

APPLICATION NO	PA/2016/1970
APPLICANT	Mr Mark Snowden, Keigar Homes Ltd
DEVELOPMENT	Application for a minor material amendment to plot 45 (originally plot 49) of PA/2009/0257 to retain re-positioning of house and detached garage, associated landscaping and change the appearance of the dwelling including windows, doors and chimney
LOCATION	57 Appleleaf Lane, Barton-upon-Humber, DN18 5GP
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee
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: DS1, H7, H8, T2

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5

CONSULTATIONS

Highways: Advise conditions

TOWN COUNCIL

No objections or comments.

PUBLICITY

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

- The developer has flouted the planning process.
- The original tree planting and screening cannot be complied with and a change to tree type would result in 50% less screening of the development from the road and more overhang of footpaths.

ASSESSMENT

This application seeks approval of a minor material amendment to PA/2009/0257 to allow the re-siting and minor alterations to the appearance of the dwelling at 57 Appleleaf Lane, which forms part of the larger Falkland Way development. The proposal also includes alterations to the landscaping along Barrow Road. This specific change is due to the amended house types and layout along this part of the development, which was approved under PA/2015/0280.

This application seeks a re-siting of the approved dwelling, by approximately 4 metres to the south and 2 metres to the west, together with some minor changes to the appearance of the dwelling, namely handing of the dwelling and minor alterations to the fenestration. The dwelling is currently under construction.

The main issue in determining this application is whether the proposed amendments would have an adverse impact on the character and appearance of the area.

Concerns have been raised with regard to the construction of the dwelling not in accordance with the approved plans and that the developer has flouted planning regulations. Whilst it is unfortunate that the alterations to this plot were not applied for at the time the adjacent plots were altered, a retrospective planning application allows for permission to be granted for the works. The reasoning behind the alterations and amendments is unknown and is not considered relevant to the determination of this application. The re-siting is relatively minor, and although the dwelling is closer to Barrow Road, it is not considered that the character and appearance of the area would be adversely affected.

The landscaping proposals for this part of the development have also changed by virtue of the amended house types in this locality. The proposed trees have changed from Italian alder to Persian ironwood.

The objection received is concerned that the landscaping, as proposed, would provide less screening than what was on the original application and raises concerns regarding potential for overhang of the footpath. The council's tree officer has been consulted regarding the appropriateness of these trees and comments that any overhang must be controlled by the developer/owner of the trees and the species of tree is considered acceptable.

It is not intended that the landscaping proposals will completely screen the development when viewed from Barrow Road, but soften the appearance of the development and enhance the visual appearance of the development. It is not considered that less trees or less screening would lead to the overall development having an adverse impact on the character of the area.

No comments have been raised regarding any impact on amenity and character as a result of the alterations.

The dwelling as constructed has not significantly altered to the previously approved application and it is not considered that it detracts from or has an adverse impact on the character and appearance of the area. The proposal is therefore considered to accord with the policies outlined above and 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 and submitted documents: FW/136/01, FW/136/1001, FW/136/920 rev B, Ch/AS/10/103 and GA/FW/45.

Reason

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

3.

The layout shall form part of an overall comprehensive development of the area.

Reason

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

4.

Vehicular access to the site shall be gained from Falkland Way only and at no point onto Barrow Road. The precise position of such vehicular access shall be at the most northerly part of the site's frontage to Falkland Way.

Reason

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

5.

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.

6.

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.

7.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

8.

Notwithstanding the provisions 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 development shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

9.

Any planning permission granted for the change of use application shall be for a temporary period of three years. After this time the effectiveness of the travel plan and the operation of the proposed use shall be assessed.

Reason

In the interests of road safety and to ensure the provision of satisfactory vehicle parking arrangements for occupied dwellings.

10.

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

Reason

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

11.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with Falkland Way; and
- (ii) the number and location of vehicle parking space(s) on the site;

have been 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.

12.

No dwelling on the site shall be occupied until the footway has been constructed up to basecourse level from the junction with Falkland Way to the access to the dwelling.

Reason

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

13.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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

14.

No development, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

Reason

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

15.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's 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 in situ, or 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 North Lincolnshire's 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 policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

16.

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.

17.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the local planning authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

Reason

In order to protect the existing trees on the site.

Informative 1

This application must be read in conjunction with the relevant Section 106 Agreement.

Informative 2

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 3

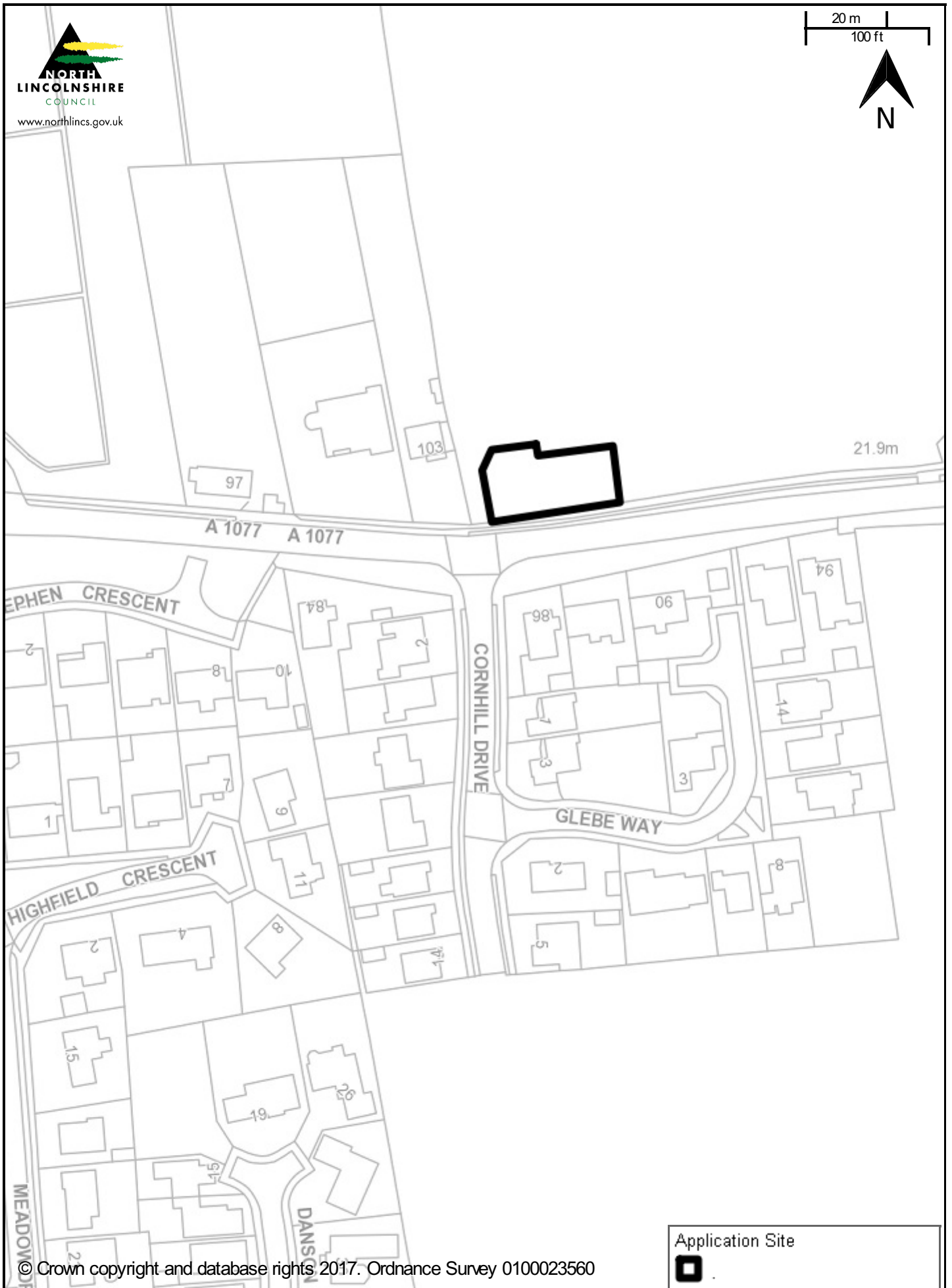
As a result of within-highway works required to facilitate this application an agreement formed under Section 278 of The Highways Act 1980 is required.

Informative 4


Please note that those planning conditions which were formally discharged against PA/2003/1121 and PA/2009/0257 (the original applications) are also considered to be formally discharged as part of this planning permission, The conditions are replicated for continuity and to allow changes to be made to those details previously approved.

Informative 5

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/2016/1970

Drawn by: S Bootland

Scale @A4 1:1250

DN18 5GP

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Cemetery

FALKLAND WAY

APPLELEAF LANE

BARROW ROAD

A 1077

CORNHILL DRIVE

GLEBE WAY

PA/2016/1970

Site Plan

Not to Scale