

**APPLICATION NO** PA/2015/0077

**APPLICANT** Dieter Nelson Planning Consultancy

**DEVELOPMENT** Planning permission to erect a dwelling

**LOCATION** Land adjacent to St Davids, Chapel Street, Goxhill

**PARISH** **GOXHILL**

**WARD** Ferry

**CASE OFFICER** Andrew Law

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Goxhill moratorium

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 – at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 35 – plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

Paragraph 37 – planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 49 – housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 56 – good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 – permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

**North Lincolnshire Local Plan:** Policy H5 – New Housing Development

Policy H8 – Housing Design and Housing Mix

Policy LC12 – Protection of Trees, Woodland and Hedgerows

Policy DS1 – General Requirements

Policy DS14 – Foul and Surface Water Drainage

**North Lincolnshire Core Strategy:** Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape

## **CONSULTATIONS**

**Highways:** No objection subject to conditions.

**Drainage Team:** Detailed drainage proposals need to be submitted. The use of SuDS is mentioned in the design and access statement and this needs to be implemented. Overland flow from adjacent land needs to be addressed also.

**Environmental Health:** No objection subject to conditions.

## **PARISH COUNCIL**

No objection but request that the trees are protected during development.

## **PUBLICITY**

Neighbouring properties have been notified by letter. No letters of comment or objection have been received.

## **ASSESSMENT**

The application site is a vacant plot accessed from Chapel Street and is located within the development boundary for Goxhill. There are trees protected by a tree preservation order to the eastern (front) and southern boundaries. There are other trees and shrubs within the site which are not protected. The surrounding area is predominantly residential in nature and the site is surrounded by residential development. Properties in the area vary greatly in terms of their design, size and scale, with a mix of two-storey houses on Chapel Street and bungalows and dormer bungalows on Stothards Lane.

At the time this application was made there was a live planning permission for the erection of two detached dwellings on the plot of land, with one dwelling sitting behind the other; this application has now lapsed (PA/2011/1484). This application seeks planning permission for a single detached dwelling at the front of the plot of land. This dwelling is identical (design and siting) to the dwelling approved on plot 1 as part of the previous approval on the site (PA/2011/1484) and is in essence a resubmission of this previously approved dwelling.

Another previous application was submitted in 2014 (PA/2014/0354) for the erection of two detached dwellings side by side on the site. This application was refused on the grounds that the development was cramped and out of keeping with the area.

**The main issues to consider in the determination of this application are whether the proposed dwelling would result in an unacceptable impact on the local drainage system and whether the protected trees on site will be harmed by the development.**

## **Principle**

Policies H5 and H8 of the North Lincolnshire Local Plan and CS5 of the Core Strategy are the most relevant policies in the determination of this application. Further guidance is set out in the National Planning Policy Framework and the National Planning Practice Guidance.

Policies H5 and H8 of the local plan set out the criteria against which all proposals for residential development will be assessed. These policies seek to preserve or enhance the character and amenity of the area and require new developments to be sympathetic to the existing character of the area in which they are located in terms of their scale, layout, design and detailing. Policy H5 also requires that new residential developments do not have an unacceptable impact on the amenity of neighbouring properties and that they are served by appropriate access and parking arrangements and provided with a suitable area of amenity space.

Policy CS5 of the Core Strategy seeks to promote high quality design in all new developments, including residential developments. This policy requires all new developments to be well designed and appropriate for their context. Design which is inappropriate or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

The application site is located within the development boundary for Goxhill close to the village centre, is an infill plot between existing dwellings and is not located in a flood risk zone. For these reasons it is considered that residential development of the site is acceptable in principle. This view is reinforced by the fact that residential development was previously approved on the site under the current development plan policies.

## **Character/appearance**

The application site is located in a residential area of Goxhill close to the centre of the village and is surrounded by a variety of different dwellings. Properties along this section of Chapel Street are predominantly two-storey detached dwellings of brick and tile construction fronting onto the highway. The proposed dwelling is in keeping with the existing pattern of development in the area, constituting a detached dwelling fronting Chapel Street with an area of private amenity space to the rear. The dwelling has been designed to be sympathetic to surrounding properties, being similar in appearance to the adjacent properties to the east and is proposed to be constructed of similar materials. On this basis it is considered that the development would have no unacceptable impact on the character or appearance of the area. A condition has been proposed requiring details of the exact materials to be used in the construction of the dwelling prior to development commencing.

## **Residential amenity**

The proposed dwelling has been designed with all habitable room windows facing front and rear. There is a separation distance of approximately 13 metres to the rear boundary of the site. The land to the rear of the site is currently made up of the rearmost ends of rear gardens of properties on Stothards Lane. The land immediately to the rear of the site was granted consent for the erection of a dwelling as part of the previous approval on the site (PA/2011/1484). This consent has now lapsed. It is considered that the design of the dwelling and the separation distance to neighbouring dwellings will ensure that no unacceptable overlooking will be created as a result of the development.

Furthermore, there is a separation distance in excess of 10 metres between the proposed dwelling and the adjacent properties to the north and south. This distance is more than adequate to ensure that the development will not result in any unacceptable loss of light or overshadowing of neighbouring dwellings. The dwelling will be a typical two-storey detached dwelling in terms of its size, scale and massing and, combined with the aforementioned separation distances, this will ensure that the dwelling does not have an overbearing impact on adjacent properties.

Therefore it is considered that the proposed development will not result in any unacceptable impact on the residential amenity of neighbouring properties.

## **Access**

The location of the proposed access point onto Chapel Street is the same as was approved as part of the previous approval for two dwellings. The siting of the access point is restricted by the trees and hedging along the front boundary of the site and makes use of an existing break in this landscaping. Two off-street parking spaces and a vehicular turning area are to be provided to minimise the potential for additional on-street parking and ensure that it is possible for vehicles to leave the site in forward gear. The council's Highways department has been consulted on the application and has raised no objection subject to conditions. Subject to the recommended conditions it is considered that the proposed development will not be harmful to highway safety in the area.

## **Drainage**

The moratorium on new development within Goxhill is still in place and requires each application for new dwellings to be determined on its merits following consultation with the council's drainage officers, specifically with regard to areas of the village known to have experienced flood events due to heavy rainfall.

The applicant proposes to make use of Sustainable Urban Drainage Systems, including grey water recycling and attenuation tanks within the site; soakaways are also proposed for surface water drainage. It is proposed that foul drainage will be dealt with by a package treatment plant (septic tank). On this basis the proposed dwelling will have minimal impact on the existing drainage network in the area. A condition has been recommended which would require detailed plans of the proposed drainage strategy to be submitted to and approved in writing by the local planning authority prior to development commencing. It is considered that, subject to this condition, the proposed development would not exacerbate existing drainage problems in Goxhill and as such an additional dwelling is acceptable in this instance.

The council's drainage team has requested detailed plans of the proposed drainage strategy prior to the determination of planning permission. However this advice is contrary to the advice issued by the drainage team when the previous application on the site was determined when a condition was stated to be acceptable. The applicant is proposing to use Sustainable Urban Drainage Systems and a package treatment plant for foul sewage and as such any impact on the local drainage system will be minimal. Therefore it is considered that it would be unreasonable to delay the determination of this application and that an acceptable, detailed drainage plan can be secured via condition, as previously agreed.

Anglian Water have not commented on the application; however they did offer comments on the previously approved application on the site, stating that neither foul nor surface water flows would impact on the public sewerage system. This advice was issued for a development of two dwellings, whilst the current proposal is for a single dwelling.

### **Trees**

The protected trees on the site contribute greatly to the character and appearance of the site and the visual amenity of the street scene and general locality. The trees are considered to be an important part of the site and measures need to be taken to ensure their protection and retention. The Arboricultural Report and Design and Access Statement submitted with the planning application set out detailed designs, techniques and methods to prevent or minimise damage and allow the appropriate trees to be retained. A condition is proposed which requires the Arboricultural Method Statement and Tree Protection Plan to be followed. Subject to this condition the proposal is considered to comply with policies LC12 of the North Lincolnshire Local Plan and CS16 of the Core Strategy.

The council's tree officer has not commented in this application but did offer favourable comments to the previously approved application on the site subject to the aforementioned condition. It should be noted that the design and siting of the dwelling remains unaltered, as does the proposed tree protection methods.

### **Conclusion**

Subject to appropriate conditions the proposed development is considered to be acceptable and to accord with the relevant local development plan policies.

### **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: 01, 02 and 03.

#### **Reason**

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

3.

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.

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.

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.

7.

No development shall take place until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. Such works shall incorporate Sustainable Urban Drainage Systems and attenuate run-off rates to current levels. The approved scheme shall be implemented to the satisfaction of the local planning authority prior to the dwelling being occupied.

Reason

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

8.

Before the dwelling is first occupied, the en suite window in the north elevation shall be obscure glazed and retained in that condition thereafter.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjacent properties in accordance with policy H5 of the North Lincolnshire Local Plan.

9.

All development shall be carried out in accordance with the submitted Arboricultural Method Statement and Tree Protection Plan.

Reason

In order to protect existing trees on the site in accordance with policies LC12 of the North Lincolnshire Local Plan and CS16 of the Core Strategy.

10.

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.

### **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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PA/2015/0077 Proposed Layout - Not to scale

