

<b>APPLICATION NO</b>	<b>PA/2010/0431</b>
<b>APPLICANT</b>	Mr P Stead
<b>DEVELOPMENT</b>	Planning permission to erect a detached dwelling
<b>LOCATION</b>	Plot adjacent 8 Palmer Lane, Barrow-upon-Humber
<b>PARISH</b>	<b>BARROW-UPON-HUMBER</b>
<b>WARD</b>	Ferry
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Barrow-upon-Humber Parish Council

## **POLICIES**

**North Lincolnshire Local Plan:** Policy ST2 (Settlement Hierarchy) identifies Barrow as a medium growth settlement.

Policy H1 (Housing Development Hierarchy) requires development in medium growth settlements to be compatible with their scale, character, location, facilities and existing environmental quality.

Policy H5 (New Housing Development) sets out the main criteria for assessing new housing developments in the principal growth settlements, including design, parking and access, open space, layout and materials.

Policy H8 (Housing Mix and Design) requires development proposals to respect the character of the local environment in terms of scale, massing, detail and form, and create a high standard of layout which maintains or enhances the character of the area and creates an appropriate mix of dwelling size and type.

Policy HE2 (Development in Conservation Areas) states that all development proposals should preserve or enhance the character and appearance of the area and its setting.

Policy T2 (Access to Development) requires all development proposals to provide satisfactory access.

Policy DS1 (General Requirements) sets out the criteria for the overall design of proposals both in the built area and the open countryside.

## **CONSULTATIONS**

**Highways:** No objections subject to conditions 3, 4, and 5, but comment that the original appeal decision overruled any original concerns about access and parking, and reiterate that no formal provision was made on the appeal decision for increased parking within the grounds of 8 Palmer Lane. As the current proposal is in accordance with the existing permission, no objections are raised.

## PARISH COUNCIL

Objects to the proposal on the grounds that the development will create overlooking to neighbouring properties, is tandem building and not in keeping with the area and adjacent listed building.

## PUBLICITY

Advertised by way of neighbour letters, site notice and press notice, which has resulted in five letters of objection from neighbours which raise the following issues:

- the amended design of the dwelling, from bungalow to house will create overlooking resulting in a loss of privacy and residential amenity
- the scale and design of the dwelling is out of keeping with the character of the area
- concerns over the lack of provision for adequate parking and access arrangements for the new dwelling and 8 Palmer Lane
- the proposal will have an impact on the character of 8 Palmer Lane, a listed building

## ASSESSMENT

Planning permission to erect a detached dwelling on this site was allowed on appeal in May 2005. The appeal decision was valid until 13 May 2010. An application was approved to amend the design of this dwelling on 1 July 2009 (PA/2009/0520) and work has commenced on site to implement this permission. The site therefore has permission for one dwelling. The current proposal seeks to amend the design of the dwelling under construction to increase the height of the attached garage from 5.2 metres to 7 metres, and the height of the main part of the dwelling from 6.3 metres to 7 metres. The proposal also involves two new windows at first floor level in the west elevation to serve a cupboard/store and three dormer windows to serve bedrooms, two of which face east towards the applicant's own land and one to the front of the property which looks down the driveway. The garage also projects further forward by approximately 0.5 metre.

**The main issues in determining this application are whether the amended design reduces the residential amenities of neighbours due to overlooking, whether there are sufficient parking and access arrangements to serve the development and whether the proposal is in keeping with the character of the area.**

As described above, the current proposal is to amend the design of a dwelling that is currently under construction. The principle of developing the site is therefore already established. The parking and access arrangements have not changed since the previous approval and will be provided in accordance with the previously approved plans.

The parish council have objected to the proposal on the grounds that the dwelling is tandem development, out of keeping with the character of the area and will create overlooking to neighbours. In relation to the position of the dwelling, this was established when the original planning appeal was allowed. All subsequent applications have shown the dwelling in the same place as allowed on appeal, and is currently being built to that original footprint, apart from the slight extension to the garage by 0.5 metre. In relation to the impact on the character of the area and on 8 Palmer Lane, a listed building, it is not considered that the slight increase in height and addition of dormer windows will change the design to the

extent that it is out of keeping or adversely affects the setting of the listed building. 8 Palmer Lane is located on the street frontage, with the new development being positioned approximately 40 metres back from the road. This is sufficient to prevent the proposal having an impact on the character of the listed building, and the conservation area, as the dwelling is located just outside the boundary.

In relation to the issues raised by neighbours, it is not considered that the increase in height or additional windows will create overshadowing or overlooking. The new dormer windows look down the drive and into land owned by the applicant. The new windows in the west elevation serve a store, and can be conditioned to be obscure glazed. The increase in height is also not considered to have a significant effect on residential amenities as the neighbouring properties are located a sufficient distance from the application site, and the highest part of the roof slopes away from the boundaries.

The parking and access arrangements are as approved under the original application. One neighbour is concerned that the development of the garden to 8 Palmer Lane has resulted in insufficient parking arrangements for 8 Palmer Lane itself and that there should be some extra parking provision enforced through this current proposal. The design and access statement submitted with the application refers to parking within the garden of 8 Palmer Lane but this land is not controlled or owned by the current applicant, therefore additional parking within this garden cannot be requested. In addition, the original appeal decision did not contain conditions relating to the parking arrangements for 8 Palmer Lane. There is therefore, no planning requirement to make provision for parking spaces within this neighbouring property.

The proposed amendments to the design of the dwelling are considered to be acceptable and the application 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: PS/2010/1 and PS/2010/2.

Reason

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

3.  
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.

4.

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.

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.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order re-enacting that order with or without modification), no new window openings shall be created in any wall or roof plane of the dwelling other than those shown on the submitted plan.

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.

7.

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 character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

