

APPLICATION NO	PA/2010/0648
APPLICANT	Mrs J Jackson
DEVELOPMENT	Outline planning permission to erect a detached dwelling and garage with all matters reserved for subsequent approval
LOCATION	Land adjacent 19 Newbigg, Westwoodside, Haxey
PARISH	HAXEY
WARD	Axholme South
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council

POLICIES

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

Policy H5 (New Housing Development) sets out the criteria to control new housing development.

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

LC12 regarding protecting trees applies.

CONSULTATIONS

Highways: No objections subject to conditions (7-10).

Severn Trent Water Ltd: Advise a condition.

Isle of Axholme Internal Drainage Board: Advise conditions.

Yorkshire Water: Refer to Severn Trent.

PARISH COUNCIL

Object to the application on the following grounds:

- The site is on a dangerous bend.
- The drainage would link into an already overloaded system at Thinholme Lane.

PUBLICITY

Neighbouring properties have been notified. A letter of objection has been received from the neighbouring public house:

- The site is close to the pub.
- The pub is illuminated and this may cause light pollution to the new dwelling.
- Customers leaving the pub may cause inconvenience through noise and car lights.
- People using the public right of way across the car park may cause disturbance which would be attributed to the pub.
- Commercial traffic deliveries could affect the amenity of the site.
- The new dwelling may overlook the flat about the pub.

ASSESSMENT

This application relates to a site to the side of 19 Newbigg, Westwoodside with a frontage to Newbigg – where it is proposed to erect a detached dwelling and garage.

The site has a number of mature trees around the perimeter in varying condition. To the north is The Carpenters Arms pub and to the south is 19 Newbigg, a detached dwelling. The site would be accessed from Newbigg.

The main issues which need to be addressed in determining this proposal are whether it is acceptable in planning policy terms and if so, whether the proposed access, layout, siting and design are also satisfactory. Furthermore would there be any adverse impact upon the amenity of neighbours, would the proximity of the public house lead to unsatisfactory living conditions and is there any drainage issue.

The principle of residential development is acceptable as the site lies within the development boundary of a minimum growth settlement where the building of one to three dwellings on such a site would be in accordance with local plan policy.

Concerns relating to the access are noted but Highways have raised no objection to the proposal subject to conditions.

With regard to the proximity to the public house, other properties, such as 1 Binks Court, are also in close proximity and there is no reason why a dwelling should not successfully co-exist with local business premises.

It is not felt that the dwelling will suffer such a level of noise and disturbance due to the neighbouring land uses that undue harm to residential amenity would result.

As the application is for outline permission the objection regarding overlooking is no substantiated as the reserved matters would be expected to take into account the positioning of neighbours' windows.

The concerns expressed about inadequate drainage are noted but neither the local drainage board nor the water authority object and appropriate conditions have been requested to address possible problems.

The Environmental Protection team have identified the site as a possible source of contamination and have requested that a condition be imposed.

The mature trees on the site are worthy of consideration and the reserved matters should seek to minimise any impact but they are not of such value that permission should be withheld in this instance.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the layout, scale, and appearance of the building(s), the means of access thereto 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 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, and appearance of any buildings to be erected, the means of access to the site 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 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

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.

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.

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 none of the dwellings shall 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.

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.

8.

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.

9.

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.

10.

No development shall commence on site until plans at a scale of 1:50 have been submitted to and approved in writing by the local planning authority detailing visibility splays and the widening and improvement of the existing access. The approved details shall be fully implemented before the new dwelling is first occupied and shall be retained thereafter.

Reason

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

11.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees on the site.

12.

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.

----- NLLP development boundary

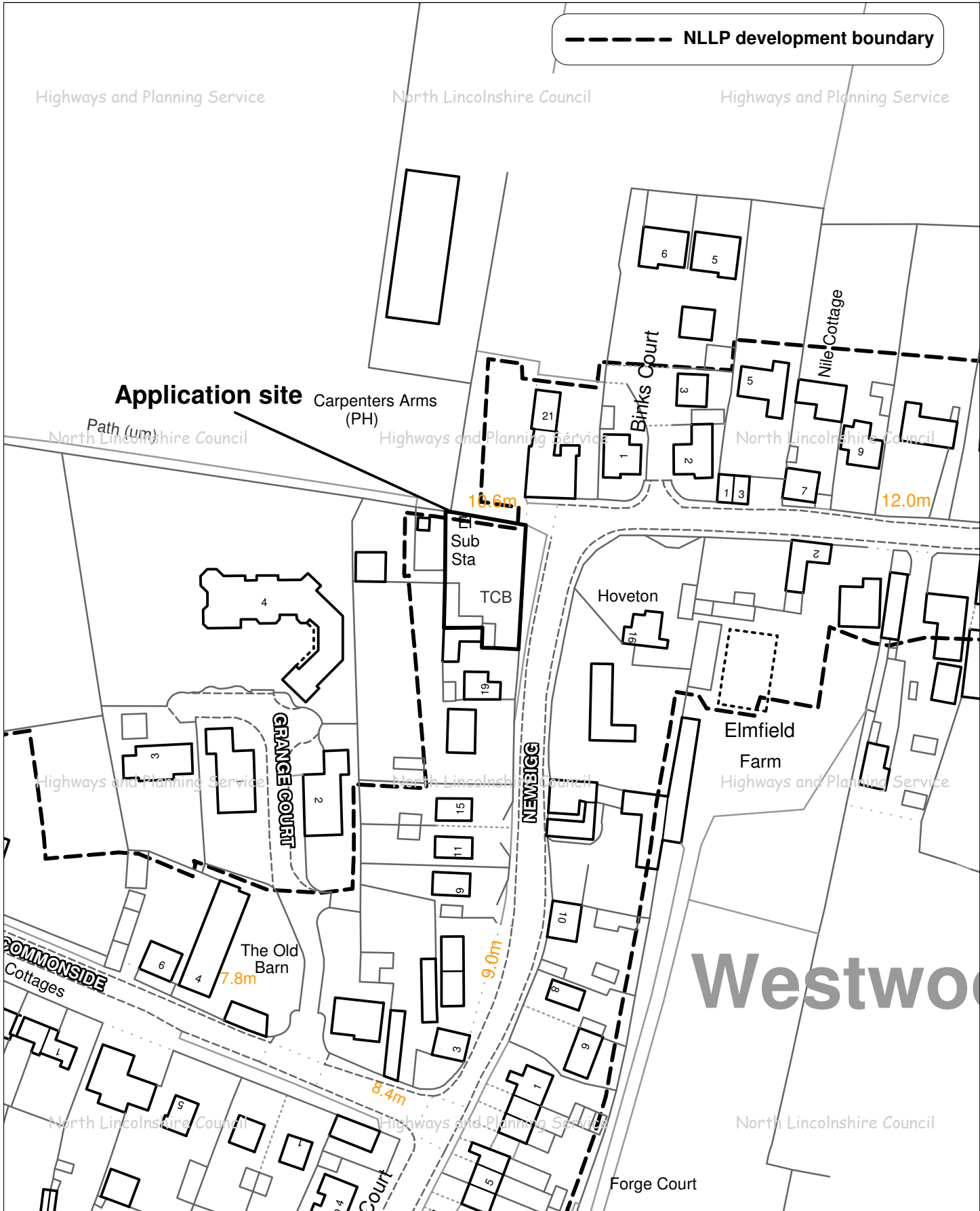
Highways and Planning Service

North Lincolnshire Council

Highways and Planning Service

Application site Carpenters Arms (PH)

Path (um)



Westwo

Drawing Title: 2010/0648

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Highways and Planning Service
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