

APPLICATION NO	PA/2016/990
APPLICANT	Mr Karl Collins
DEVELOPMENT	Outline planning permission to erect a dormer dwelling with appearance and landscaping reserved for subsequent approval
LOCATION	Land adjacent to 38 Brethergate, Westwoodside, Haxey, DN9 2AE
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	James Roberts
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework:

Paragraph 14 states that at the heart of the National Planning Policy Framework there 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 34 states that plans and decisions should ensure developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 of Core Planning Principle 4 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 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 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.

Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided or adequately mitigated. Opportunities to incorporate biodiversity in and around developments should be encouraged.

North Lincolnshire Local Plan:

Policy T2 (Access to Development)

Policy DS1 (General Requirements)

Policy H5 (New Housing Development)

Policy H7 (Backland and Tandem Development)

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)

Policy CS 5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

CONSULTATIONS

Highways: No objections subject to conditions.

HER Team: No objection following receipt of amended plan.

Environmental Health: Request further information in relation to contaminated land.

PARISH COUNCIL

Objects on the grounds that the scheme does not accurately show the highway implications of the scheme and would be of detriment to highway safety.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Three letters of objection have been received raising the following concerns:

- The proposal will exacerbate existing highway safety concerns in the area.

- Highway improvements are needed in the area.
- The existing building at the adjacent plot is visually harmful and the plot is now an eyesore.
- The proposal would exacerbate the harmful visual impact of the site.
- The proposal would devalue neighbouring properties.

ASSESSMENT

Principle

The proposal would result in the development of greenfield land within the Westwoodside settlement boundary. Policy CS1 of the Core Strategy states that development within rural settlements such as Westwoodside "...will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement."

Given the scale of the proposal it would not undermine the spatial objectives for the area and would not exceed the capacity of existing infrastructure or services. Issues relating to character will be discussed in more depth later in this report.

It is acknowledged that the proposal represents development on greenfield land. However, neither national nor local policy precludes developments of this nature provided they are not harmful to the character of an area or wider sustainability objectives. Subject to further consideration of matters relating to character, other material planning considerations, and given the sustainable location of the site, it is considered that the scheme would be broadly compatible with the spatial objectives for new development within North Lincolnshire. The principle of development is therefore considered acceptable.

Impact on character of the area

It is noted that the objectors have raised concerns that the proposal would have a harmful impact on the character of the area. However, the application site is of an adequate size to accommodate a dwelling and the proposal would not appear cramped. The proposal would broadly continue the pattern of development and full details of appearance would be dealt with at reserved matters stage. The proposal would not result in a cramped form of development and the proposal has been re-sited to ensure that it does not encroach beyond the established settlement limits or into the Area of Special Historic Landscape to the rear of the site.

In light of these factors it is considered that the scheme would not result in unacceptable harm to the character of the site or surrounding area.

Residential amenity

The proposed dwelling would be located within a well-sized plot that would provide a reasonable rear garden area relative to the size of dwelling. The proposal would not appear cramped within the site and it is considered that future occupiers would be provided with a high standard of living environment.

The well sized plot and good separation distances to neighbouring dwellings would ensure that the scheme could be developed without resulting in unacceptable harm to levels of daylight or privacy at any neighbouring property. Careful consideration will need to be given to the location of openings at reserved matters stage to ensure this is the case.

Given the residential character of the area it is recommended that construction hours be limited to protect neighbouring amenity during the construction period.

It is therefore considered that the proposal would not have an adverse impact on residential amenity.

Highways

The submitted site plan shows vehicular access off Brethergate with a driveway to the front/side of the proposed dwelling. It is considered that the proposed layout would provide sufficient off-street parking provision relative. Notwithstanding the local objections on highways safety grounds, the council's Highways team has offered no objections to the proposed access or parking arrangements subject to conditions. Given the nature of the proposed development it is not considered that it would result in a significant intensification in vehicular movements in the locality.

It is therefore considered that the scheme could be developed for residential purposes without resulting in unacceptable harm to vehicular or pedestrian safety.

Contaminated land

The site is presently undeveloped and there is no evidence that it contains contaminants. It is acknowledged that the council's Environmental Health team has requested further information in relation to potential contaminants. However, given that this matter could be adequately controlled by condition, it is considered that any request for a full contaminated land survey at this stage would be overly onerous. This proposal is therefore considered acceptable in this regard.

Flood risk

The application site is not located within an area known to be at high risk of flooding as shown on either the Environment Agency's maps or within the council's SFRA. Details of foul drainage disposal will be adequately controlled at Building Regulations stage and the proposal is considered acceptable in this regard.

Other issues

The following issues, raised by the objectors, have not been directly addressed in the above report:

- Highway improvements are needed in the area – *highway improvements are not proposed as part of this scheme. Any condition requiring significant highway improvements in this case would, based on the Highways DC consultation response, be disproportionate and unjustified.*
- The existing building at the adjacent plot is visually harmful and the plot is now an eyesore – *the neighbouring lot is not under consideration as part of this scheme and its current state is not considered of direct relevance to the current proposal.*

- The proposal would devalue neighbouring properties – *case law dictates that this matter cannot be afforded significant planning weight.*

Conclusion

For the reasons set out above it is considered that the proposed development sufficiently accords with adopted planning policy and guidance.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the 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 appearance of the building(s) 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: 16.015.2 Rev B.

Reason

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

6.

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

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No construction, demolition or site clearance 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

In the interests of residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

7.

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.

8.

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.

9.

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.

10.

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.

11.

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.

12.

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.

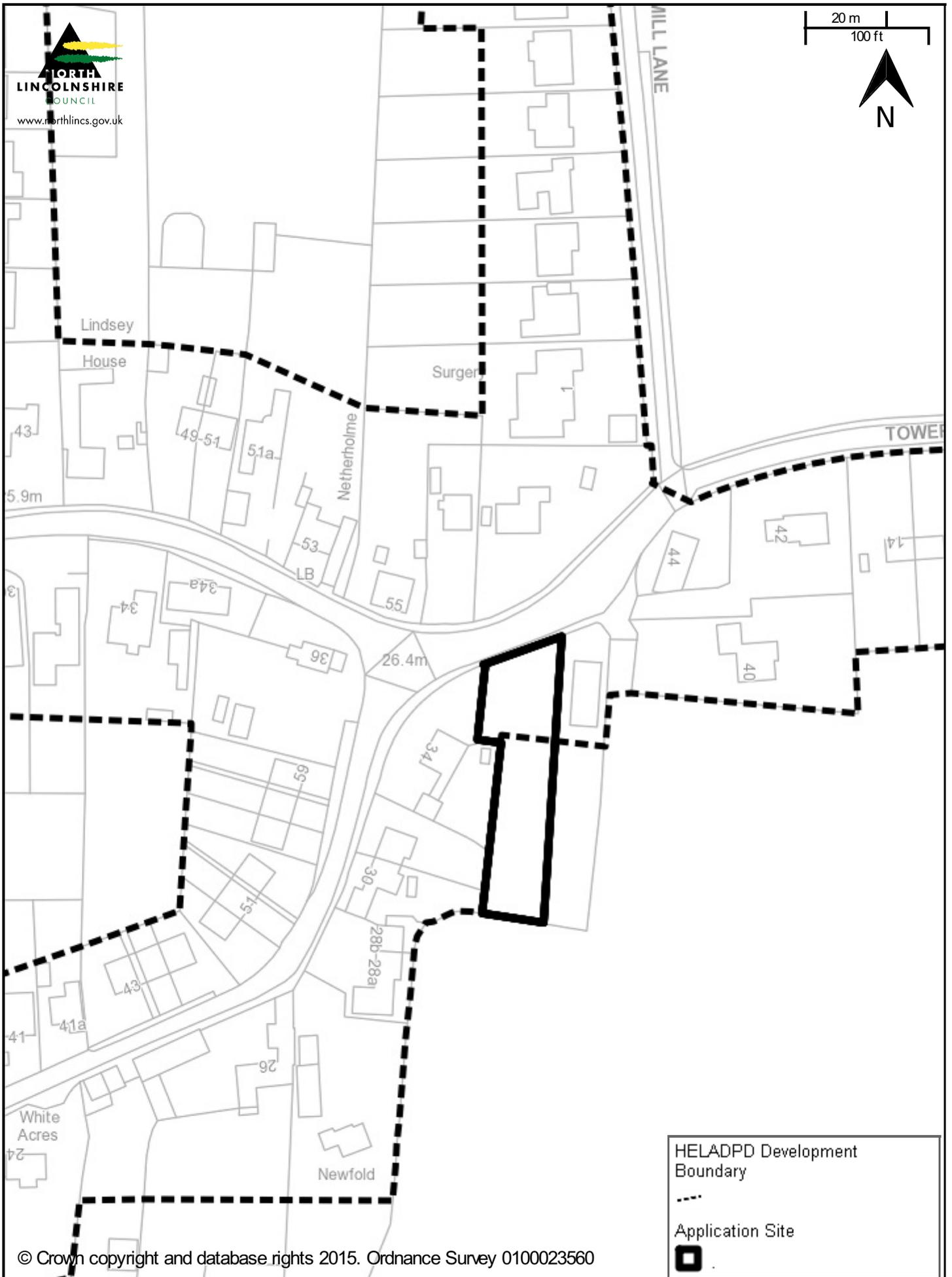
Informative 1

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 2

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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PA/2016/990 Block Plan

NOT TO SCALE

