

<b>APPLICATION NO</b>	<b>PA/2016/870</b>
<b>APPLICANT</b>	Mr & Mrs G Cochrane
<b>DEVELOPMENT</b>	Planning permission to erect a four-bedroomed detached dwelling with detached double garage to rear
<b>LOCATION</b>	4 Dunstan Hill, Kirton in Lindsey, DN21 4DU
<b>PARISH</b>	Kirton in Lindsey
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Leanne Pogson-Wray
<b>SUMMARY RECOMMENDATION</b>	<b>Grant planning permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Kirton in Lindsey Town Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 states that at the heart of the NPPF 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 35 states that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.

At paragraph 37 it states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

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.

Paragraphs 15, 47, 50, 55, 56, 60, 61 and 99 to 103 also apply.

**North Lincolnshire Local Plan:** Policies DS1, H7, H8 and T2.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3 and CS5.

## **CONSULTATIONS**

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

**Environmental Health:** Advise conditions regarding contamination.

## **TOWN COUNCIL**

Object to the proposal on grounds of visual amenity, access close to the brow of the hill, noise and disturbance to a neighbour, and would set a precedent.

## **PUBLICITY**

Neighbouring properties have been notified by letter. Four letters of objection has been received raising the following material issues:

- loss of outlook
- a bungalow would be better
- concern over the number of vehicles for two dwellings
- would the materials be appropriate?
- not in keeping with surrounding properties
- loss of privacy
- the pitch of the roof is too steep/visual impact
- concerns over surface water drainage
- highway safety issues
- loss of trees/wildlife
- noise and disturbance from the access.

## **ASSESSMENT**

This application was deferred at the last meeting of the planning committee to enable members to visit the site prior to making a decision.

The application property is a detached dwelling with an attached garage, set in a very large plot. There are many trees and hedges to the rear garden and along the side and rear boundaries. There are a mix of dwelling types, styles and designs in the vicinity with both two-storey houses and bungalows neighbouring the site. This application seeks permission to erect a two-storey dwelling to the rear of the existing dwelling, with the access to the side of the house. This would involve demolition of part of the existing garage and the creation of a long driveway along the side boundary. There is a high hedge and fencing along this side boundary. The proposed dwelling would be sited with the gable ends facing the front and rear of the plots, with the main elevations facing sideways.

**The main issues in determining this application are whether the proposed development would have an adverse impact on the character of the area, on the amenity of neighbouring properties or on highway safety.**

One of the issues relates to character in that the proposed plot would constitute backland development. It is accepted that this would be the case, however policy H7 states that backland development will be permitted provided that there is no loss of amenity to any residential properties or neighbouring land uses and it would not affect the general quality and character of the area in which it is located. Additionally, there are a number of backland dwellings close to the site, some of which are outlined on the submitted design and access statement. As such it is not considered that a single dwelling in this location would have an adverse impact on the character of the area, and the proposal therefore complies with this planning policy.

Concerns have been raised regarding the design and siting of the proposed dwelling and the impact it may have on the amenity of neighbouring properties. The proposed dwelling would have windows which have the potential to overlook the adjacent dwelling to the west, however there is approximately 14 metres from the windows of the proposed dwelling to the boundary and over 4 metres from the rear of the objector's property to the proposed dwelling. As such any overlooking will not be to the private garden area but to the end of a long garden. Additionally the trees and hedges along this boundary will provide screening to reduce any overlooking and loss of privacy. To the east of the site there is a commercial garage, therefore there will be no loss of amenity. There are no first-floor windows to the rear (south) elevation and so there will be no overlooking to the dwelling to the rear.

The site is located at the top of a steep hill, therefore the site is at a higher level than the dwelling to the west. However, due to the positioning and the separation distances, it is not considered that the height of the dwelling would be overbearing to the neighbouring properties. Due to the mix of styles and designs of dwellings in the area, it is not considered that the proposed dwelling would be out of keeping with the character of the area.

The location of the site at the top of the hill has also raised concerns regarding highway safety. Highways have been consulted and raise no objections to the proposal subject to conditions. The site would have turning facilities within the site to allow access and egress in a forward gear and with the proposed visibility splays the scheme is considered acceptable.

Concerns have been raised regarding noise and disturbance from the proposed access. There is a minimum of 14 metres between the edge of the proposed driveway and the rear of the objector's property with over 4 metres from the driveway to the fenced and landscaped boundary. As such it is not considered that there would be an adverse impact from this access.

With regard to the removal of trees and subsequent loss of wildlife, it is accepted that a number of trees will be removed from the site in order to facilitate the development. However a significant number will remain on site and a landscaping condition is proposed to ensure that the site is adequately landscaped and key trees and hedges are retained. It should be noted that no trees within the site are subject to a tree preservation order and therefore could be removed without planning consent.

Environmental Health have suggested the full range of contamination conditions, including site investigations, as the end use is a sensitive use. As the site is currently garden land, it

is not considered necessary or appropriate to include this condition, and instead the standard monitoring condition is proposed.

With regard to surface water drainage, there are no known drainage issues in this area and the method of drainage will be dealt with under Building Regulations. As such it is not considered necessary to include a condition relating to drainage.

## **Conclusion**

This application seeks consent for a new build dwelling, albeit backland development, within the development limit of a sustainable settlement. Whilst a number of concerns have been raised with regard to the form of development (backland), impact upon the character of the area, loss of amenity, highway safety, noise and disturbance, and drainage, it is not considered that the development will create any unacceptable impact and it is considered to comply with both local and national planning policies.

## **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: Location and Block plan, proposed ground floor rev A, proposed first floor rev A, proposed elevation n/w rev A and proposed elevation e/s 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.

Adequate vehicle access, parking and turning facilities serving the existing dwelling shall be retained 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 policies T2 and 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.

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.

8.

Prior to the occupation of the new dwelling, the existing vehicle access and driveway shall be widened to 5 metres for a distance of at least 5 metres into the site and thereafter retained as such.

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 proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

10.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or

diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

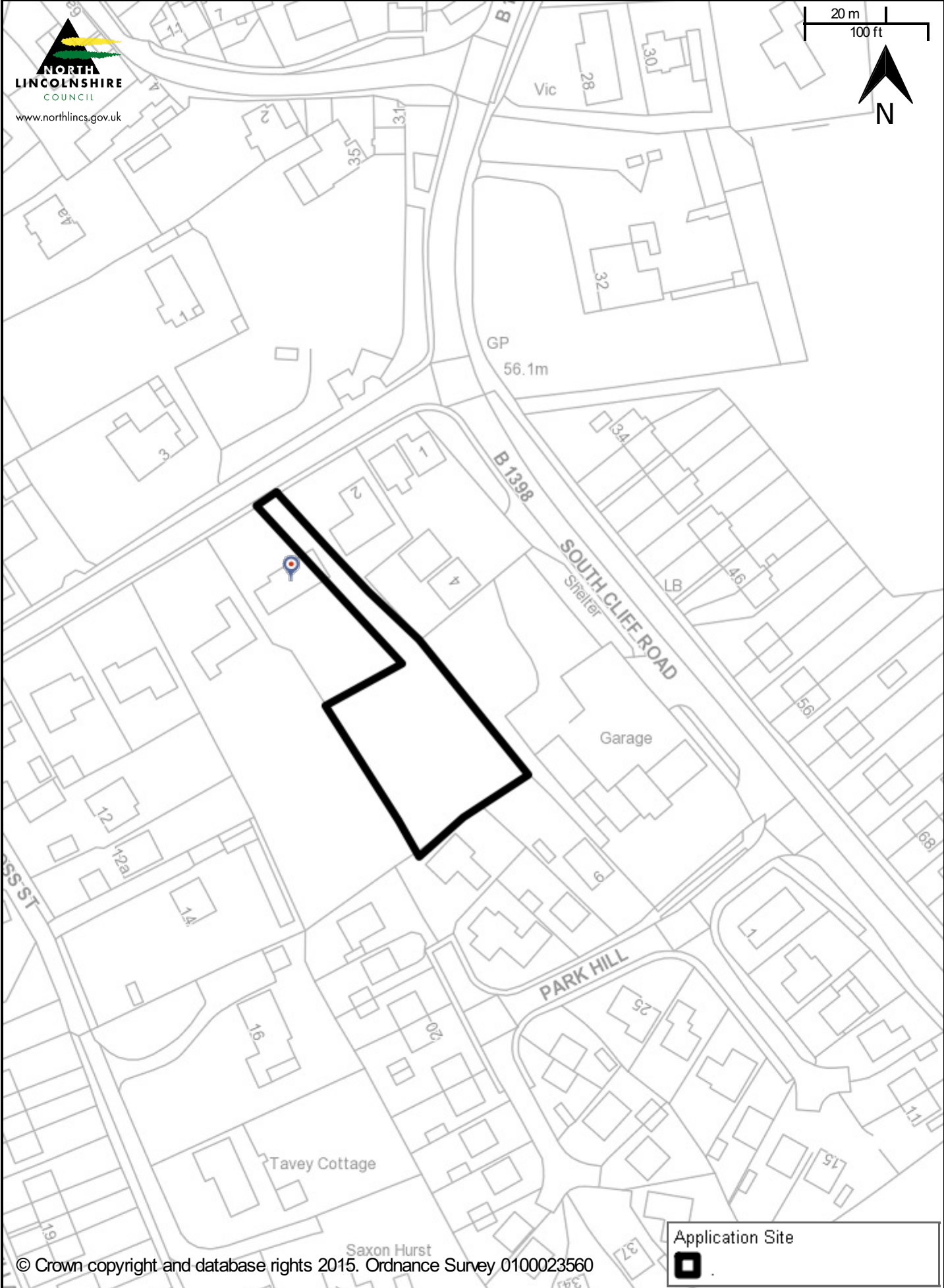
### **Informative 1**

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 2**

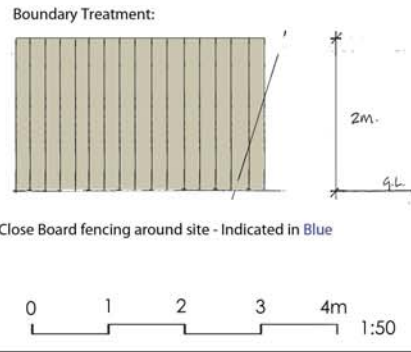
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



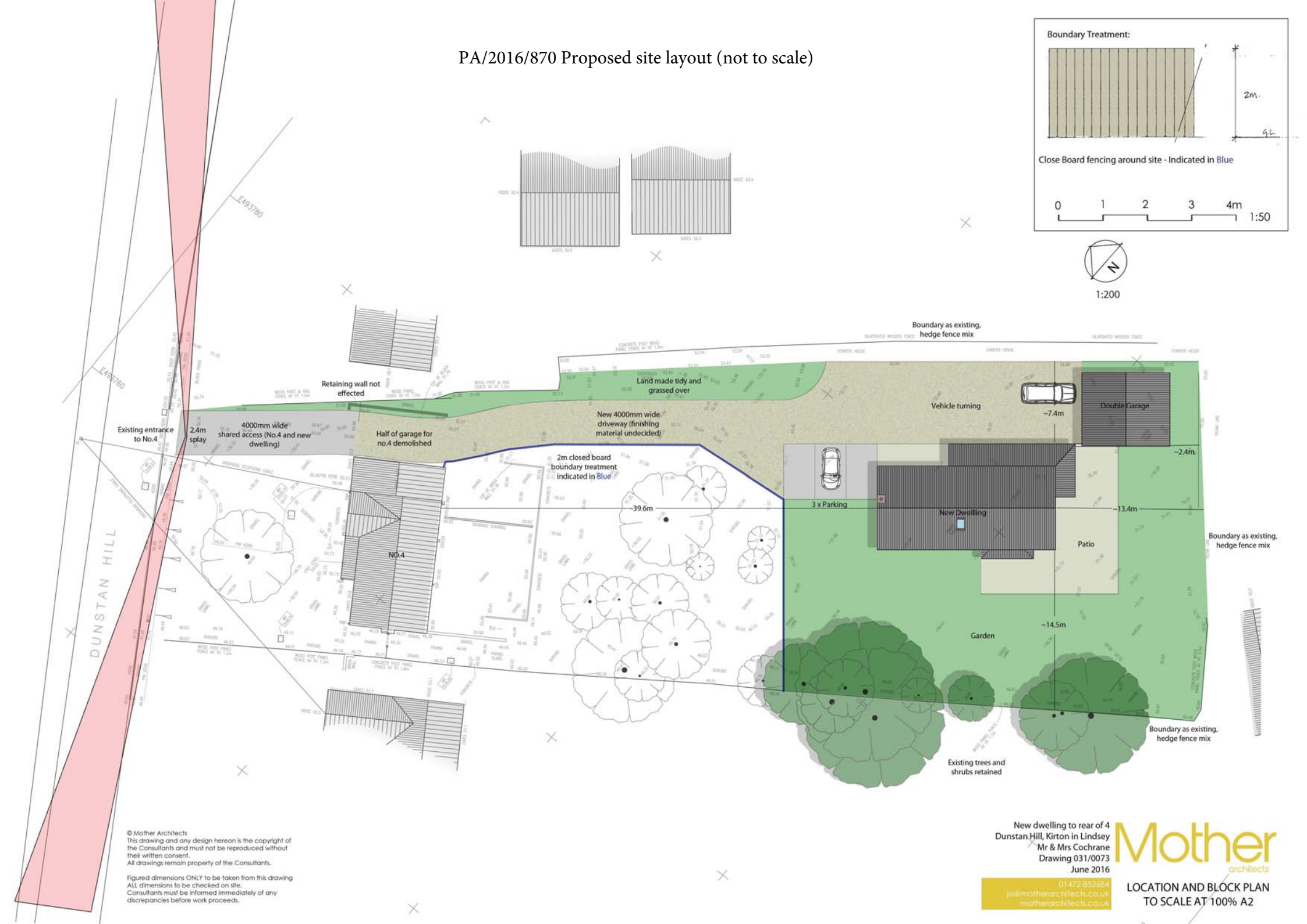
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Application Site  


# PA/2016/870 Proposed site layout (not to scale)



1:200



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New dwelling to rear of 4  
Dunstan Hill, Kirton in Lindsey  
Mr & Mrs Cochrane  
Drawing 031/0073  
June 2016

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LOCATION AND BLOCK PLAN  
TO SCALE AT 100% A2



PA/2016/870 Proposed elevations (not to scale)



North Elevation



West Elevation

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REVISION A: Master west window reduced, patio doors added, bay reduced, garage adjusted

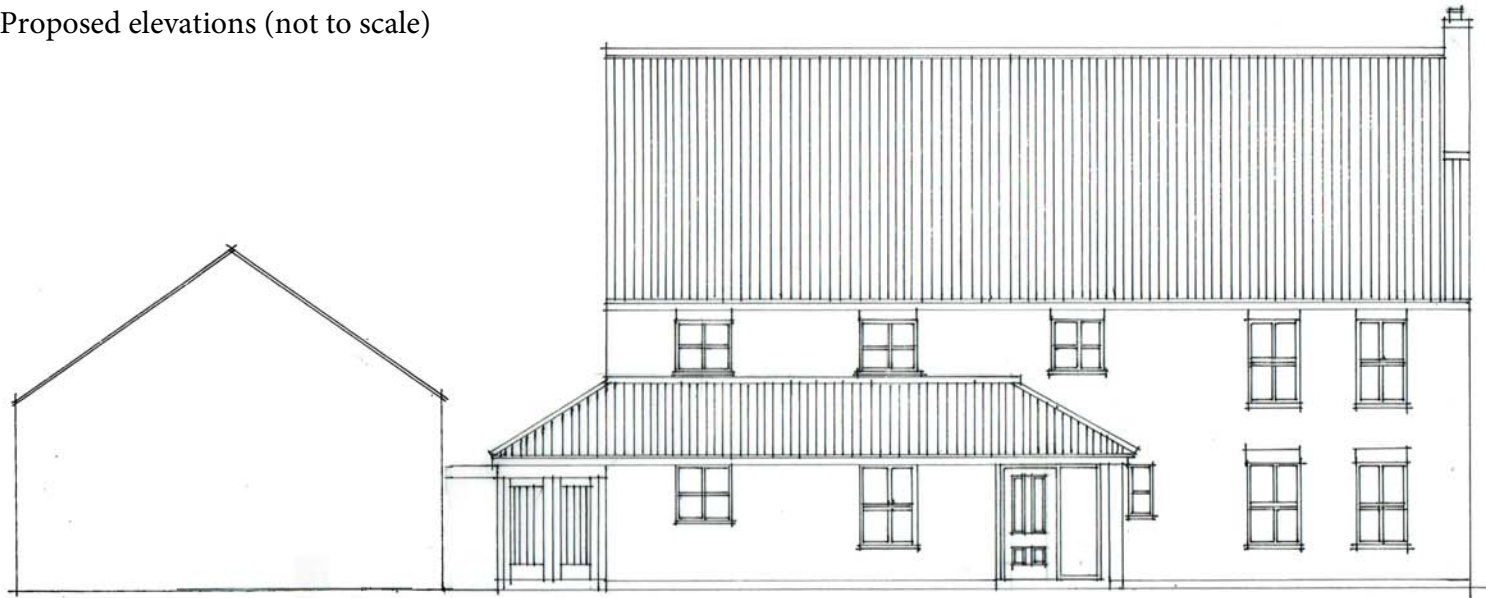


New dwelling to rear of 4  
Dunstan Hill, Kirton in Lindsey  
Mr & Mrs Cochrane  
Drawing 022/0073  
June 2016

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PROPOSED ELEVATIONS N/W  
1 TO 100 AT 100% A3



East Elevation



South Elevation

REVISION A: South elevation 1st floor windows removed and garage adjusted.

New dwelling to rear of 4  
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Drawing 023/0073  
June 2016

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PROPOSED ELEVATIONS E/S  
1 TO 100 AT 100% A3