

APPLICATION NO PA/2008/1530

APPLICANT Mr & Mrs R Burton

DEVELOPMENT Planning permission for a detached bungalow (resubmission of PA/2007/1636)

LOCATION Land to the rear of Ye Olde Blacksmiths, The Square, Goxhill

PARISH GOXHILL

WARD Ferry

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Objection by Goxhill Parish Council

POLICIES

North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) identifies Goxhill as a minimum growth settlement and the site is located within the settlement boundary (policy ST3).

Policy H5 (New Housing Development) sets out the criteria to control new housing development and to ensure consistency in design and layout.

Policies H3 (Previously Used Land), H8 (Housing Mix and Design) and DS1 (General Requirements) also apply.

Policy H7 (Backland and Tandem Development) indicates that backland or tandem development will be permitted provided that there is no adverse impact on adjoining properties through overlooking and loss of privacy; loss of amenity areas; nuisance resulting from the movement of vehicles to and from the proposed development. Such development should also not detract from the character of an area by unacceptably increasing density; the unacceptable loss of important features and lead to an unacceptable proliferation of vehicular accesses to the detriment of the street scene or road safety.

Policy DS14 (Foul Sewage and Surface Water Drainage) applies and states that the council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing agreements to achieve the same outcome.

Policy DS16 (Flood Risk) sets out criteria for dealing with developments on land at risk of flooding.

CONSULTATIONS

Highways: No objections subject to conditions (numbers 3 to 6)

Environment Agency: No objections.

Anglian Water Developer Services: No objections and consider that the proposal to install a water recycling system is an acceptable sustainable method of drainage.

PARISH COUNCIL

Object on the grounds that there is a planning moratorium in place and the applicant has not demonstrated that an appropriate scheme for disposal of foul and surface water will work.

The site is a backland site and is therefore contrary to policy H7 in that it does not provide adequate access and the site is unsustainable given the recent increase in infilling of such small plots.

PUBLICITY

Neighbouring properties have been notified resulting in one letter of support and one letter of objection which raises the following issues:

- the access is insufficient to serve the development
- the drainage is inadequate and will result in an increase in flooding
- this is a resubmission following the refusal of two dwellings and, if approved, will be a stepping stone for further development

ASSESSMENT

The current proposal is for the erection of one bungalow following the refusal of an application to erect two detached dwellings on this backland site (PA/2007/1636). The application was subsequently dismissed on appeal on the grounds that two, two-storey dwellings on this site would be out of keeping with the character of the area and, in essence, would be over-development. However, the inspector did not object in principle to the development of this site as a backland site, nor to the means of access. The inspector also indicated that the erection of two dwellings on this plot of land would not have an adverse impact on the amenities of neighbours, either through noise disturbance from the use of the access or overlooking.

The main issues to be considered when determining this application are whether the development of this backland plot will have an adverse impact on the character of the area and the residential amenities of neighbouring properties and whether the proposal would increase the risk of flooding.

The current proposal involves the erection of one bungalow on garden land which lies to the rear of the property known as Ye Olde Blacksmiths rather than the two dismissed on appeal. The site is within the development boundary for Goxhill which is a minimum growth settlement where up to three dwellings are acceptable in principle. The accommodation will provide three bedrooms, a kitchen, living room, dining room, bathroom and attached

garage, with vehicular access onto The Square between Ye Olde Blacksmiths and Ashfield House.

In terms of its scale and design, the bungalow is considered to be acceptable. The plot measures approximately 42 metres wide and 29 metres deep. The bungalow is set in from all boundaries of the site and is not considered to cause any significant harm to neighbours due to overlooking or overshadowing. The erection of one dwelling on this plot is not considered to be over-development. The proposed means of access is between two properties – the applicants' dwelling and the neighbouring property, Ashfield. Noise disturbance is often an issue with backland plots due to the movement of vehicles between neighbouring properties, however in this particular case it is not considered that the movement of vehicles for one additional dwelling will unduly increase the noise levels for the occupants of either Ashfield or Ye Olde Blacksmiths. In her report for the previous refusal, the inspector concluded that the additional movements for two dwellings would not increase noise disturbance and that the erection of a fence along the access would help to mitigate against any potential increase in noise. The applicants propose a 1.8 metre fence along the driveway which will help to screen the access and prevent noise disturbance for the proposed development.

In relation to the suitability of the access to serve the development, no objections have been received from the highways department.

The parish council have objected to the proposal along with the occupiers of Ashfield. Both parties have raised issues of drainage, backland development and inadequate/inappropriate means of access.

No objections have been received from either Anglian Water or the Environment Agency regarding the issue of drainage either in relation to surface water or foul sewage. In relation to flooding, the site is located within zone 1 of the Strategic Flood Risk Assessment (SFRA). Within zone 1 it is not a requirement that the sequential or exceptions tests be applied. Therefore, in accordance with the SFRA, the development of the site for residential purposes is considered to be appropriate. Members will be aware that the decision to impose a moratorium on new housing development was retained, and that every application for development will be considered on its own merits, giving full consideration to the drainage and sewerage conditions for the site. There are no issues raised from any statutory or in-house consultee regarding the drainage of this site. In fact, the proposal includes a water harvesting system which has been assessed by Building Control and has been found to be more than capable of catering for the drainage on the site. In addition, the driveway itself will be made from permeable paving which will further improve the drainage on the site.

In relation to the issue of developing a backland plot, this in itself is not a reason for refusal. Policy H7, as referred to above, starts off with the presumption that backland development should be allowed subject to a number of criteria. It is considered that the current proposal complies with the requirements of policy H7 and does not have an adverse impact on the character of the area or the residential amenities of surrounding residents. No objections have been raised by the highways department regarding the means of access, therefore it is considered that the access is adequate and will not have an adverse impact on highway safety.

The neighbour has raised the issue that the bungalow has been located to the left of the plot, leaving space for a further dwelling to be erected. However the application, as

submitted, is only for one dwelling. Any further development of the site will be the subject of a separate planning application and, if submitted, will be judged on its own merits, as are all applications.

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.
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.

3.
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.

4.
Adequate vehicle access and parking 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.

5.
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.

6.

No development shall begin until details of the private driveway, including drainage and lighting arrangements, have been submitted to and approved in writing by the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

The boundary fencing shown on drawing no. RSB/02/2008 shall be provided before the dwelling hereby approved is first occupied and shall be retained thereafter.

Reason

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

8.

Notwithstanding the provisions of Classes A to C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking and re-enacting that order with or without modification, no buildings or extensions shall be erected on the site other than those expressly authorised by this permission.

Reason

To maintain the present living conditions of adjoining property in accordance with policy DS5 of the North Lincolnshire Local Plan.

9.

The development hereby permitted shall be carried out in accordance with the following approved plans: RSB/02/2008, FSC2462/D100 and PA/2008/1530/1.

Reason

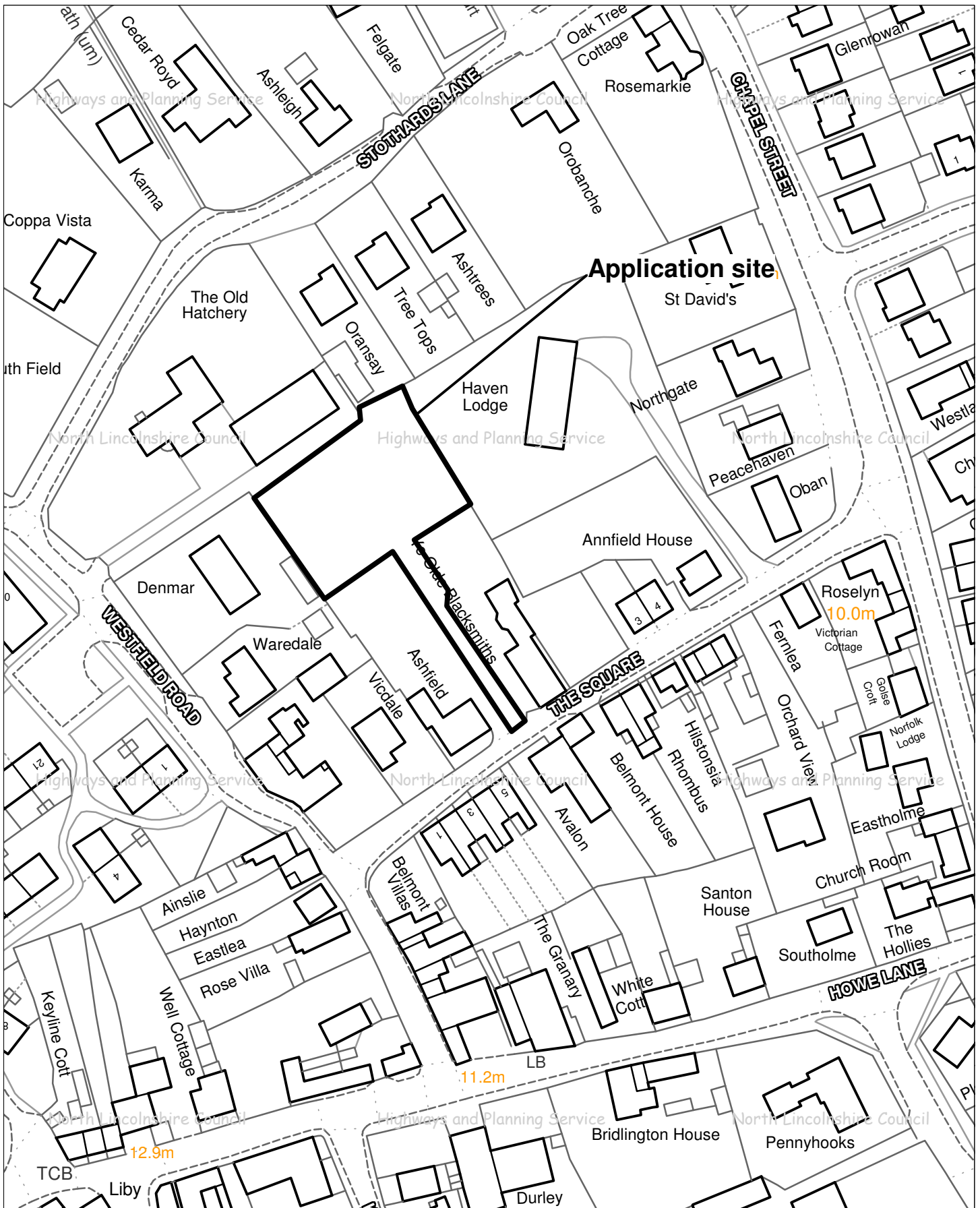
For the avoidance of doubt and in the interests of proper planning.

10.

No areas of hardstanding, other than those shown on the approved drawings, shall be constructed on the site without the prior written approval of the local planning authority.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.



Drawing Title: 2008/1530

OS Grid Ref: TA10212150

Drawn by: KC

Scale: 1:1250

Date: 11/05/2009



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Highways and Planning Service

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