

APPLICATION NO	PA/2016/1211
APPLICANT	Mr & Mrs Brydon
DEVELOPMENT	Planning permission to erect a detached four-bedroomed dwelling with integral garage
LOCATION	Land rear of 83, 85 & 85A High Street, Belton
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee

POLICIES

National Planning Policy Framework (NPPF): Paragraph 14 states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 35 states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

At paragraph 37 it states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraphs 15, 47, 50, 55, 56, 60, 61 and 99 to 103 also apply.

North Lincolnshire Local Plan: Policies DS1, H7, H8 and T2 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3 and CS5 apply.

Housing and Employment Land Allocations Development Plan Document: Within the settlement boundary for Belton.

CONSULTATIONS

Highways: Advise conditions.

Archaeology: No objections.

Environmental Health: Sensitive end use therefore advise contamination condition.

PARISH COUNCIL

No objections.

PUBLICITY

Neighbouring properties have been notified by letter. Objections have been received from seven individuals raising the following issues:

- the private drive is not in the applicants' ownership/there is no right of access
- sewerage/drainage problems
- there will be extra bins at the top of the driveway
- poor access – no two-way traffic and no lighting
- beyond the development boundary
- noise and disturbance during construction
- loss of view
- already five properties accessed off a private drive.

ASSESSMENT

The application site is currently used as private garden by 89 High Street. There is a garage to the corner of the site and new build properties adjacent to the plot. The site is accessed via a private drive which currently serves five dwellings, although only three of these are wholly served from this driveway.

The site lies within the development boundary for Belton as shown in the Housing and Employment Land Allocations Development Plan Document that was adopted in March this year. However it should be noted that the site was not inside the development boundary under the 2003 local plan. As the site is within defined development limits, the principle of residential development is supported and the location is considered sustainable.

This proposal seeks full planning permission to erect a detached two-storey hipped roof dwelling with an integral garage and a single-storey projection to the rear. There will be parking and turning areas to the front of the dwelling, and private garden and patio areas to

the rear. There are new build dwellings in the vicinity, including to the south and east. There is a mix of house types, sizes and designs in the locality.

The main issues in determining this application are whether the proposed dwelling would have any adverse impact on the amenity of neighbouring properties or any impact on highway safety.

The access is a private drive which is primarily surfaced with hardcore. This private drive serves five dwellings for vehicular access, although two of these dwellings have pedestrian access from High Street. As there are currently only three dwellings wholly served off the private drive, this further dwelling is considered not to contradict the restriction of five dwellings off such an access.

With regard to highway safety, condition of the road, width of the access and lighting, Highways have been consulted and raise no objections to the proposal subject to conditions regarding access, parking and turning and also a phased traffic management plan. The majority of the objections received relate to the issue of the private drive, the ownership and legal access. These are dealt with under 'Other matters' at the end of the report.

Environmental Health have requested contamination conditions as a dwelling is considered a sensitive end use. The Environmental Protection officers advised that the applicants have not submitted details of potential contamination but there is no evidence to suggest contamination on this site and therefore this condition is considered to be unreasonable and excessive. The standard monitoring condition is therefore proposed as environmental health legislation can be used in the event that any contamination is found on the site.

A number of the objections raised, namely loss of view, noise and disturbance from construction, and issues relating to previous applications close to the site, are not material planning considerations and cannot be taken into account in the determination of this application.

An objection has been raised in respect of rodding/sewerage. The proposed dwelling would connect to the mains sewer with a soakaway collecting surface water. The principle of these methods of drainage is considered acceptable and the connection details will be dealt with under building regulations. Rodding is not a material planning consideration and should be resolved as a civil matter. With regard to bins, any bins at the top of the driveway will be on bin collection days only and will be stored within the site at all other times.

No objections have been received relating to the design of the dwelling or any impact on amenity. The design is considered to fit in well with the surrounding dwellings, particularly as there are a wide variety of housing styles in the vicinity. The proposed dwelling sits well in the plot with a good separation distance to surrounding properties. The size of the dwelling and garden areas is similar to surrounding properties. As such the proposal is not considered to constitute over-development and is in character with the locality. The existing boundary treatment (fencing and hedgerows) will be retained. As such there would be no adverse impact on the amenity of neighbouring properties.

The proposal is considered to meet the criteria of the policies set out above and is therefore considered to be acceptable.

Other matters

At the time this application was submitted, certificate A was served, which effectively declared the applicants as sole owners of the site. This was incorrect and the error was picked up. Consequently, the applicants then served certificate B with the application and notice was correctly given to all owners of the private drive on 24 August 2016. With regard to the legal right of way over the site, this is not a material planning consideration and any right of access over the site is a civil matter which should be resolved between the parties.

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: 547.01 and 547.02.

Reason

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

3.

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.

4.

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.

5.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent

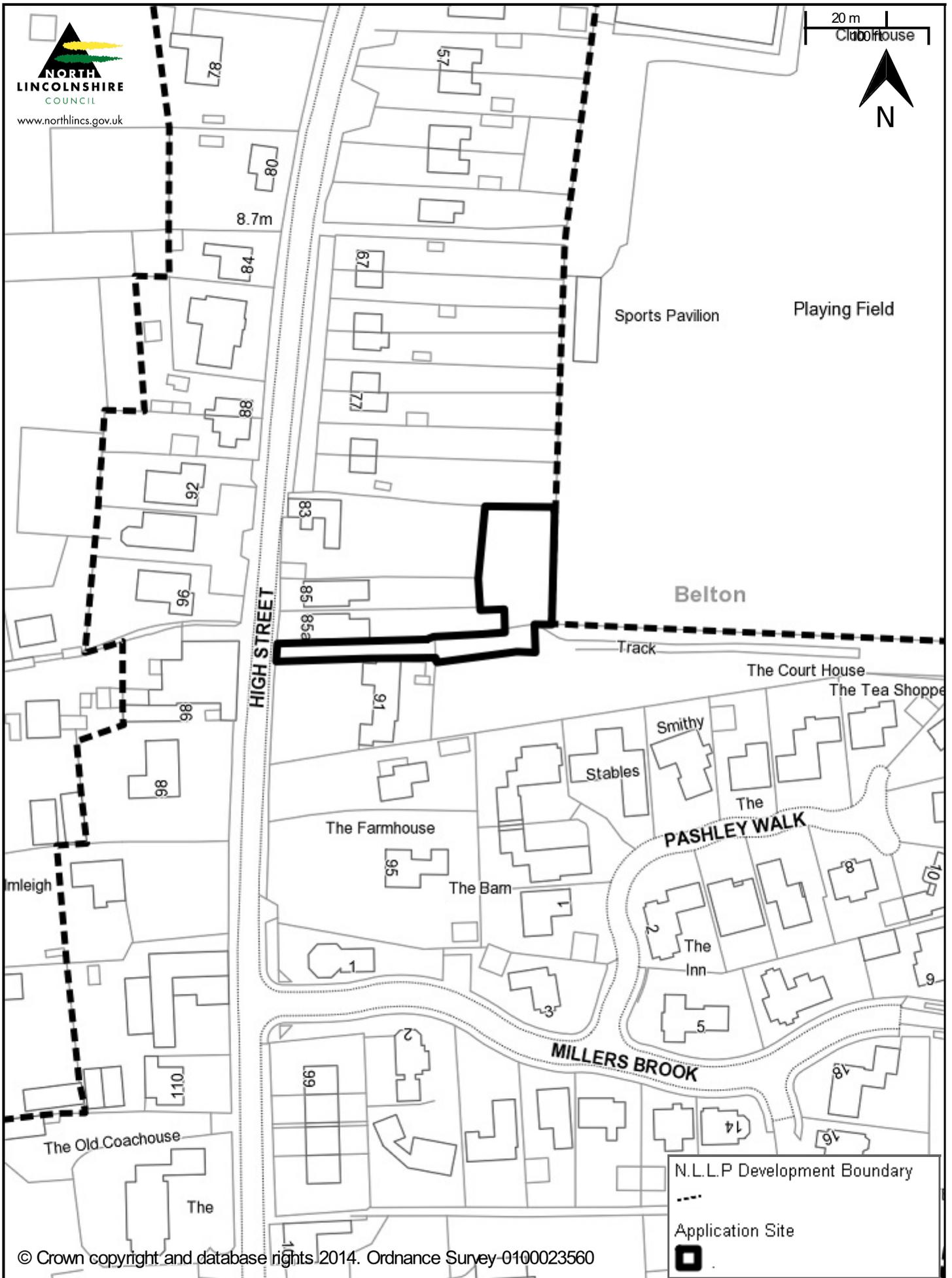
highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

Informative

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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N.L.L.P Development Boundary
 Application Site

PA/2016/1211

Drawn by: S. Barden

Scale @A4 1:1250

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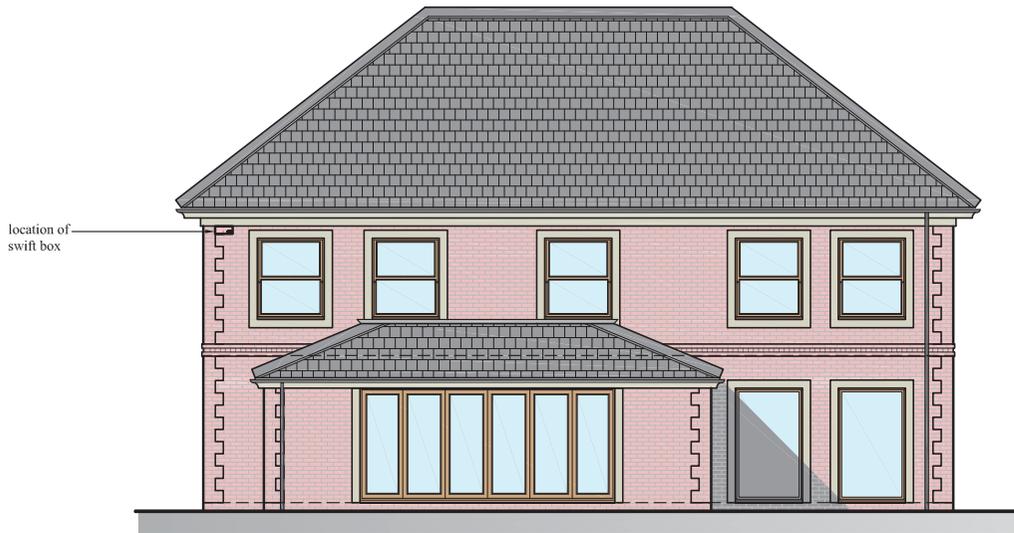
PA/2016/1211 Proposed Elevations - Not to scale



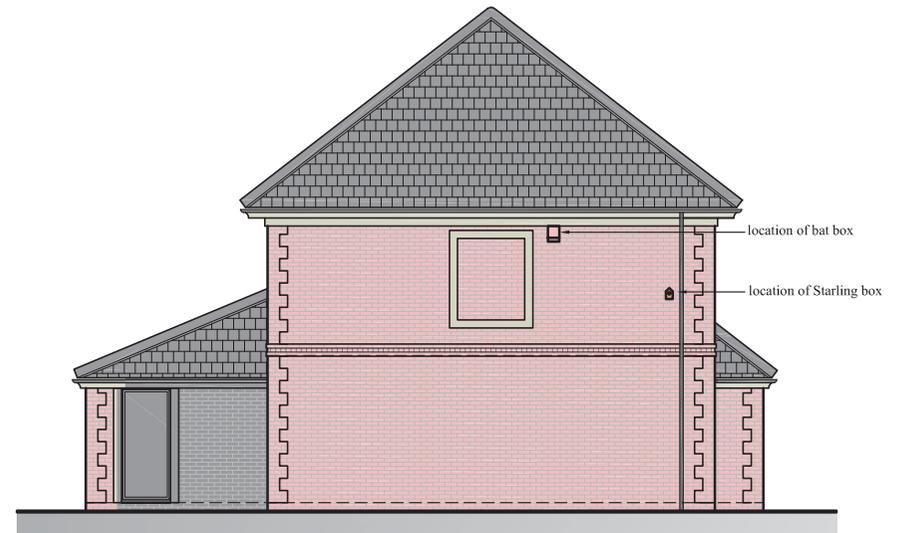
Proposed South Elevation



Proposed East Elevation



Proposed North Elevation



Proposed West Elevation

PA/2016/1211 Proposed Site Layout - Not to scale

