

APPLICATION NO	PA/2011/1417
APPLICANT	Mr J Chatterton
DEVELOPMENT	Planning permission to erect two detached bungalows and garages
LOCATION	Land adjacent 27 South View, Broughton
PARISH	BROUGHTON
WARD	Broughton and Appleby
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Broughton Town council

POLICIES

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

North Lincolnshire Local Plan: Policy H8 (Housing Design and Housing Mix) requires new residential development to respect and reflect the form, scale, massing, design and detailing of the local environment; have a high standard of design and layout; protect existing natural and built features that contribute to the amenity of the area; prioritise the needs of pedestrian movement taking into account safety, health and the security of residents; and provide residents with a sense of identity and an appropriate mix of dwelling size and types.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) states that the spatial vision and future development requirements will be delivered through the spatial strategy for North Lincolnshire as outlined below:

- (a) delivering an urban renaissance in Scunthorpe and supporting its role as a major sub-regional town
- (b) supporting the market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire
- (c) supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism
- (d) supporting development of key strategic employment sites at the South Humber Bank, Humberside Airport and Sandtoft Airfield
- (e) supporting the protection and enhancement of North Lincolnshire's world class natural and built environment to ensure the continued attractiveness of the area as a place to live, work and visit.

All future growth, regardless of location, should contribute to sustainable development, in particular in respect of those criteria set out in policy C2 as well as the other policies of the plan.

Policy CS2 (Delivering More Sustainable Development) states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted. Development should be focused on:

1. previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions;
2. previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs;
3. small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside defined development limits will be restricted and only development essential to the functioning of the countryside will be allowed. A sequential approach will also be applied to ensure that development is, where possible, directed to areas that have the lowest possibility of flooding.

Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport
- be located where it can make the best use of existing transport infrastructure and capacity

- where large freight movements are involved the use of rail and water transport should be maximised
- contribute towards to the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development
- to be constructed and operated using a minimum amount of non-renewable resources including increasing the use of renewable energy in construction and operation
- take account of local environmental capacity and to improve air, water and soil quality and minimise the risk and hazards associated with flooding
- be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.

Policy CS3 (Development Limits) states that development outside defined development boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses related to agriculture, forestry or other uses which require a countryside location or that which will contribute to the sustainable development of the tourist industry.

Policy CS7 (Overall Housing Provision) states that all proposals for housing should include a variety of housing types, sizes and tenures to meet the local housing needs. All new dwellings should be well designed and meet the Codes for Sustainable Homes. The exact housing mix on each site will be determined based on the Strategic Housing Market Assessment – Market Review (November 2008) and any updates to this document. The density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities. Previously developed land will take priority over greenfield land where it is in a sustainable location.

Policy CS8 (Spatial Distribution of Housing sites) states that the principal focus for housing is previously developed land and buildings within the development limits of Scunthorpe followed by a greenfield urban extension to the west of the town. The market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton are also expected to accommodate 18% of new housing development. In rural settlements in the countryside and in the open countryside outside of development limits, housing development will be strictly limited to development which relates to agriculture, forestry or to meet a special need associated with the countryside. The first priority is to re-use previously developed land and buildings within North Lincolnshire's built-up areas. Second priority will be given to other suitable infill opportunities in North Lincolnshire's built-up areas. Development on greenfield sites will only be allowed where it can be demonstrated that this will bring additional community benefits, contribute to building sustainable communities and is acceptable in terms of its impact on the quality of the urban space and adjoining countryside. Flood risk will also be

taken into account, as this will be a determining factor in the distribution and location of housing.

CONSULTATIONS

Highways: Advise conditions.

TOWN COUNCIL

Object to the proposal on the grounds that it suffers from poor access and poor drainage, and the drives are too small.

PUBLICITY

Neighbouring properties have been notified. No comments have been received.

ASSESSMENT

Planning permission is sought for the erection of two dwellings located at the junction of Woodland Drive and South View. The dwellings are of a dormer bungalow design and will provide three bedrooms, two of which are at first floor level. It should be noted that permission was granted in 2007 (PA/2007/0137) for two blocks of four, two-bedroom apartments fronting South View.

The main issues to consider in the determination of this application are whether or not the proposed development has poor access and whether or not the drives themselves are too small.

Brooklands Avenue is characterised by semi-detached dwellings of a pre-war condition, with relatively spacious rear gardens and vehicular access to the sides, whilst the immediate area on South View is characterised by bungalows. When looking at the new proposal, it is considered an improvement on the scheme that was approved back in 2007, in that there is an attempt to make the development fit into the character of the area. The proposal, in essence, steps up from dormer bungalows to two-storey dwellings (albeit with rooms in the roof space) which, in the opinion of the local planning authority, creates a new and acceptable urban form that is not so visually incongruous with the area to warrant a refusal.

Whilst the design of the dwellings is not particularly outstanding, the applicant has demonstrated an understanding of the urban form and urban design principles and has presented a scheme that is considered an improvement.

In relation to concerns about the driveways, Highways have been consulted on the application and, subject to conditions, have no concerns with the proposal in principle. The same applies with drainage to the site as the Environment Agency and Anglian Water have no concerns with the proposal.

Therefore, in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS7, CS8 and CS9 of the North Lincolnshire Core Strategy, the proposal 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: 2011/1417/01/A and 2011/1417/02/A.

Reason

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

3.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) 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 policy T19 of the North Lincolnshire Local Plan.

4.

No development shall take place until details showing the provision of a footway across the whole of the site frontage have been submitted to and approved in writing by the local planning authority.

Reason

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

5.

The proposed dwelling(s) shall not be occupied until the footway has been provided across the whole of the site frontage in accordance with the approved details.

Reason

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

6.

Any gates or gate positions at the vehicular access shall be set back a minimum distance of 5 metres from the nearside carriageway edge.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

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.

8.

Nothing shall at any time, whether permitted by the Town and Country Planning (Development Management Procedure) (England) Order 2010 or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space 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.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health

- property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

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.

11.

None of the dwellings shall be occupied until the sewage disposal/drainage works to serve these dwellings have been completed in accordance with the submitted plans.

Reason

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



Drawing Title: 2011/1417

OS Grid Ref: SE95830911

Drawn by: KC

Scale: 1:1250

Date: 05/10/2011



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

Head,

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Block Plan 1:250

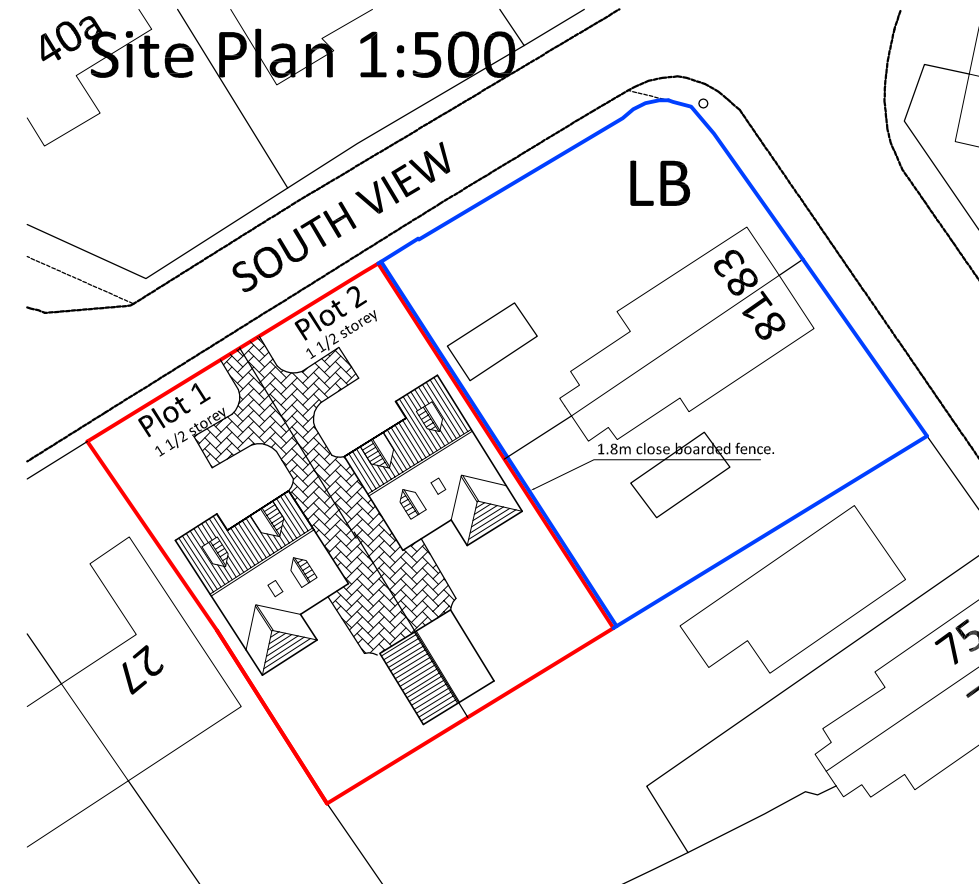
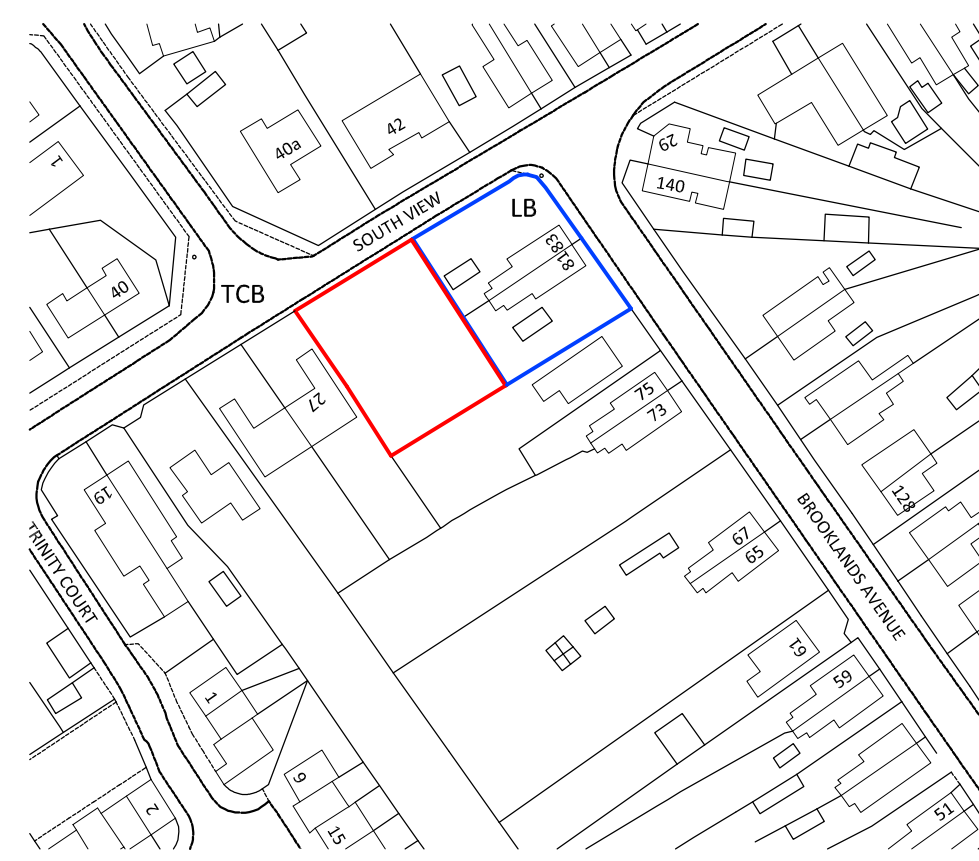
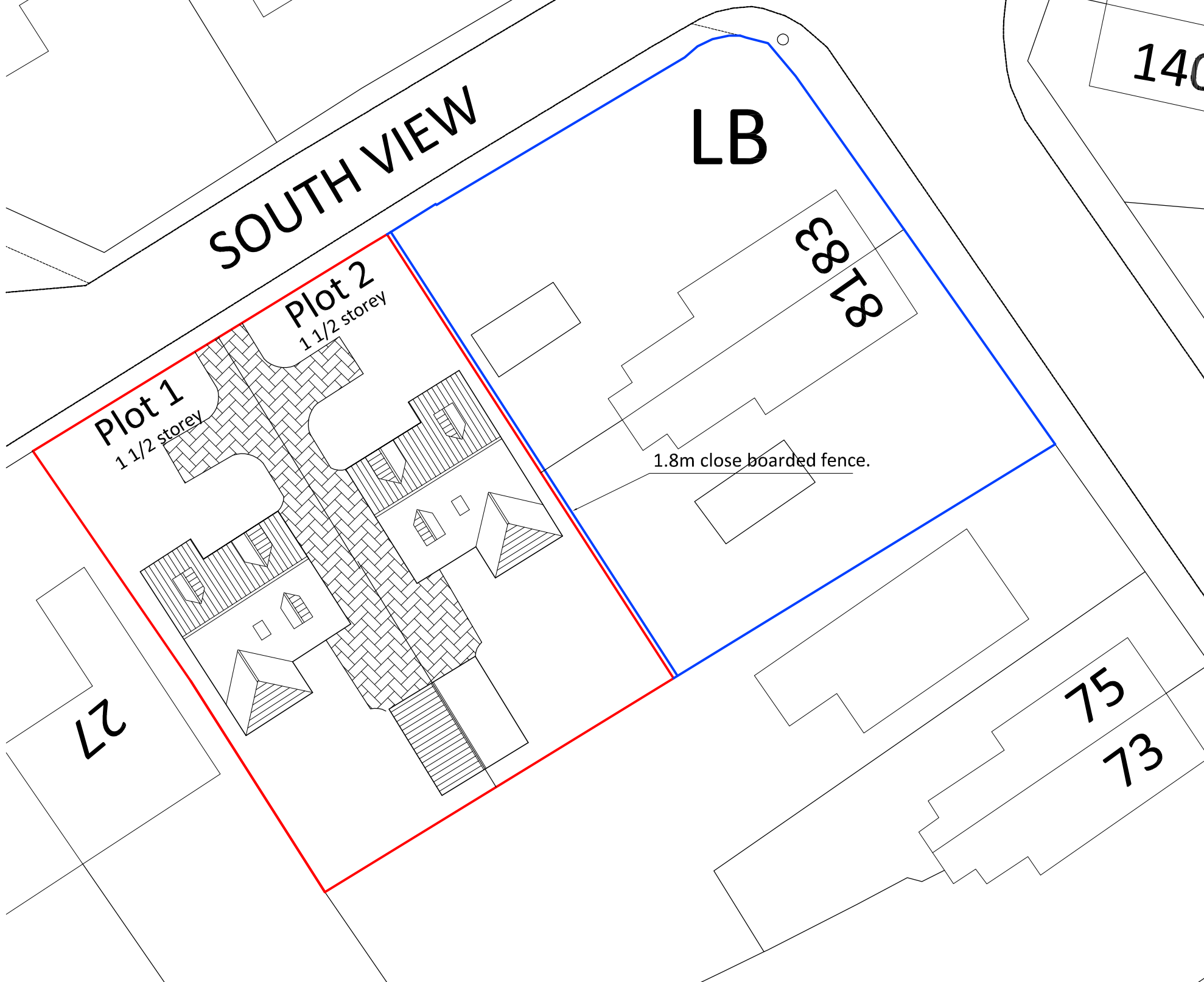
AMENDED

Location Plan 1:1250

PA/2011/1417 - PROPOSED LAYOUT
NOT TO SCALE

Ja

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Client	Mr J Chatterton		
Date	18/11/11	Dwg No	2 of 2
Scale	As noted	Ref No	777

Proposal	2 Detached Bungalows and garages adj 27 South View, Broughton.
Drawing	Location and Block Plans

