

<b>APPLICATION NO</b>	<b>PA/2017/1547</b>
<b>APPLICANT</b>	Mr & Mrs C Trout
<b>DEVELOPMENT</b>	Planning permission to erect a dwelling
<b>LOCATION</b>	Land adjacent to The Forge, Traingate, Kirton-in-Lindsey
<b>PARISH</b>	Kirton in Lindsey
<b>WARD</b>	Ridge
<b>CASE OFFICER</b>	Scott Jackson
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Kirton in Lindsey Town 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 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 128-129 also apply.

**North Lincolnshire Local Plan:** Policies HE2, DS1, T1, T2, T6, T9, T19 H5, H8 and H10 apply.

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS5, CS6, CS7, CS8 and CS25 apply.

## CONSULTATIONS

**Highways:** No objection, but recommend a condition and informative in relation to works within the highway.

**Historic Environment Record:** This proposal does not adversely affect any heritage assets of archaeological interest or their settings. No further recommendations.

**Conservation Officer:** This land is adjacent to the Kirton in Lindsey conservation area on its southern boundary. There is no objection to the new building as it has been designed in a traditional farmhouse style with associated outbuildings that will complement the character and appearance of the historic core. What will be very important are the materials and detailing used on the buildings.

Should the planning department be mindful to approve the application then appropriate conditions should be included requiring samples of the facing and roofing materials, and scale drawings of the proposed windows and doors with material specifications, to be submitted for consideration before construction starts.

**Environmental Health:** The application for change of use to a residential dwelling is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks. This site is adjacent to, or has formed part of, a Forge. This has the potential to give rise to contaminants such as asbestos, polycyclic aromatic hydrocarbons (PAHs), hydrocarbons, and metals.

No supporting information has been provided by the applicants that demonstrates the land has not been impacted by contamination, and that any potential risks can be reduced to an acceptable level. Notwithstanding this, recommend a condition requiring a contaminated land investigation report to be undertaken.

## TOWN COUNCIL

Object on the following grounds:

- over-development of the site
- out of scale with neighbouring properties
- loss of garden
- impact on the character and appearance of the area
- impact on residential amenity.

## PUBLICITY

A site notice has been displayed. No comments have been received.

## ASSESSMENT

The application site is garden land located to the side of the applicants' property; it is currently laid to lawn and contains a number of mature trees. It is bordered by a close-boarded fence along its southern boundary with the highway (Traingate) and by the applicants' existing two-

storey detached dwelling to the east. The site is located within the settlement boundary for Kirton in Lindsey in a residential area. The conservation area boundary is located directly to the north-west of the site and the nearest listed building is The Long Room located 104 metres to the north-west. The site extends to approximately 711.5 square metres in area. Planning permission is being sought to erect a two-storey dwelling with single-storey projections to the side and rear, and associated parking and private amenity space to the side and front.

**The main issues in the determination of this planning application are the principle of development, impact on the character and appearance of the area and upon residential amenity.**

### **Principle**

The application site is garden land within the defined settlement boundary for Kirton in Lindsey, in a sustainable central location within easy walking and cycling distance of a range of local facilities, including school(s), doctor's surgery, shops, post office, public houses, hairdresser's and a library. In terms of sustainability it is within walking distance of bus stops. The proposal therefore accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and the National Planning Policy Framework on delivering residential development in appropriate locations.

Policy CS2 of the Core Strategy states that development will be focused on previously developed land and buildings within the defined development limits of North Lincolnshire's Market Towns followed by other suitable infill opportunities. The proposal is for residential development on a site which is considered to be an appropriate infill plot located within the defined development limit of Kirton in Lindsey which is defined as a Market Town. On this basis the proposal is considered to comply with policy CS2 and therefore the principle of residential development in this location is considered to be acceptable.

Policy H8 (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area and protects existing natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable land within the settlement boundary of Kirton in Lindsey, in a sustainable location; there is, therefore, a presumption in favour of residential development.

### **Street scene and settlement character**

The pattern of residential development around which development is proposed is characterised by a mix of semi-detached and detached houses set back from the public highway with large rear gardens. The character of development on the northern side of Traingate is more informal with detached dwellings positioned at irregular intervals with the occasional dwelling fronting the highway. The appearance of the dwellings is also mixed, with red brick and red pantiles the most prevalent external facing materials. However, some dwellings are constructed from stone walls with dark grey or slate roof tiles. The prevailing height of dwellings along this section of Traingate is two-storeys; however, there are a number of detached bungalows located to the east and north-east of the site. Based on the character and appearance of the existing street scene, the introduction of a two-storey dwelling of the appearance and scale proposed, constructed from a mix of red clay pantiles and random stone walling to the principal elevation, and a red brick with slate roof tile to the remaining elevations, is considered to be in keeping with the character and appearance of the street scene. In addition, the introduction of a dwelling with a gable design and its principal elevation addressing the public highway is consistent with

the position and appearance of dwellings located within the Kirton in Lindsey conservation area located immediately to the north-west of the site.

In terms of its design, the plans show that the proposed dwelling will be of a gable roof design with single-storey sections orientated both parallel and perpendicular to the principal elevation. The dwelling has been designed with a balanced appearance to its principal elevation with ground-floor windows in vertical alignment with first-floor openings and a front door positioned centrally within the elevation. The principal elevation is flanked by two single-storey sections of equal width and which run parallel to the roof of the principal elevation; this adds balance to the front façade of the house. The plans show that these flanking single-storey extensions will be constructed from contrasting external materials (namely an Ivanhoe Cottage Blend brick and slate roof tile); this adds visual interest and allows the principal elevation, with its random stone façade, to become visually predominant and legible in the street scene. The inclusion of a chimney stack to the eastern and western edges of the roof adds further balance to the appearance of the dwelling (when viewed from Traingate). The introduction of detailing to include brick quoins to the edges of the principal elevation and its openings, stone cills, brick headers, eaves detailing and corbelling adds visual interest to the appearance of the proposed dwelling and ensures that design features that are prevalent within Kirton in Lindsey and its conservation area are incorporated in the overall design. Further detailing is proposed in the rear elevation of the dwelling with a double-height glazed feature positioned centrally and decorative eaves and verge detailing to the rear elevations of the single-storey projections. The plans show that each of the elevations will be broken up by a mix of window and door openings; this breaks up the mass of brickwork that would have otherwise resulted.

The proposal will not intercept any key views into the conservation area or affect the setting of any listed buildings (due to the presence of intervening vegetation and dwellings). The design and appearance of the proposed dwelling incorporates features and materials which are commonplace within the conservation area; the design and proportions of the proposal are considered to preserve the character and appearance of the conservation area in this case. Given the proximity of the proposal to the conservation area it is considered prudent to recommend a condition that samples of the external materials and detailed drawings are submitted for consideration; this will allow the local planning authority to ensure that the appearance of the dwelling preserves the character, appearance and setting of the conservation area.

The plans show that the dwelling will be set in from the side boundaries by 1.1 metres and 6.2 metres respectively; this allows for an area of pedestrian circulation to the east and private garden to the west. The dwelling will be set back from the public highway by approximately 2.6–4.4 metres; this allows for an area of private amenity space of 76 square metres to be provided to the front of the dwelling. In addition, an area of private amenity space of approximately 165.8 square metres will be provided to the side and rear of the dwelling; this amount of private amenity space is considered to be sufficient to meet the needs of the occupants of the proposed dwelling. Furthermore, the majority of this amenity space, together with the creation of a courtyard to the rear of the dwelling, will be private as it is enclosed by a combination of the proposed dwelling and an existing close-boarded fence. The driveway is of sufficient size and depth to accommodate a minimum of four off-street parking spaces. The plans show that the host dwelling (The Forge) will retain approximately 245 square metres of private amenity space to the rear and a minimum of two off-street parking spaces; this is considered sufficient to meet the ongoing needs of its occupants. Based on the amount of parking and private amenity space available to the occupants of the proposed dwelling and the fact the dwelling will be set in from the eastern, southern and western boundaries, the proposal is not considered to result in a

contrived or cramped form of residential development in the street scene and the host dwelling will retain sufficient space for amenity and parking purposes.

### **Residential amenity**

The plans show the separation distance from the rear elevation of the proposed dwelling (its two-storey part) to the rear elevations of 29 and 31 Traingate is 17.8 metres and 20.6 metres respectively; these separation distances are considered sufficient to negate the potential for overlooking towards neighbouring properties to the north. Furthermore, these neighbouring properties to the north have private amenity space to the rear which will remain in private use as a result of the proposals. In addition, it is considered that these separation distances are sufficient to prevent loss of amenity to neighbouring properties to the north through overshadowing or having an overbearing impact. The window proposed in the first-floor side elevation will face a westerly direction and will have an outlook onto the public highway. No windows are proposed in the first floor of the eastern elevation and the first-floor windows to the front will overlook Traingate.

### **Other issues**

A condition has been recommended by Environmental Health in respect of the requirement for contaminated land investigation. This land has previously been in use as a residential garden and therefore as a result of the proposed development it will remain in residential use. In light of this it is not considered reasonable or necessary to recommend a condition in relation to contaminated land investigation. However, it is considered prudent to recommend a cautionary condition that any contamination found during construction is fully investigated.

### **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: 1073.01, 1073.02, 1073.03 and 1073.04.

Reason

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

3.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the development is in keeping with the character and appearance of the street scene and the Kirton in Lindsey conservation area in accordance with policies DS1, H8 and HE2 of the North Lincolnshire Local Plan, and CS5 and CS6 of the North Lincolnshire Core

Strategy.

4.

No development shall take place until detailed drawings at a scale of 1:20 of the proposed doors and windows have been submitted to and approved in writing by the local planning authority. The development shall take place in accordance with the agreed details and thereafter retained.

Reason

To ensure that the development is in keeping with the character and appearance of the street scene and the Kirton in Lindsey conservation area in accordance with policies DS1, H8 and HE2 of the North Lincolnshire Local Plan, and CS5 and CS6 of the North Lincolnshire Core Strategy.

5.

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.

6.

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.

### **Informative 1**

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

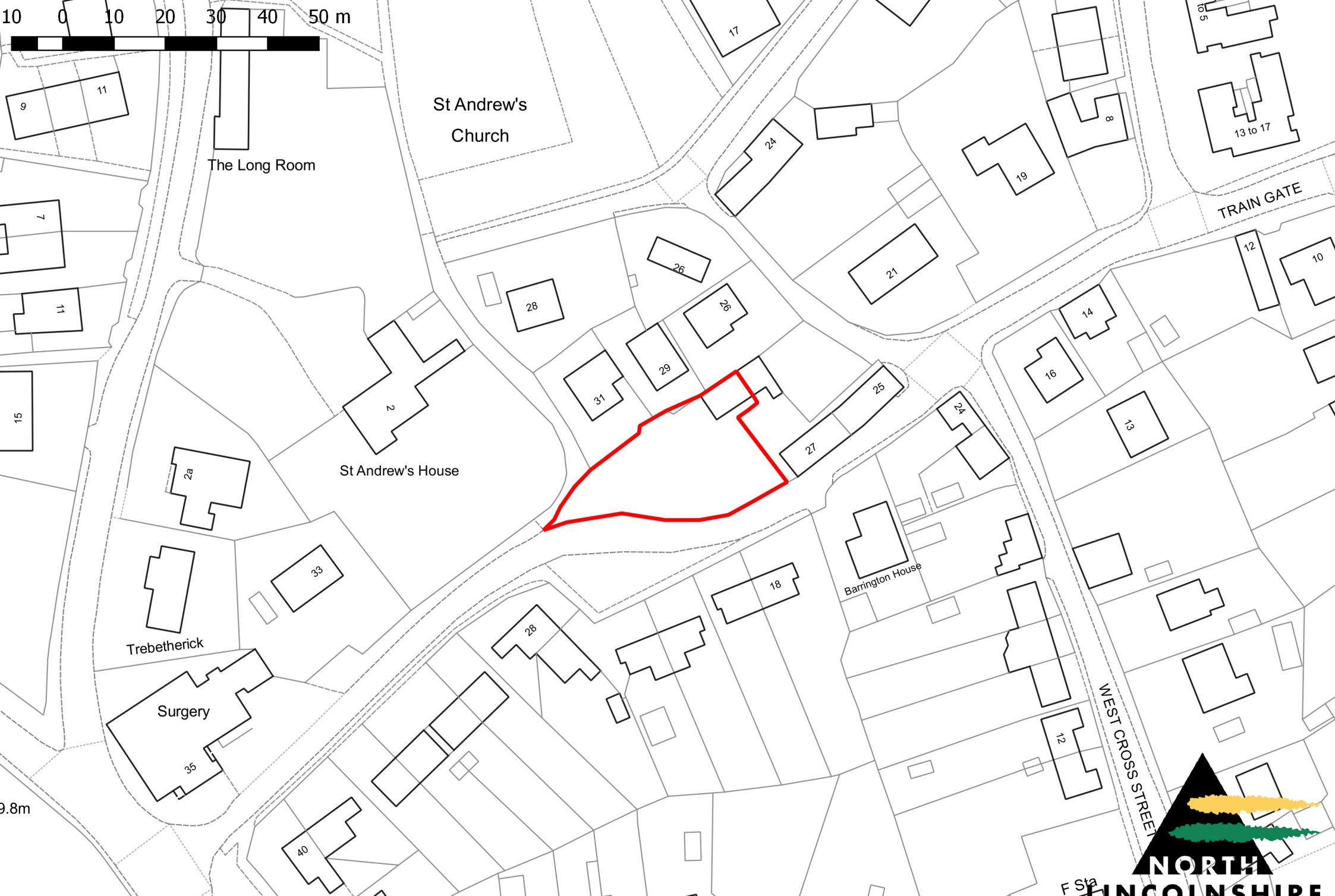
- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway 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.

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