

<b>APPLICATION NO</b>	<b>PA/2016/549</b>
<b>APPLICANT</b>	Mr Mark Frecknall
<b>DEVELOPMENT</b>	Planning permission to erect a detached four bedroom dwelling with associated access from Burnside
<b>LOCATION</b>	Land rear of 96 High Street, Broughton, DN20 0HY
<b>PARISH</b>	Broughton
<b>WARD</b>	Broughton and Appleby
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Broughton Town Council Member 'call in' (Councillor Ivan Glover – significant public interest)

## **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 that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

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.

**North Lincolnshire Local Plan:** Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS14 (Foul Sewage 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 CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS9 (Affordable Housing)

Policy CS25 (Promoting Sustainable Transport)

**North Lincolnshire Housing and Employment Land Allocations Development Plan Document**

## **CONSULTATIONS**

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

**Environmental Health:** Requested a screening exercise be undertaken with regard to land contamination. Following this screening exercise Environmental Health confirm that they have no objection subject to conditions.

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

## **TOWN COUNCIL**

Broughton Town Council objects to the development for the following reasons:

- Road safety – Narrow width of the road and impact on the existing residential development due to the necessity for these properties to park on the road because of their steep driveways. Potential for issue due to site traffic.
- Environmental – Minor amenity impact as a result of the felling of trees on the site.

## **PUBLICITY**

Neighbouring properties have been notified by letter. One letter of objection has been received citing the following concerns:

- Concerns regarding the proposed access which is opposite existing properties on Burnside. Due to the steep gradient of the driveways serving these existing properties they cannot be used safely and so the occupants of the dwellings park their cars on the highway to the front of their dwellings.
- The plan seems to have very little space for a nice swing out and good visibility.
- The streetlight appears to be very close to the proposed driveway and this could cause an issue.
- The development will result in a two-storey dwelling overlooking neighbouring dwellings and the headlights from cars entering and exiting the site will shine into the windows of neighbours.

One letter of support has been received on the following grounds:

- The loss of trees is far worse in other areas of Broughton.
- The road to the entrance of the development is of acceptable width.
- There are far worse roads in Broughton where residents insist on parking on the road as opposed to their driveway.

## **ASSESSMENT**

The application site is a piece of garden land located to the rear of 96 High Street, Broughton. The site is located within the defined development boundary for Broughton and is not located within a conservation area. The immediate area is predominantly residential in nature; however there are a range of local facilities relatively close to the site, on High Street. There is an open dyke that runs in a west-east direction between the site and Burnside to the north and there are a number of trees around the site as well as hedging along the side boundaries.

This application seeks planning permission for the erection of a detached, two-storey, four-bedroom dwelling with access from Burnside. The dwelling is provided with off-street parking and turning to the front and an integral garage.

**The key issues in the determination of this application are:**

- **whether the proposed development would be harmful to highway safety along Colton Street;**
- **whether the design of the development is appropriate with regard to the character of the surrounding area; and**
- **whether the proposed development would have an unacceptable impact on the amenities of neighbouring properties.**

## **Principle of residential development**

The application site is located within the development boundary of Broughton and is in a sustainable location within easy walking and cycling distance of the local shops and community facilities. For these reasons it is considered that the proposal accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and the National Planning Policy Framework on delivering residential development in appropriate locations.

## **Design**

The surrounding area along Burnside is residential in nature, with neighbouring properties being a mix of different dwelling type, including single-storey bungalows and two-storey dwellings. Neighbouring dwellings also vary in terms of their age, design and use of materials. Therefore, there is no prevailing architectural style in the local area. The proposed dwelling fronts Burnside, with a large parking and turning area to the front and an area of private amenity space to the rear. The dwelling is of relatively traditional design and will be constructed of facing brickwork (to be agreed via the discharge of conditions) and double pantiles. It is considered that the design of the proposed dwelling is acceptable and that the development will not have a significant impact on the character or appearance of the area.

## **Highway safety**

Concerns have been raised relating to the increase in vehicular traffic as a result of the proposed development and the impact on highway safety as a result. The majority of these concerns relate to existing issues with on-street parking along Burnside. A letter has been received from a neighbouring property stating that due to the steep gradients of the driveways serving the properties on the north side of Burnside the occupants of these dwellings choose to park their vehicles on the road rather than their driveways; this results in permanent on-street parking along the north side of Burnside which makes the narrow road dangerous for vehicles travelling along it. On this basis the neighbour does not believe that new dwellings should be allowed along Burnside and this view is supported by the town council.

The proposed development is for a single dwelling which is provided with a large area of off-street parking as well as an integral garage. Due to the scale of the development and the level of parking proposed to serve it, the proposed development will not generate a significant amount of traffic or result in significant additional on-street parking. The council's Highways department has commented on the application and has raised no objection to the proposal subject to conditions.

The issue of on-street parking along Burnside is an existing problem which is created by the occupiers of existing dwellings choosing to park on the road rather than within their own properties. The proposed development is not anticipated to result in additional on-street parking in the area and as such will not exacerbate this issue. The council's highways department has not raised concerns relating to on-street parking in the area and is happy with the proposed parking and access arrangements serving the new dwelling.

For these reasons it is considered that the development will not be harmful to highway safety in the area.

## **Residential amenity**

The proposed dwelling has been designed with no first-floor windows in its side elevations. All first floor habitable windows face front and rear where there are significant distances to the nearest residential properties, which will prevent overlooking. Furthermore the distance between the proposed dwelling and the neighbouring dwellings will prevent any unacceptable loss of light as a result of the development. For these reasons it is considered that the proposed development will not be harmful to the residential amenity of adjacent dwellings.

## **Other matters**

The proposal includes the removal of several trees from the site to allow for the construction of the dwelling and the associated access and parking area. However there is a large number of trees on the site at present and the proposed scheme retains as many trees and hedges as possible. None of the trees to be removed are protected by tree preservation orders and as such these trees could be removed at any time without the need for formal consent. The loss of the trees is not considered to have an unacceptable impact on the amenity of the area.

The council's Environmental Health department has confirmed no objection to the development with regard to land contamination subject to a condition protecting against unexpected contamination. They have also requested a condition be imposed with regard to hours of construction, which is intended to prevent the construction phase of the development from impacting on the amenity of neighbours. However, as the proposal is only for a single dwelling, any disturbance as a result of construction operations will be minimal and will be short lived; therefore it is considered that a condition restricting construction hours is not necessary and would be overly onerous.

The council's Drainage team has identified that the site is located within an area that could be susceptible to surface water flooding and as such has requested a condition securing a satisfactory drainage scheme prior to development commencing. However, the applicants have confirmed on the plans that all surface water will be directed to a new soakaway to the rear of the dwelling which will be designed to comply with the relevant Building Regulations and will be subject to the approval of the local authority Building Control officers. Therefore it is considered that an acceptable drainage scheme will be secured under Building Regulations and a planning condition in this regard would be a duplication of regulatory controls and as such is unnecessary.

## **Conclusion**

It is considered that the proposed residential development of the site will not have an unacceptable impact on the character of the area, highway safety or the amenity of neighbouring residential properties. Furthermore, the development will support the vitality of this rural settlement. On this basis it is considered that the proposed development is acceptable.

## **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: PA/2016/549/01 rev A.

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.

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.

5.

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.

6.

No development shall take place until a plan showing the design of the proposed front boundary wall has been submitted to and approved in writing by the local planning authority.

Reason

To protect the character and appearance of the area in accordance with policies H5 and DS1 of the North Lincolnshire Local Plan.

7.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's 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 ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) 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
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) 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.

8.

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.

9.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's 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**

The proposed access over Moor Beck requires the consent of North Lincolnshire Council's Drainage Team (Lead Local Flood Authority) through an ORDINARY WATERCOURSE CONSENT. The applicant is advised to contact the LLFA drainage team on 01724 297522 for more details.

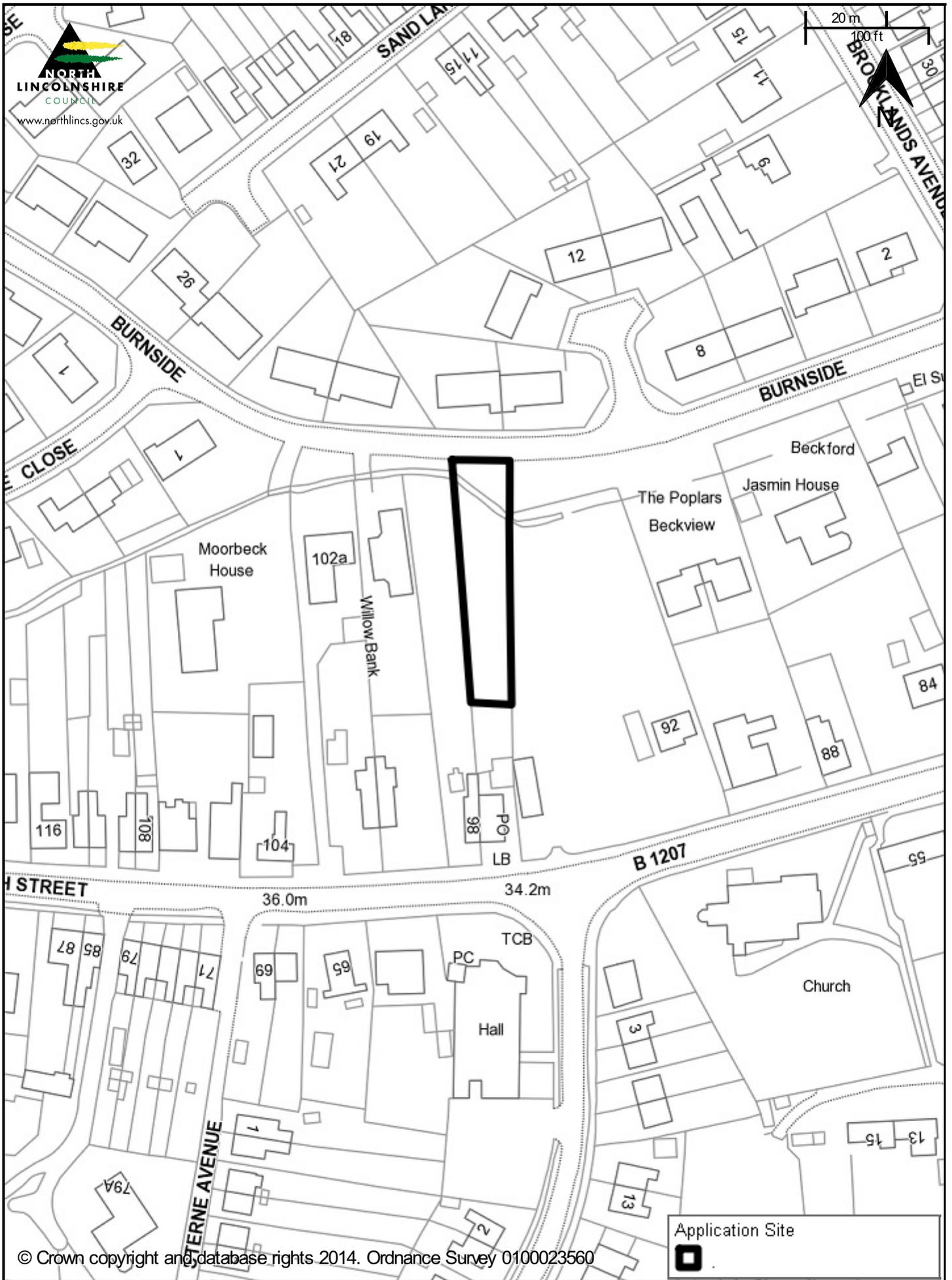
**Informative 2**

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.



Application Site  


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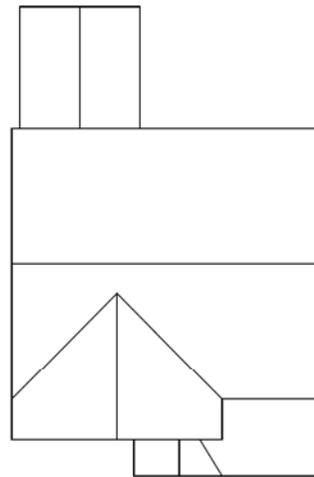
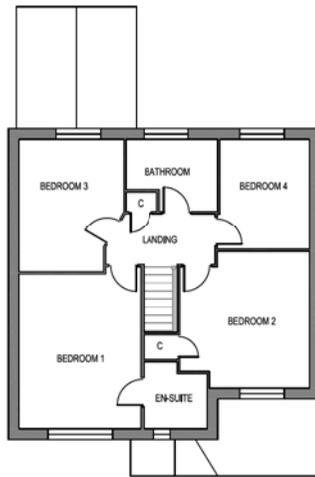
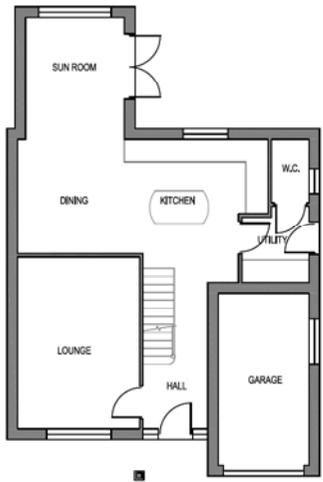
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# PA/2016/549 Proposed Elevations and floor plans - Not to scale

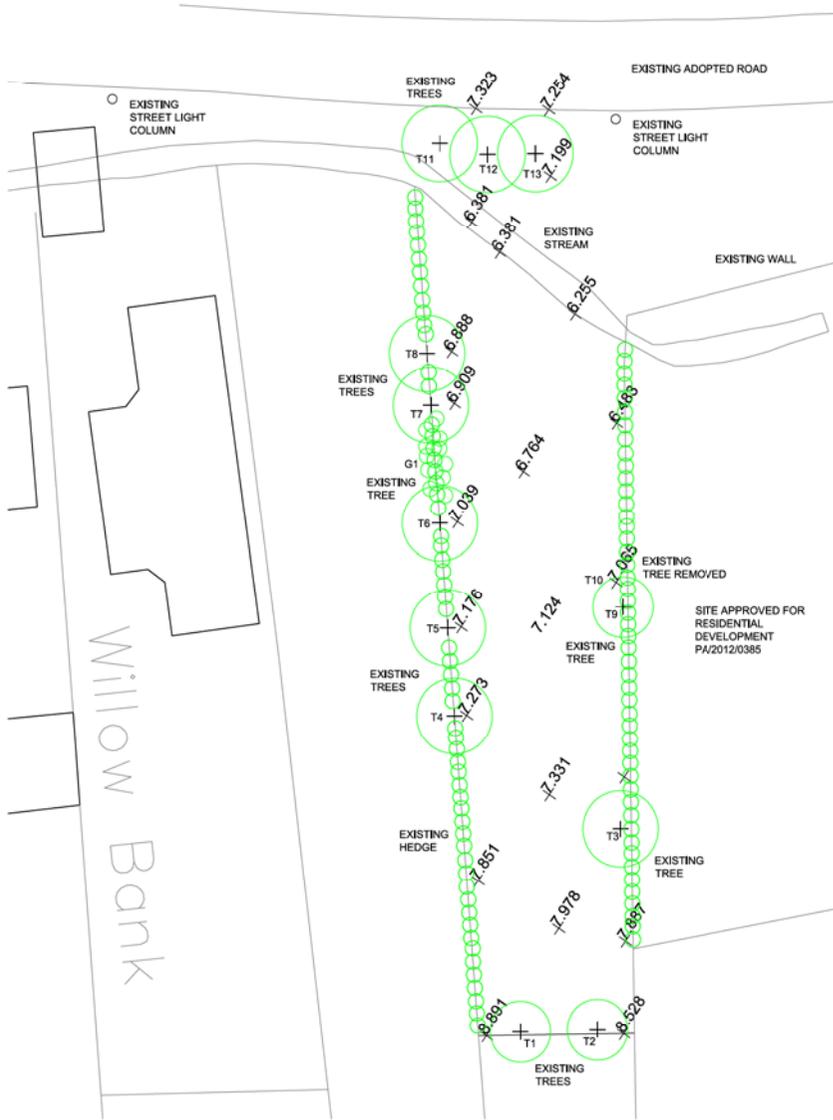


## HOUSE TYPE PLANS & ELEVATIONS 1 / 100

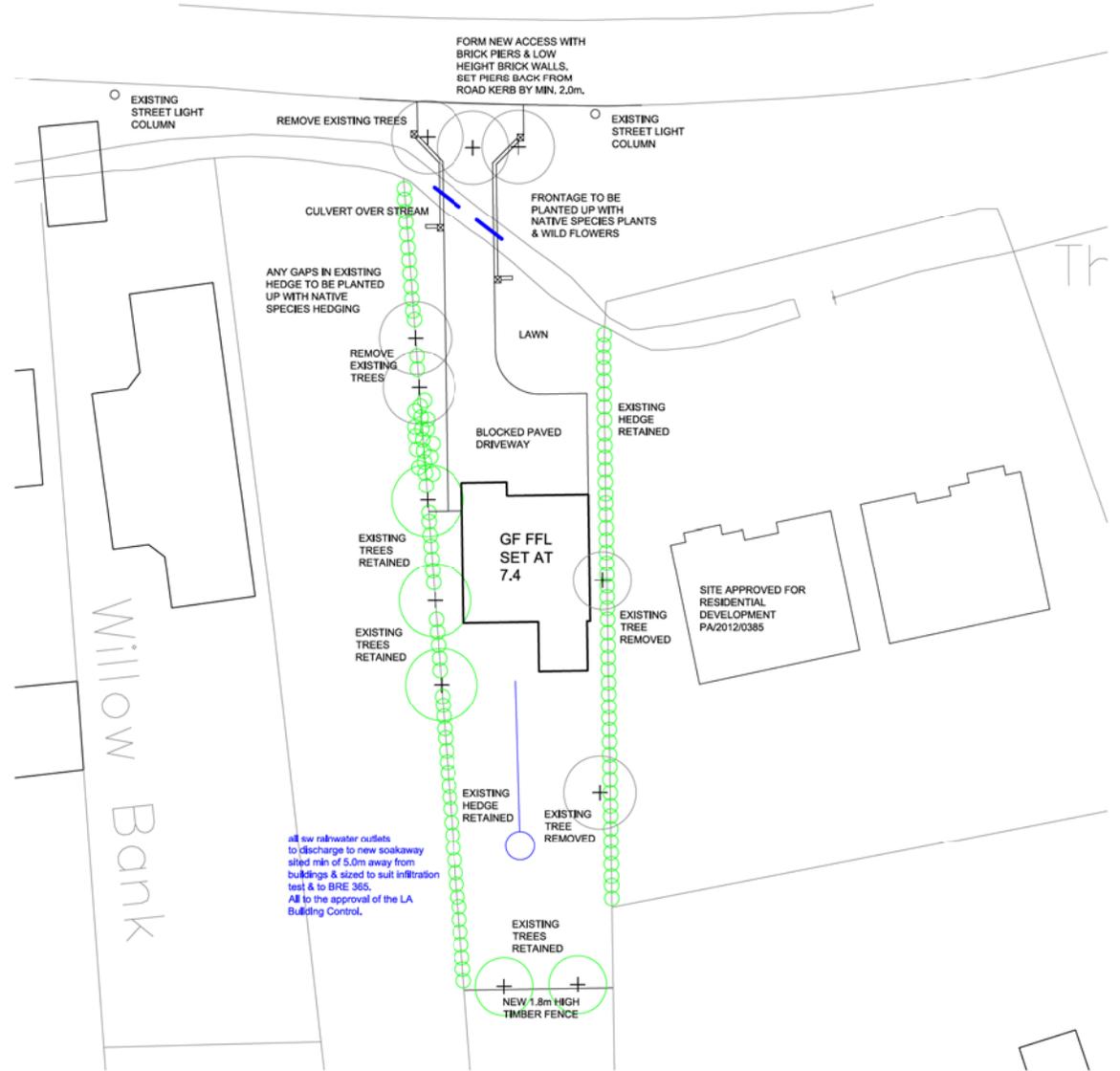
### **MATERIALS**

- WALLS TO BE FACING BRICKWORK.
- ROOF TO BE SANDTOFT DOUBLE PAN TILES.
- WINDOWS & DOORS TO BE WHITE UPVC.
- RW GOODS TO BE BLACK.
- DRIVEWAY TO BE BLOCK PAVED.

# PA/2016/549 Existing and proposed block plans - Not to scale



EXISTING SURVEY PLAN



PROPOSED SITE PLAN

all new rainwater outlets to discharge to new soakaway sited min of 5.0m away from buildings & sized to suit infiltration test & to BRE 365. All to the approval of the LA Building Control.