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.



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Application Site



PA/2016/588

Scale @A4 1:1250

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Drawn by: S Barden

PA/2016/588 Indicative layout - Not to scale

