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| APPLICATION NO | PA/2015/1135 |
| APPLICANT | Mr & Mrs Hubbard |
| DEVELOPMENT | Planning permission to erect a dwelling with associated off-road parking |
| LOCATION | Land adjacent to 21 South Street, Roxby, DN15 0BP |
| PARISH | Roxby cum Risby |
| WARD | Broughton and Appleby |
| CASE OFFICER | Tanya Coggon |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Roxby Parish Council to original application; concerns in relation to amended plans Third party request to address the committee |

POLICIES

National Planning Policy Framework: Paragraphs 6-14, 49, 56, 57 and 60.

North Lincolnshire Local Plan: Policy DS1 (General Requirements) sets out the criteria against which all development proposals will be considered.

Policy T2 (Access to Development) – all development must be provided with a satisfactory access.

Policy H5 (New Housing Development) sets out the criteria that must be met in order for housing development to be judged acceptable.

Policy H8 (Housing Design and Mix) permits new residential development subject to various criteria being fulfilled.

Policy LC12 (Protection of Trees, Woodland and Hedgerows) – wherever possible proposals for new development should ensure the retention of trees, woodland and hedgerows.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) sets out the spatial strategy for North Lincolnshire.

Policy CS2 (Delivering More Sustainable Development) sets out a sequential approach to development which includes focusing development on small-scale development within the defined development limits of rural settlements to meet identified local needs.

Policy CS3 (Development Limits) will be applied to the Scunthorpe urban area, market towns and rural settlements.

Policy CS5 (Delivering Quality Design in North Lincolnshire) sets out design criteria for all new development.

Policy CS7 (Overall Housing Provision) sets out the overall level of housing provision that is required to meet North Lincolnshire's needs until 2026 and to ensure an appropriate range and mix of housing is provided to meet the needs of the existing and future population.

CONSULTATIONS

Highways: No objection subject to conditions.

Environmental Health: Requires a condition relating to contamination.

Archaeology: No objection subject to conditions.

Environment Team (Trees): A large tree on adjoining land may be affected by the driveway.

PARISH COUNCIL

Response to original plans: The plans show only one parking space under a carport is to be provided for this development. This is contrary to NLC highway guidelines on parking provision for new properties. As the new build is to demolish the existing garage for no. 21 it would appear that the parking for that dwelling will be severely restricted. Roxby is a farming community and farm vehicles are getting larger. The property concerned is directly opposite the chapel which is used as our village hall and also has limited parking. No. 21a, the other half of the semi-detached no. 21, has no off-street parking. We feel that further on-road parking, which would inevitably occur if this development goes ahead, would increase danger to road users and pedestrians. We believe that this application is inappropriate for this location and would request that the committee make a site visit.

Response to amended plans: We are pleased to see a revised application with a more manageable building proposed. We still have grave concerns over the parking as we understand that this application still does not meet NLC guidelines. We struggle with parking in the village with our narrow streets (in particular in that area of South Street) and, whilst we appreciate that is something we have to live with, any relaxation of the guidelines can only increase the problem. There are discrepancies on the revised design statement such as referring to two off-street car parking spaces and one off-street car parking space, the referring to of a carport not now shown on the plans and claiming an additional space is provided for no. 21, but this only replaces the garage which is being demolished.

PUBLICITY

Adjoining properties have been notified. Two letters have been received in relation to the original application raising the following issues:

- area not suitable to accommodate another property
- no parking for next door is not relevant
- will the proposed parking provision be used, as one car will park behind the other which can lead to problems making it easier to park on the road

- more congestion due to additional facilities provided by the chapel
- there are already three dropped kerbs opposite the site and safety of vehicles manoeuvring is a huge concern
- number 21 should use the existing garage and put the hardstanding on the site to provide off street parking
- cars already illegally parking causing pedestrians onto the road
- stone garage should be retained for its historic value
- existing HGVs, buses etc all struggle to manoeuvre around this area
- boundary/covenant issues
- all boundary fencing for the new and existing property should be renewed and maintained at 1.8 metres above stone wall height.

One letter has been received in relation to the amended plans requesting to address the planning committee.

ASSESSMENT

This proposal is to erect a detached dwelling with associated parking for the new dwelling, and parking and access for the adjoining dwellings. An existing garage on the site will be demolished to facilitate the proposed development. The proposed dwelling will be located between a cottage divided into two properties known as 21 and 21a South Street and a modern detached bungalow. The proposal has been significantly amended since it was submitted to reduce the size of the dwelling in order to provide off-street car parking spaces within the site for the new dwelling. Consultations have taken place on both the original and amended plans.

The main issues associated with the proposal are whether it is acceptable in planning policy terms, and if so, whether its design and impact on the highway network, neighbours and adjacent tree are also acceptable.

In planning policy terms, the site is located within the development boundary of Roxby where, in principle, residential development is considered to be acceptable. Roxby has a small number of services and the proposed dwelling will support these services. Roxby is on a main bus route to Scunthorpe, Winterton and Barton. The proposal is therefore considered to be a sustainable form of development and accords with policies CS1, CS2, CS3 and CS7 of the Core Strategy and advice given in the National Planning Policy Framework (NPPF).

In terms of design, the applicant has submitted amended plans which have substantially reduced the size of the dwelling by removing the carport and reducing the size of the first-floor accommodation. A smaller three-bedroom dwelling is proposed with the design similar to the existing cottage style dwelling at no. 21/21a South Street. The site slopes down in an easterly direction. A street scene elevation has been produced which illustrates that the dwellings will complement the existing street scene and will not have an adverse impact on the character and appearance of the street scene. The proposal therefore accords with

design advice given in the NPPF and policy CS5 of the Core Strategy and policies DS1, H5 and H8 of the North Lincolnshire Local Plan.

In terms of impact on the adjoining dwellings, the proposal will not result in loss of amenity to adjoining dwellings. The proposed dwelling has been sited to provide an adequate amount of space around the dwelling which will not result in an overbearing impact being caused to adjoining neighbours. The proposed windows (dressing room and bathroom) in the east and west elevations can be conditioned to be obscure-glazed to safeguard privacy. The applicant is proposing to install new close-boarded fencing around the site, some of which will be above the existing stone walls in order to provide privacy between the dwellings. The proposal will therefore not result in any demonstrable harm being caused to the amenity of neighbours. The proposal therefore accords with policy CS5 of the Core Strategy, and policies DS1, H5 and H8 of the North Lincolnshire Local Plan.

In terms of highways, the situation is quite complex. The proposal has been amended in order to provide two off-street car parking spaces for the new dwelling in the form of one parking space behind the other with access from South Street. This area of Roxby does have issues with on-street parking and it will be of benefit to the highway network for two car parking spaces to be provided within the site. In addition, the applicants are proposing to alter the existing access onto South Street in order to provide a better vehicular access to 21a South Street (which has a right of way through the rear garden of 21 South Street) and to provide off-street car parking for 21 South Street. This will reduce the number of vehicles being parked on South Street which will improve vehicular and pedestrian safety in the vicinity and remove some congestion from South Street. As a result, in highway terms, the proposal is acceptable subject to conditions and accords with policy T2 of the North Lincolnshire Local Plan.

In terms of the comments made by the tree officer, this tree is not protected as it is not covered by a tree preservation order, nor is it located within a conservation area. Planning conditions can be used to ensure that satisfactory tree protection measures take place on the site in order to safeguard the health of this tree. The proposal will therefore accord with policy LC12 of the North Lincolnshire Local Plan.

In terms of comments made by Archaeology and Environmental Protection, planning conditions can be used to ensure any archaeology on the site is protected/recorded and, if any contamination is found on the site, the necessary remediation takes place. In terms of the existing garage on the site, this is to be demolished. The garage has limited historic value and is of no architectural merit; it is therefore not worthy of being retained. Boundary issues or covenants are not planning matters and cannot be taken into consideration. The Design and Access Statement has been amended to accurately reflect the proposal shown on the drawings.

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: 164 3 002, 164 4 001 and 164 1 003 Rev B.

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 8 February 2016.

Reason

To define the terms of the permission and to help ensure the development is in keeping with its surroundings in accordance with policy DS5 of the North Lincolnshire Local Plan, and to provide satisfactory vehicle parking and access arrangements in accordance with policy T2 of the North Lincolnshire Local Plan.

4.

The existing vehicular access to the site shall be improved within highway limits 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.

5.

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. Compliance with this condition is required prior to the development commencing to ensure highway safety is maintained.

6.

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.

7.

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), 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.

8.

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.

9.

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.

10.

Before the dwelling is first occupied the bathroom and dressing room windows in its eastern and western walls shall be obscure-glazed and shall be retained in that condition thereafter.

Reason

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

11.

Before the development commences on site, details of the method of protecting the tree on the adjacent site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced and maintained until the completion of the development.

Reason

In order to protect the existing tree on the site. Compliance with this condition is required prior to the development commencing to ensure that this tree is safeguarded during the construction process.

12.

No demolition or development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to record the extant building on site
- (ii) measures to ensure the preservation by record of archaeological features of identified importance
- (iii) methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts
- (iv) post-fieldwork methodologies for assessment and analyses
- (v) report content and arrangements for dissemination, and publication proposals
- (vi) archive preparation and deposition with recognised repositories
- (vii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (viii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (ix) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest. Compliance with this condition is required prior to the development commencing as this condition cannot be complied with once development commences on the site.

13.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

14.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six

months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

Informative 1

- (i) Developers are advised to contact the North Lincolnshire Historic Environment Record for a discussion about the archaeological mitigation strategy at least 20 working days prior to the proposed commencement of development (email alison.williams@northlincs.gov.uk; telephone 01724 297471).
- (ii) Measures to achieve preservation by record of any archaeological remains should include a programme of archaeological observation and recording work during all groundwork associated with the development, followed by appropriate assessment, analysis and reporting of the results. The Historic Environment Office can prepare a brief for this mitigation strategy; alternatively an archaeological contractor may prepare a specification for approval.

Informative 2

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 3

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.

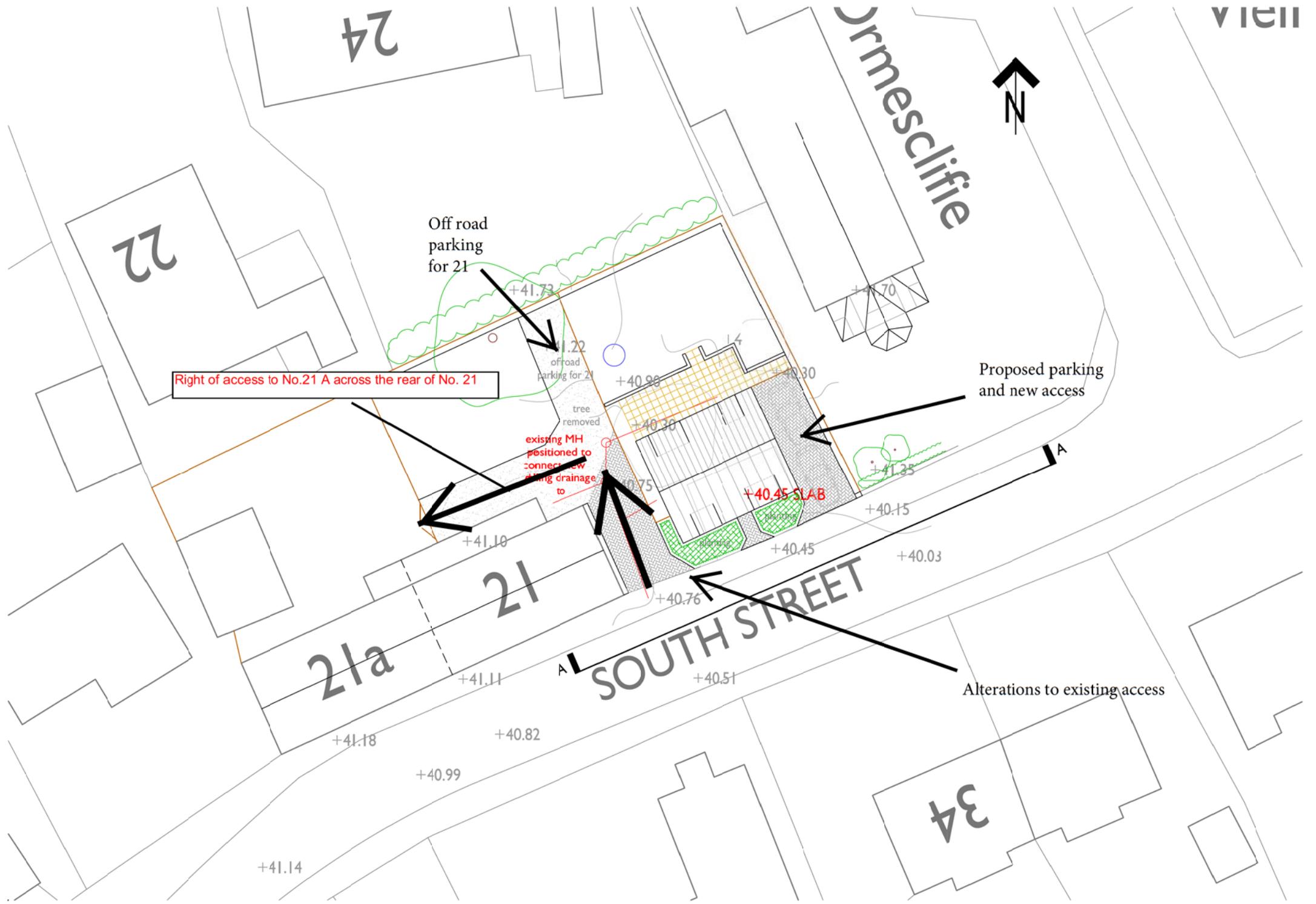
PA/2015/1135 Proposed street scene - Not to scale

21 South Street

Ormescliffe



Section A-A



Right of access to No.21 A across the rear of No. 21

Off road parking for 21

Proposed parking and new access

existing MH positioned to connect new drainage to

+40.45 SLAB

Alterations to existing access