

APPLICATION NO	PA/2016/1827
APPLICANT	Annabel Herring, Belmar Developments Ltd
DEVELOPMENT	Planning permission to erect a detached dwelling
LOCATION	53A North Street, Roxby DN15 0BL
PARISH	Roxby cum Risby
WARD	Broughton and Appleby
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Roxby-cum-Risby Parish Council

POLICIES

National Planning Policy Framework: Paragraph 55 – to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

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

North Lincolnshire Local Plan: Policy DS1 (General Requirements)

Policy H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

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)

CONSULTATIONS

Highways: No objections subject to conditions.

Archaeology: No objections subject to conditions.

Environmental Protection: No objections subject to conditions relating to the reporting of any contamination that may be present.

PARISH COUNCIL

The proposed new building is far too large for the plot. It seems very close to the boundary with 53 North Street, and will block any light in the bedroom window. Privacy issues must count with building something like this so close to neighbouring properties. Also, it will leave no room for parking for the semi next door.

As is usual in Roxby we would ask that an archaeology survey is carried out on the site.

PUBLICITY

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

- the front elevation extends beyond the building line of both numbers 53 and 55a North Street
- concerns regarding the lowered level next to the boundary with number 53 overlooking number 53 from attic windows, which would compromise privacy
- the lowered level and house height require more detailed figures and explanation
- is the plan showing a path or a drive next to number 53 and what is the depth of drop?
- is there provision for a retainer to protect soil slippage next to number 53?
- the height of the fence at 1800 cm would obscure views for number 53
- at what height would the fence be erected?
- if the fence to be erected is to replace the 900 cm fence of number 53 then who is responsible for it?
- the patio area facing west towards number 53 would be better placed north or east so as not to compromise privacy.

ASSESSMENT

Outline planning permission for a detached dwelling on this plot was granted on 3 June 2015 (PA/2014/1148) and is valid until 3 June 2018. The plot has now changed hands and the applicant seeks full planning permission to erect a detached dwelling. The land is currently used as side garden for the adjacent property at 55 North Street. The plot measures approximately 8.5 metres wide on the frontage widening to 11.6 metres for the majority of the plot and 42 metres deep. There is a mature hedge on the site frontage with North Street. Open countryside lies to the rear of the site (to the north), with residential properties to each side and on the opposite side of the road. The site is within the settlement boundary for Roxby. The layout shows that land has been retained within the garden of 55 North Street to provide parking and vehicular access.

The main issues in the determination of this application are whether the plot is large enough to accommodate a dwelling without adversely affecting the amenities of neighbours, whether there will be an adverse impact on highway safety and whether the scale and design of the property is acceptable.

The application site is within the settlement boundary for Roxby, therefore the principle of residential development is acceptable. The plot measures approximately 11.6 metres wide and 42 metres deep, which is considered to be adequate to accommodate one detached dwelling with associated parking, access and garden areas. The front garden area is 12 metres deep and will accommodate the access and parking area. The rear garden is 17 metres deep.

The submitted layout shows the footprint of a detached three-bedroomed property located in the middle of the plot. There are adequate separation distances to the side of the dwelling to avoid problems of overlooking or overshadowing to neighbouring properties. The front garden area is approximately 12 metres deep on a similar building line to the bungalow to the west, and the rear garden is approximately 17 metres deep. The scale of the property is in keeping with the surrounding properties, with an overall height of 7 metres, which is slightly higher than the adjacent bungalow, but similar to 55 North Street which is two-storey. The external appearance of the property is considered to be acceptable in an area where there are a mix of house styles and designs. The submitted plans show a layout with windows orientated to the front and rear, which would help to prevent any direct overlooking to neighbouring properties.

The proposed means of access is directly onto North Street, and the layout shows parking and turning facilities to the front of the dwelling. The highways department has raised no concerns subject to conditions.

There is a mature hedge on the site frontage which creates an attractive feature in the street scene. It is recommended that this be retained, except where it needs to be removed to secure access to the site.

The parish council has raised concerns that the proposed dwelling is too large for the plot and would block light to habitable room windows in the adjacent bungalow, thereby reducing privacy. Concern is also raised that there would be no parking for 55 North Street. However, the submitted plans clearly show parking and access can be achieved for the occupiers of 55 North Street. In relation to the privacy of the adjacent bungalow, it is considered that there is sufficient space between existing and proposed dwellings to avoid any overlooking or overshadowing. The parish council has also commented about the importance of archaeology in the area and conditions have been recommended to ensure that this issue is fully addressed before any development is commenced on site.

Concern has also been raised about the size of the plot and that it is too narrow to accommodate a dwelling. However, as referred to above, the plot is 11.6 metres wide and 42 metres deep, which is considered sufficient to accommodate a dwelling. The layout submitted provides sufficient detail to demonstrate that the dwelling would have adequate separation distances from surrounding properties, and a relatively large amenity area to the front and rear.

The neighbour to the west has raised a number of concerns about the design of the dwelling and the details submitted with the application. The applicant has confirmed that the windows in the roof, which serve a landing area and en-suite bathroom, are 2.8 metres above floor level, which will prevent any loss of privacy due to overlooking. The ground level of the proposed property will be the same as number 55 to enable the access and parking to be provided. No retaining wall/structure will be required to account for the change in levels as the slope is 45 degrees and should not require additional support. The new 1.8 metre fencing will be provided and maintained by the applicant. A pathway will run alongside number 53 and the neighbour and the difference in levels is 80 centimetres.

Although the dwelling as proposed is slightly forward of the neighbouring bungalow, the difference is negligible and does not have an adverse impact on residential amenity or the character of the street scene. It is not considered that the position of the patio area will adversely affect residential amenity, as this is part of the proposed rear garden area and is on a similar level with the rear garden area of the adjacent bungalow. No other objections have been received.

It is considered, therefore, that the proposal complies with the policies in the local plan and Core Strategy as referred to above, and is recommended for approval.

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: 202016 – 01 and 202016 - 03.

Reason

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

3.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority 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.

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.

5.

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.

6.

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.

7.

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.

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.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses

- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

10.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

Informative 1

- (i) Developers are advised to contact the North Lincolnshire Historic Environment Record for a discussion about the archaeological mitigation strategy at least 20 working days prior to the proposed commencement of development (email alison.williams@northlincs.gov.uk; telephone 01724 297471).
- (ii) Measures to achieve preservation by record of any archaeological remains should include a programme of archaeological observation and recording work during all groundwork associated with the development, followed by appropriate assessment, analysis and reporting of the results. The Historic Environment Office can prepare a brief for this mitigation strategy; alternatively an archaeological contractor may prepare a specification for approval.

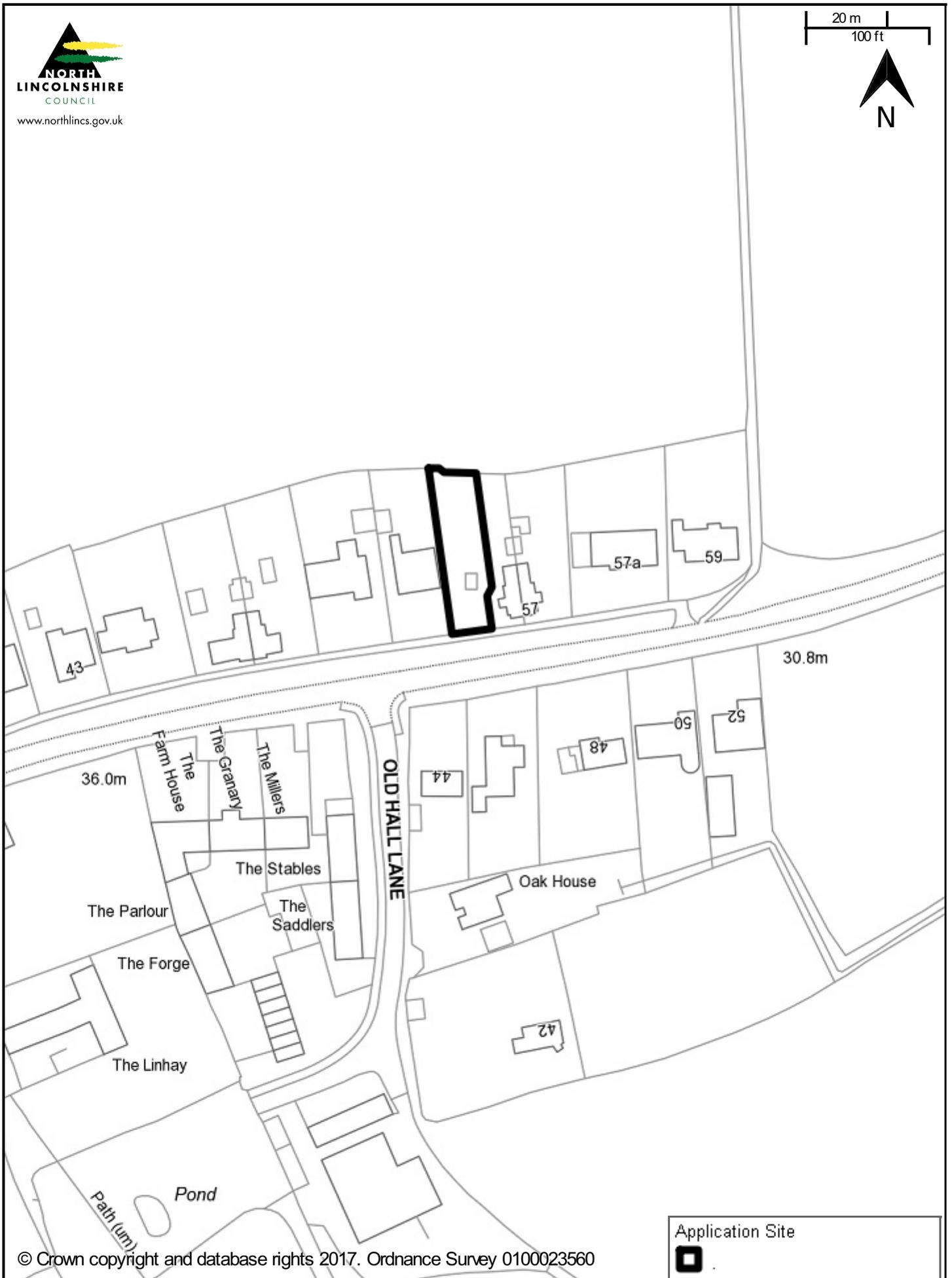
Informative 2

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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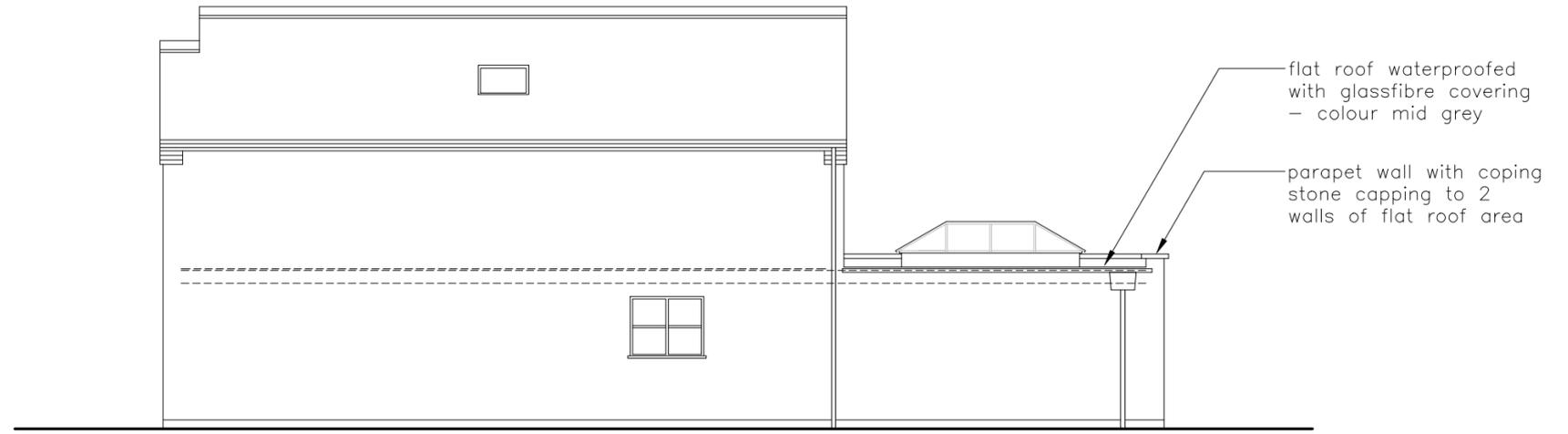
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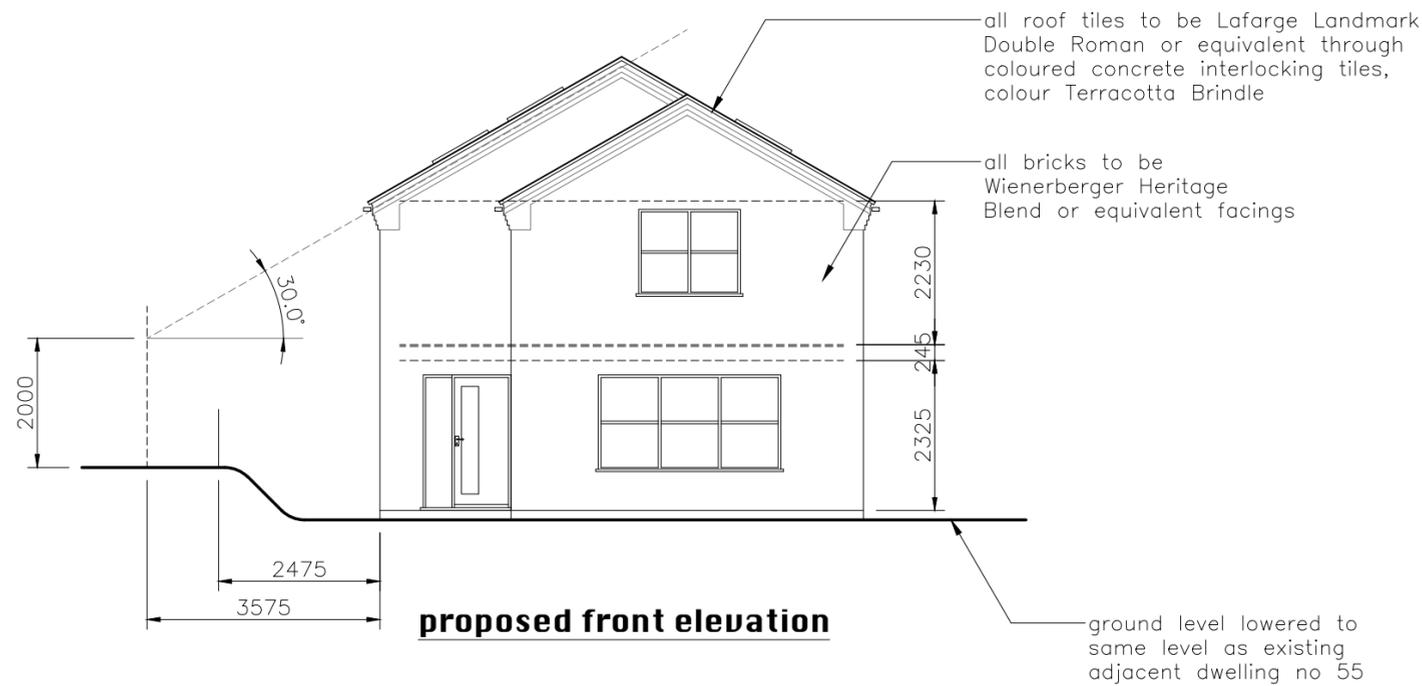
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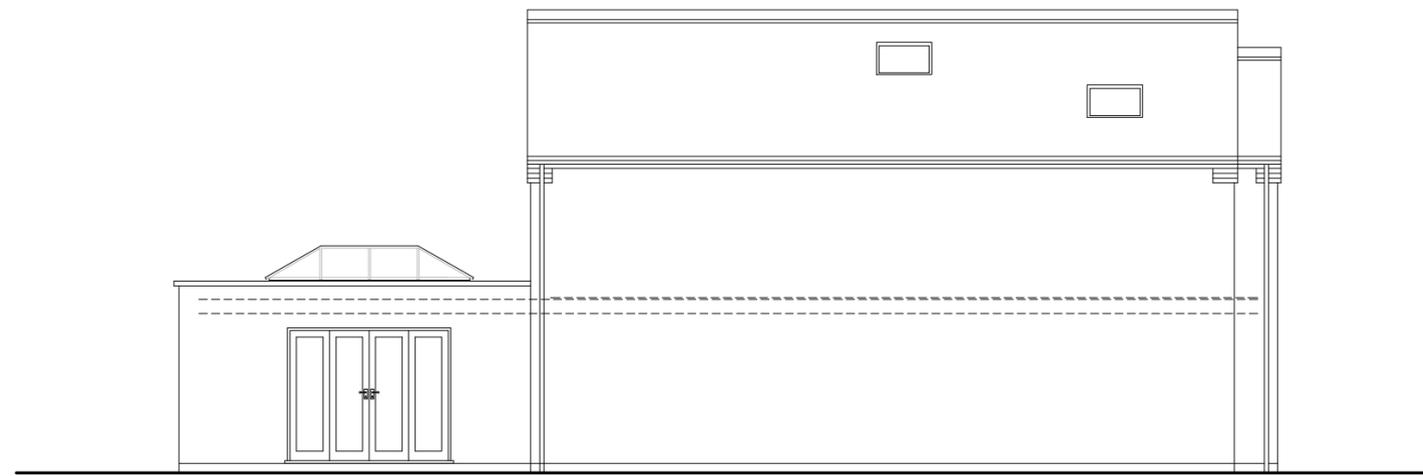
proposed rear elevation



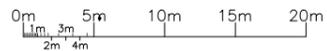
proposed side elevation



proposed front elevation



proposed side elevation



04/11/16 0 Planning application issue.
 Date Issue Description



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 3 St James Road, Brigg, N Lincs. DN20 8DU.
 Tel; 07813 832310 e-mail; designs@jdassociates.co.uk

Client
Belmar Developments Ltd,
 Walk House Farm, Roxby,
 Winterton, N Lincs, DN15 9RE.

Project
Proposed detached dwelling,
53a North St, Roxby, DN15 0BL.
Block plan.

Date: September 2016	Scales: 1:500	Dwg Size: A3
202016-03	Issue	0