

APPLICATION NO	PA/2011/0312
APPLICANT	Mr & Mrs G Maddison
DEVELOPMENT	Planning permission to erect a dwelling (resubmission of PA/2010/0785)
LOCATION	Adjacent to The Elms, 13 Abbey Road, Ulceby
PARISH	ULCEBY
WARD	Ferry
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Agent request to address the committee

POLICIES

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

North Lincolnshire Local Plan: Policy H7 (Backland and Tandem Development) states that this form of development will be permitted provided that there is no adverse effect on the amenity of any residential premises and it would not affect the general quality and character of the area in which it is located.

Policy H8 (Housing Mix and Design) states that new residential development will be permitted provided that it respects and reflects the form, scale and nature of the local environment and it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area.

Policies LC12 (Protection of Trees, Woodland and Hedgerows), LC5 (Species Protection), RD2 (Development in the Open Countryside), DS1 (General Requirements) and SPG11 (Trees and Development) also apply.

North Lincolnshire Core Strategy: Policy CS5 (Delivering high quality design in North Lincolnshire) states that all new development in North Lincolnshire should be well designed and appropriate for its context. It should contribute to creating a sense of place and the council will encourage contemporary design, provided it is appropriate for its location and is informed by its surrounding context. New development should also take account of scale, density, layout, access and relationship between buildings and spaces.

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape) requires the protection of trees, hedgerows and historic landscape to be specified where appropriate.

Policy CS17 (Biodiversity), Policy CS8 (Spatial Distribution of Housing Sites) and Policy CS3 (Development Limits) also applies.

CONSULTATIONS

Highways: Advise conditions.

PARISH COUNCIL

No objections to the application but the parish council would like to express their reservations on the current and anticipated level of development in Ulceby bearing in mind that it is a minimum growth settlement.

PUBLICITY

Neighbouring properties have been notified. Two letters of support have been received raising the following relevant material issues:

- no impact on other residents
- the dwelling will not be visible from Abbey Road
- no overlooking or loss of privacy
- no extra traffic as the proposed dwelling is for the applicants' daughter and family who are daily visitors
- wildlife would be undisturbed
- with the Government pushing the Localism agenda, support from a local community should be given serious consideration

ASSESSMENT

The application site currently forms part of the garden area of The Elms, a large detached house set in extensive grounds. It is proposed to demolish a single-storey detached garage/outbuilding and erect a large two-storey dwelling. The site is well screened with mature trees and hedges, which are subject to a group tree preservation order. The proposed dwelling would be accessed from the existing gravel driveway which serves The Elms. The development boundary runs tight along the boundary of the proposed building and driveway, the garden being located outside the development boundary.

The main issues in determining this application are whether the siting of the proposed dwelling is acceptable in terms of impact on the existing dwelling and on the character and appearance of the area.

The proposed dwelling is set well back from the road and set slightly back from the main house. The dwelling would measure 20.8 metres long by 7.5 metres wide and 9 metres high. The building it would replace is 11.5 metres long by 5 metres wide and 3.8 metres high. The dwelling would be located approximately 7 metres from the existing dwelling. It is considered that a dwelling of this size (almost double the size and more than double the height of the existing garage) close to the existing dwelling is excessive and would have an adverse impact on the character and setting of The Elms.

The proposed dwelling is also considered cramped and a visually incongruous form of development which would be out of character with the street scene, which is largely

characterised by frontage development. The orientation of the proposed dwelling is also at odds with surrounding properties.

With regard to the letters of support, it is accepted that there will be no impact on other residents, no overlooking or loss of privacy and the dwelling will not be clearly visible from the road. The point raised that there would be no further visitors as the dwelling is for the applicants' daughter and family, who are at present are daily visitors, cannot be sustained as the dwelling would still create additional vehicle and pedestrian movements and it would not be appropriate to restrict occupation of the dwelling to relatives of the occupiers of The Elms. Whilst the current occupier of The Elms supports the application, if the tie between the occupiers is severed and the proposed dwelling occupied by another family, the unacceptable distance between the properties will be more likely to create a long-term problem.

The details of the Localism agenda have not yet been released. Letters of support are taken into consideration, however the points raised do not overcome the fact that the proposal is contrary to planning policy.

As previously stated, the site is subject to a group tree preservation order. The application would require the removal of a number of trees and the applicants have failed to demonstrate that the council's SPG on trees has been considered and trees on the site would not be adversely affected. The proposal is therefore considered contrary to policy LC12 and SPG11 of the North Lincolnshire Local Plan.

The council's ecologist has also requested a bat, nesting bird and great crested newt survey prior to planning permission being granted. These comments were also made in relation to the previous application, however the surveys have not been submitted with this application. As such it is not known whether any wildlife will be disturbed.

Following deferral of the application a protected species survey was conducted and submitted to the council. No protected species were found. The council's ecologist therefore recommends a condition be included, if the application is approved, requiring a biodiversity management plan.

Although no protected species have been found, the submission of this survey does not overcome the other reasons for refusal, namely character, domestication of land outside of the development boundary and impact on protected trees.

The proposal is therefore considered unacceptable and is recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

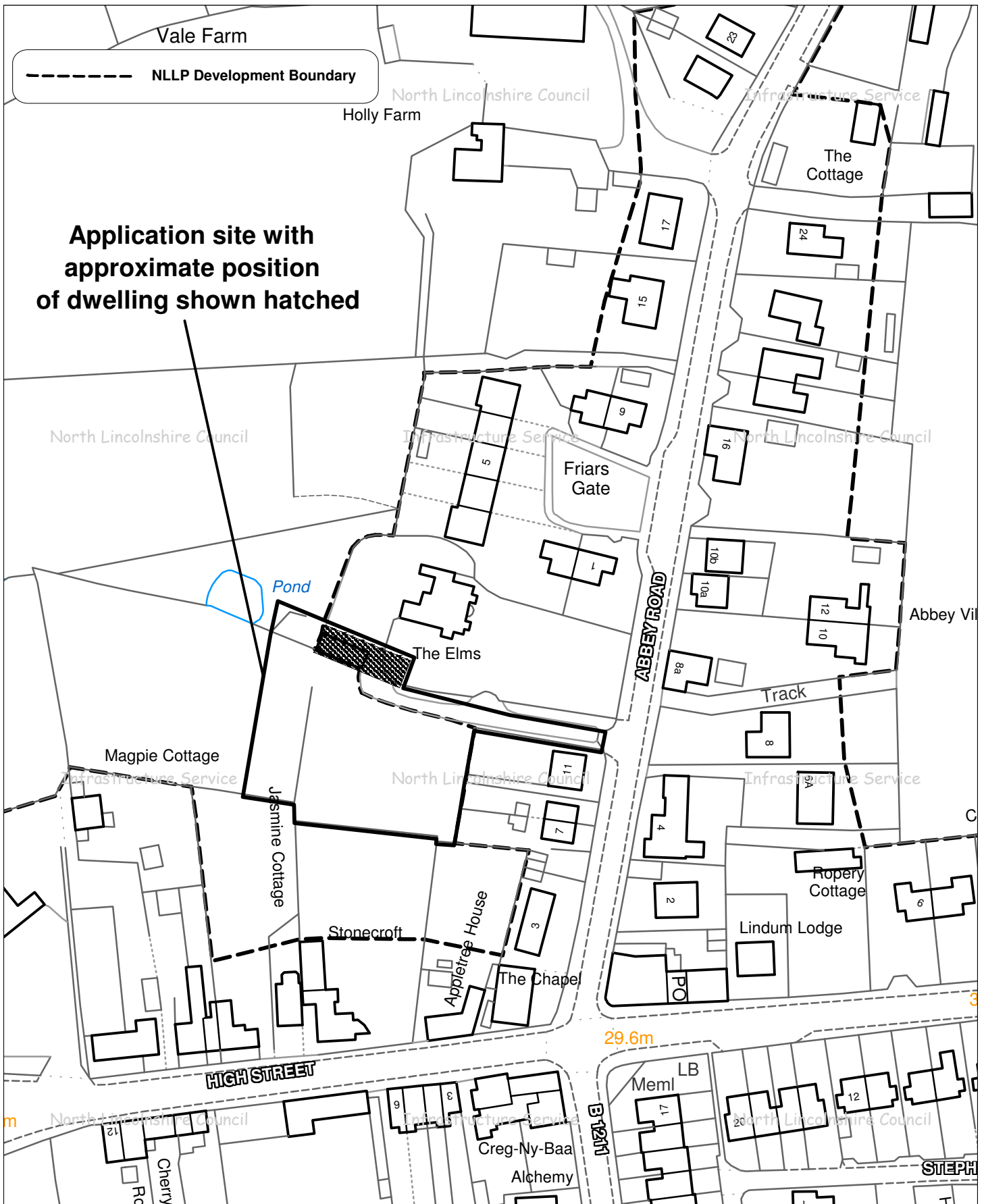
The proposed dwelling is considered to be a cramped, contrived and visually incongruous form of development which would be out of character with the area. Additionally, the siting and orientation of the proposed dwelling would have an adverse impact on the character and setting of The Elms. The proposal is therefore contrary to policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

2.

The amenity space serving the proposed dwelling is located entirely outside the development boundary for Ulceby. The domestication of this land is unacceptable and is contrary to policies ST3 and RD2 of the North Lincolnshire Local Plan.

3.

The proposal fails to comply with policy LC12 (Protection of Trees, Woodland and Hedgerows) and SPG11 (Trees and Development) because inadequate information has been submitted to allow adequate assessment of the impacts of the proposal upon protected trees.



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