

APPLICATION NO PA/2015/0030

APPLICANT Concrete Contracting Ltd

DEVELOPMENT Planning permission to erect two dwellings

LOCATION Land south of 30 Eastfield Road, Barton-upon-Humber

PARISH **BARTON-UPON-HUMBER**

WARD Barton-upon-Humber

CASE OFFICER Tanya Coggon

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Third party request to address the committee
Member 'call in' (Councillor Keith Vickers – significant public interest)

POLICIES

National Planning Policy Framework: Paragraphs 14, 49, 56, 60 and 61.

North Lincolnshire Local Plan: Policies H5 (New Housing Development), H8 (Housing Design and Housing Mix), T2 (Access to Development) and DS1 (General Requirements).

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire, CS2 (Delivering more Sustainable Development), CS5 (Delivering Quality Design in North Lincolnshire and CS7 (Overall Housing Provision).

CONSULTATIONS

Highways: No objection subject to conditions.

TOWN COUNCIL

No objection.

PUBLICITY

Neighbouring properties have been notified. Three letters of objection (two from the same objector) have been received raising the following material planning issues:

over-development

out of form, size and character

overlooking

overbearing and intrusive

overshadowing

previous application in 2006 was refused

highway safety hazards

increased noise and disturbance.

ASSESSMENT

The site lies within the development boundary for Barton-upon-Humber. It is an area of grassland and shares its northern, southern and western boundaries with residential properties. Planning permission is sought to erect two dwellings with integral garages. A previous outline application for two dwellings on the site (PA/2006/1647) was refused on 8 December 2006. This application was refused as it was considered that the two dwellings would result in a cramped and inappropriate form of development that would adversely affect the character of this part of Barton and would result in loss of amenity to residents. This new application is a full application and the details submitted show the exact design, appearance and siting of the proposed dwellings on the site.

The main issues associated with this proposal are whether it is acceptable in planning policy terms, and if so, whether it is acceptable in highway terms, and in terms of its impact on neighbours and on the amenity of the locality.

The site is located within the development limits of Barton within an existing residential area. The site is therefore considered to be a sustainable location for residential development in terms of policies CS1, CS2 and CS7 of the Core Strategy, policy H5 of the North Lincolnshire Local Plan and paragraphs 14 and 49 of the National Planning Policy Framework.

In terms of highway impacts, each dwelling will have its own separate access from Eastfield Road and each will have an integral garage and driveway for vehicle parking. Highways have raised no objection to the proposal and it is therefore considered acceptable in highway terms and accords with policies T2 and DS1 of the North Lincolnshire Local Plan.

The site is located on a slope within a residential area. The immediate area comprises a mix of housing types, designs and sizes. The applicant has demonstrated that the two dwellings can be accommodated on the site without appearing cramped and out of character with the area. Each dwelling will have a front and rear garden of sufficient size for a family. The applicant has provided a streetscape elevation which illustrates the two proposed dwellings and those they are located between. This demonstrates that the dwellings will 'sit comfortably' within the street scene without having an adverse impact on the amenity of the locality. The proposal therefore accords with policies CS5 of the Core Strategy, and H5 and H8 of the North Lincolnshire Local Plan.

The site is surrounded by dwellings on the north, south and west sides. The properties to the north and west are two-storey dwellings and the property to the south is a bungalow. The proposal will have minimal impact on the property to the north. This has no windows in the side elevation of the main dwelling and there is a close-boarded fence along this boundary. The proposed dwelling in its flank elevation has a small kitchen window at ground floor and an en suite window at first floor. The en suite window can be conditioned to be obscure glazed to secure privacy. Privacy to this neighbour will be preserved and the proposal will accord with policies H5 and DS1 of the North Lincolnshire Local Plan.

The property to the south is a bungalow and is slightly raised above the application site. It has some habitable windows in its side elevation and some obscure glazed windows. These are screened by the existing close-boarded fence. At ground floor in the flank elevation of plot 1 a secondary kitchen/day room window is proposed. This window will be screened by the existing fence. The landing window can be conditioned to be obscure glazed to safeguard privacy. There is a distance of 4 metres (narrowest point) and 7.5 metres (widest point) between the proposed and existing dwelling. The maximum height of the proposed dwelling is 7.8 metres. In view of these distances and the proposed dwelling being stepped away from the existing dwelling, and due to the design with dormer windows to reduce the height, it is considered that the proposed dwelling will not result in such demonstrable overshadowing to the neighbour that a refusal is justified on these grounds. Privacy to this neighbour will be preserved and will accord with policies H5 and DS1 of the North Lincolnshire Local Plan. The neighbour has also raised the issue of increased noise and disturbance from occupiers of the dwellings. It is not considered that the occupiers of the two proposed dwellings will cause such an increase in noise and disturbance to adjoining neighbours that a refusal can be justified.

The property to the rear (western side) is a large detached dwelling with a large detached garage located adjacent to the boundary. The property is located at a lower level than the application site. There is a distance of 20 metres between this property and plot 2 and a distance of 21 metres from this property to plot 1. Along the rear boundary is a close-boarded fence. This screens the existing dwelling's ground-floor windows. In terms of plot 2, much of the visual impact of this dwelling is screened by the existing dwelling's garage. The applicant has amended the plans so in the first-floor rear elevation are two bedroom windows, the size of which has been reduced from the original plans submitted, and an en suite window. These windows look out primarily onto the neighbour's garage. There is a window to window distance of over 21 metres between the first-floor windows in plot 2 and the neighbour's dwelling. The en suite window to plot 2 can be conditioned to be obscure glazed. It is therefore considered that any overlooking from plot 2 to the neighbour will be marginal.

In terms of plot 1, the applicant has amended the plans so only an en suite window and bedroom window will be located in the rear elevation at first-floor level. The en suite window can be conditioned to be obscure glazed. There is a distance of over 21 metres between the first-floor bedroom window in plot 1 and the first-floor windows on the existing dwelling. Due to the distance involved, any overlooking will be marginal and privacy will be maintained. The proposal will not be overbearing on the neighbour due to the separation distance and the fact that rear gardens are located between the properties. As a result the proposal does accord with policies DS1 and H5 of the North Lincolnshire Local Plan.

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: 14.465.1A, location plan date stamped 26 January 2015, 14.456.2A and 14.456.3A.

Reason

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

3.

The development shall be carried out in accordance with the amended details received by the local planning authority on 13 March 2015.

Reason

To define the terms of the permission and to reduce the impact of the development on the living conditions of the adjoining dwelling(s) in accordance with policy DS5 of the North Lincolnshire Local Plan.

4.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

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

5.

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.

6.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time 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.

7.

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.

8.

Before the dwelling is first occupied, all the en suite windows to plot 1 and plot 2, and the landing window to plot 1 at first-floor level in the southern elevation, shall be obscure glazed and shall be retained in that condition thereafter.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no new window openings shall be created in the western wall at first-floor level or the western roof plane of plots 1 and 2, the southern elevation of plot 1 at first-floor level or in the roof space, or in the northern elevation of plot 2 at first-floor level or in the roof space, other than those shown on the submitted plan.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

10.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

11.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

12.

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.

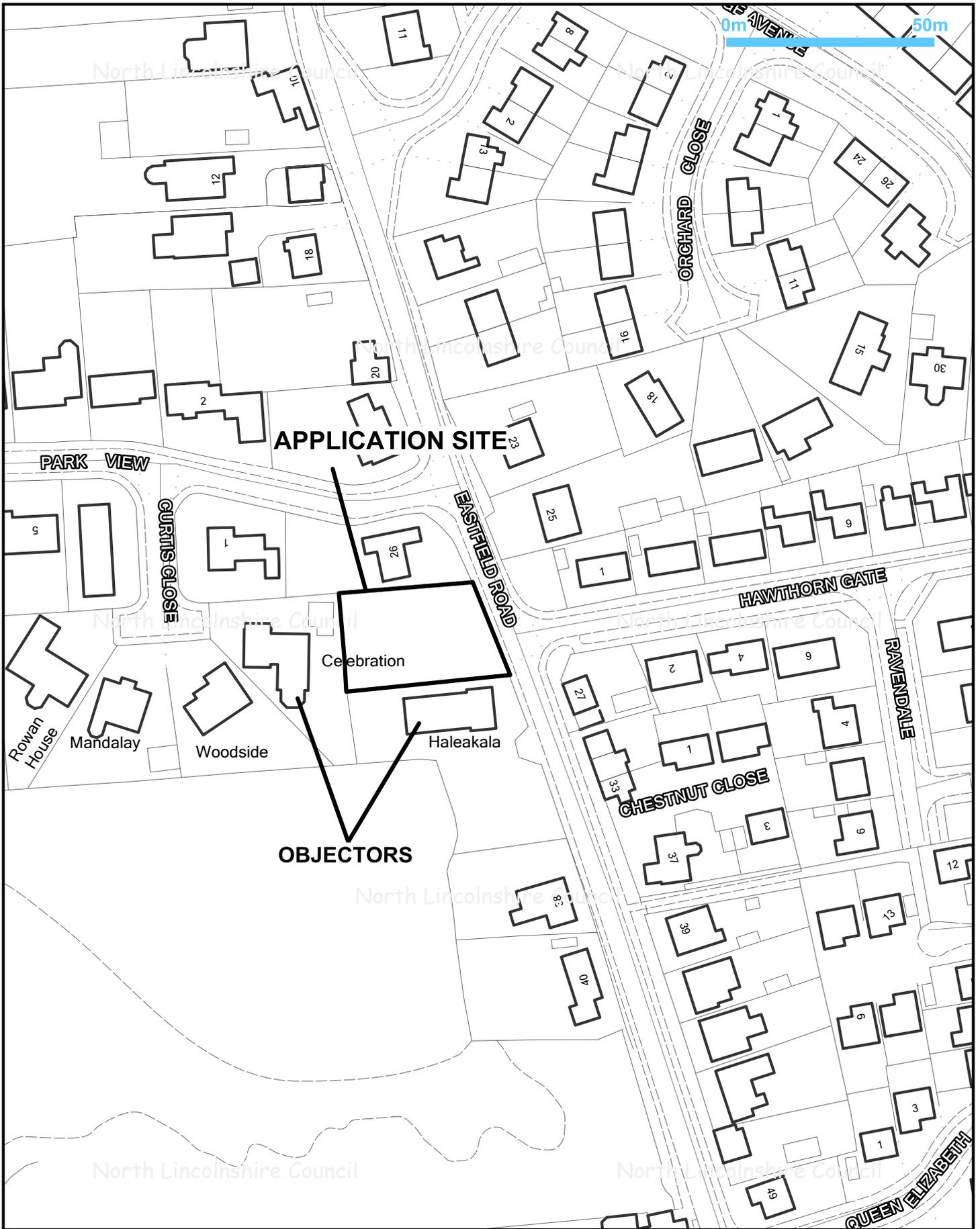
Informative 1

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 2

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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Drawn by: Sue Barden	Date: 24/03/2015	Scale 1:1250
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PA/2015/0030 Proposed Layout Not to scale



STREET SCENE 1:200

