

<b>APPLICATION NO</b>	<b>PA/2015/1424</b>
<b>APPLICANT</b>	Mr M Reynolds
<b>DEVELOPMENT</b>	Outline planning permission to erect a single dwelling and associated access and creation of a new access at 34 Nethergate
<b>LOCATION</b>	Netherhaven, 34 Nethergate, Haxey, Westwoodside, DN9 2DL
<b>PARISH</b>	<b>Haxey</b>
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	James Roberts
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Haxey Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 15 states that at the heart of the National Planning Policy Framework 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 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 34 states that plans and decisions should ensure developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 56 states that 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 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 64 states that 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.

Paragraph 118 states that local planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided or adequately mitigated. Opportunities to incorporate biodiversity in and around developments should be encouraged.

**North Lincolnshire Local Plan:**

Policy RD2 (Development in the Open Countryside)

Policy H8 (Housing Design and Housing Mix)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy T6 (Pedestrian Routes and Footpaths)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy HE9 (Archaeological Evaluation)

**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 CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS22 (Community Facilities and Services)

Policy CS23 (Sport, Recreation and Open Space)

Policy CS25 (Promoting Sustainable Transport)

Policy CS27 (Planning Obligations)

## **CONSULTATIONS**

**Highways:** No objection subject to conditions following receipt of amended layout plan.

**HER Team:** No objections.

**Environmental Health:** Object on the grounds that insufficient information has been provided in relation to contaminated land. Recommend conditions in the event of permission being granted.

## **PARISH COUNCIL**

Objects on the following grounds:

- The proposal would be harmful to highway safety.
- The submitted documentation is insufficient and fails to mention the required demolition.
- No justification has been provided for the proposal.
- The proposal should not encroach beyond the existing building line.
- The proposal should be no higher than stated in the supporting documentation.

## **PUBLICITY**

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

## **ASSESSMENT**

The site forms the side garden of Netherhaven, 34 Nethergate, Westwoodside. The front portion of the site is within the existing settlement boundary whilst the rear section is classed as open countryside. The existing dwelling has been extended and features a single-storey extension and outbuilding to side.

The host property is a hipped roof bungalow which benefits from a driveway to the front and private amenity space to the rear. The surrounding area is predominately residential in nature and features a range of dwelling types.

Outline planning permission (all matters reserved except access) is sought for a single dwelling and associated access and creation of a new access at 34 Nethergate. The applicant has amended the location of the proposed access point during consideration of the application to address concerns raised by the council's Highways Section.

**The main issues to consider in the determination of this application are the principle of residential development, impact on the character of the site/area, impact on residential amenity, impact on drainage infrastructure and impact on highways safety/efficiency.**

### **Principle of residential development**

The application would result in the addition of a new dwelling within the side garden of an existing residential property. The proposal would require the demolition/removal of the existing extension and outbuilding at the host property.

Within the current local plan the site is located partially within the settlement boundaries. However, in the emerging HELADPD the site is located wholly within the settlement boundary and it is considered that this allocation should be afforded significant weight given that the HELADPD is in the final stages of its examination. The proposal would therefore result in the addition of a single dwelling within the settlement boundary and would make a small contribution to meeting housing need in the locality.

It is acknowledged that the proposal represents development on greenfield land. However, neither national nor local policy precludes developments of this nature provided they are not harmful to the character of an area or wider sustainability objectives. Subject to further consideration of matters relating to character, other material planning considerations, and given the highly sustainable location of the site, it is considered that the scheme would be broadly compatible with the spatial objectives for new development within North Lincolnshire. The principle of development is therefore considered acceptable.

### **Impact on character/design/neighbouring amenity**

Outline planning permission is sought for one dwelling at the site. No details of design or layout have been provided at this stage. However, it is considered that, subject to suitable design, a dwelling could be accommodated within the site without resulting in unacceptable harm to neighbouring living conditions; any future dwelling should feature primary openings to front and rear and the dwelling should follow the pattern of built form along the highway. Subject to such design considerations, combined with appropriate landscaping and boundary treatments, it is considered that the scheme would not have an unacceptable impact on neighbouring privacy or light levels.

It is accepted that neighbouring properties may experience a degree of noise and disturbance during the construction process. However, in line with the comments from the council's Environmental Health Section, a suitable condition could be imposed limiting construction hours. Subject to such a condition it is considered that an appropriate balance could be struck between the encouragement of development and the protection of residential amenity.

Properties in the locality vary in terms of design, although the majority feature traditional pitched-roof designs. The surrounding area is of no particular architectural style and, subject to any reserved matters application being sensitive to the typical design type (traditional pitched roof with primary openings to front and rear), it is considered that the scheme would not disrupt the prevailing character of development in the locality.

Both the existing and proposed dwelling could be provided with adequate rear garden areas which would be appropriate to the type of dwelling proposed. It is therefore considered that

the proposed dwelling could be accommodated within the site without resulting in a cramped form of development and would not be detrimental to the character of the locality.

It is therefore considered that the proposed scheme would not have a harmful impact on the character of the site or locality and accords with policy and guidance in this regard.

### **Drainage**

The application site would be located within flood zone 1 and would not therefore compromise the objectives of the sequential approach to flood risk. Given the scale and location of the proposed development it is considered likely that foul sewage could be disposed of via the existing sewer network whilst surface water could be disposed of via a soakaway. Given the scale of the proposed development it is considered that it would not exceed the capacity of existing drainage/sewerage infrastructure.

### **Transport**

The application site is located within the settlement boundary and benefits from convenient access to existing public transport links. The site is also within walking distance of local services. The location of the site therefore complies with national and local objectives of creating sustainable patterns of development.

The proposed dwelling would utilise the existing access point off Nethergate which is considered acceptable. The existing dwelling would be provided with a revised access point off Nethergate which has been amended during the consideration of the application. The revised layout has been considered by the council's Highway section with the following comments received:

*"While I would have to concede that the proposed new location is not ideal being positioned in close proximity to the junction, the visibility that is available at the access is good in all directions. Obviously the traffic generation from a single unit will be limited and it is my opinion that the risk generated by vehicles using the proposed access at this location is relatively minor subject to suitable mitigation. Therefore, I would advise that the following conditions be applied to any permission you may be minded to grant."*

With this response in mind, and given the scale of the proposed development it is considered that the scheme would not have a harmful impact on vehicular or pedestrian safety.

### **Other issues**

The following issues, raised by the parish council, have not been addressed in the above report:

- The submitted documentation is insufficient and fails to mention the required demolition – *the submitted documentation has been inspected and a site visit carried out. It is considered that sufficient information has been provided to allow an accurate assessment to be carried out.*
- The proposal should not encroach beyond the existing building line – *this matter would be fully considered at reserved matters stage.*

- The proposal should be no higher than stated in the supporting documentation – *this matter would be fully considered at reserved matters stage.*

## **Conclusion**

For the reasons set out in the above report it is considered that the proposed development would sufficiently accord with adopted planning policy and guidance.

## **RECOMMENDATION Grant permission subject to the following conditions:**

1.

Approval of the details of the appearance, layout and scale of the building, and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

### **Reason**

The application has been made under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

2.

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, and appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

### **Reason**

The application has been made under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

3.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

### **Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

### **Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: 910-34 Location and Block Plans dated 07/01/2016.

### **Reason**

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

6.

The proposed new dwelling shall not be occupied until such time as the vehicle parking and turning facilities serving the existing dwelling have been completed in accordance with the amended drawing. Once provided these facilities 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.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

9.

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.

10.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

11.

Construction operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

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

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

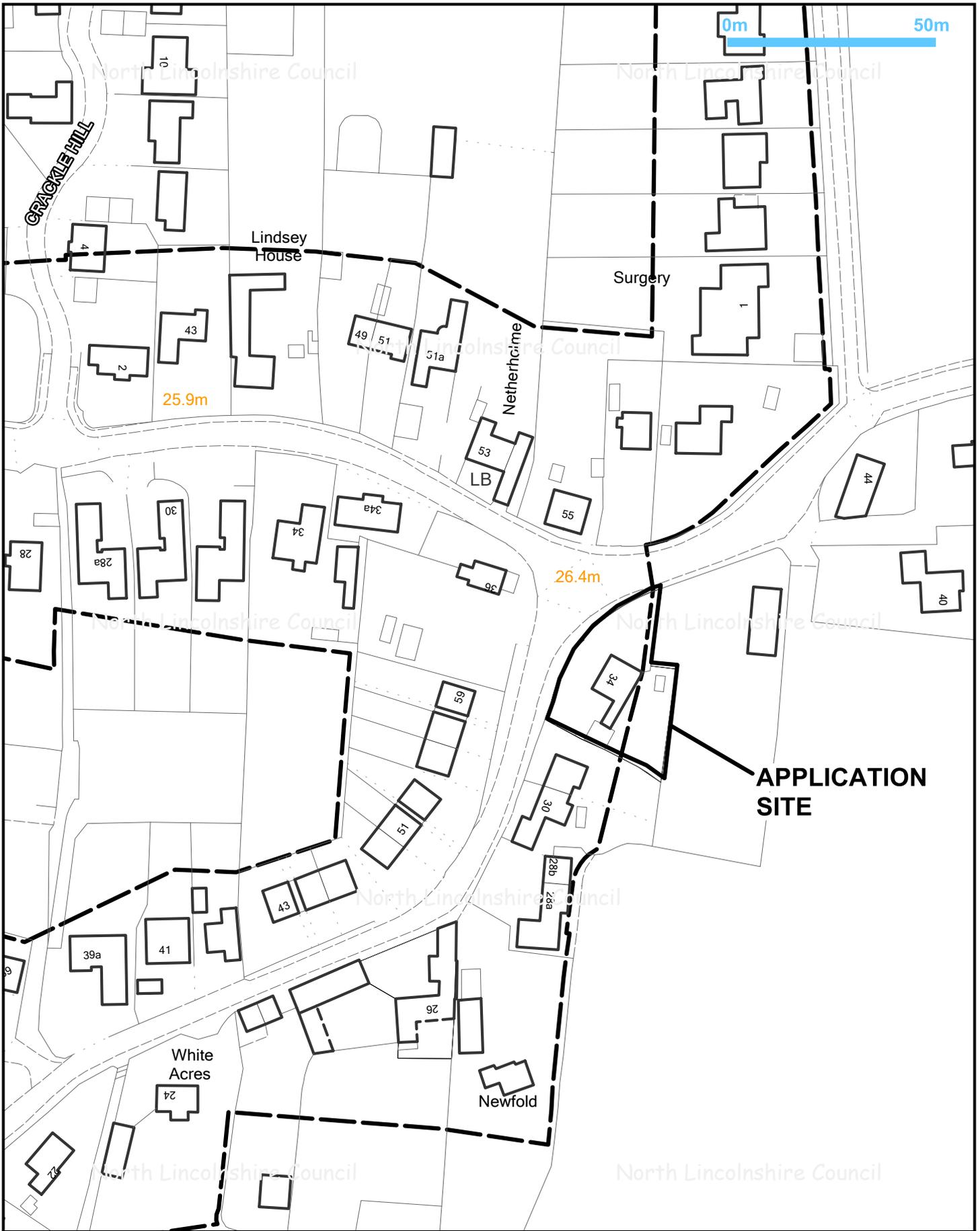
Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

In the interests of residential amenity and to accord with the requirements of policy DS1 of the adopted local plan.

**Informative**

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.

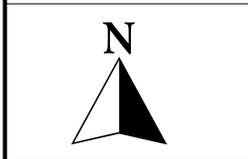


Title: PA/2015/1424

Drawn by: Sue Barden

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PA/2015/1424 Proposed Layout Not to scale

