

**APPLICATION NO** PA/2009/1349

**APPLICANT** Mr & Mrs M Deer

**DEVELOPMENT** Planning permission to erect a detached two-bedroom bungalow

**LOCATION** The Pines, North End, Goxhill

**PARISH** GOXHILL

**WARD** Ferry

**SUMMARY RECOMMENDATION** Grant permission subject to conditions

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Goxhill Parish Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** Policy H1 (Provision and distribution of housing) – the region’s housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes.

**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 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 the 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.

## **CONSULTATIONS**

**Highways:** No objections subject to conditions 3, 4, 5 and 6.

**Anglian Water Developer Services:** No objections but recommend the design of the soakaway be agreed prior to determination. The small additional foul water discharge will not have a detrimental effect on the foul sewerage system.

## **PARISH COUNCIL**

Object for the following reasons:

- Planning moratorium – due to increased risk of flooding. This area was subject to flooding in June 2007 and North Lincolnshire Council and the water authorities should ensure that the proposal will not adversely affect drainage in the area. The soakaway will eventually lead into the one-pipe system.
- The proposal will create a new access onto a narrow highway, which has parking and traffic problems during school and term time.

## **PUBLICITY**

Neighbouring properties have been notified and two letters have been received which raise the following issues:

- Having a first floor will result in overlooking and loss of amenity.
- The new dwelling will devalue property.
- Building on land currently used as garden will have an adverse impact on drainage.
- Highway safety will be affected.
- The existing garage will be retained - will there be a new garage for the existing house - having a further impact on drainage?

## **ASSESSMENT**

The current proposal is for the erection of a one-and-a-half-storey dwelling with a bedroom and shower room in the roof. The application site currently forms part of the garden of the adjacent dwelling, The Pines. The proposal involves the retention of the applicant's existing garage which is to be utilised for the new dwelling. A new garage for the existing dwelling is referred to on the plan, but does not form part of the current proposal and depending on size and location, may not actually need planning permission. The site is within the settlement boundary for Goxhill.

**The main issues in determining this application are whether there will be an adverse impact on drainage, loss of residential amenity due to overlooking and adverse impact on highway safety.**

The proposal involves the erection of a one-and-a-half-storey storey dwelling with two bedrooms, one being accommodated in the roof. The dwelling measures 11.8 metres deep, 8.5 metres wide and is 6 metres high. In terms of its scale and design the dwelling is considered to be acceptable and sits comfortably within the allocated plot, which measures 24 metres deep, 13 metres wide at the front and 17.5 metres wide at the rear. The dwelling is set back 5 metres from the front boundary and the rear garden is 11 metres deep. There are rooms in the roof as described above, with the bedroom being towards the front of the property. The window to this room is at first floor level and looks towards the highway. It is not considered that the position of this window will lead to the overlooking of any private garden areas for neighbouring properties. The windows in the rear elevation at first floor level serve a shower room and a small storage area which can be obscure glazed. In addition, the distance of the dwelling from the boundary with the neighbour to the rear is 11 metres, which is considered to be a sufficient distance in order to overcome any loss of privacy to the neighbours.

The parish council have objected to the proposal on the grounds that there is a planning moratorium in force and a further dwelling in this area will cause drainage problems. The parish council are also concerned that the proposed means of access onto this narrow road will cause problems, particularly at busy school times. Neighbours have raised the same issues, together with loss of amenity, loss of property value and the impact that any further building, ie a new garage, will have on drainage.

In relation to highway safety issues, it is considered that one additional dwelling will not create such an increase in vehicular movements that there will be a significant reduction in highway safety that would justify refusing the application. The highways department have been consulted and no objections have been raised to the position or design of the access.

In relation to drainage, no objections have been received from any consultee, although Anglian Water have recommended that as soakaways are proposed to be used, the design is agreed before planning permission is granted. The applicants have been made aware of this recommendation and, in conjunction with the council's Building Control section, a soakaway has been designed and details are now included with the application. In relation to other flooding, the site is located within Zone 1 of the Strategic Flood Risk Assessment (SFRA). Within Zone 1 it is not a requirement that a sequential test or exceptions test 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 development was previously upheld, and that every application for development will be considered on its own merits, giving full consideration to the drainage and sewage conditions for each individual site. Anglian Water have been consulted and have confirmed that they are still supportive of the moratorium in general but in this case the additional flows generated by one additional bungalow will not have a detrimental effect upon the settlement's foul sewerage system.

As referred to above, neighbours have raised the issue of loss of privacy, but the only windows at first floor level that face neighbouring gardens are bathroom/storage uses which can be obscure glazed and set at least 11 metres away from boundaries. It is not considered, therefore, that the development will result in loss of privacy or amenity for neighbouring properties. The application is therefore 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: PA/2009/1349/01.

**Reason**

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

- 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.

Nothing shall at any time, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, 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.

5.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

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

6.

The proposed new vehicle parking facility shall not be brought into use until the vehicular access serving it has been completed within highway limits.

Reason

In the interests of highway safety and to comply with policy T19 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.

Notwithstanding the provisions of Classes A to E 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.

Before the dwelling is first occupied the windows in the north-western elevation shall be obscure glazed and shall be retained in that condition thereafter.

Reason

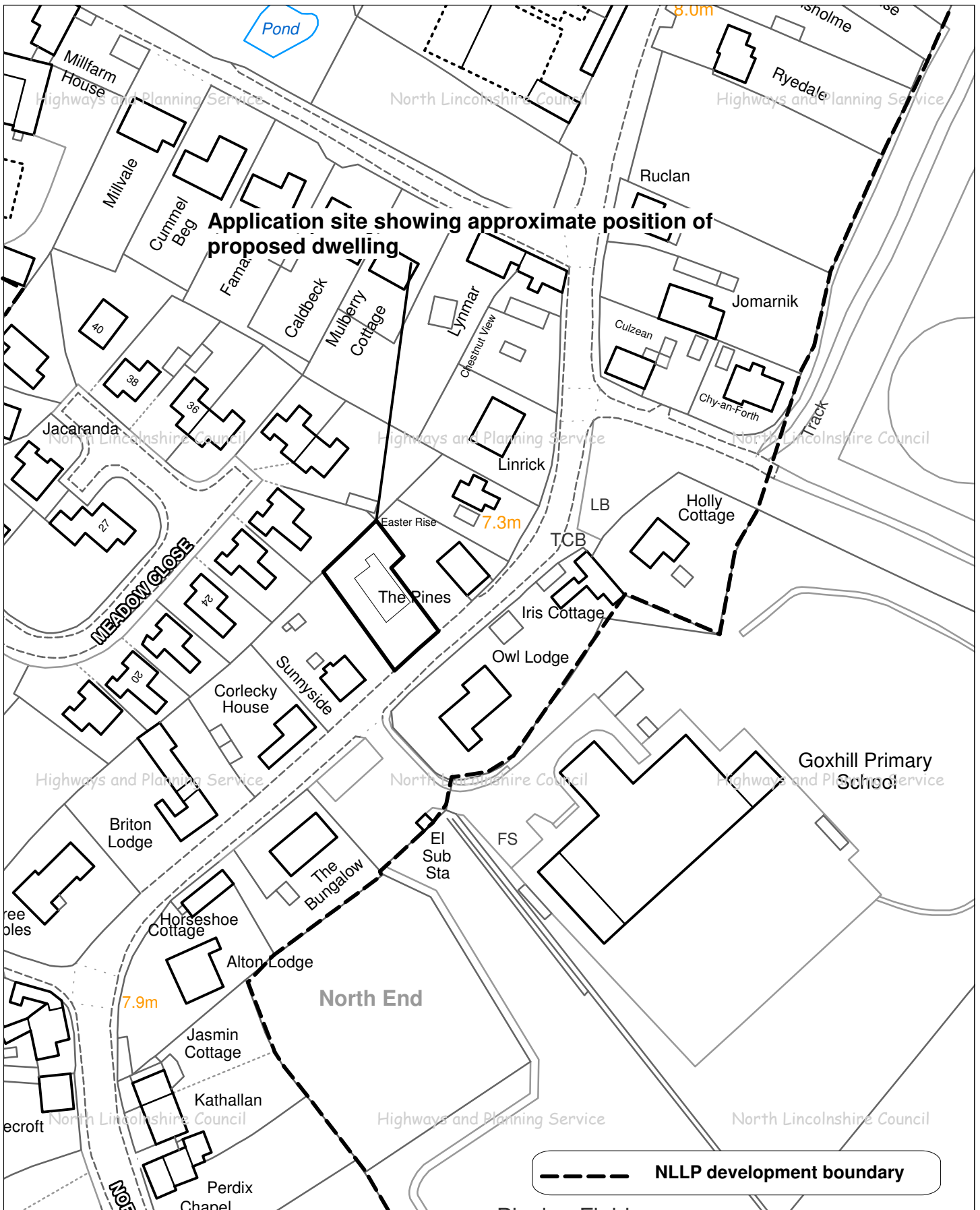
In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

10.

The soakaway shall be provided in accordance with the details contained in the agent's email dated 12 March 2010 unless otherwise agreed in writing with the local planning authority.

Reason

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



Drawing Title: 2009/1349

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**Highways and Planning Service**

Service Director,  
G Popple