

APPLICATION NO	PA/2017/1728
APPLICANT	Mr M Lambert, Trumax Building Ltd
DEVELOPMENT	Planning permission to erect three dwellings
LOCATION	13 Church Street, Owston Ferry, DN9 1RG
PARISH	Owston Ferry
WARD	Axholme South
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Officer discretion

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.

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 that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 55 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

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.

North Lincolnshire Local Plan:

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy DS1 (General Requirements)

Policy DS3 (Planning Out Crime)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

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 CS8 (Spatial Distribution of Housing Sites)

Policy CS19 (Flood Risk)

North Lincolnshire Housing and Employment Land Allocations DPD, March 2016

CONSULTATIONS

Highways: Advise conditions.

IDB: Advises a condition regarding surface water drainage.

Drainage Team: Advises a condition regarding SuDS strategy and implementation.

Archaeology: Holding objection. Trial trenching and photographic record required prior to determination.

Environment Agency: Finished floor levels are proposed at an acceptable level. No further comments.

Environmental Health: Site of a previous building, the use of which is unidentified. The application is for a sensitive end use. Contamination conditions therefore proposed.

PARISH COUNCIL

Supports the proposal.

PUBLICITY

A site notice has been posted close to the site. Nine letters of objection and one letter of support have been received. The following material issues have been raised.

- the design is out of keeping with area (original plans)
- parking issues if one space per dwelling (original plans)
- over-development of the site
- three storeys would be overbearing, dominant and out of character (original plans)
- highway safety
- archaeological potential
- services should be upgraded
- loss of privacy (original plans)
- support as previous building was an eyesore.

ASSESSMENT

The application site is primarily a vacant site, with a large brick built outbuilding to the rear of the plot. There is a private access track adjacent to the site, which is outside the applicant's ownership but the applicant has a right of access over. The site lies within the centre of Owston Ferry and is fully within the development boundary. To the west of the site there is a detached rendered two-storey house and to the east a pair of modern semi-detached houses. There are a mix of traditional houses and more modern bungalows opposite.

This application seeks permission for the erection of three dwellings: a pair of semi-detached houses to the frontage with a detached bungalow towards the rear of the site. Private garden areas are proposed to each dwelling, together with off-street parking for two cars. It should be noted that the application is being considered on amended plans, the original submission being for three terraced three-storey houses.

The main issues to consider in the determination of this application are whether the proposed development is acceptable in principle and whether it would have any adverse impact on the amenity of neighbouring properties, on the character and appearance of the area, or on highway safety.

History

The application site has a complex history, the site being formally occupied by a Grade II listed cottage. The cottage was in a poor state of repair and overgrown with vegetation. An application to demolish the cottage was submitted under PA/2017/534; however, during the

course of this application, it became apparent that the structural stability of this cottage was unsafe and the building was subsequently removed on safety grounds in 2017. Following this the site was de-listed. As such, the site must be considered as a vacant plot with no formal designation or listing.

Visual impact

The application was originally submitted for three, three-storey terraced houses with parking to the front of the dwellings and was not considered to be appropriate for the area in terms of design and visual impact. The applicant was advised to reconsider the scheme. Amended plans were subsequently submitted for a pair of semi-detached two-storey houses to the front of the site and a detached bungalow to the rear. The semi-detached houses have incorporated traditional design features such as squared windows with brick arched detail, chimneys and string courses, to be more in keeping with the surrounding traditional dwellings.

Concerns were raised in respect of the original plans regarding character and design of the dwellings and that they were out of character with the area. It is considered that the amended design would overcome these concerns and that the proposal is in keeping with the surrounding area. No further objections regarding character and design have been received following the amended plans, and one letter of objection has been withdrawn following this submission.

Amenity

The proposed semi-detached houses are to be sited to the front of the site, behind the footpath. This is in a similar position to the previous cottage and to the adjacent dwelling. As the dwellings are two-storey and in line with existing properties, it is not considered that they would result in any significant overlooking of neighbouring properties via the front or rear windows. No first-floor side windows are proposed.

With regard to the bungalow, this has been angled so as not to result in any direct overlooking to any neighbouring properties or the proposed pair of semis. There are two small dormer windows proposed in the front roof slope, the closest window being in excess of 24 metres to the rear of the closest dwelling, at an oblique angle, with the access track between. As such it is not considered that the proposed bungalow would result in any overlooking or loss of amenity to neighbouring properties.

Access and highway issues

Concerns were raised in respect of lack of parking to the original application which was proposed at one space per dwelling. This amended scheme includes two off-street spaces for the semi-detached houses, which are to the rear of the houses, accessed from the track to the east. The bungalow will have one external parking space and one parking space within an integral car port. The number and position of car parking spaces are considered to be appropriate to the development and have been agreed by the council's Highways officers.

Objections have been received with regard to the use of the access track to serve the proposed development. The owners of the track do not wish the applicant to use the track for this purpose for reasons appearing to relate to the history of the site and the demolition of the listed building and redevelopment of the site. The owners do not appear to agree to

the re-surfacing of the driveway. It should be noted that the applicant has a legal right of access over the driveway into the application site, which is shown on legal paperwork. Any disputes regarding right of access and improvements are a civil matter and cannot be dealt with under the planning process. As the applicant has an access into the site which is considered to meet the requirements of the Highways team no planning objection is made to this access.

Other matters

An objection has been received from the Historical Environment Record with regard to the submission of a record of the historical building on site (including the remains of the former building which has since been cleared from the site), together with trial trenching for potential archaeological remains. Costings were undertaken for the trial trenching and Archaeology watching brief. With the amount the applicant has spent on the application to date with surveys, plans, land costs etc, together with the estimated build costs of the site, the scheme without the trial trenching would lead to very little profit. Including trial trenching would result in a financial loss for the scheme. The applicant has agreed to conduct an archaeological watching brief whilst works are undertaken. This would ensure accurate recording of any archaeological remains which are found during construction. A condition requesting a photographic record of the existing building on the site is also proposed.

The site is just within zone 2/3a of the SFRA, however it is within EA zone 1 for flood risk. An FRA has been submitted with the application and the Environment Agency is happy with the finished floor levels set out within the document. With regard to the sequential and exceptions test, there is no other land available within the village which could accommodate this development and it is considered that the redevelopment of this site, which is currently an eyesore, would improve the character and appearance of the area. The proposed dwellings are also considered to be safe from flooding. The proposal is therefore considered to comply with the flood risk policies.

Concerns have been raised with regard to the outbuilding being demolished and the potential impact this would have on the neighbouring outbuilding. This is not a planning matter and it is the responsibility of the applicant to ensure that the stability of other properties is not affected by demolition. Building Control should also be involved with substantial demolition.

Conclusion

The proposed development of one pair of semi-detached houses to the site frontage and one bungalow to the rear of the plot is considered to be an acceptable level of development for this brownfield site. The designs of the dwellings are in keeping with the surrounding traditional houses and would not detract from the character of the area or street scene.

The history of the site regarding the former listed building and how this was removed is noted; however, this application must be judged on its own merits, with the site being an undesignated, unlisted site, which is not within a conservation area or subject to any formal land-use allocation.

The proposal would not have any unacceptable adverse impact on the amenity of neighbouring properties or on highway safety. It is considered to comply with the policies set out above and is therefore 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: 1 of 4, 2 of 4, 3 of 4 and 4 of 4.

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.
No development shall take place until a detailed assessment of the site in respect of drainage is carried out. Historic 1887 maps indicate that a water pump/well exists within the property site boundary. This will require identification and appropriate verification that works have been or will be carried out to remove this feature.

Reason

To prevent the increased risk of flooding to themselves and others, in accordance with policy DS16 of the North Lincolnshire Local Plan and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

5.
No development, demolition or intrusive ground works shall take place until the applicant, or his/her agent or successors in title, has secured the implementation of a programme of building recording and analysis or watching brief. Details are to be submitted to and approved in writing by the local planning authority prior to demolition/development/intrusive ground works commencing. The recording/watching brief is to be undertaken throughout the course of works affecting the below-ground deposits and historic fabric of the building(s) concerned. The watching brief is to be carried out by a professional archaeological consultant or organisation in accordance with the approved details.

The above archaeological strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

6.

A copy of any analysis, reporting, publication or archiving required as part of the watching brief and historic record of the outbuilding shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

7.

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.

8.

No development shall take place until a scheme for the provision, implementation and future maintenance of a surface water drainage system has been submitted to and agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

9.

The existing vehicular access to the site shall be improved within highway limits 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.

10.

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.

11.

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.

12.

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.

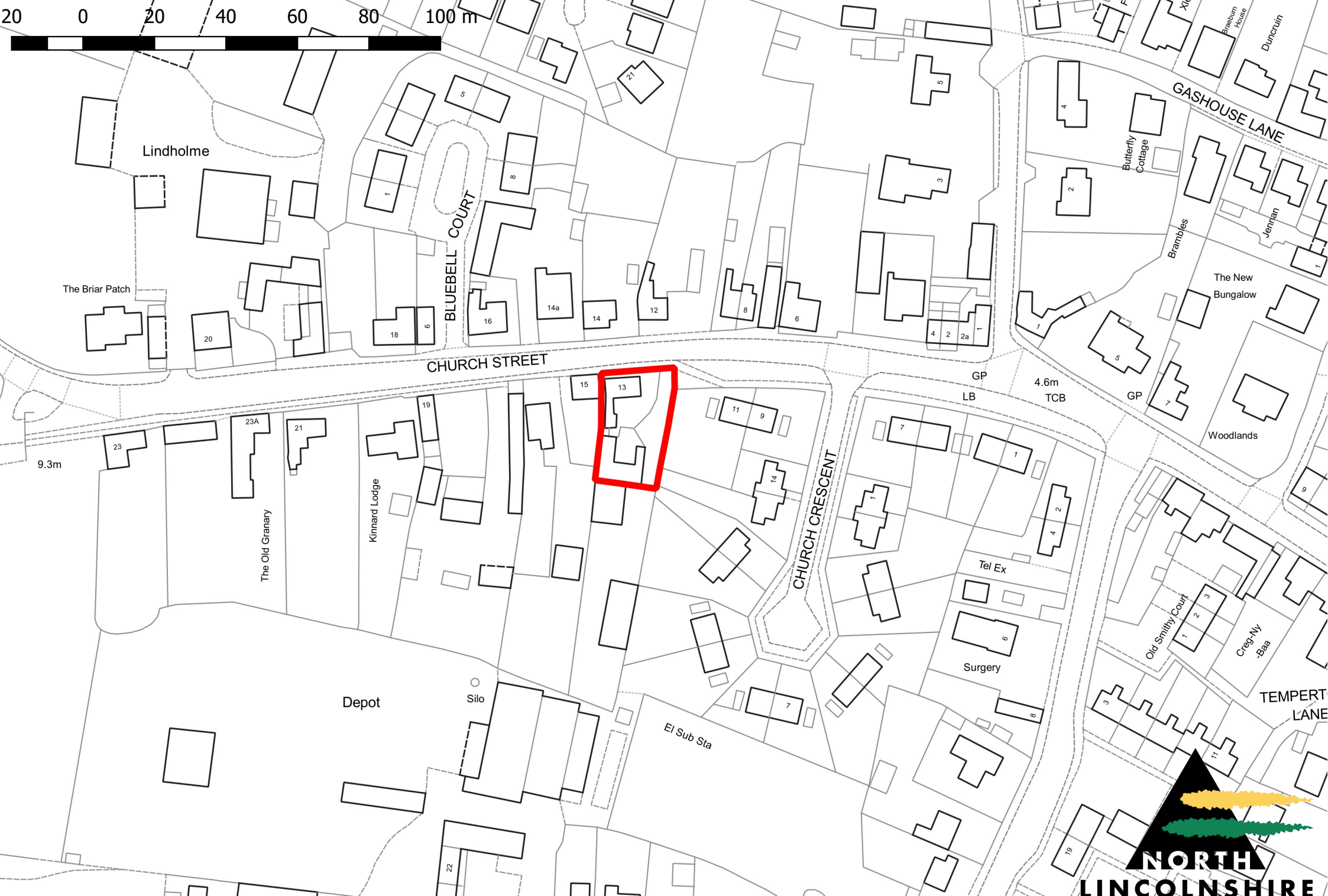
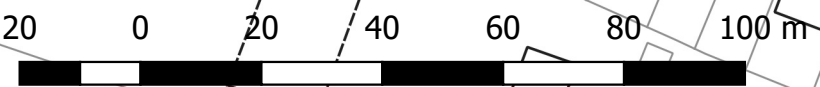
Informative 1

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.

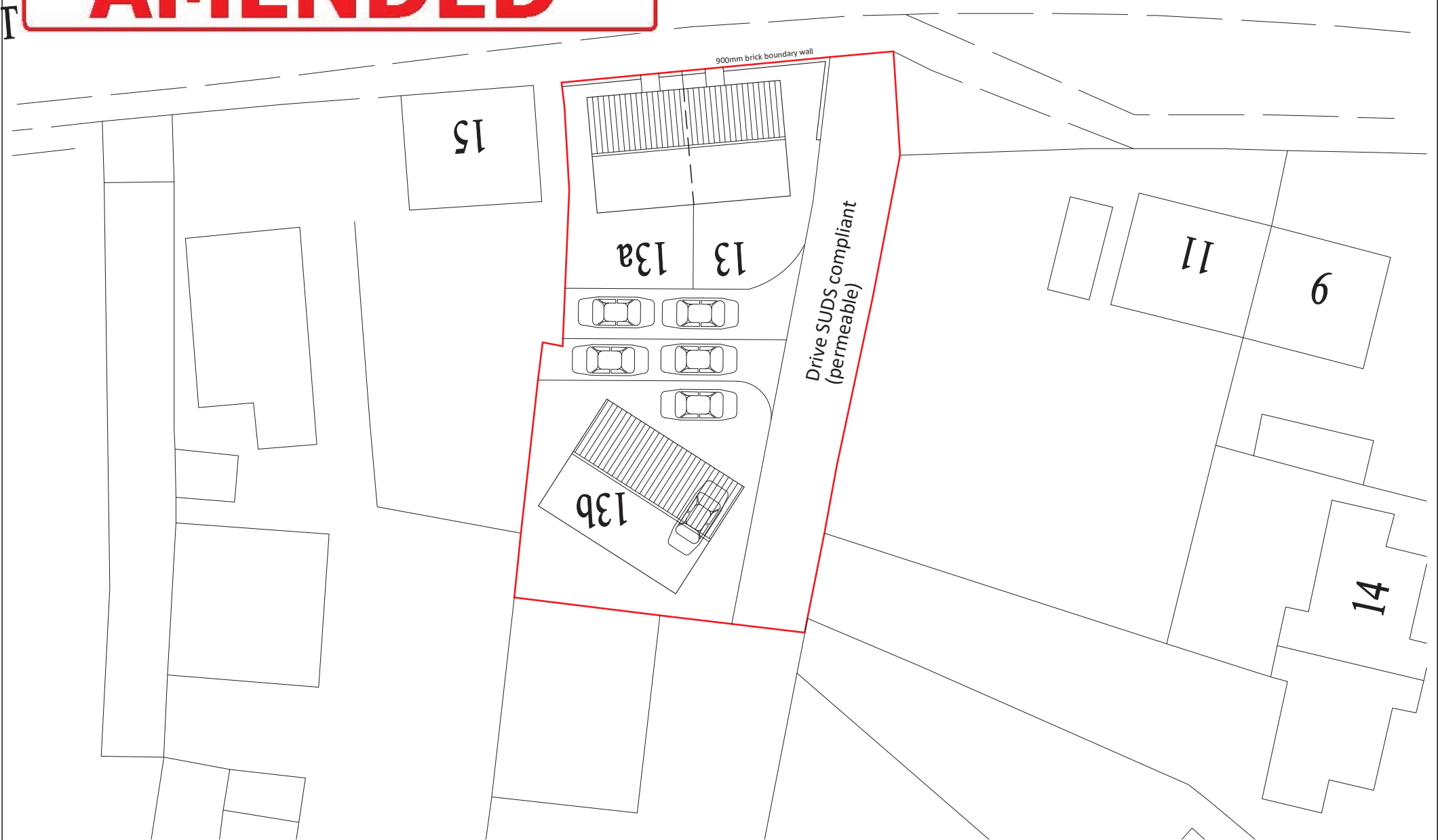


PA/2017/1728



AMENDED

6.5m AOD



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Client	Max Lambert		
Date	12/3/18	Dwg No	4 of 4
Scale	1:200	Ref No	1011

Proposal
Drawing

1 pair of semi detached houses & bungalow
at 13 Church Street, Owston Ferry
Site Plan

