

<b>APPLICATION NO</b>	<b>PA/2016/1230</b>
<b>APPLICANT</b>	Mr Andrew Proctor
<b>DEVELOPMENT</b>	Planning permission to erect a two-storey terraced house (part retrospective)
<b>LOCATION</b>	1 End Terrace, School Lane, South Ferriby, DN18 6HW
<b>PARISH</b>	South Ferriby
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by South Ferriby Parish Council Member 'call in' (Cllr Rob Waltham – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 56 states that good design is a key aspect of sustainable development and is invisible from good planning and should contribute positively to making places better for people.

Paragraph 50 seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

**North Lincolnshire Local Plan:** Policies H5 (New Housing Development), H8 (Housing Design and Housing Mix), DS1 (General Requirements), T1 (Location of Development), T2 (Access to Development) and T19 (Car Parking Provision and Standards) apply.

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering more Sustainable Development), CS5 (Delivering Quality Design in North Lincolnshire), CS7 (Overall Housing Provision) and CS8 (Spatial Distribution of Housing Sites) apply.

## **CONSULTATIONS**

**Highways:** No objection, but recommend a condition that the dwelling shall not be occupied until the parking spaces have been completed.

**Environmental Health:** The application for residential development is a sensitive end use. No supporting information has been provided by the applicant that demonstrates the land has not been impacted by contamination, and that any potential risks can be reduced to an acceptable level. Recommend a condition that a contaminated land investigation is undertaken.

## **PARISH COUNCIL**

Object on the following grounds:

- The site on which the new dwelling is being constructed has never been occupied by a residential dwelling.
- The three bedrooms' sizes do not conform to standards for new houses.
- A step to the front of the house will need to be built to accommodate the slope of the road; this step would then encroach onto the footpath.
- Vehicular access would be shared with the car park of the Nelthorpe Arms Public House.
- There will be a reduction in the width of the widely used permissive pedestrian access between the Nelthorpe Arms public house and the proposed building. Pedestrians would be compromised when a vehicle is entering or leaving the site.

## **PUBLICITY**

Neighbouring properties have been notified. Nine letters of objection have been received raising similar issues to the parish council, together with the following issues:

- policy RD4 should have been applied
- noise disturbance from the public house and its associated deliveries
- the depth of the public house when compared against the proposal is inaccurate
- the drawings are inaccurate
- mixed vehicular access with the public house
- the building works are already underway
- it has never been in use as a terraced property
- loss of Victorian character to the area
- overlooking towards neighbouring properties
- the site location plan does not show more recent development in South Ferriby
- narrow vehicular access
- new bricks and not reclaimed bricks have been used in its construction
- works should cease until a decision is reached.

## **ASSESSMENT**

The application site consisted of a single-storey building used for storage located on the end of a terrace of houses. The single-storey building was constructed from a red brick and red clay pantile, it has been subsequently demolished. The site is located within the settlement boundary for South Ferriby, adjacent to the Nelthorpe Arms public house and opposite some agricultural buildings. A vehicular access runs parallel to the site between the terrace and the public house. The site is sloping in nature, from west to east.

**The main issues in the determination of this application are the principle of development, impact on the character and appearance of the street scene and upon residential amenity.**

### **Principle**

The application site is located within the settlement boundary for South Ferriby which is designated as a rural settlement where any development should be in keeping with the character and nature of the settlement under policy CS1 (Spatial Strategy for North Lincolnshire) of the Core Strategy. Policy CS2 (Delivering More Sustainable Development) states that development should be located within the defined development limits of rural settlements to meet identified local needs. Policy H8 (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains and where possible improves and enhances the character of the area and protects existing and natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable land within the defined settlement boundary of South Ferriby, therefore there is a presumption in favour of residential development.

It is understood that the building which has been demolished has had a mix of uses in the past. It was used for storage prior to the submission of this planning application. Therefore the demolition of the former storage building did not result in the loss of a community facility in South Ferriby.

### **Street scene and settlement character**

School Lane has a clearly defined character with rows of terraced properties with the principal elevation addressing the public highway. Similarly the public house to the west has its principal elevation facing towards School Lane. The neighbouring residential properties rely on parking within the public highway. A number of these terraced houses have deep gardens to the rear, which are laid to grass. It is proposed to introduce a two-storey dwelling (under construction) at the end of the terrace at a similar height and with a similar orientation of windows. The principal elevation of the dwelling will face the highway to the front (School Lane) and the property will continue the ridge line of the existing properties to provide a continuous frontage. The existing visual break between the end of the terrace and the public house will be retained. The plans show that the proposed dwelling will have a balanced appearance to both its front and rear elevations with upper-floor windows in vertical alignment with ground-floor openings. The gable will be broken up by two windows at ground-floor level.

The plans show that provision will be made to the rear of the property for an area of private amenity space (approximately 35 square metres in area) and a minimum of two off-street parking spaces. The proposed dwelling is of similar scale, height and depth to the existing

property located immediately adjacent to the site. The applicant has stated in the planning application form that the bricks and tiles reclaimed from the demolition of the storage building will be utilised in the construction of the dwelling. The dwelling is under construction at the time of writing this report (up to first-floor level) and it has been constructed thus far from a mix of new and reclaimed materials. The appearance of the dwelling is consistent with the appearance of existing dwellings along the street scene in School Lane, including the modern property located to the north-east. The dwelling is not considered to result in an incongruent feature in the street scene and the choice of external materials used in the construction of this dwelling will result in visual assimilation.

### **Residential amenity**

It is considered that the proposal will provide sufficient provision for private amenity space and off-street parking, particularly as the majority of dwellings along School Lane are reliant on parking in the public highway. In terms of the layout of the proposed dwelling the plans show that the window arrangement will be front and rear facing; this is consistent with the arrangement of windows to existing properties along School Lane. The windows to the upper floor of the front elevation will have an outlook onto the public highway; the bedroom window proposed in the rear elevation at first-floor level will overlook the rear garden, the pub car park and smoking area.

Issues have been raised in respect of the internal room sizes and the overall floor space of the proposed dwelling. Whilst no specific criteria is set out in planning policy in respect of minimum room sizes recent legislation produced by the Department for Communities and Local Government in March 2015 (entitled Technical housing standards – nationally described space standard) states that a three-bedroomed dwelling should have a minimum gross internal floor area of 84 square metres. The plans show that this minimum internal floor space will be achieved in this case.

The proposed dwelling will be located immediately adjacent to a public house. Issues have been raised in respect of noise and disturbance associated with this existing use. The proposed occupants of the dwelling will be fully aware of the proximity to the public house; in addition the public house is surrounded by residential properties and the level of disturbance is not considered likely to adversely affect the amenity of the occupants of one proposed dwelling over and above that already experienced by existing houses in the vicinity.

### **Other issues**

The existing access along the side of the site is laid to hardstanding and is of sufficient width (approximately 4 metres) to accommodate the movement of vehicles to and from the site. In addition no objection has been raised by highways in respect of the use of this access road, parking provision and highway and pedestrian safety. This is not a designated public thoroughfare or right of way so its use for vehicular access to the rear of the site is considered acceptable. It is acknowledged that this application is partly retrospective in nature in that the applicant has begun development by demolishing the original storage building and constructed the proposed dwelling up to first-floor level. The planning system allows for planning applications to be submitted and considered retrospectively. In this case it is considered that the proposal will not be out of keeping with the character and appearance of the street scene, the principle of residential development on this site is acceptable and the proposal will not result in loss of residential amenity or highway safety. Therefore the planning application is recommended for approval.

Environmental Health has recommended a condition requiring a full contaminated land investigation to be undertaken. Given that this site had a building previously located on it, and that the building works have already commenced (up to first-floor level), it is considered prudent to recommend a condition that investigates any contamination encountered during the continuation of any building works. It is not considered necessary to recommend a condition in respect of a full contaminated land investigation in this case.

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

1.

The development hereby permitted shall be completed in accordance with the following plans and thereafter retained: Location Plan, Existing and Proposed Elevations and Ground Floor Plan, Existing and Proposed Elevations and Ground Floor Plan 2, Existing and Proposed Elevations and the materials detailed in the planning application form.

**Reason**

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

2.

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.

3.

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.

4.

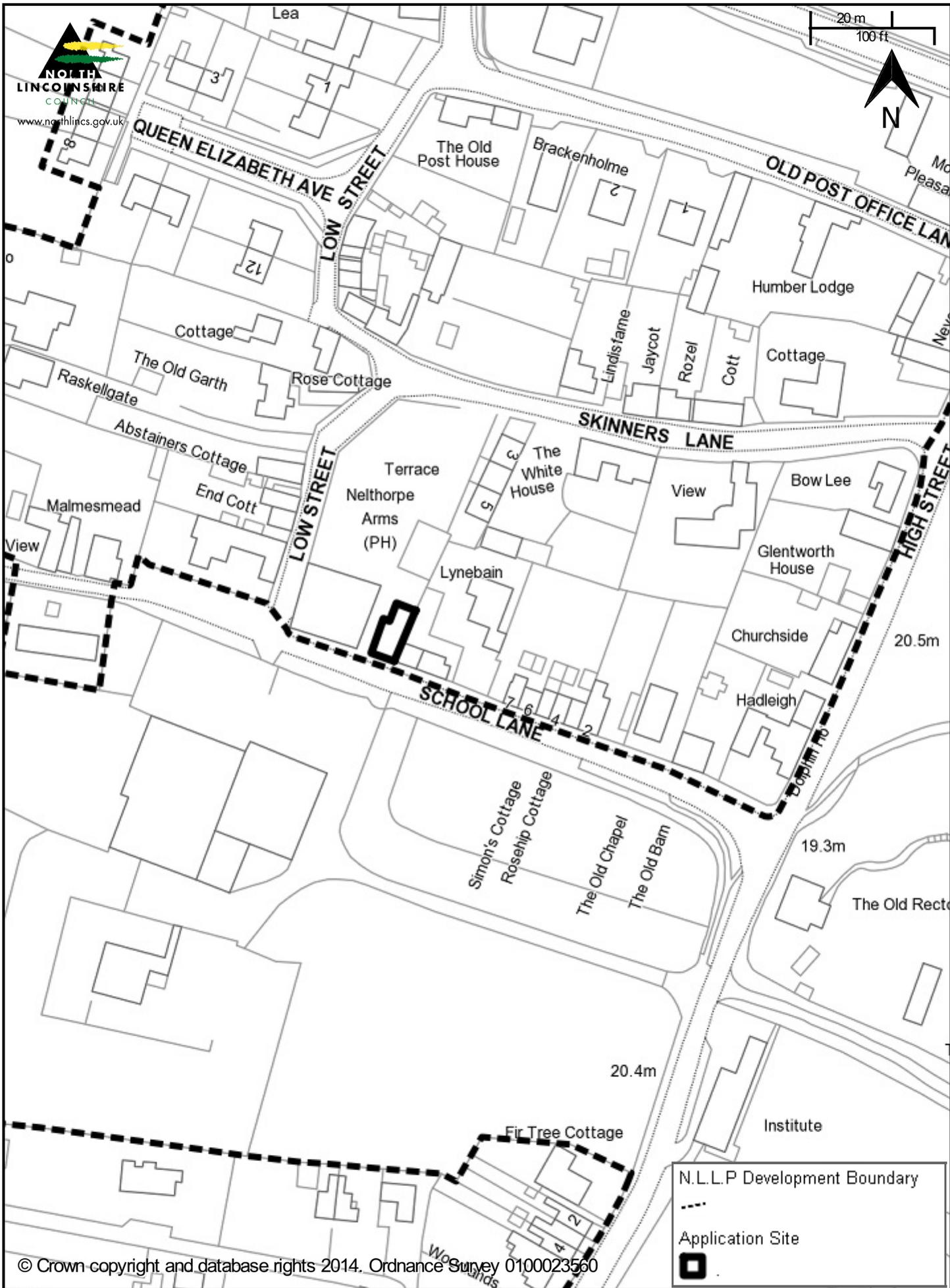
Notwithstanding the provisions of classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, or any order revoking and re-enacting that order with or without modification, no extensions shall be made to the dwelling or outbuildings erected on the site other than those expressly authorised by this permission.

**Reason**

To define the terms of the permission and to ensure that the occupants of the dwelling hereby approved retain sufficient private amenity space for their personal enjoyment in accordance with policies DS1 and H5 of the North Lincolnshire 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.



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