

APPLICATION NO PA/2017/1207

APPLICANT Mr C Bingham

DEVELOPMENT Planning permission to erect a detached dwelling

LOCATION Ashlawn, Brackenhill Road, East Lound, DN9 2LR

PARISH Haxey

WARD Axholme South

CASE OFFICER Emma Carrington

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 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 49 of Core Planning Principle 6 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 56 states that the Government attaches great importance to the design of the built environment. 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 61 states that planning policies and decisions should address the connections between people and places and the integration of new development in to the natural, built and historic environment.

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:

Policy DS1 – General Requirements

Policy H8 – Housing Design and Housing Mix

Policy DS14 – Foul Sewage and Surface Water Drainage

Policy HE9 – Archaeological Evaluation

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 CS6 – Historic Environment

Policy CS7 – Overall Housing Provision

Policy CS8 – Spatial Distribution of Housing Sites

CONSULTATIONS

Highways: No objections subject to conditions.

Historic Environment Record (Archaeology): No objections as the proposal does not affect any heritage assets but recommends standard conditions in relation to materials.

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

PARISH COUNCIL

Objects on the following grounds:

- The proposal is for a three-storey house which is considerably higher in the street scene and is out of keeping with the character of the existing hamlet as there are no other properties, to our knowledge, of this size.
- The parish council does not agree that the development is in keeping with the scale and character of the settlement.
- The proposed house may go beyond the current building line and is set further back than other properties.
- The proposal appears to include the demolition of a barn not shown on the plans.
- The access to the new garage may require demolition of an existing building in order to provide vehicle access.
- The parish council does not consider that the local plan is out of date.
- The parish council does not object to the development of this site or the design, given housing needs, but objects to the scale.
- The application is for a five-bedroomed house. The parish council does not believe it accords with the NPPF in terms of sustainability as there is no evidence to support a need for this type of house and it is not for affordable housing.
- This a small rural hamlet and a minimum growth settlement which should be protected from further erosion of its character.

- It is clear from the Haxey parish plan that local people are opposed to large new builds.
- The same comments apply to the amended plan.

PUBLICITY

A site notice has been posted. Two letters have been received from one neighbour. The first letter received raised concerns about the scale and design of the proposed dwelling. Following amendments, a second letter comments that the amended proposal is more in keeping with neighbouring houses, but it is still felt that the proposal could be more environmentally responsible by using solar panels or ground source heat pumps.

ASSESSMENT

Planning permission is sought to erect a detached dwelling and associated garaging, garden and vehicular access in the rural settlement of East Lound. The site is part of the curtilage of the adjacent dwelling (Ashlawn) and currently consists of an area of hardstanding to the front, and a two-storey detached outbuilding, which is proposed to be demolished. The majority of the proposed built form of the dwelling is within the settlement boundary as defined in the adopted Core Strategy, with a small section to the rear being outside. The proposal also includes a garage and private garden area to the rear, which is outside the confines of the defined settlement boundary. Proposed vehicular access is via the existing driveway which serves Ashlawn and is to be shared with this property.

The main issues in the determination of this application are whether the scale of the property is appropriate in this rural settlement location, and whether it is appropriate that the development encroaches over the settlement boundary.

The existing site forms part of a small farm complex, used in connection with Ashlawn. Most of the land and buildings extend beyond the settlement boundary and consist of areas of hardstanding and agricultural style buildings. Whilst set outside the settlement boundary, its character and appearance are those of a built-up site. It is not open or scenic, nor is it characteristic of open fields or landscape. Whilst the proposed dwelling sits mainly within the defined boundary, a rear section of the property falls outside, as does the main private garden and detached garage. However, as the existing site is currently built upon, and the proposed dwelling will partly replace an existing outbuilding, it is not considered that the proposal will have a detrimental impact on the character and appearance of the open countryside. The existing outbuilding currently screens the rear of the site from any public views, and the position of the new dwelling will have the same effect. The garden to the rear will be in line with the garden of surrounding properties, which also have their domestic curtilage outside the settlement boundary. In addition, the buildings that will be retained to the rear of the farm complex provide additional screening from the rear of the site. Therefore, whilst part of the application site is outside the development boundary for East Lound, it is not considered that the proposal is unacceptable. It is often characteristic of small settlements to have residential curtilages outside settlement boundaries, and in this particular case, any encroachment beyond the development boundary will be well screened and have a minimal impact on the character of the area.

The proposed dwelling is two-storey, with four bedrooms at first-floor level and two rooms in the roof space which are proposed to be used as a bedroom and office. The scale of the dwelling is similar to the adjacent Ashlawn, which is also a two-storey detached dwelling. The property to the west is a detached bungalow. There are varied house types, sizes and

designs in the existing settlement, with a mix of large detached houses, bungalows and dormer bungalows, some in brick, some in stone, and some clad in mock Tudor or stone-effect cladding. In effect, it is difficult to say that there is a specific feature that defines the character or appearance of the village. The street view submitted with the application illustrates the similarity of the proposed dwelling to the nearest residential properties. There are similar-sized properties further along the street, and on the opposite side of the road. In planning terms it is not considered that the scale and size of the proposed dwelling is out of keeping with other properties in the area. As described above, there is a wide variety of properties in the locality, with some modern, relatively large, detached houses close to the application site.

The parish council has objected to the application on the grounds that the size of the property is inappropriate for this rural hamlet, and is unsustainable as it is too big for the needs of the village. Concern has also been expressed about the encroachment into open countryside. Amendments have been made since the application was first submitted as concern was expressed about the height of the dwelling and the appearance of the frontage which included dormer windows. The proposal has been amended and reduced in height to better reflect the properties around. One neighbour originally objected to the scale and design of the proposal, but considers the amended scheme to be more in keeping. The parish council has maintained its objection for the reasons stated above. However, from a planning point of view, it is considered that the proposed dwelling is not out of keeping with the overall character and appearance of East Lound, and that the encroachment over the development boundary will not harm the character or appearance of the open countryside.

No other objections have been received to the proposal and, subject to conditions, the council's Highways department, Environmental Health team and Archaeologist have no objections to make. It is considered, therefore, that the proposal complies with the requirements of the policies in the adopted local plan and core strategy, and is 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: 1023/1, 1023/1A, 1023/2A, 1023/3 and 1023/4A.

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.

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.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

Part 1: Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed), including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part 2: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

Part 4: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

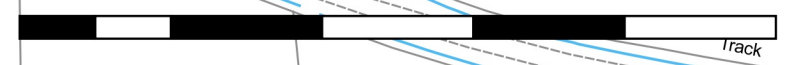
Reason

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.

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.

25 0 25 50 75 100 m



Development Boundary



East Lound

PA/2017/1207

© Crown copyright and database rights 2017. Ordnance Survey 0100023560



PA/2017/1207 Proposed street scene - Not to scale

AMENDED



Street Scene With Walls shown

No	Date	Revision
A	18.7.2017	Arched heads and roof pitch lowered as requested by Jim Lomas of DLP Planning Consultants

Scale	1:50
Date	12.5.2017

Client
 C. BINGHAM & C. CARBY
 ASH LAWN
 BRACKENHILL ROAD
 EAST LOUND

Title
 PROPOSED DETACHED HOUSE
 WITH DOUBLE GARAGE ADJACENT
 TO ASH LAWN BRACKENHILL
 ROAD EAST LOUND
 STREET SCENE

Gable Design Ltd
 Architectural Technologists/
 Building Design Consultants
 5 Railway Court, Ten Pound Walk
 Doncaster DN4 5FB
 Tel & Fax: (01302) 363600

Drg. no.
 1023/4 A