

APPLICATION NO PA/2017/778

APPLICANT Mr George Aikenhead

DEVELOPMENT Planning permission to erect two dwellings

LOCATION Whitgift House, 30 Church Street, Messingham, DN17 3SB

PARISH Messingham

WARD Ridge

CASE OFFICER James Roberts

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: 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 47 states that to boost the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.

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

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 128 requires applicants to describe the significance of heritage assets and the contribution their setting makes to this significance. The level of detail required should be proportionate to the assets' importance and no more than is necessary to understand the

potential impact upon significance. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities can require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

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 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 CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

CONSULTATIONS

Highways: No objection subject to conditions.

Historic Environment Record: No objection subject to conditions.

Drainage: No objection subject to a condition.

Environmental Health: Request further information in relation to land contamination.

PARISH COUNCIL

Object on the grounds that the proposal would be detrimental to light levels and privacy at neighbouring dwellings.

PUBLICITY

The application has been publicised by site notice. Two letters of objection have been received raising the following issues:

- The proposal will adversely affect light levels at neighbouring properties.
- Plot 1 should be amended to reduce the impact on neighbours.
- The proposal should be built in accordance with the original outline permission at the site which was for four bungalows.
- The proposals will adversely affect privacy.

ASSESSMENT

This proposal is for the erection of two detached dwellings with associated gardens, garages and parking spaces. The application site comprises the side and rear garden area of 30 Church Street, Messingham.

The main issues in the determination of this planning application are the principle of development (including loss of a playing field), design, highway safety and impact on residential amenity.

Principle

Outline planning permission (PA/2013/1611) has previously been granted for residential development at the site although this has since expired.

The application site is within the defined settlement boundary for Messingham, in a sustainable central location within easy walking and cycling distance of a range of local facilities. In terms of sustainability it is within walking distance of bus stops. The proposal therefore accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and National Planning Policy Framework (NPPF) on delivering residential development in appropriate locations.

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 settlement boundary of Messingham in a sustainable location (in a residential area). There is, therefore, a presumption in favour of residential development.

The broad principle of development is therefore considered acceptable.

Impact on neighbours

The proposed dwellings would be situated with well-sized plots and would be located sufficient distances from neighbouring properties. In particular, the dwellings would be located in excess of 20 metres from the nearest properties to the north. Furthermore the height of the dwellings would be limited to two storeys only. It is therefore considered that the proposal, by virtue of its design, location and scale, would not adversely impact on living conditions at any neighbouring property.

Design

The dwellings would be located on a backland plot and would not therefore be highly prominent. The proposal would result in a change in the character of the site but this change is not in itself considered harmful and the area is not considered particularly sensitive to change. The NPPF makes it clear that councils should not expect developers to conform to unsubstantiated requests to maintain character where there is no harm. The proposal would feature architectural detailing which would ensure it would be broadly in keeping with existing properties and the use of appropriate external materials can be adequately controlled by condition. The impact of the proposal on the character of the area is therefore considered acceptable.

Land contamination

The council's Environmental Health team has requested further information in relation to land contamination. However, this is an undeveloped area of land that appears to have been used as residential garden for a significant period of time. With this in mind it is considered that the suggestion is considered overly onerous. A condition ensuring that any contaminants found during construction are appropriately dealt with is considered more appropriate.

Highways

Whilst the proposal has the potential to result in an increase in the number of vehicular movements to and from the site, these can be adequately accommodated on the highway network. Furthermore, the council's Highways team has confirmed they are satisfied with the level of parking provision within the site and access arrangements. In light of these factors, and given the lack of objection from the council's Highways team, it is considered that the proposal would not have a detrimental impact on vehicular or pedestrian safety.

Archaeology

The council's HER team has advised that the site is in an area where archaeological remains have been found. Trial trenches have been dug and the submission of a final report can be adequately controlled by conditions. Subject to such conditions it is considered that an appropriate balance will be struck between the protection of archaeological interest and the promotion of new development.

Other issues

The following issues, raised by objectors, have not been directly addressed in the above report:

- Plot 1 should be amended to reduce impact on neighbours – *as outlined above, the proposal is considered acceptable in terms of its relationship with neighbouring dwellings.*
- The proposal should be built in accordance with the original outline permission at the site which was for four bungalows – *the application has been assessed on its individual merits and is considered acceptable for the reasons set out above.*

Conclusion

For the reasons set out above, and having regard to the development plan and all other material considerations, the scheme is considered 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: ME/AI/MF/01 REV A, ME/AI/MF/02, ME/AI/MF/03, ME/AI/MF/04, ME/AI/MF/05 and ME/AI/MF/06.

Reason

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

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.

No external material shall be applied to the development hereby approved until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

In the interests of visual amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

5.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire 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 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 the North Lincolnshire 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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction of the new buildings.

6.

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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction of the new buildings.

7.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire 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 paragraph 141 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains may be destroyed during construction of the new buildings.

8.

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.

9.

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.

10.

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.

11.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

12.

No development shall begin until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

13.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

14.

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.

15.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

Informative 1

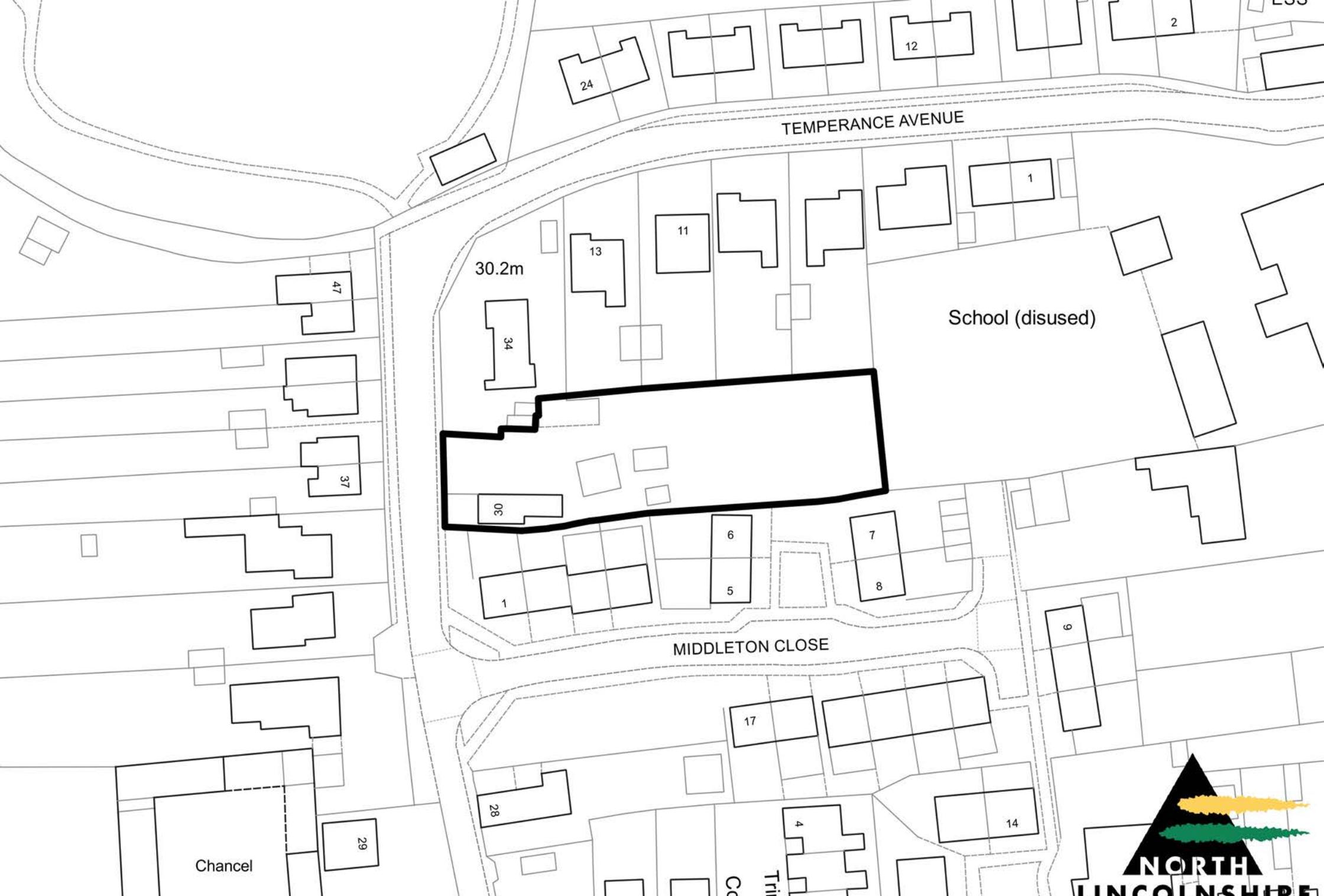
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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.



PA/2017/778



PA/2017/778 – Site Location



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PA/2017/778 PROPOSED BLOCK PLAN

NOT TO SCALE

