

APPLICATION NO	PA/2016/326
APPLICANT	H U Rehman
DEVELOPMENT	Planning permission to erect a five-bedroom house, double garage and altered access
LOCATION	Land adjacent to 11 Nethergate, Westwoodside, Haxey, DN9 2DR
PARISH	Haxey
WARD	Axholme South
CASE OFFICER	Emma Stanley
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Haxey Parish Council Departure from the local plan

POLICIES

National Planning Policy Framework: Paragraph 12 – Proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

North Lincolnshire Local Plan: Policy DS1 – General Requirements

Policy H8 – Housing Design and Housing Mix

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

Policy CS2 – Delivering More Sustainable Development

Policy CS3 – Development Limits

North Lincolnshire Housing and Employment Land Allocations Development Plan Document, May 2016

CONSULTATIONS

Highways: No objections subject to conditions.

Drainage Team: Recommend an informative regarding drainage.

Environmental Protection: No objections subject to conditions relating to contamination and hours of construction.

PARISH COUNCIL

Object on the grounds that the proposal is backland development that would be dominant and overbearing in its location and in the street scene, it is to the rear of the historic Methodist chapel and its size would dwarf the immediate and surrounding properties. This would lead to increased density of development in the area, loss of important natural and man-made features and lead to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety. A large amount of the garden area is outside the building line and may not qualify as domestic garden therefore the development does not provide an appropriate level of amenity to service the development and needs further planning permission. The parish plan restricts new housing on greenfield sites and in gardens, is out of reach of local residents being a large executive home, is not affordable housing and does not complement any rural housing ne, and the windows overlook neighbouring property. This site has previously had the benefit of planning permission (PA/2011/1115) but this has now expired.

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. Two letters have been received, one from the adjacent Methodist chapel and one from the prospective purchaser of an adjacent dwelling. The issues raised are as follows:

- The proposal will block out light to the window in the school room.
- Access will be restricted for maintenance of the rear wall of the chapel.
- Parking is already a problem on Nethergate and this proposal will only increase problems of highway safety.
- The size and height of the dwelling and position within the plot will be over-development and lead to loss of amenities to neighbouring properties due to overlooking and overshadowing and impact on the outlook from surrounding property.
- It is incongruous within the street scene and out of character with the area.

ASSESSMENT

Planning permission is sought to erect a five-bedroomed detached dwelling within the garden area of 11 Nethergate. The site of the dwelling is within the settlement boundary, but the garden area is outside. Vehicular access for the new property is proposed from Nethergate. The site is located directly behind the Methodist chapel.

The main issues in the assessment of this application are whether the size, position and scale of the proposed dwelling will have a detrimental impact on the character of the area, highway safety, the amenities of neighbouring properties and the character and appearance of the open countryside.

The proposed dwelling is 14.9 metres wide, 14.2 metres deep and 9.3 metres high to the ridge. The attached double garage is approximately 9.4 metres wide, 6.9 metres deep and 5.2 metres to the ridge. The area is characterised by a wide range of house types, sizes and designs and it is considered that the proposed dwelling will not be out of keeping with the character of the area. There are a number of large properties in the vicinity of the

application site with similar, if not larger, footprints and the proposed dwelling is not considered to be unusually large in the context of surrounding buildings. No overlooking is created as the main orientation of the building is front and back. The only windows which directly face properties to the side are ground-floor windows, and a gallery landing and first-floor bathroom window. These windows are either a significant distance from neighbouring properties, obscure-glazed, or do not serve a habitable space. The property is set behind the Methodist chapel which will screen the development from the street scene. It is also set well away from neighbouring properties to avoid any issues of overshadowing and loss of light. In addition, surrounding dwellings have their outbuildings/garages nearest to the site of the new dwelling, which will further help to screen the proposal and reduce any impact on residential amenity.

The main dwelling is to be built on garden land which is within the settlement boundary; however, the garden area to the rear is outside the settlement boundary. Although this area is considered to be open countryside in policy terms, it is not used for agricultural purposes. It is a parcel of grass/scrub land that is divided by a footpath which leads to Brethergate. The properties either side of the application (9 and 17 Nethergate) have gardens which extend far beyond the rear of 11 Nethergate, and indeed far beyond the area proposed to be used for garden in connection with the proposed dwelling. The area of proposed garden is approximately 14 metres by 20 metres and is located between two extensive neighbouring gardens. The use of this area as garden is not considered to be harmful to the character and appearance of the open countryside as the land either side is residential in nature and has domestic buildings built a significant distance behind the rear of the proposed property. The land is crossed by a pedestrian footpath and is not agricultural in appearance or use. Provided that there remains some control over the future development of this land in relation to the erection of associated domestic buildings, it is not considered harmful to the open countryside to allow this land to be utilised as residential curtilage.

The parish council has objected on the grounds that the property is too big, and out of character and dominant in the area. However, as discussed above, the area is characterised by a variety of properties, including large detached dwellings, and the style and appearance of this property is not so different that it would be obtrusive or at odds with the overall character of this part of the village. The parish council is also concerned that the unit is not affordable or satisfies a rural housing need. However, this is not a policy requirement for developments of one dwelling and is not a reason to resist the current proposal. Concerns have been raised about the impact on the character of the countryside, highway safety and loss of amenities for neighbours. The highways department has not objected to the proposal, but has recommended conditions to ensure that adequate access and parking is provided. The issue of impact on the countryside is considered to be acceptable in planning terms and no overlooking or loss of light will occur due to the orientation of the dwelling, the position of windows and the separation distances between the new and existing development.

A letter has been received from the adjacent Methodist chapel regarding loss of light to a schoolroom and problems with maintenance of the rear wall of the building. The proposal includes an attached garage which is the nearest part of the property to the chapel. The garage is 2-3 metres away from the rear of the chapel, which will leave sufficient space to access this wall in the event that maintenance is required. This access is, however, a private matter between the parties involved, and cannot be controlled through the planning process. The loss of light to the schoolroom is a planning consideration, however there is sufficient separation distance to allow light to enter the rear of the building, particularly as the garage is single-storey.

Concerns have also been raised by the prospective purchaser of an adjacent dwelling in relation to impact on residential amenity; however, as discussed above, it is considered that the proposal is acceptable in this respect and does not cause harm to the amenities of surrounding property. The application is considered to be acceptable and complies with policies in the adopted local plan and is 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: HUR/16/01 and HUR/16/02.

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.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) 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.

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 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.

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.

Construction and site clearance operations shall be limited to the following 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 operated 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 the prior written approval of the local planning authority.

Reason

In the interests of the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

11.

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.

Informative 1

The proposed development and adjacent properties have the potential to suffer from a level of flooding due to surface water run-off and/or overland flow. Care should be taken with finished floor levels, threshold levels and location of openings.

SuDS must be considered and investigated (i.e. ground infiltration feasibility). Further advice can be sought by contacting the Drainage Team on 01724 297522. Any advice offered by the Drainage Team should be acted upon.

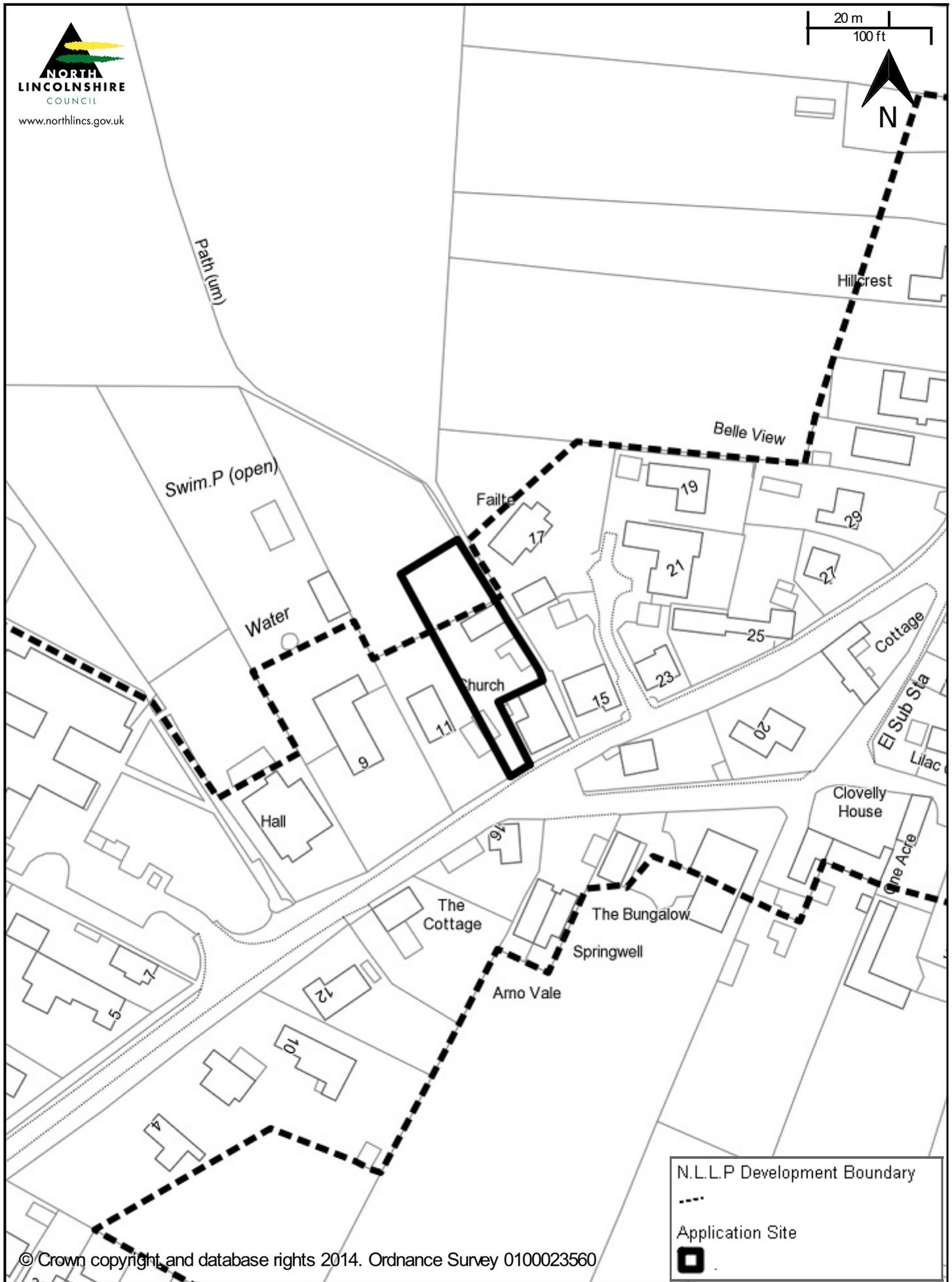
Informative 2

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.



N.L.L.P Development Boundary
Application Site

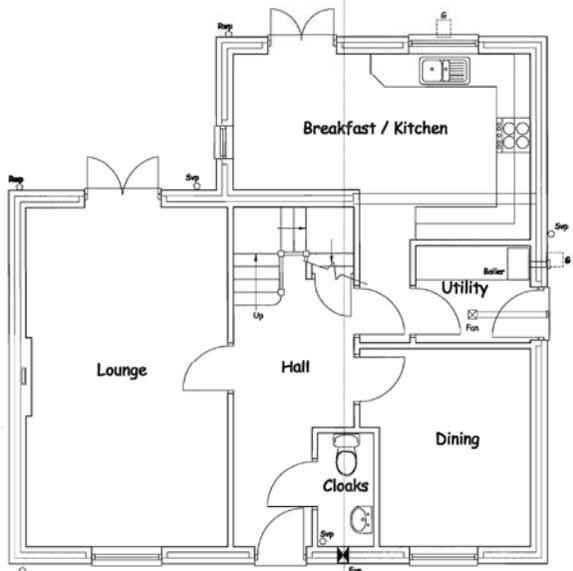
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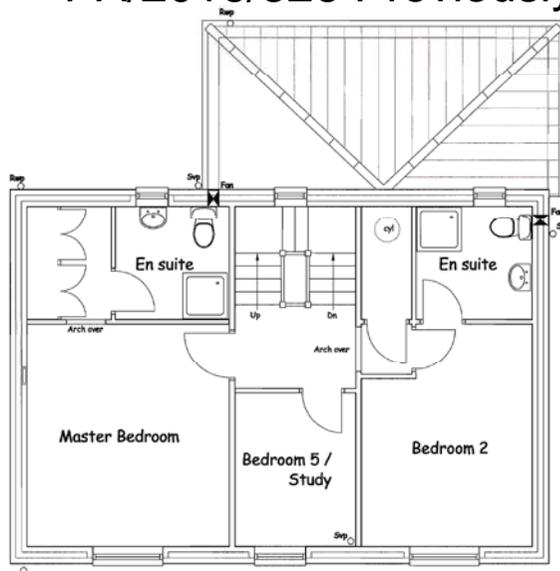
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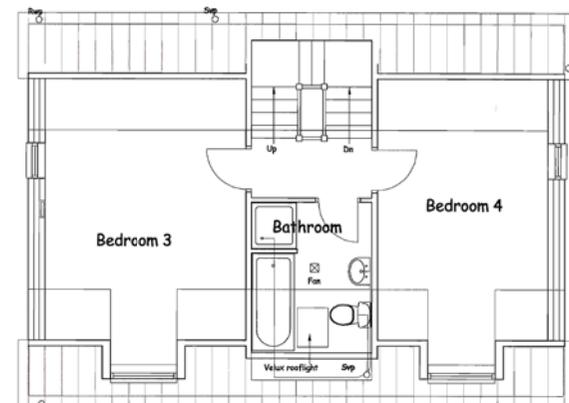
Drawn by: S Barden



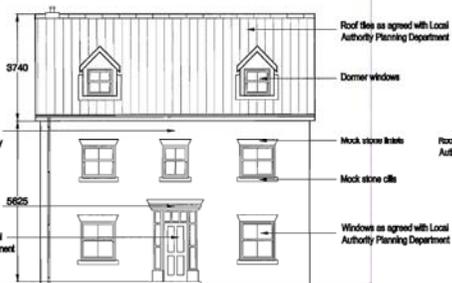
Ground Floor Plan
4 Bed House



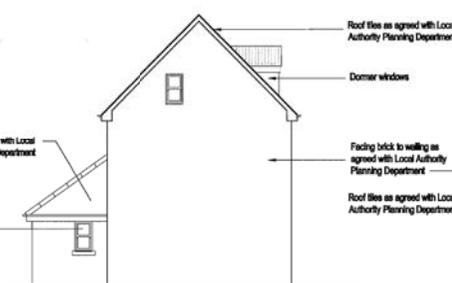
First Floor Plan
4 Bed House



Second Floor Plan
4 Bed House



Front Elevation
4 Bed House



Side Elevation
4 Bed House

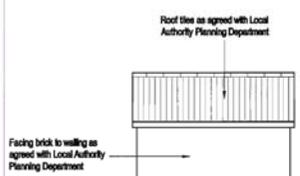


Rear Elevation
4 bed House



Side Elevation
4 Bed House

DEVELOPMENT CONTROL SECTION
15 SEP 2011
DATE RECEIVED



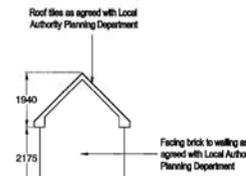
Side Elevation
Garage



Front Elevation
Garage



Side Elevation
Garage

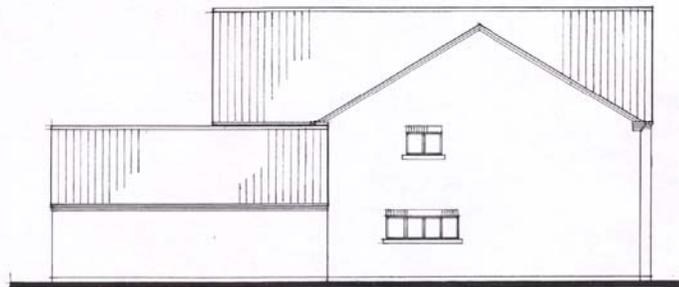


Rear Elevation
Garage

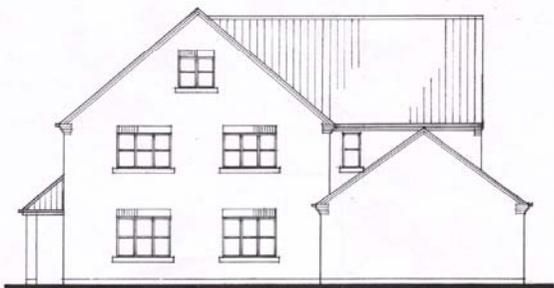
03	July 2011
Proposed Elevations - Plot 1	1:50 & 1:100
Proposed 3no Dwellings to 11 Nethergate Westwoodside Doncaster	



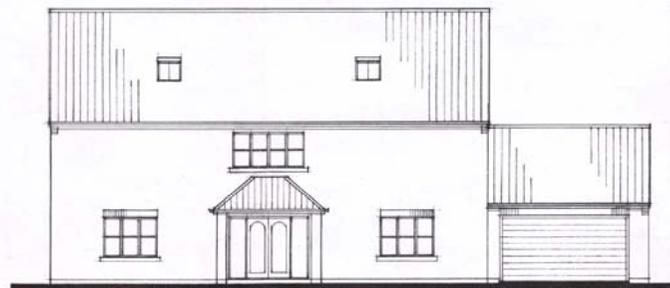
rear elevation - north



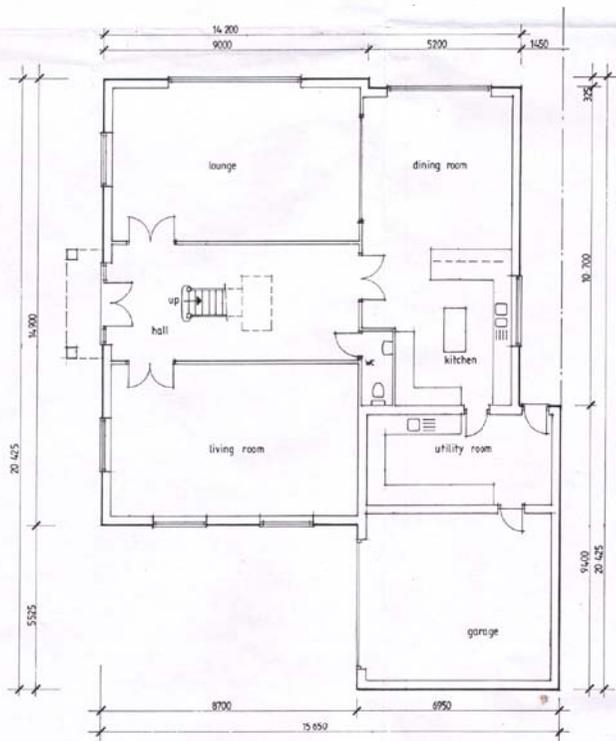
side elevation - east.



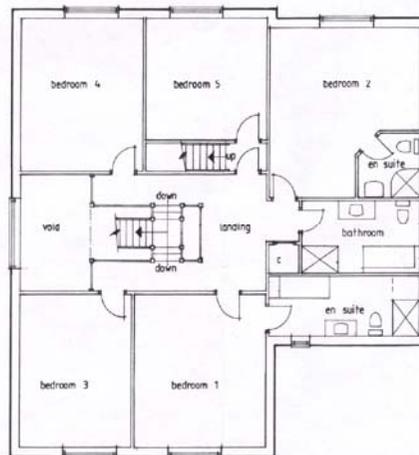
front elevation - south.



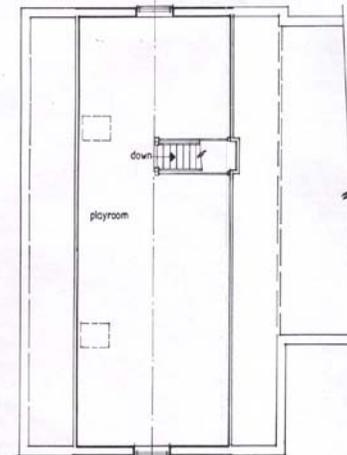
side elevation - west.



ground floor plan



first floor plan



roof plan.

PA/2016/326 Proposed elevations and floor plans
Not to scale