

APPLICATION NO PA/2011/0022

APPLICANT Mr J Raby

DEVELOPMENT Planning permission to erect a detached dwelling (resubmission of PA/2010/0338)

LOCATION Land adjacent to Sunny Bank, North End, Goxhill

PARISH **GOXHILL**

WARD Ferry

SUMMARY RECOMMENDATION **Refuse permission**

REASONS FOR REFERENCE TO COMMITTEE Applicant request to address the committee

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

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 new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

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

CONSULTATIONS

Highways: No objections subject to conditions.

Environment Agency: Object on the grounds that the site is within flood zone 3a where there is a high probability of flooding where, notwithstanding the mitigating measures proposed, risk to life and/or property from tidal inundation would be unacceptable if the development were to be allowed.

Anglian Water Developer Services: No objections subject to a condition relating to the submission of a surface water strategy. Satisfied that there is sufficient capacity in the existing system to deal with foul sewage disposal. Also recommend the authority seek the views of the Environment Agency on the matter.

PARISH COUNCIL

Object for the following reasons:

- The site is within flood zone 3 (high probability of flooding) and the accompanying flood risk assessment is out of date, and does not demonstrate that the development would provide wider sustainability benefits that outweigh flood risk.
- The Environment Agency did not object to building on the first plot as it was understood that there would be no further development on the site.
- There is a moratorium in place for new development and this part of North End was subject to significant flooding in 2007. Developing this elevated site will significantly increase run-off to surrounding properties during periods of heavy rainfall.
- The design and access statement is incorrect – there is no current permission on the site. The site had outline permission for two but this was lost when PA/2009/0981 was approved for one dwelling on over half the area of the site.
- The proposed development blocks off all vehicular access to Sunnybank and no details of a new access have been submitted. The parish council would not support a new access onto the narrow ‘S’ bend on Ferry Road as it would be a safety hazard.
- The proposal would have a detrimental impact on the amenities of surrounding residents, in particular to properties on Windsor Grove, due to overshadowing and overlooking. The rear windows would also directly overlook Sunnybank.
- The parish council considers that this site has been fully developed.

PUBLICITY

Letters have been sent to surrounding residents and responses have been received from two properties raising the following issues:

- There is no material change from the previous application (PA/2010/0338).
- Two dwellings on this site is contrary to previous approvals on the site as the outline permission has been lost by building one large dwelling on more than half the site area.
- The land that is left is much smaller than on the outline permission for two, and to build a dwelling on this smaller parcel would be out of keeping and over-development.
- The flood risk assessment is out of date, being that originally used for a 2004 application.
- The parking and access arrangements are inadequate and will lead to parking on the shared driveway, blocking access/egress to other properties.

- No information has been submitted about the sewage drainage system and the surface water details are ambiguous.
- There would be an increased risk of flooding, being in flood zone 3, in an area that is already prone to flooding.
- There would be a reduction in privacy due to overlooking and loss of amenity/light due to overshadowing.
- The proposal is out of scale with the original outline, with one large dwelling already been built on the first plot.
- A new access onto Ferry Road will be required for Sunnybank. This will be unacceptable on such a busy, dangerous road, which is narrow and already congested.

ASSESSMENT

The proposal involves the erection of a detached four-bedroom dwelling with integral garage on part of the garden to the adjacent property, Sunnybank. The current application is a resubmission of PA/2010/0338, which was withdrawn. The design of the dwelling has been amended slightly to overcome concerns about the impact of the proposal on the amenities of neighbours to the north. The site is within the development boundary for Goxhill and is surrounded by other residential properties, including one currently under construction which was also within the original part of the garden of Sunnybank (PA/2009/0315). The plot measures approximately 31 metres deep by 17 metres wide. Vehicular access to the site is proposed via an existing private drive.

The main issues in determining this application are whether or not the development would be out of keeping with the character of the area and have a detrimental impact on the residential amenities of surrounding neighbours, and whether or not the proposal would increase the risk of flooding.

The proposed dwelling is located to the front of the plot approximately 6 metres back from the edge of the private drive, which leaves a back garden depth of 15 metres. The main living accommodation for the building under construction on the adjacent plot is 11 metres away from the boundary of the application site, with the dwelling to the north (1 Windsor Grove) having a separation distance of 12 metres from the boundary and 17 metres from the main two-storey part of the proposed dwelling itself. The proposed new dwelling will be on land to the south of 1 Windsor Grove and north of a plot currently under construction for another large detached house. There is sufficient space on the plot to provide adequate private amenity space. The dwelling has been designed so that the windows face the front and rear of the property, which will not result in any direct overlooking to any neighbouring property. There is one window to an en suite bathroom in the south-facing side elevation but this will be obscure glazed. It is considered, therefore, that the dwelling will not reduce the amenities of nearby residents due to overlooking. The design of the dwelling is considered to be in keeping with the overall character of the area, which has a mix of house types and sizes.

In relation to the issue of flooding, the parish council, neighbours and the Environment Agency have objected to the proposal. The site is within flood risk zone 3, wherein it is considered that residential development should not be permitted unless there is an overriding sustainable benefit to the local community. It cannot be argued in this particular

case that the erection of one dwelling on this plot provides such a benefit. The moratorium within Goxhill is still in place which requires each application for residential development to be determined on its merits following consultation with council engineering officers, specifically with regard to areas of the village known to have experienced flooding due to heavy rainfall. This consultation confirmed that there was no record of flooding on the application site although one property on North End to the west reported having internal property flooding in June 2007. Mitigation details regarding construction and surface water retention were recommended. Additionally, Anglian Water must confirm if the local foul sewage system can accommodate additional capacity, without impacting upon other properties in the vicinity. Anglian Water were consulted and confirmed that there is sufficient capacity within the system to accommodate foul drainage from the development.

This site has an extensive and complicated planning history. There have been a number of applications for residential development on this parcel of land dating back to 1979, when outline permission was given for two dwellings. However, the more relevant applications are as follows:

- PA/2004/0941: Outline planning permission for two dwellings, approved.
- PA/2007/0981: Outline planning permission for two dwellings (renewal of PA/2004/0941), approved.
- PA/2008/0493: Full planning permission for the erection of one dwelling on part of the site, refused on the grounds that the development did not pass the sequential or exceptions test as required by PPS25. The Environment Agency objected to this application.
- PA/2009/0315: Full planning permission for the erection of one dwelling on a larger part of the site, approved at committee. The Environment Agency did not object to this application as it was considered that one dwelling was more appropriate than the two approved at outline. This build (which is currently under construction) covers more than half of the original plot size – see plan.
- PA/2010/0338: Withdrawn from committee but was recommended for refusal on flood risk grounds and impact on amenities of neighbours.

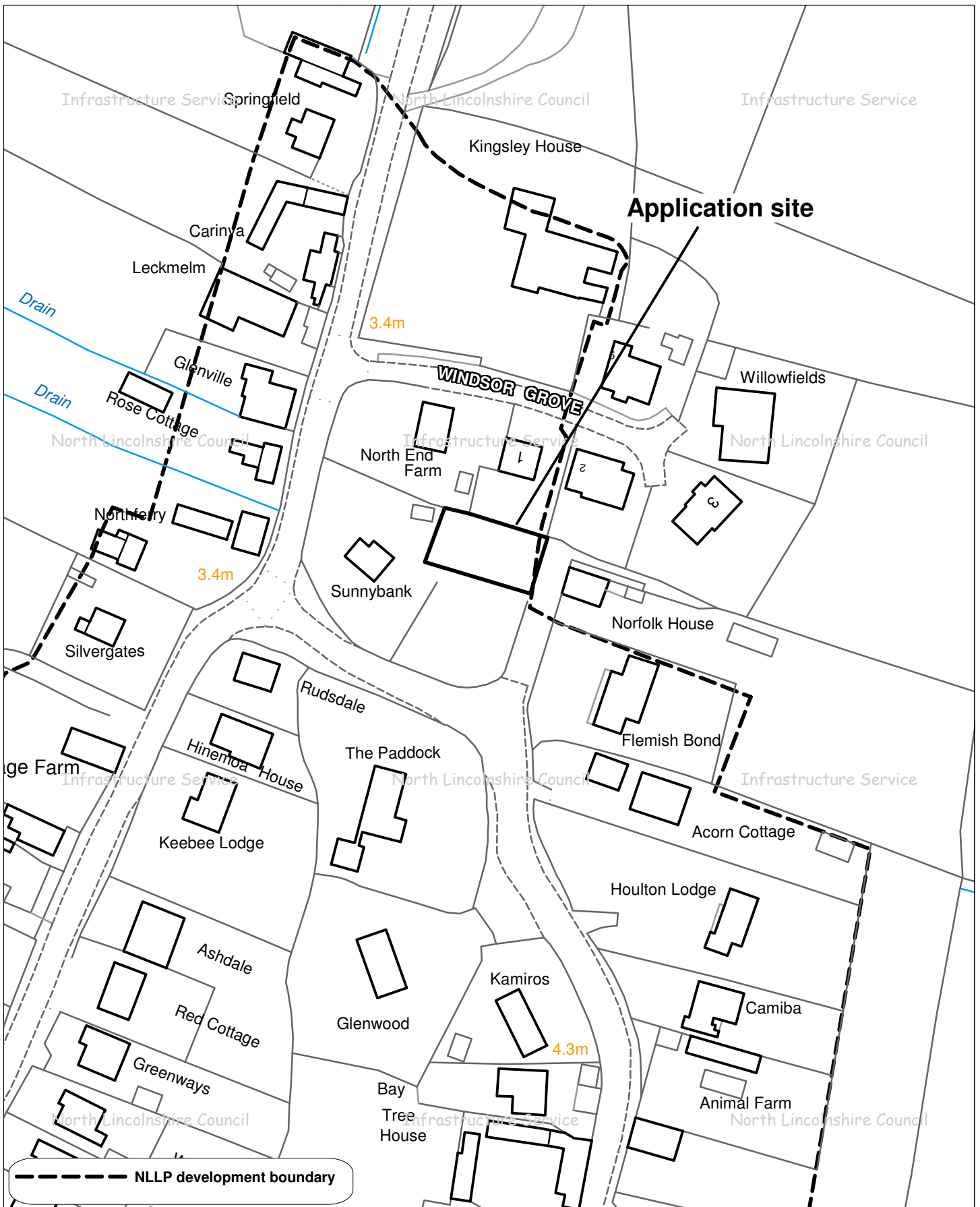
The site does not now have planning permission for the erection of two dwellings, as the original outline permission has been superseded by the erection of one dwelling on more than half the site.

As one individual dwelling, the proposal does not meet the sequential test or exceptions test as outlined in PPS25 (Flood Risk). A number of other issues have been raised by neighbours and the parish council relating to parking and access. In relation to the access and parking arrangements for the new plot, the highways department consider that the level of provision is sufficient to meet the needs of the development. By building on this plot, the existing access to Sunnybank will be lost, but this has always been the case. Neighbours and the parish council have raised concerns that a new access to Sunnybank onto Ferry Road would not be acceptable, as it would be dangerous due to the bend in the road and the amount of traffic that already uses the highway. However, an access onto Ferry Road has always been anticipated by Highways, and there was a condition on the outline application to this effect. Similarly, with this application, there are no objections to this,

subject to the position and details being submitted for approval before work on the proposed dwelling is commenced. However, despite the detailed particulars of the scale, design, access and appearance of the dwelling now being acceptable, this does not override the objection raised by the Environment Agency regarding flood risk and the application is therefore recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

The site lies within Flood Zone 3a defined by Planning Policy Statement 25 (PPS25) as having a high probability of flooding where, notwithstanding the mitigation measures proposed, it is the opinion of the local planning authority that the risk to life and/or property from tidal inundation would be unacceptable if the development were to be allowed. The proposal is therefore contrary to policy DS16 of the North Lincolnshire Local Plan.



Drawing Title: 2011/0022

OS Grid Ref: TA10552266

Drawn by: KC

Scale: 1:1250

Date: 23/02/2011



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Infrastructure Service

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2011/0022 - proposed layout

not to scale

