

APPLICATION NO	PA/2017/151
APPLICANT	Mr & Mrs Fisher
DEVELOPMENT	Planning permission to erect 10 dwellings (including demolition of existing bungalow)
LOCATION	Allerton Lodge, 14 Wendover Road, Messingham, DN17 3SJ
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council Significant public interest

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 118 states that local planning authorities should aim to conserve and enhance biodiversity by refusing planning permission if significant harm cannot be avoided or

adequately mitigated. Opportunities to incorporate biodiversity in and around developments should be encouraged.

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy H8 (Housing Design and Mix)

Policy DS3 (Designing Out Crime)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T8 (Cyclists and Development)

Policy T19 (Car Parking and Standards)

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 CS17 (Biodiversity)

CONSULTATIONS

Highways: One parking space per dwelling and secure cycle parking provided. Six units wholly served by a private drive. Will require exemption from APCs to ensure that there are no subsequent claims to adopt the access road in the future. This is covered under Highway law and is not a planning issue. The site has good visibility and access width.

Drainage: Advise conditions regarding SuDS/drainage.

Ecology: No evidence of roosting bats or nesting barn owls. However, there is presence of common birds and foraging bats. Advise a condition requiring a biodiversity management plan to be submitted.

Humberside Fire and Rescue: Has made comments regarding access and adequate water supplies for fire-fighting.

Archaeology: No known heritage assets affected. No objections.

Environmental Health: Sensitive end use. Advise contamination and hours of construction conditions.

Spatial Planning: No requirement for a Section 106 on schemes of 10 dwellings or less.

Environment Agency: No comments.

PARISH COUNCIL

Object to the proposal on the following grounds:

- too high a density for the size of the site
- loss of amenity to adjacent properties (loss of light, overlooking/loss of privacy) from dwellings in the area of bungalows
- insufficient parking leading to congestion
- safety concerns: access and egress onto Wendover Road.

PUBLICITY

Site and press notices have been posted. A number of letters of objection have been received from 10 households. The following material issues have been raised:

- Wendover Road has a narrow access
- congestion
- over-development of the site
- houses would be out of character surrounded by bungalows
- lack of parking provision
- loss of light to dwellings to the rear
- overlooking
- highway safety
- does not comply with policy DS1 (quality of design/amenity)
- impact on bats
- drainage issues
- any landscaping should not affect amenity
- poor design
- difference in ground levels would lead to overbearing impact
- query as to whether any Section 106 contributions
- highway issues.

ASSESSMENT

The application site currently comprises a large detached bungalow set in a very large plot on Wendover Road. The site is within the settlement boundary for Messingham and is located close to the village centre. It is proposed to demolish the existing bungalow and erect 10 dwellings on the site, with associated access and parking. The site is well landscaped with many mature trees and hedges both along boundaries and within the site. The site is surrounded by terraced bungalows to the south and detached bungalows east and west, with terraced two-storey buildings opposite (retail/restaurants with flats above). The immediate area has little architectural character, the surrounding developments being individual in design and character. There are traffic restrictions to this side of Wendover Road with a parking bay opposite.

The main issues in determining this application are whether the proposal is acceptable in terms of layout, character and density, whether there would be any loss of amenity to neighbouring properties or any adverse impact on the highway network in terms of parking provision and general highway safety.

Principle

The site is located within the centre of Messingham, within the development boundary and on previously developed land. The site is surrounded by housing with some commercial properties in close proximity. The principle of residential development is acceptable on this site. Whilst the proposed development is of high density, there are other examples of similar density development in close proximity to the site, including to the immediate south. As there are a mix of house types, characters and densities within the area, it is not considered that the proposed development would be out of keeping with the character of the area.

Concerns have been raised regarding the development of two-storey houses amongst bungalows. Whilst the immediate area on this side of Wendover Road is bungalows, there are two-storey dwellings opposite and within close proximity of the site. It is not unusual to have small estates of two-storey dwellings amongst bungalows and, providing there is no significant loss of amenity, there are no policy restrictions on this.

Design

The proposed dwellings are of asymmetrical design with a higher eaves height to the front (5.2 metres) than to the rear (3.6 metres) with a ridge height of 8.2 metres. This design would reduce any overshadowing or loss of light to surrounding properties and visually be less intrusive than a standard two-storey dwelling. The use of large windows, recessed entrances and the use of projected bricks to part of the front elevation adds to the character and design of the properties. As there is little architectural merit to surrounding dwellings and no defined character to this part of Messingham, it is not considered that the proposal would be out of character or of poor design.

Amenity

Numerous concerns have been raised with regard to impact on the amenity of neighbouring properties by way of overlooking, loss of light and overshadowing. With regard to loss of light/overshadowing, it is accepted that there will be some adverse impact on some windows to neighbouring properties. The bungalow to the west has windows to the facing

elevation, although plans show that these are secondary windows, with larger windows to the front and rear elevations to the kitchen and lounges respectively. The 30° test has been applied for general guidance and there is infringement to this property, particularly as it is at a lower level than the application site. However, as the affected windows are secondary windows, a refusal on such grounds would be difficult to justify, with benefit always being in favour of sustainable development and the provision of housing. The bungalow to the east has a bathroom window and a kitchen door in the facing elevation. Whilst light to these openings will be affected by the proposal, as they do not serve habitable rooms, an objection on grounds of loss of light cannot be substantiated. The bungalows to the rear are sited 7.3 metres from the side elevation of plot 8 with one dwelling being affected by the proposal. Due to the degree of the roof slope to the rear and the affected windows being to the north of the dwelling, together with the presence of trees and hedges along this boundary, it is not considered that the loss of light or overbearing impact to this dwelling would be significant enough to justify refusing the application.

With regard to loss of privacy, the layout has been designed to ensure that there would be minimal overlooking to adjoining properties. The southernmost dwellings have the closest windows serving bathrooms which would be obscure glazed to prevent any loss of privacy. Rooflights are proposed in the rear first-floor elevations which would restrict any direct overlooking to neighbouring properties. Plot 9 has a bedroom window proposed in the northern elevation. Additional rooflights are also proposed to this room. A condition is therefore proposed to ensure the gable window is obscure glazed to prevent any overlooking to the rear of the adjacent property.

Landscaping will be controlled by condition to ensure an appropriate level of screening without having adverse impact on amenity.

Highways and parking

Wendover Road is a relatively busy road off Messingham High Street. It serves a variety of shops as well as residential properties and a school. The proposed access to the site is a central access with individual access points and driveways serving the frontage properties. Visibility is good when accessing and exiting the private drive and it is not considered that there are any highway safety concerns with the proposed development.

Concerns have been raised with regard to parking provision for the development being only one space per dwelling, which would potentially lead to an increase in congestion. It should be noted that secure cycle parking is also proposed. Highways have commented that whilst parking 'is a little tight', as once space per dwelling has been achieved they have no objections to the proposal subject to conditions.

Ecology

A protected species survey has been submitted in respect of the demolition of the bungalow. No bats have been found in the building. A biodiversity management plan condition is proposed to ensure full compliance with policy CS17 of the Core Strategy.

Drainage

Drainage plans have been submitted following a request for further information with respect to all potential sources of flooding and potential drainage strategies. Following the submission of this information a condition is proposed requesting details of surface water

drainage including SuDS. It should be noted that the site is not within an area at risk of flooding.

Other issues

A comment has been made in respect of Section 106 provisions. As the proposal is for 10 dwellings, it is under the current threshold for any such requirement.

Environmental Health have suggested the full contamination conditions as the development is a 'sensitive end use'. However, as the site has been previously developed with one residential dwelling and associated garden areas, and there is no evidence of contamination, it is not considered appropriate or necessary to include such a condition. The standard monitoring condition is considered more appropriate. A condition restricting hours of construction is also proposed. Such a condition is considered reasonable due to the close proximity to other dwellings.

Conclusion

This application is for residential development on a brownfield site within the settlement boundary and within the village centre. Whilst primarily surrounded by bungalows, it is proposed to redevelop the site for 10 two-storey houses. The houses are of an asymmetrical design to reduce visual impact, and any overshadowing and overlooking. Whilst it is accepted that there will be some loss of light to neighbouring properties, this is primarily to either secondary or non-habitable room windows, or to northern-facing windows which would not receive any direct sunlight. A planning balance often has to be made when determining applications with some degree of impact on amenity, landscape or character of the area. The National Planning Policy Framework states that the assumption should always be made in favour of sustainable development, and development for new houses supported. As such, in this instance, the proposals are considered acceptable and the development is 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: 6382/01, 6382/010 rev a01, 6382/011 rev a02, 6382/012 rev a01, 6382/014, 6382/015 and 6382/016.

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.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) 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 policy 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.

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.

8.

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

Reason

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

9.

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.

10.

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.

11.

Prior to the occupation of the penultimate dwelling, the drop crossing shall be set as shown on plan 6382/011 rev a02 and shall thereafter 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 take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority.

The plan shall include:

- (a) details of measures to avoid harm to bats, nesting birds or any other protected or priority species during demolition, vegetation clearance and construction works;
- (b) details of bat roosting features to be installed on south-facing gables;
- (c) details of nesting sites to be installed to support house sparrow and starling;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

- (e) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (f) prescriptions for the planting and aftercare of trees and shrubs of high biodiversity value.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

13.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the ninth dwelling, the applicant, or their successor in title, shall submit a report to the local planning authority providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

14.

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.

15.

No development shall take place until a strategy for the management of surface water drainage that includes the implementation of SuDS, and their adoption and maintenance arrangements, has been submitted to and agreed in writing by the local planning authority. This must be based around the submitted Surface Water Drainage Strategy, Document No: 15130 - SR - 001, Dated: 20 July 2017.

The applicant must:

- (a) provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard-surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site and will not increase the risk of flooding off-site;

- (b) provide principle/detailed design (surveys, ground investigations, drawings, network details and calculations showing critical storm details) in support of any surface water drainage scheme, including details on any attenuation system and its discharge rates;
- (c) provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

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 adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

16.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 15 and shall be completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

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 adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

17.

Prior to the occupation of the dwellings on plots 2 and 9, the landing window in the first-floor gable of plot 2 (eastern elevation) and first-floor bedroom window of plot 9 (northern elevation) shall be obscure glazed and thereafter be retained as such.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

18.

Construction and demolition operations shall be limited to the following days and hours:

- 7am to 7pm Monday to Friday;
- 7am to 1pm on Saturdays.

No operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction and demolition phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

For the protection of residential amenity.

19.

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.

20.

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.

21.

No development shall take place until detailed cross-sections of all the dwellings have been submitted to and approved in writing by the local planning authority. The cross-sections shall indicate the positions of all rooflights, including their height above floor levels, and if necessary any projected line of visibility from the windows.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 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/2017/151 – Site Location



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PA/2017/151
PROPOSED SITE LAYOUT

NOT TO SCALE

