

APPLICATION NO PA/2015/0819

APPLICANT Mr P Senior

DEVELOPMENT Planning permission to erect a detached dwelling with integral garage

LOCATION Land adjacent to 23 Park Lane, Westwoodside, Haxey,

PARISH HAXEY

WARD Axholme South

CASE OFFICER Emma Stanley

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Third party request to address the committee

POLICIES

National Planning Policy Framework: Paragraph 11 – Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

North Lincolnshire Local Plan: Policy DS1 (General Requirements)

Policy H8 (Housing design and Housing Mix)

Policy DS16 (Flood Risk)

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 CS19 (Flood Risk)

CONSULTATIONS

Highways: No objections subject to conditions.

LLFA Drainage Team: No objections but recommend informative regarding drainage.

Environment Agency: No objections subject to a condition regarding finished floor levels.

Environmental Protection: No objections but recommend conditions regarding contaminated land and hours of construction.

PARISH COUNCIL

No objections but comment that there appear to be some discrepancies between the application and the Design and Access Statement.

PUBLICITY

Neighbouring properties have been notified. One letter of objection has been received raising concerns that the proposed dwelling, due to its height (three storeys) and location within the plot, will create overlooking and overshadowing, resulting in loss of natural light and loss of privacy, and that there is insufficient space to the front of the plot to provide adequate parking facilities which could lead to parking on the street impeding the flow of traffic on what is considered to be an important bus route. The neighbour would have no objections to a two-storey dwelling set further back in to the plot.

ASSESSMENT

Planning permission is sought to erect a detached dwelling on a plot of land, the majority of which is within the settlement boundary for Westwoodside (part of the rear garden is outside). The site is in an established residential area and is set amongst a mix of house types, sizes and designs, with a detached house to the north-east and a bungalow to the south-west. The property measures approximately 9 metres wide, 13.5 metres deep, 5 metres to eaves and 8.3 metres to the ridge. The plot measures approximately 13 metres wide and 76 metres deep.

The main issues in the determination of this application are whether the scale and design of the proposed dwelling is acceptable in this location, and whether the proposal will have an adverse impact on the amenities of neighbouring properties.

The proposed dwelling is in a small row of recently built detached two-storey properties, and is very similar in scale, height and appearance. The property is set back from the highway by approximately 6 metres, which provides space for parking and vehicular access to the integral garage. It is set back behind the frontage of the house to the north-east, but further forward than the bungalow to the south-west. The property has been designed and positioned within the plot to avoid any loss of amenity to these properties; no direct overlooking or overshadowing occurs and it is considered that the amenities of these neighbours will be maintained.

A neighbour on the opposite side of the road to the application site has objected on the grounds that the height and position of the property will lead to a loss of light and overlooking, reducing privacy and thereby reducing current levels of residential amenity. The neighbour also considers that there is insufficient space at the front of the plot to provide sufficient parking, and as a result could lead to parking on the street, affecting the free flow of traffic, particularly as this is a bus route. However, this property is on the opposite side of the road, is approximately 31 metres away from the frontage of the proposed dwelling, and has the highway and associated footways in between. It is considered that this is sufficient distance to avoid any loss of light or privacy to this neighbour, and that the amenities currently enjoyed will not be reduced.

The parish council has commented that there are discrepancies between the application form and the design and access statement in relation to parking provision. The proposal provides three spaces, two on the site frontage and one in the garage. This is considered to be adequate to serve the development, and the highways department has no objections to make in relation to highway safety or parking and access provision.

It is considered, therefore, that the scale, design and appearance of the property is in keeping with the character of the area, and will not have an adverse impact on the amenities of nearby residents due to overlooking or loss of light. The parking and access provision is acceptable in relation to the standards expected from a highways point of view, and the application is in accordance with the policies in both the local plan and Core Strategy, and accords with the advice contained in the NPPF. The application is therefore 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: 003004, 008, 009 and 010.

Reason

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

3.

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 policies T2 and T19 of the North Lincolnshire Local Plan.

4.

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 policies T2 and T19 of the North Lincolnshire Local Plan.

5.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

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

6.

Finished floor levels shall be set no lower than 4.4 metres Above Ordnance Datum.

Reason

To reduce the risk of flooding to the development and future occupants in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

7.

Construction and site clearance operations shall be limited to the following days and hours:

7am to 7pm Monday to Friday

7am to 1pm on Saturdays.

No construction or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

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.

9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no buildings or extensions shall be erected on the site other than those expressly authorised by this permission.

Reason

To maintain the character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

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.

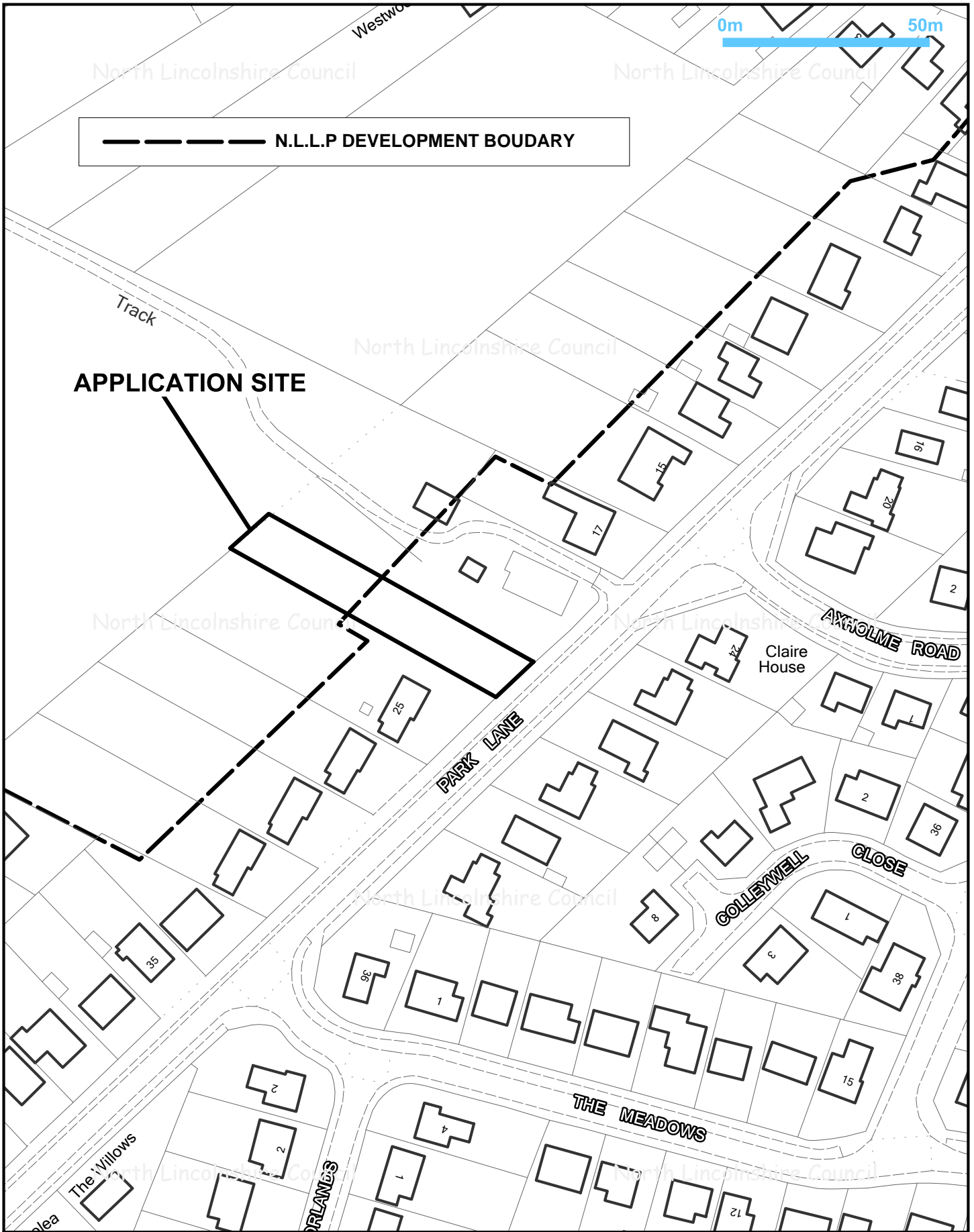
Informative 1

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.



Title: PA/2015/0819

Drawn by: Sue Barden

Date: 28/10/2015

Scale at A4: 1:1250

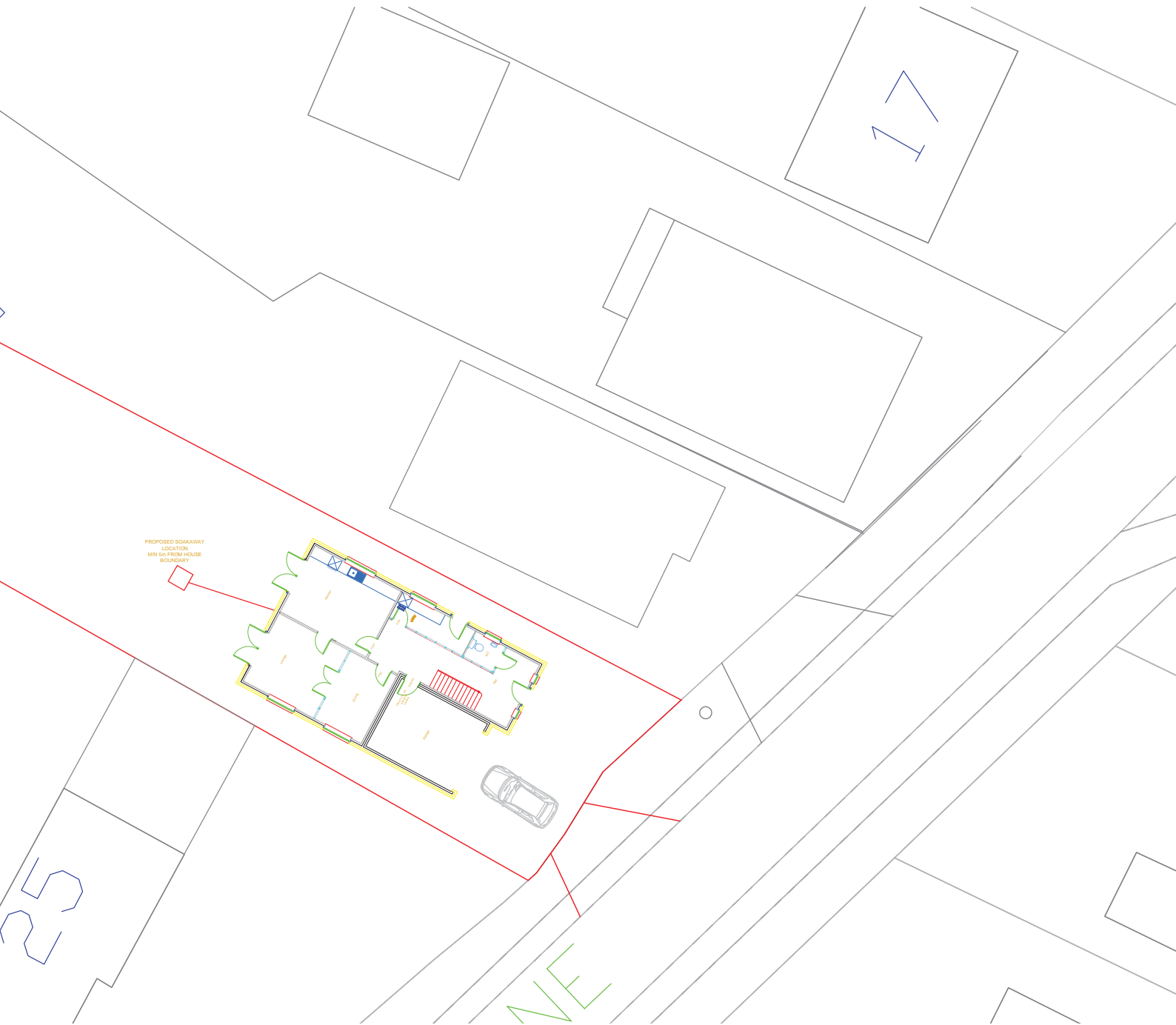


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Director of Places
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PA/2015/0819 Proposed Layout - Not to scale



PA/2015/0819 Proposed Front elevation - Not to scale

