

APPLICATION NO PA/2016/1781

APPLICANT Mr Colin Muscroft

DEVELOPMENT Planning permission to erect a detached house and garage

LOCATION 28 Doncaster Road, Westwoodside, DN9 2EA

PARISH Haxey

WARD Axholme South

CASE OFFICER Andrew Law

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Paragraph 14 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 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 H7 (Backland and Tandem Development)

Policy H8 (Housing Design and Housing Mix)

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)

CONSULTATIONS

Highways: No objection subject to conditions.

Environment Team (Trees): No objection.

HER (archaeology): No objection.

Environmental Health: No objection subject to conditions.

Drainage: No objection subject to conditions.

Environment Agency: No objection.

PARISH COUNCIL

Haxey Parish Council objects to the proposed development on the grounds that the dwelling, being three-storey, will be imposing and over-development of the plot amongst two-storey dwellings. The Haxey Parish Plan is clear that large properties should be discouraged and it is felt that the height of the dwelling will present an unacceptable precedent and will impact on the amenity of neighbouring properties and the street scene.

PUBLICITY

Neighbouring properties have been notified by letter. Three letters of objection have been received from neighbouring properties citing the following concerns:

- The rear facing windows will result in overlooking of properties to the rear.
- The height of the dwelling will result in loss of light and overshadowing to properties to the rear.
- Granting access via Byre Court would result in five, potentially six, dwellings having access via a single road entrance. It is understood that the local planning authority would not normally permit five properties to be served from a private access road and that they would normally require the road to be made up to adoptable standard.
- Concern over how access will be gained during construction as Byre Court is a single access road with bollards on either side.
- Byre Court is not intended for heavy goods traffic and may be damaged by construction vehicles.
- This dwelling will add to existing problems caused by cars entering and exiting Byre Court.
- There is potential that the brick built outbuilding to the rear of 28 Doncaster Road could be converted to a dwelling in the future which would result in further traffic and impacts; and
- It is requested that conditions are imposed to ensure that the dwelling is built in accordance with the submitted plans and no additional windows are inserted;

ASSESSMENT

Site

The application site is a plot of land located to the rear of 28 Doncaster Road, Westwoodside. The site formerly served this property as its rear garden and is located within the defined development boundary for Westwoodside. Access to the site is via the adjacent private driveway, Byre Court, which also provides access for a small residential cul-de-sac of four dwellings. This piece of land has previously been granted outline planning permission for a dwelling under PA/2013/0259 which allowed two dwellings to be erected, one on the application site and one on the adjoining land to the west.

Proposal

This application seeks full planning permission for the erection of a detached dwelling with detached garage on the site. The dwelling sits on a similar footprint to the dwelling previously approved under PA/2013/0259 and the garage sits to the front. The dwelling is two-storey with rooms in the roof space and has a ridge height of approximately 9 metres. The dwelling measures approximately 11.9 metres wide by 9.2 metres deep giving a floor area of 109.5 square metres. The dwelling is served by a private garden area to the rear measuring approximately 118.6 square metres and has a parking/turning area to the front adjacent to the detached garage.

The main issues to consider in the determination of this application are whether the proposal is acceptable in principle and whether it will have an unacceptable impact

on the character of the area, the amenity of neighbouring properties or highway safety.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations Development Plan Document (HELA DPD) adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising Planning Practice Guidance (PPG).

The application site is located within the defined development boundary for Westwoodside, in a sustainable location within walking distance of local services. 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 National Planning Policy Framework on delivering residential development in appropriate locations. Additionally, it should be noted that the site has previously been granted outline consent for the erection of a dwelling (PA/2013/0259) and that, whilst this previous consent has now lapsed, there has been no change to local or national planning policy since the approval of this consent that would affect the principle of development.

For the reasons outlined above it is considered that residential development of the site is acceptable in principle.

Character

Haxey Parish Council has commented that the Haxey Parish Plan is unsupportive of new large dwellings in the village. It should be noted that this document does not form part of the adopted Development Plan for North Lincolnshire and as such is not a material consideration in the determination of planning applications. It should also be noted that this document pre-dates the Core Strategy for North Lincolnshire and the National Planning Policy Framework. There are no policies within the adopted Development Plan, nor within the National Planning Policy Framework or National Planning Practice Guidance, which specifically preclude the erection of large houses. The most relevant policy with regard to the design of new housing is policy H8 of the local plan which requires that new residential development respects and reflects the nature of the local environment and where possible enhances the character of the area.

There is a mix of property types in the wider area; however the adjacent properties on Byre Court are all relatively large, detached, two-storey dwellings with a mix of designs and materials in evidence. 28 Doncaster Road is also a large detached two-storey dwelling. In this respect it is considered that the scale of the proposed dwelling, which is a large, detached, two-storey dwelling is appropriate in this location and will respect the nature of the local environment. Concerns have been raised by the parish council that the dwelling is three-storey in nature and that its approval would set a precedent for further three-storey development in the future. However, it should be noted that the dwelling is two-storey in scale, with a ridge height of 9 metres. Whilst the internal accommodation is spread over

three floors, the second floor accommodation is contained within the roof space and served by rooflights.

The dwelling is relatively large and fills the majority of its plot. This form of development is similar to the adjacent properties on Byre Court to the east. Therefore the proposed form of development will be in keeping with its context and will not significantly increase the density of development in the area; nor will it appear cramped or contrived. The dwelling itself is of relatively traditional design and is proposed to be constructed of multi facing bricks, with stone window surrounds and slate tiles, but incorporates some more contemporary features in the form of a glazed central gable to the front and through the use of aluminium windows. Given the mix of properties and materials in the local area it is considered that the design of the dwelling is appropriate and that the development will not have an unacceptable impact on the character or appearance of the area.

Amenity

Concerns have been raised that the dwelling will result in loss of light to and overlooking of the adjacent property on Weavers Croft to the rear. There is a distance of approximately 8 metres between the rear elevation of the proposed dwelling and the party boundary with properties on Weavers Croft, which gives a distance of approximately 18 metres to the nearest dwelling to the rear. It should also be noted that the nearest dwelling to the rear (3 Weavers Croft) sits in a corner plot and is handed so that none of its elevations face directly south; therefore any potential views into the windows of this dwelling would be at an obtuse angle. Given the orientation of this neighbouring dwelling and the separation between the dwellings it is considered that there will be no unacceptable overlooking of this dwelling. There is one first-floor bedroom window in the rear elevation of the proposed dwelling which will result in some loss of privacy to the garden area of 3 Weavers Croft; however this is a common situation in residential areas and will not be dissimilar to the existing relationship between 1 Byre Court to the east and 3 Weavers Croft. With regard to loss of light and overshadowing it is considered that the separation distance between the properties will prevent unacceptable impact in this regard.

In addition to the above, it should be noted that the proposed dwelling has no side-facing first-floor windows and that the separation distance between this dwelling and neighbouring properties to the east, south and west will prevent any unacceptable impact on the amenity of these dwellings. For these reasons it is considered that the proposed dwelling will have no unacceptable impact on the amenity of neighbouring dwellings.

Highway safety

Byre Court is a narrow private road which currently serves four properties and concerns have been raised that the construction of an additional dwelling off this road would exacerbate existing issues with highway safety. Concerns have also been raised with regard to the impact that construction traffic could have on such a narrow road.

The council's Highways department has been consulted on the application and the highway officer has raised no concern or objection to another dwelling being served by Byre Court; nor do they raise concerns or objections with regard to highway safety. Byre Court enters Doncaster Road within a 30 mph speed restriction and has good levels of visibility to either side. For these reasons, and giving due regard to the lack of objection from the council's highway officers, it is considered that the proposed development will not pose an unacceptable risk to highway safety.

In addition to the above, it should be noted that the application site, along with the adjacent piece of land to the west, has previously been granted outline consent for the erection of two dwellings served from Byre Court.

Whilst not recommended by the council's highways department, it is recommended that a condition be imposed on any approval requiring a construction phase traffic management plan to be submitted to and approved in writing by the local planning authority prior to works commencing on site. This is considered necessary due to the nature and restricted width of Byre Court and will allow the local planning authority control over how construction traffic will be managed to prevent highway safety issues arising during construction works.

Conclusion

It is considered that the proposed development is acceptable in principle and will have no unacceptable impact on the character or appearance of the area, the amenity of neighbouring properties or highway safety and as such this application should be supported.

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: M/01/02/3516 and M/02/02/3516.

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.
Adequate vehicle access and parking 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.

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.

6.

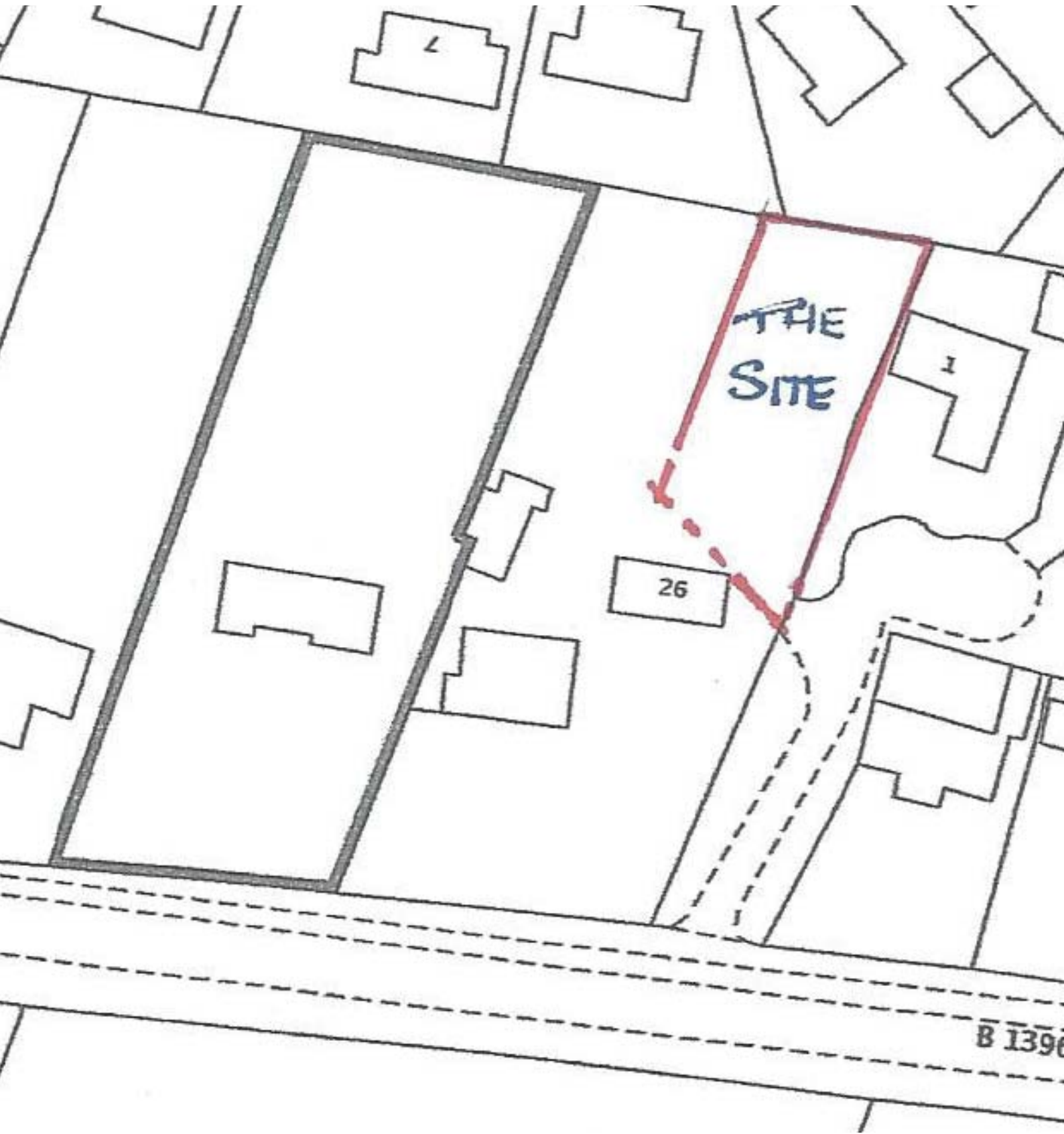
No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic 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.

Informative

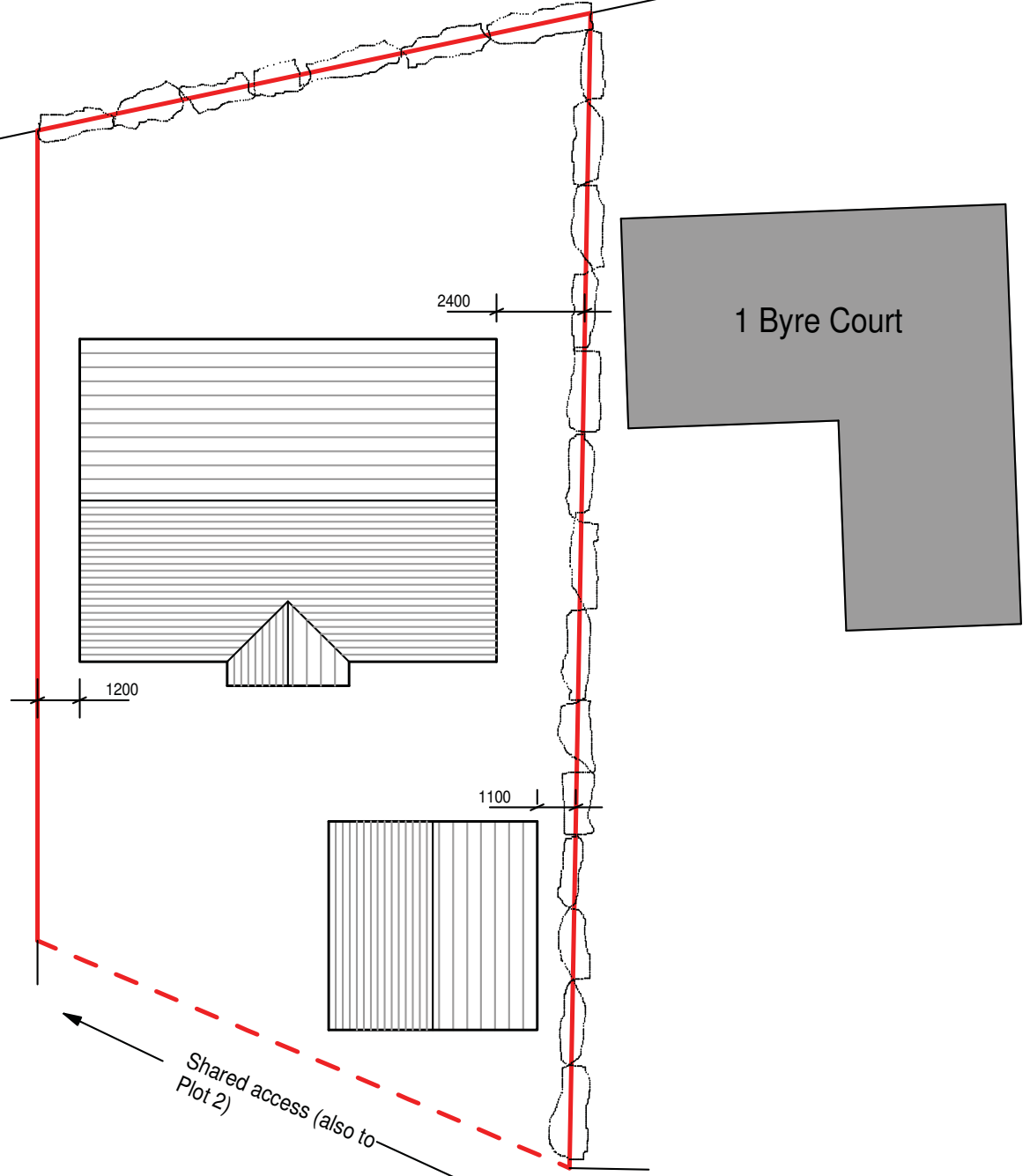
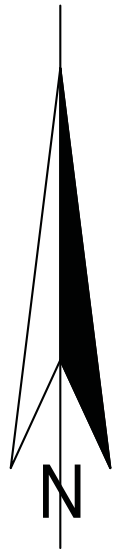
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



PA/2016.1781

Block Plan

Not to Scale



Byre Court