

<b>APPLICATION NO</b>	<b>PA/2016/1339</b>
<b>APPLICANT</b>	Mrs C Kenny
<b>DEVELOPMENT</b>	Outline planning permission to erect one detached dwelling with appearance, landscaping, layout and scale reserved for subsequent approval
<b>LOCATION</b>	Land north of Ardara, Brigg Road, Wrawby, DN20 8RL
<b>PARISH</b>	Wrawby
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Wrawby Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 states that at the heart of the National Planning Policy Framework 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 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style. It is, however, proper to seek to promote or reinforce local distinctiveness.

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.

**North Lincolnshire Local Plan:** Policy H5 (New Housing Development)

Policy H7 (Backland and Tandem Development)

Policy H8 (Housing Design and Housing Mix)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS14 (Foul Sewage and Surface Water Drainage)

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

## **CONSULTATIONS**

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

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

## **PARISH COUNCIL**

Wrawby Parish Council objects to the development on the following grounds:

- It is tandem development which is against council policy and would tend to encourage similar applications elsewhere.
- If granted, the development would have a severe detrimental effect on the street scene in a prominent part of the village.
- The proposed development would adversely affect neighbouring properties by overlooking and have a severe effect upon the amenities presently enjoyed by them.

## **PUBLICITY**

Neighbouring properties have been notified by letter. No letters of comment or objection have been received.

## **ASSESSMENT**

The application site is a piece of garden land serving Ardara, Brigg Road, Wrawby and is situated to the front of the dwelling. Ardara is set approximately 41 metres back from the highway, to the rear of adjacent properties which are built along a different building line much closer to the highway. The site is located within the development boundary for the

settlement, in a residential area, and is bounded by residential properties to the east, south and west. To the north the site is bounded by Brigg Road.

There is a mix of properties in the area that vary in scale, design and materials. Ardara is a large two-storey dwelling, whereas the immediate dwellings to either side are more modest single-storey dwellings. There is a row of tall trees along the western boundary of the site which provides significant screening, and established hedging and trees along the eastern boundary. The northern and southern boundaries of the site are currently open.

This application seeks outline planning permission for the erection of a detached dwelling on the site. Access is being considered as part of this application and all other matters (layout, scale, appearance and landscaping) are reserved for subsequent approval. A new access is proposed direct from Brigg Road to the north and the development will include off-street parking and turning facilities.

**The key issues in the determination of this application are:**

- **whether residential development of the site is acceptable in principle;**
- **whether the development would have an adverse impact on the character of the area;**
- **whether the proposal would be harmful to the amenity of neighbouring dwellings; and**
- **whether the proposal would be harmful to highway safety in the area.**

**Principle**

The application site is located within the development boundary of Wrawby, in a sustainable location within easy walking distance of local facilities. For these reasons it is considered that the proposal accords with the principles of sustainable development as set out within the policies of the local plan, core strategy and the National Planning Policy Framework on delivering residential development in appropriate locations. Therefore it is considered that residential development of the site is acceptable in principle.

The parish council has raised a concern that the development would constitute tandem development and as such would be contrary to local planning policy. The proposed development would result in one dwelling standing directly behind another and as such is a form of tandem development. Policy H7 of the North Lincolnshire Local Plan sets out the council's approach to backland and tandem development. This policy is supportive of tandem development provided that there is no adverse effect on the amenities of neighbouring properties as a result of overlooking, loss of amenity area or nuisance from vehicle movements. Policy H7 also requires that developments do not affect the general quality and character of an area by unacceptably increasing the density of development, resulting in the loss of important features or leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene. Therefore, provided that there is no unacceptable impact with regard to the character of the area and the amenity of neighbouring properties, policy H7 supports tandem development; these issues are assessed in detail below.

## **Character**

The proposed dwelling and its curtilage will occupy the majority of the very large front garden currently serving Ardara. The dwelling will be sited in line with adjacent dwellings and as such will follow the existing pattern of development along Brigg Road, where the majority of properties are built on a similar building line fronting the highway. As such the dwelling will not be out of keeping with the surrounding area, or introduce an incongruous feature in the street scene. The existing dwelling will be visible to the rear of the proposed dwelling which is not a common feature in the street scene; however this existing dwelling already jars with the surrounding development pattern by standing to the rear of adjacent properties on a significantly different building line.

The application site is of an appropriate size and the development will not appear cramped; nor will it significantly increase the density of development in the area as Ardara sits on a very large plot which is bigger than the majority of neighbouring properties. The site is currently grassed and serves Ardara as a very large front garden and as such there are no important natural or man-made features on the site which will be lost as a result of the development. Furthermore, as the frontage of the plot is wide, there is ample space for the proposed new access point whilst retaining good separation distances to adjacent accesses; therefore the proposal will not result in an unacceptable proliferation of vehicle accesses to the detriment of the street scene.

The scale and appearance of the dwelling has been reserved for subsequent approval; however, given the varied nature of properties along Brigg Road, it is considered that a dwelling could easily be designed to be sympathetic to surrounding properties and in keeping with the local vernacular.

For the reasons outlined above it is considered that the proposed dwelling will have no unacceptable impact on the character of the area or the appearance of the street scene; the development is sympathetic to and in keeping with the existing development pattern in the area.

## **Amenity**

Whilst this application is for outline permission only, and the layout of the development has been reserved for subsequent approval, the applicant has provided an indicative layout plan which shows that good separation distances can be achieved between the proposed dwelling and all adjacent properties, including Ardara to the rear. These separation distances, along with existing screening along the side boundaries, will prevent any unacceptable loss of light or overbearing impact to neighbouring properties as a result of the development.

It has been demonstrated that a minimum distance of 20 metres between the proposed dwelling and Ardara can be easily achieved. This distance is normally considered adequate to prevent unacceptable overlooking between properties and as such it is considered that the proposed dwelling will not result in unacceptable loss of privacy to the existing dwelling to the rear. Existing boundary treatments to the east and west provide a good level of screening to the adjacent residential properties in these directions. The scale and appearance of the dwelling is reserved for subsequent approval and as such the position of windows can be controlled at the reserved matters stage. However, it is considered that, given the separation distances to neighbouring properties and existing boundary

treatments, the dwelling could easily be designed to avoid unacceptable overlooking of neighbouring properties.

The application site is currently front garden which has an open front boundary and as such is not private amenity space. Ardara sits within a very large plot and has ample private garden space to the rear. Therefore the development of the site will not result in a loss of amenity space to the existing dwelling that would be detrimental to the amenity of its current or future occupiers.

The proposed development includes a new access to the front of the site, which will not run past adjacent properties. Therefore the new dwelling will not result in increased noise or disturbance to neighbours as a result of vehicle movements. The access serving the existing dwelling will run alongside the proposed dwelling; however the site is large enough to allow suitable separation distance between this existing access and the new dwelling. This can be supplemented with additional landscaping or boundary treatments to ensure that the new dwelling is not subject to unacceptable nuisance as a result of comings and goings to and from the existing dwellings.

For these reasons it is considered that, subject to an appropriate design being submitted at reserved matters stage, the proposed development will have no unacceptable impact on the amenity of neighbouring residential properties.

### **Highway safety**

The proposed dwelling will be served by a new access from Brigg Road and will be provided with off-street parking and turning facilities. The council's Highways department has been consulted on the application and has raised no concerns or objections to the new access or the impact of the development on highway safety subject to conditions. There is good visibility along the road and the access will enter the highway within a 30mph speed restriction. On this basis, subject to the conditions recommended by Highways, it is considered that the proposed development will have no unacceptable impact on highway safety in the area.

### **Other matters**

The council's Environmental Health department has requested conditions to secure land contamination surveys prior to development as the proposed dwelling is a sensitive end use. However the application site is residential garden land with no history of contaminative uses and adjacent properties are also residential in nature. On this basis it would be unreasonable to impose onerous land contamination conditions in this instance where there is no evidence of potential contamination.

### **Conclusion**

The proposed development is considered to be acceptable in principle and will not have an unacceptable impact on the character of the area, the amenity of neighbouring properties or highway safety in the area. Therefore the proposal is acceptable and this application should be supported.

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

1.

Approval of the details of the layout, scale and appearance of the building, 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, 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, parking and turning 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.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 2 metres 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.

10.

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.

11.

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.

12.

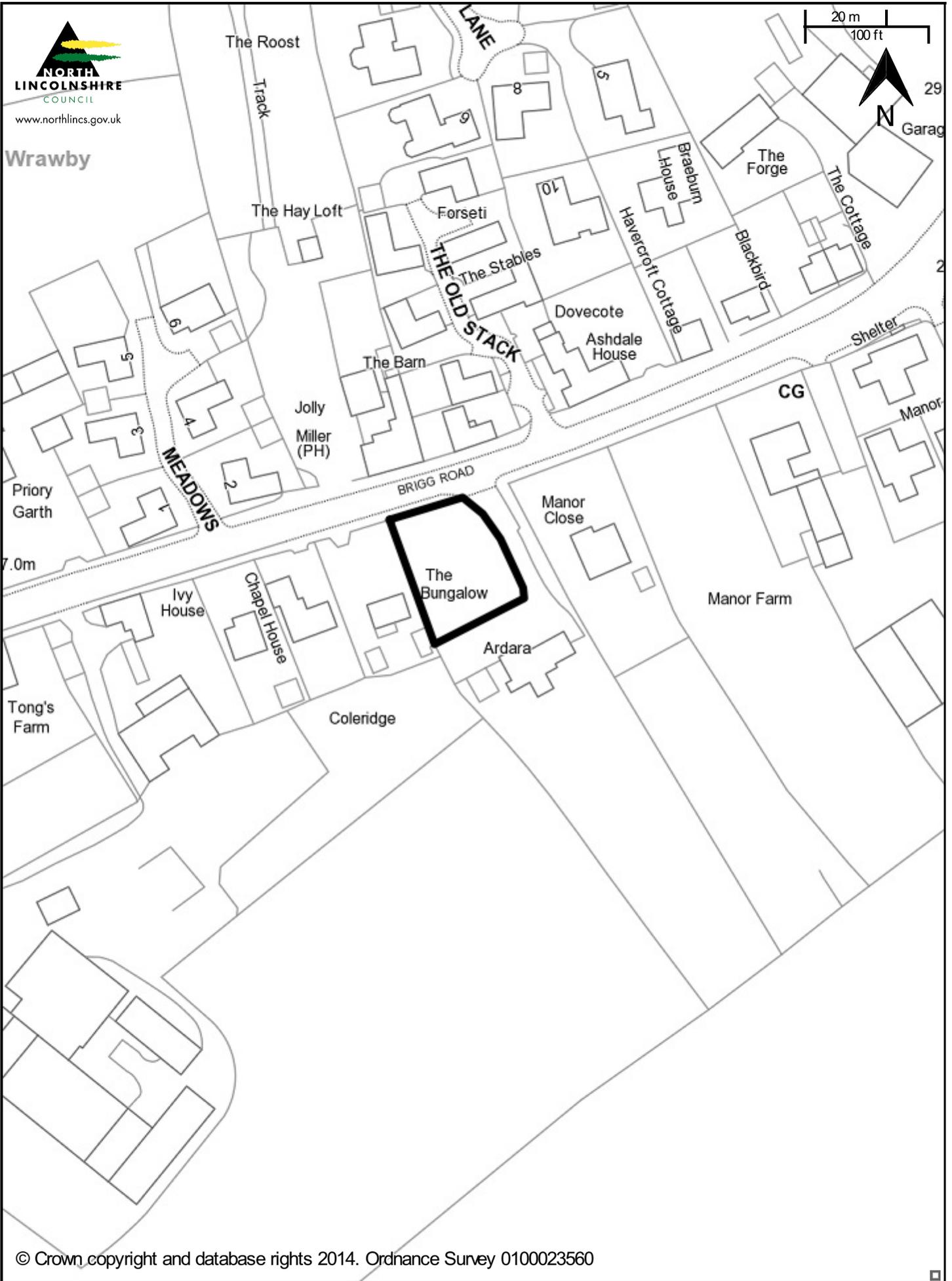
No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied, and once built/planted it shall be retained.

Reason

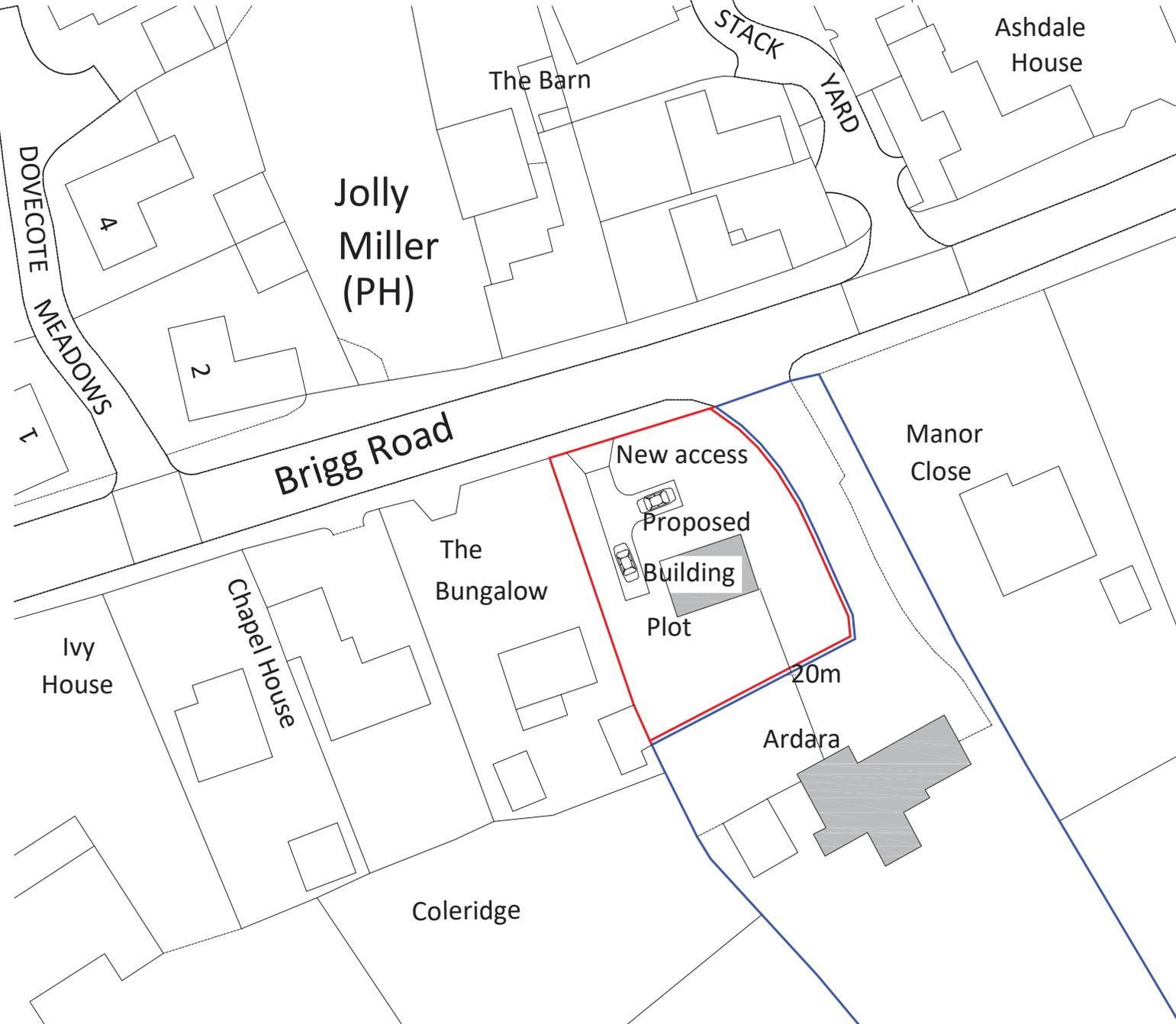
To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

**Informative**

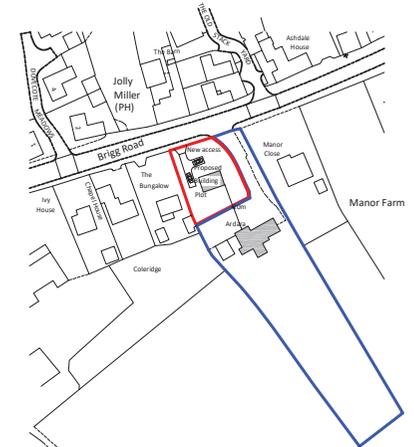
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Block Plan 1:500



Location Plan 1:2500



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