

APPLICATION NO	PA/2019/984
APPLICANT	Mr Robert Kneale
DEVELOPMENT	Planning permission to erect a dwelling with associated works
LOCATION	Land adjacent to Samantha, Main Street, Howsham, LN7 6LD
PARISH	Cadney
WARD	Ridge
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Cadney cum Howsham Parish Council

POLICIES

National Planning Policy Framework: Paragraph 11 states that:

Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that:

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

North Lincolnshire Local Plan:

Policy DS1 – General Requirements

Policy H8 – Housing Design and Housing Mix

Policy DS14 – Foul Sewage and Surface Water Drainage

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy DS5 – Delivering Quality Design in North Lincolnshire

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing Sites

CONSULTATIONS

Highways: No objections subject to conditions.

Environmental Protection: Recommends the full range of contaminated land conditions.

LLFA: Recommends conditions relating to drainage.

PARISH COUNCIL

‘Cadney cum Howsham Parish Council would like to raise the following concerns; we feel that the application is not in keeping with this hamlet, or precedent with previous planning applications in recent years. The council also has concerns about the safety of the

residents given the close proximity of the new building and potential light blockage issues on neighbouring properties. We also have concerns around vehicular access, which would cause problems exiting the property onto a busy road and for the same reasons we have concerns that there is not adequate access for works vehicles on this site.'

PUBLICITY

A site notice has been posted. One letter has been received raising the following concerns:

'I live next door to the applicant and wish to object in the strongest possible way to this application for the following reasons:

'1 I am concerned that the proposed building will be very close to both "Samantha" and "Calvi" and, if permitted by the Council, will give rise to similar applications in this small village, setting a precedent for infilling which would be totally out of keeping to the area. Howsham has little in the way of amenities and should this application be granted and the door opened to more applications, the sustainability of the village would be severely compromised.

'2 The house martins, which nested annually in the gable of "Samantha" and did not return during the previous building work, returned last year. They returned this year and are currently nesting, building a third in addition to the usual two. It would be a great shame if this application were to be granted – three nest sites lost for ever as they would not build nests in such close proximity to another house.

'3 I am concerned about the effect that this building work will have on the foundations of my property, being so close to it. Property will be devalued.

'4 The proposed building will be between 1.662 and 1.197 metres from my boundary; the latter will mean my patio will closely look onto a brick wall and roof with consequent deprivation of light and sun. The former will have the same effect on my bedroom window to the side of my property. I notice from paragraph 84 of the National Planning Policy Framework that "sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist." The close proximity of this application to the properties on either side means it is demonstrably not physically well related to either of them.

'5 Many of the houses in Howsham have been built with single driveways, my own included, and this does cause problems when cars have to exit their properties onto the B1434, a busy road link between Brigg and Caistor and Market Rasen. This is exacerbated by HGVs who wish to avoid Bigby Hill and there are currently problems on the road when cars or vans are parked on it in front of houses, necessitating through traffic driving on the opposing carriageway. "Samantha" currently benefits from a turning area which reduces the risk. However, this advantage would be lost if the application is granted.'

ASSESSMENT

Planning permission is sought to erect one detached dormer bungalow in the side garden of a detached dwelling in the settlement boundary for Howsham. The proposal involves a new access onto Main Street, and off-road parking to the front. The site is in an established residential area and is in a row of mainly detached dwellings of varying sizes and styles.

The existing dwelling (Samantha) is a detached dormer bungalow, the nearest neighbouring property to the north also being a detached dormer bungalow.

The main issues in the determination of this application are whether the development of this site for residential development is appropriate and in keeping with the character of the settlement, and whether the development would have an adverse impact on highway safety or residential amenity.

The built form of the proposed dwelling is located wholly within the settlement boundary for Howsham and as such the principle of developing this site for residential purposes is acceptable and accords with policies within the adopted local plan and core strategy, and advice contained in the National Planning Policy Framework (NPPF). Although some of the garden to the rear is outside the defined settlement boundary, the application site is wholly within the established residential garden area associated with the main dwelling. It is not considered inappropriate that the garden for the proposed new dwelling would be outside the defined settlement boundary, as this is a common characteristic of many rural settlements.

The plot measures 10.4 metres wide and approximately 63 metres deep. The proposed dwelling is set back from the main road by approximately 17.5 metres and is on a very similar building line to the properties either side. The scale and design of the property are also similar to those either side and are therefore not considered to be inappropriate or out of keeping with the character of the area.

The parish council and nearest neighbour to the north have objected to the proposal on the grounds that the development of this site would be out of character with the existing settlement and would not reflect the rural nature of the hamlet. Concerns have also been raised about highway safety and loss of amenity, due to loss of privacy, and light to habitable rooms. In relation to the character of the development, there is no distinctive character or style on the main street that defines the existing settlement. As previously described, there is a mix of house types and styles in the area and the proposed dwelling has been designed to reflect the style of properties either side. The plots in the area are also a mix of shapes and sizes. The application site is considered to be sufficient to accommodate a dwelling, and provide adequate access, parking and garden areas to serve the future occupants of the property, without adversely affecting the amenities of nearby residents or the character of the area. The highways department has no concerns over the proposed means of access or the parking/turning shown on the submitted drawings.

The neighbour to the north is concerned that light would be taken away from a rear patio area, and that a first-floor side-facing bedroom window would also be affected. Whilst the rear of the new property would extend beyond the rear of the neighbouring property to the north, this part of the proposed dwelling is single-storey and set in from the boundary, with the roof of this part of the dwelling sloping away from the neighbour's property, the lowest section closest to the boundary being approximately 2.5 metres high. It is considered that any loss of sunlight to this area would be minimal and would not cause significant harm to residential amenity. In relation to the side-facing first-floor bedroom window, this faces south and would generally be in line with the roof of the proposed dwelling, which has a dual pitch, the narrowest section being at the ridge. It is not considered that the apex of the roof (which the neighbour's window would face) would significantly reduce the amount of sunlight to this bedroom window, and that most of the sunlight currently enjoyed would not be affected by the proposed dwelling.

Other issues raised include loss of property value and impact on foundations; however, these are not material planning considerations and are private civil matters between the two parties. Concern has also been raised about the displacement of house martins, but this relates to the applicant's existing property, and there is no evidence to suggest that the proposed development would have an adverse impact on protected species or their habitat.

No other adverse comments have been received and, subject to conditions, the proposal is considered to accord with the provisions of the development plan and advice contained in the NPPF. The application is therefore 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: 339.05A and 339.04A.

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.

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.

5.

No development shall take place in relation to the new areas of hard-standing until details showing an effective method of preventing surface water run-off from the highway onto the developed site is 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 and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

6.

No development shall take place in relation to the new areas of hard-standing until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

7.

No above-ground works 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.

Informative 1

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

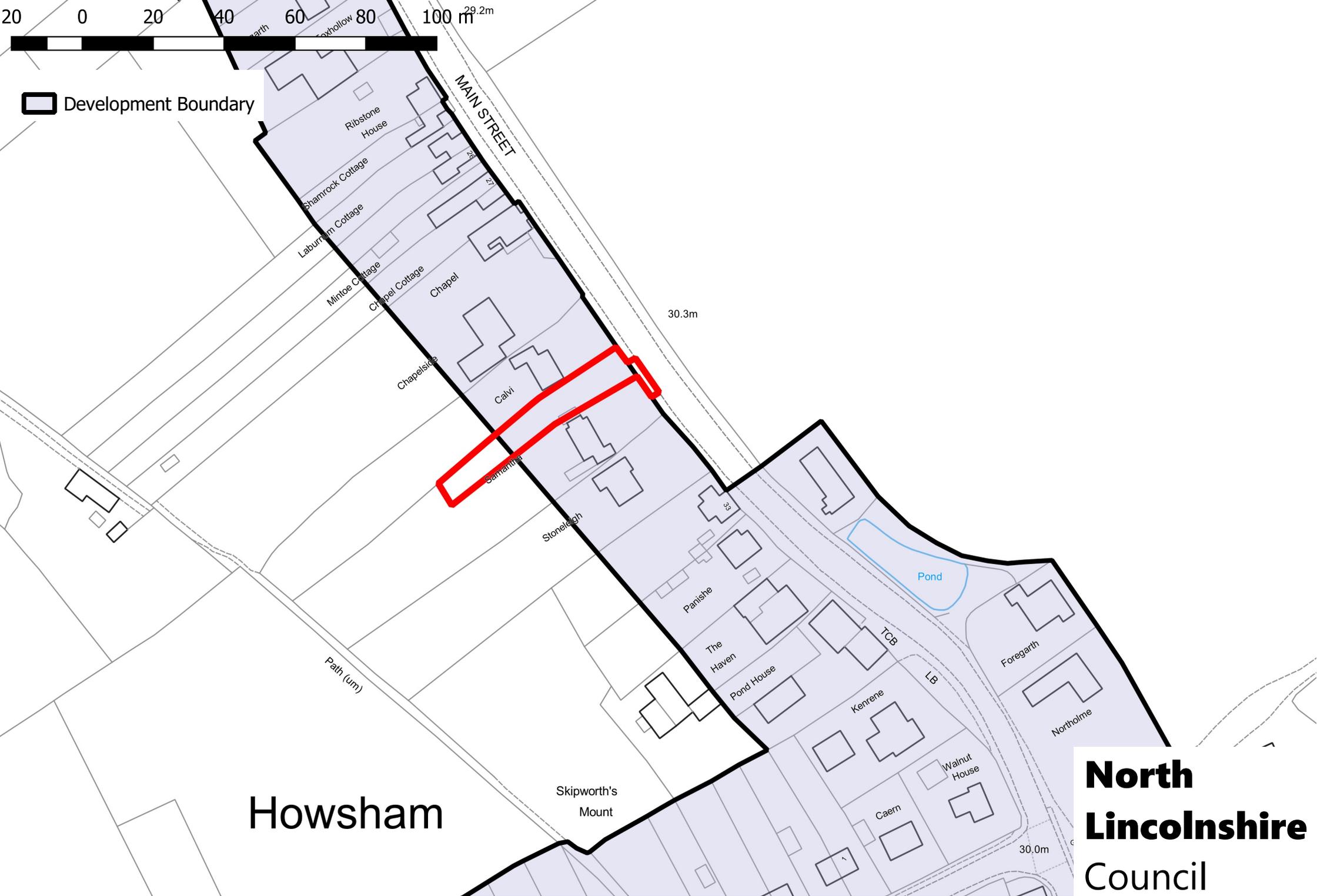
- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway 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 paragraph 38 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.



Development Boundary



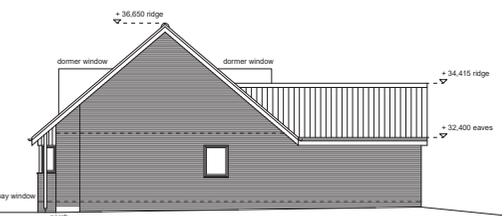
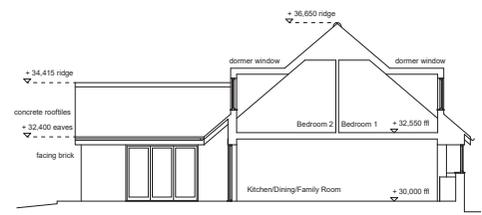
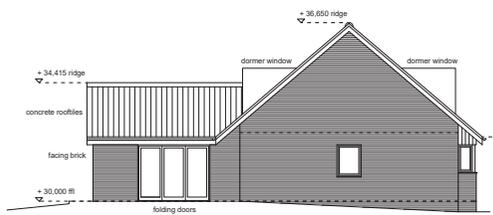
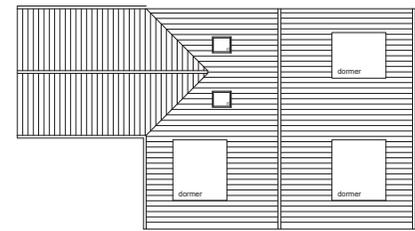
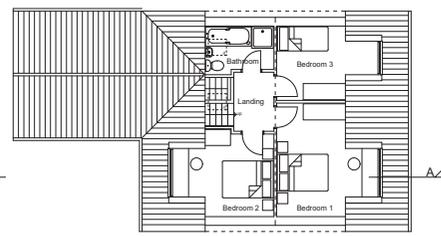
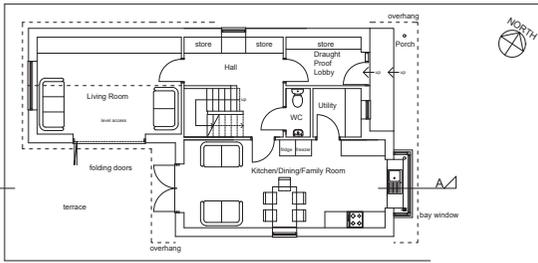
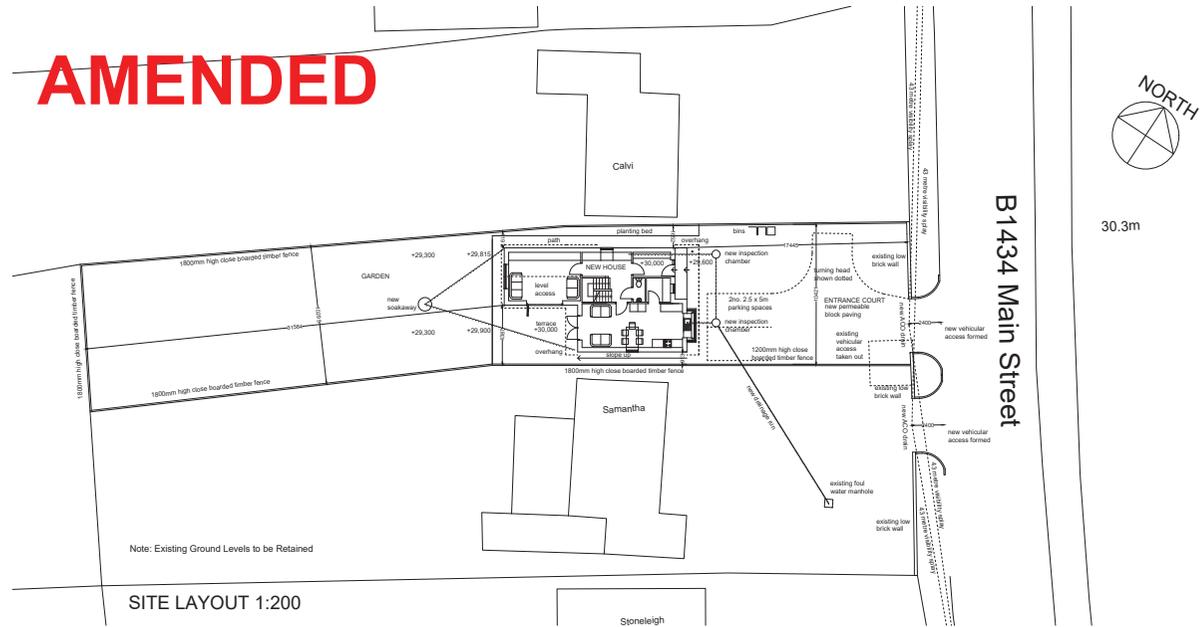
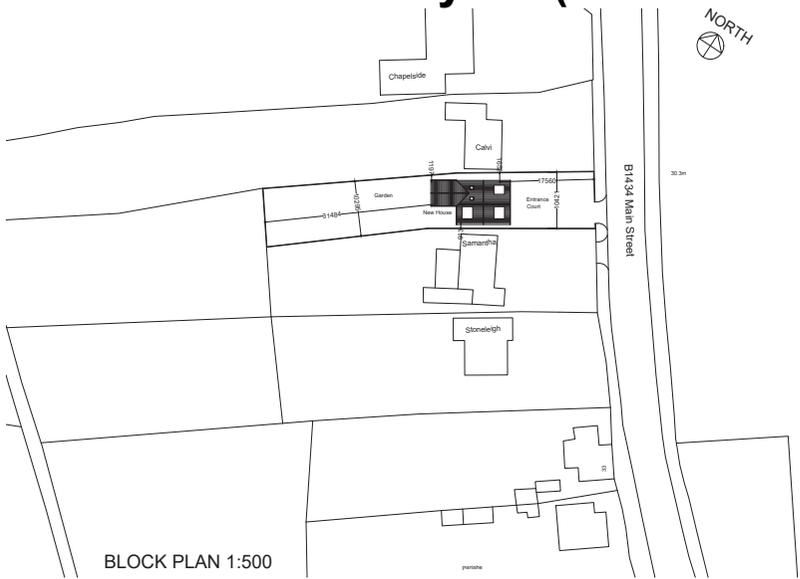
Howsham

**North
Lincolnshire
Council**

PA/2019/984

PA/2019/984 Site layout (not to scale)

AMENDED



Revisions:
A (30.07.19) car parking and turning shown dotted on site plan.

Client:	Mr B Kowals		
Project Title:	Samantha, Main Street, Hoveham - New Dwelling		
Drawing Title:	Scheme Plans, Elevations & Section		
Drawn by:	KK	Checked by:	HJM
Date:	May 2019	Drawing number:	339 DAA
Status:	Revisions 1 (19.05.19)	Status:	Planning