

<b>APPLICATION NO</b>	<b>PA/2017/1062</b>
<b>APPLICANT</b>	Mr & Mrs Dodson
<b>DEVELOPMENT</b>	Planning permission to erect a rear single-storey extension to create annexe
<b>LOCATION</b>	69 High Street, Haxey, DN9 2HH
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Andrew Willerton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	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. For decision-taking this means approving proposals that accord with the development plan without delay or, where the development plan is absent, silent or out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as whole or where specific policies in the Framework indicate development should be restricted.

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 58 states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should also respond to the local character and reflect the identity of local surroundings and materials and should be visually attractive and use appropriate landscaping.

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 196 states that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise and that the National Planning Policy Framework forms a material consideration.

Paragraph 197 states that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

## **North Lincolnshire Local Plan:**

DS1 (General Requirements)

DS5 (Residential Extensions)

## **North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

## **Housing and Employment Land Allocations Development Plan Document:**

Inset Map for Haxey

## **CONSULTATIONS**

**Highways:** No objection or comments to make.

**Drainage:** No comments received.

**Public Rights of Way:** Notes Public Bridleway 119 runs to the eastern perimeter of the property. No objection provided that the development does not encroach onto or interfere with the public right of way.

## **PARISH COUNCIL**

Objects to the proposal because the extension is already built and the application is to retain not to erect. The parish council also considers that the building possibly encroaches onto the boundary which has been altered aesthetically. It was stated that the spoils of the build have been placed onto the adjacent public footpath 119.

## **PUBLICITY**

The application has been advertised by site notice for a period of not less than 21 days prior to writing this report. No comments have been received.

## **ASSESSMENT**

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) which was 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 69 High Street, Haxey and is within the HELA DPD defined development limit for the settlement. Number 69 is a two-storey detached property which has previously been extended to the rear. Public Bridleway 119 runs adjacent to the eastern edge of the site where the annexe is to be sited. Planning permission is sought for the erection of a rear single-storey extension to create an annexe.

Upon visiting the site it is evident that the proposed annexe has been constructed and thus this application is retrospective. This fact is reflected in the objection received from Haxey Parish Council. The applicant has indicated that development commenced in March 2017 but is yet to be completed. It is noted that the description of the proposal is to erect versus to retain which is accurate given that the development has not been completed, although the majority of works have taken place. Whilst the development may be retrospective, the regulations allow for development to be applied after works have commenced. Although the application is retrospective, this does not form a material consideration and the proposal should be judged on its own merits. A retrospective application does not constitute a justified reason for refusal.

**The main issues with regard to the determination of this application are whether the annexe is acceptable in terms of its design and whether it is detrimental to the residential amenity of neighbouring properties.**

The proposed single-storey annexe is to be sited off the north-east corner of the property to the rear and side. To make way for the annexe an existing conservatory is to be demolished but the existing rear sunroom is to be retained. It is proposed that the annexe be connected to the sunroom by a small link corridor. The annexe itself will provide additional living accommodation in the form of an open plan living/dining room and kitchen, and an en-suite bedroom. It is considered pertinent to impose a condition requiring the annexe to remain ancillary to the main dwelling and not to become a separate unit of residential accommodation.

The proposed annexe measures a maximum of 12 metres by 7.5 metres with an eaves height of 2.4 metres and roof ridge of 4.5 metres. The annexe will feature a front gable and facing materials will match those of the main dwelling to be in keeping with its design. The proposed annexe is considered acceptable in terms of its design and has regard to site context. As a public right of way is due east of the annexe, it is not considered that the proposal have an adverse effect upon the residential amenity of neighbouring properties.

The parish council has raised concerns about possible encroachment onto the adjacent public bridleway to the east of the site. The PROW Officer has raised no objection provided that the development is entirely on land within the ownership of the applicant. Certificate A has been signed on the application form indicating that no-one other than the applicant has owned all the land the subject of the proposal for a period of not less than 21 days prior to the making of the application. Confirmation has been sought and obtained from the applicant that this is the case, including foundations and guttering. Matters relating to land ownership do not form a material consideration for the purposes of planning and it is the responsibility of the applicant to ensure the correct ownership certificate is completed and notice served if necessary.

Using online digital imagery, it is evident that the eastern boundary treatment has been altered to accommodate the extension. However, removal of the hedgerow and its replacement with a fence does not necessarily require consent from the planning authority.

It is noted that the proposed eastern elevation of the annexe will be sited on the boundary which is acceptable as it does not affect amenity.

**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: DOD/476/001/001 and DOD/476/001/002.

Reason

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

3.

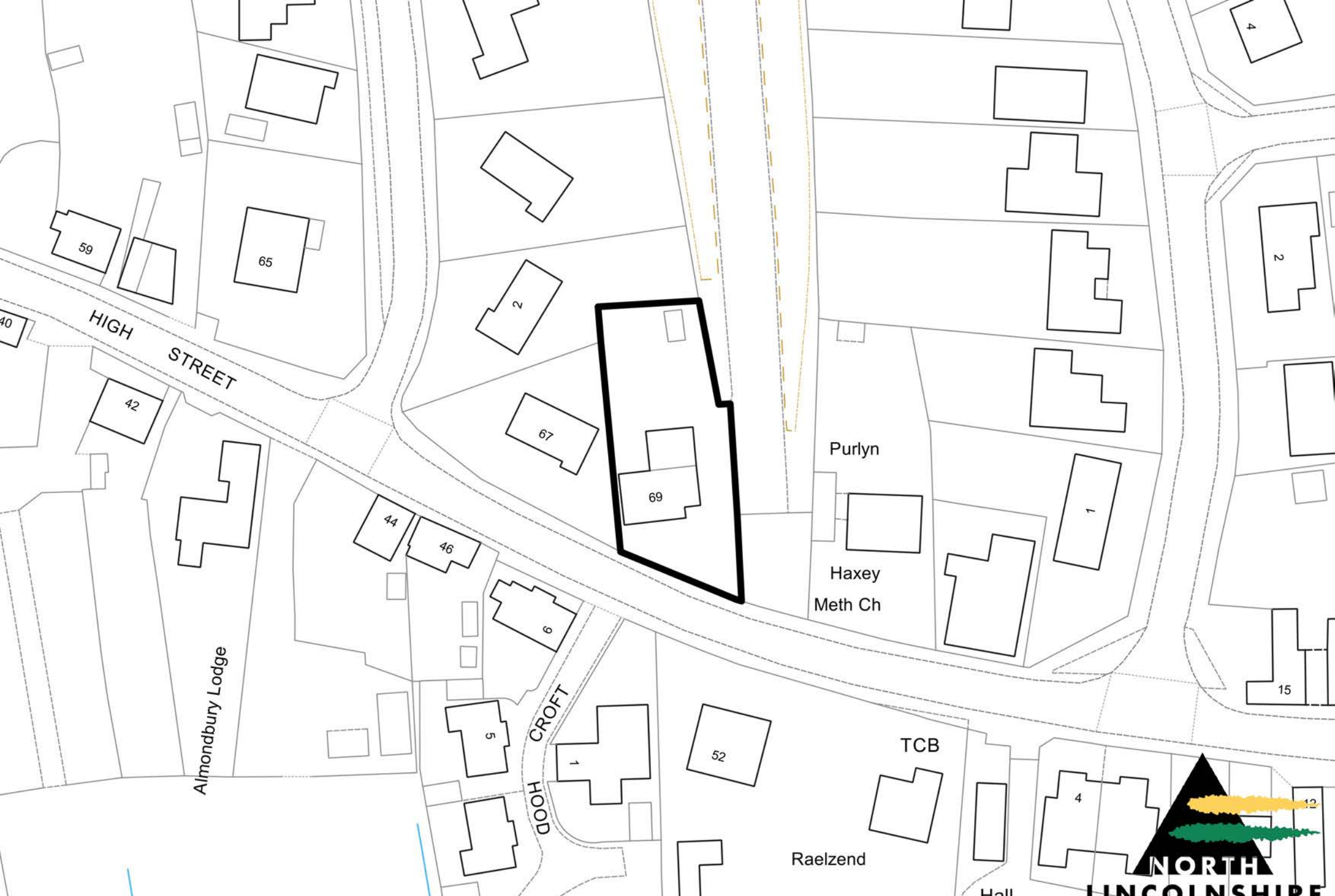
The annexe hereby permitted shall be used for purposes ancillary to the main dwelling house (69 High Street), and at no time shall it be severed from number 69 and used as a separate unit of residential accommodation.

Reason

For the avoidance of doubt and to enable the local planning authority to assess the impacts of a separate dwelling house.

**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/2017/1062**



PA/2017/1062 – Site Location



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