

APPLICATION NO	PA/2010/0632
APPLICANT	Mr & Mrs M Bell
DEVELOPMENT	Planning permission to erect a detached house and demolish an existing bungalow and garage
LOCATION	The Gardens, Sluice Road, South Ferriby
PARISH	SOUTH FERRIBY
WARD	Brigg and Wolds
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by South Ferriby Parish Council

POLICIES

North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) – South Ferriby is identified as a minimum growth settlement.

Policy ST3 (Development Limits) – the site is situated outside the development boundary.

Policy RD10 (Replacement, Alteration and Extensions to Dwellings in the Open Countryside) states that proposals to replace dwellings in the open countryside will only be permitted provided that the replacement would not exceed a 20% increase on the original, exclusive of permitted development rights, and would not be substantially higher in elevation.

Policy DS1 (General Requirements) also applies.

CONSULTATIONS

Highways: Advise conditions (4 and 5).

Environment Agency: Advise conditions.

PARISH COUNCIL: Object to the proposal on the following grounds:

- concern that the original drawing (existing site plan) is inaccurate
- concern over the overall height of the building as ‘it will far exceed those in the immediate proximity’
- it is not believed that the property drains to Fulsea’s Drain
- concern that a soakaway would be inappropriate due to the low-lying nature of the area and past surface water issues

- concerns over future development as large trees have been felled and a greenhouse demolished.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. One letter of objection has been received raising the following issues:

- Loss of light to neighbouring property due to positioning of proposed dwelling
- Inaccuracy on application form that proposed dwelling will not be on existing footprint
- Requests clarification of distance between neighbours west boundary and proposed east elevation.
- Drainage problems – a soakaway would not be suitable

ASSESSMENT

Planning permission is being sought to demolish the existing bungalow known as 'The Gardens' and erect a two-storey detached house on a similar footprint. An earlier application (PA/2010/0362) was submitted for a significantly larger house. This application was subsequently withdrawn. The application site is a large plot fronting onto Sluice Road. There is a detached bungalow to the east, semi-detached house to the west and a large detached house to the south west. The site lies within a high flood risk area, classified as zone 3ii in the SFRA.

The main issues in determining this application are whether the proposed dwelling would have an adverse impact on the amenity of the neighbouring property or character and appearance of the street scene and whether the dwelling would be acceptable in terms of drainage and flood risk.

With regard to the impact on the neighbouring property (Fairview), the property in question is the bungalow to the east. The proposed dwelling would be located approximately 1.5m from the shared boundary, 5m from the porch of Fairview and 7m from the main body of the property. There is a window to the porch, which is not considered to be a habitable room, and a window in the western elevation of the bungalow facing the proposed dwelling. Whilst the 30° test is usually only applied to residential extensions, it can also provide guidance to what is considered acceptable in terms of loss of light from a new dwelling. This test has been applied from the window in the west elevation of Fairview and there is no infringement. Whilst it is accepted that the new proposed dwelling would not be on the exact footprint of the original dwelling, it is not a requirement that replacement dwellings are erected in the same position. It is not therefore considered that the impact on the neighbouring property would be significant enough to justify refusing the application.

In terms of the height of the proposed dwelling and impact on the street scene, whilst the property to the east is a bungalow, there is a two-storey house to the west and a number of other two-storey properties in the vicinity. Similarly there is a mix in styles and types of housing and the proposal is not therefore considered to be out of character.

As the site lies within a high flood risk area, the sequential and exceptions test as detailed in PPS25 would normally be applied, however as this application is for a replacement

dwelling, these tests are not required. Due to the high risk of flooding, the replacement dwelling has been designed to be two-storey rather than a bungalow to incorporate first floor living space in the event of a flood. The floor levels will also be raised to comply with Environment Agency standards. With regard to drainage, a condition is proposed to ensure adequate drainage of the site. After discussions with Building Control, it has been confirmed that a soakaway would be acceptable on the site, providing it is of an adequate size. It should be noted that the existing bungalow drains to a soakaway.

The remaining issues raised by the parish council are not material planning considerations and cannot therefore be taken into consideration.

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: [insert plan numbers]

Reason

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

3.
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.

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 proposed new vehicle parking and turning 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.

6.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and the dwelling shall not be occupied until it is connected to the approved drainage system.

Reason

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

7.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

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

8.

The existing dwelling shall be demolished and all debris shall be removed from the site no later than three months from the date when the new dwelling is first occupied.

Reason

To ensure the timely removal of the existing dwelling as the site lies in an area where new dwellings are not normally permitted: permission has been granted in this case on a replacement basis under policy RD9 of the North Lincolnshire Local Plan.

9.

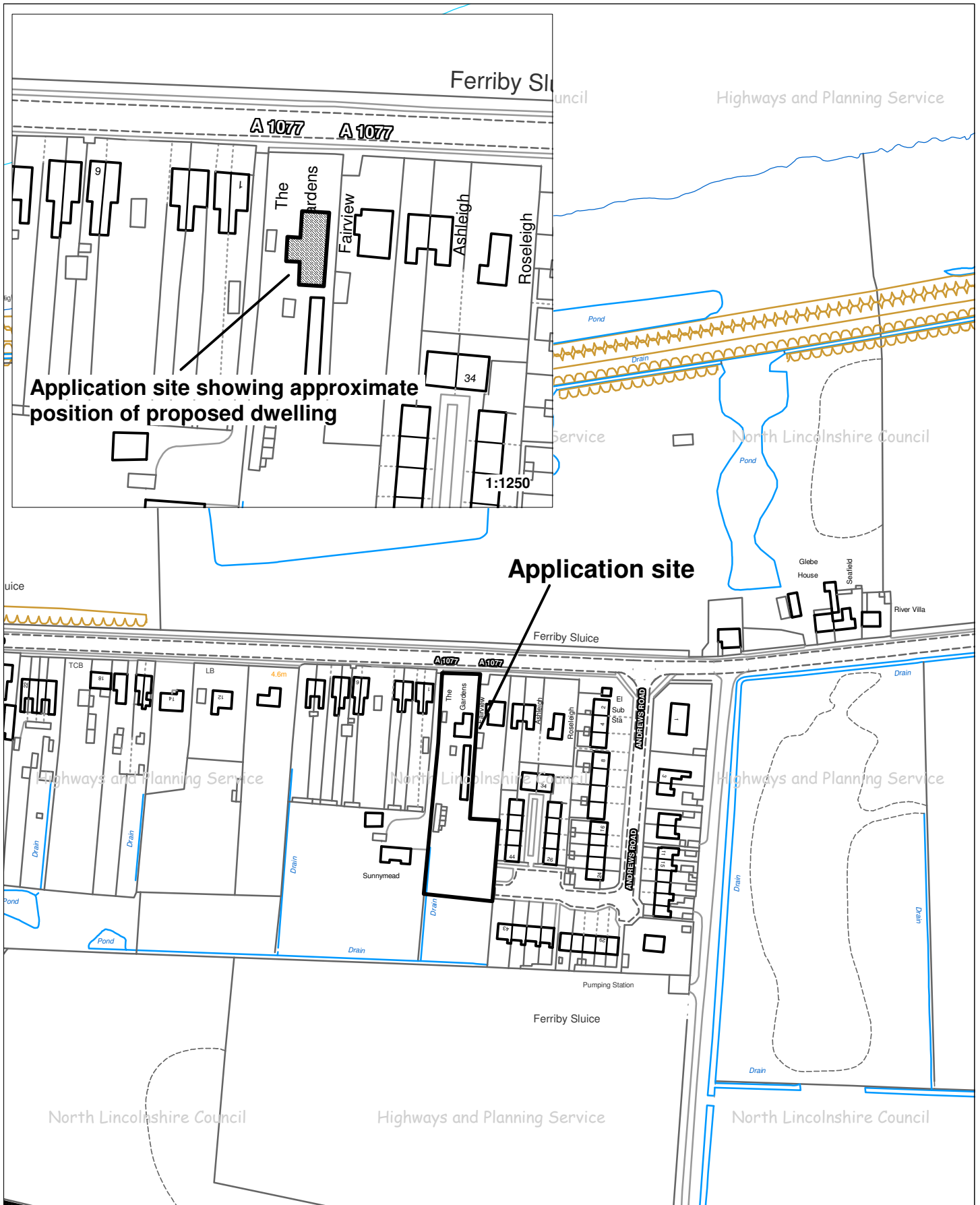
The development hereby permitted shall only be carried out in accordance with the approved flood risk assessment (FRA) undertaken by EWE Associates Limited (Rev. A) and dated March 2010. In particular:

- the finished ground floor shall be set no lower than 4.8m above Ordnance Datum;
- the development will incorporate the flood proofing measured detailed within Section 5.4 of the FRA.

The applicant shall confirm in writing to the local planning authority that this has taken place within one month of completion.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.



Drawing Title: 2010/0632

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Drawn by: KC

Scale: 1:2500

Date: 12/07/2010



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2010



Highways and Planning Service

Service Director,
G Popple

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