

APPLICATION NO	PA/2018/1141
APPLICANT	Mr George Aikenhead
DEVELOPMENT	Part retrospective planning application to erect a dwelling with associated access and landscaping works
LOCATION	Whitgift House, 30 Church Street, Messingham, DN17 3SB
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework (July 2018): Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

North Lincolnshire Local Plan: Policies H5, H7, H8, DS1, DS3, DS14, HE9, T1, T2 and T19 apply.

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

CONSULTATIONS

Highways: No objection, but recommend conditions and an informative relating to works within the highway.

Historic Environment Record: The applicant commissioned an archaeological evaluation to inform the previous application PA/2017/778, in accordance with the NPPF. The archaeological field evaluation comprised the excavation of sample trial trenches; no significant archaeological remains were uncovered and therefore no further archaeological works were required in connection with the development of this site. No objection.

Environmental Health: The application for residential development is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks. No supporting information has been provided by the applicant that demonstrates the land has not been impacted by contamination, and that any potential risks can be reduced to an acceptable level. In the absence of a screening assessment form, recommend a condition for contaminated land investigation.

LLFA Drainage: The application refers to connection of surface water into the main sewer. There is a riparian drain along the southern boundary which the applicant is aware of. New connections to this drain would require Ordinary Watercourse Consent. The applicant has now confirmed that surface water will be discharged to soakaway.

Shire Group of IDBs: The above application lies within the IDB (extended) district and indicates that the application will increase the impermeable area to the site. The applicant will therefore need to ensure that any existing or proposed surface water system has the capacity to accommodate any increase in surface water discharge from the site. General comments made in respect of surface water drainage disposal, suitability of soakaways and no obstruction within 9m of the edge of a watercourse.

MESSINGHAM PARISH COUNCIL

Object on the grounds that there is loss of privacy to neighbouring properties as a result of new windows overlooking and loss of light.

PUBLICITY

A site notice has been displayed. One letter of objection has been received raising the following issues:

- The additional window in the northern elevation will create overlooking;
- There are major alterations being proposed to the dwelling which are unauthorised.

ASSESSMENT

The application site is part of the former garden to the rear of the applicant's property at 30 Church Street in Messingham. It is located in a residential area and there are new properties being constructed on part of the former school playing field to the east of the site. The site is located within the defined settlement boundary for Messingham. The applicant

has started construction of the dwelling and it is up to first floor level; therefore the proposal is partly retrospective in its consideration. Planning permission is being sought to erect a detached dwelling (part retrospective) with associated parking areas and private amenity space.

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

Planning permission has previously been granted for two dwellings on this site; it included a dwelling on the land to the west and had the reference of PA/2017/778. Therefore the principle of residential development has already been established on this site and is considered to be acceptable. Notwithstanding this, the application site is located within the defined settlement boundary for Messingham, in a sustainable central location within easy walking and cycling distance of a range of local facilities including public houses, a post office, primary school, playing fields, convenience stores and shops. 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 National Planning Policy Framework (NPPF) on delivering residential development in appropriate locations.

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 and 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 Messingham in a sustainable location (in a residential area). There is, therefore, a presumption in favour of residential development. The principle of residential development is therefore considered acceptable.

Character and appearance

The applicant has removed plot 2 from the overall proposals for the site (to be submitted under a future planning application) and is seeking part retrospective planning permission for a dwelling which is up to first floor level and roof in its construction. By comparison to the approved scheme under PA/2017/778 the following alterations are proposed to the dwelling:

- the dwelling has been moved by 4.774m from the eastern boundary;
- it has been moved 0.1m closer to the northern boundary;
- increase in the ridge height by 0.7m to the two-storey element and 0.2m to the single-storey element;
- increase in the plot width by 5m further to the west;
- additional first floor window in the northern elevation and two rooflights;

- two first floor windows in the southern elevation which will serve an en-suite and as a void over the hall below;
- new first floor bedroom window in the western elevation.

With the exception of the increase in the ridge heights for the two-storey and single-storey elements of the dwelling, the design, appearance and scale of this dwelling remains the same as that considered and approved under planning application PA/2017/778. It is worth noting that this dwelling is located to the rear of the applicant's existing house and is only visible from gaps between residential properties surrounding the site and from Church Street (the vehicular access) to the west. The house does not result in a visually prominent form of built development in the street scene, the scale of development is consistent with that of surrounding properties and the external materials of construction (Newby Blend Brick and Cement Slate Roof Tile) are appropriate to this residential location. The height of the dwelling is also consistent with the ridge heights of the modern dwellings currently being constructed on the former school playing field site to the east.

The design of the dwelling also includes features such as arched feature windows to three elevations, cill and header detailing, corbel detailing to the eaves and a cupola; these add visual interest to the appearance of the dwelling. The dwelling is not considered to be out of keeping with the character and appearance of the street scene in this case.

Residential amenity

The separation distance to the nearest residential property from the raising of the ridge lines of the dwelling is 18.1m; this separation distance is considered sufficient to negate potential for loss of residential amenity through having an overbearing impact and loss of light. The applicant has revised the plans to show an additional first floor window in the northern elevation and an additional window to the western elevation. An amended plan has been received; this plan shows that the first floor window in the northern elevation will serve a bathroom and will have obscure glazing to level 4 (in accordance with the Pilkington Scale of Obscuration) up to a height of 1.7m above the floor level that the window serves; this will ensure that no overlooking of the gardens to the north takes place. Similarly it is now proposed to install a bedroom window in the western elevation of the first floor; the plans show that this window will be fitted with obscure glazing to level 3 to a minimum height of 1.7m above the bedroom floor; this will ensure that no overlooking to the west will occur. Conditions are recommended to ensure these first floor windows are fitted with the proposed levels of obscure glazing.

The two additional south-facing windows will serve as a light source over the entrance hall below and an en-suite; these windows are not considered to result in overlooking towards the properties to the south. There is sufficient land within the site to serve as private amenity space to the south and west and for a minimum of four off-street parking spaces and a turning area to be provided.

RECOMMENDATION: Grant permission subject to the following conditions:

1.

The development hereby permitted shall be completed in accordance with the following approved plans: ME/AI/MF/13 Rev A, ME/AI/MF/14, ME/AI/MF/15 Rev A and ME/AI/MF/16.

Reason

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

2.

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.

3.

Prior to occupation of the dwelling details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway shall be 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.

4.

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.

5.

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.

6.

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

Reason

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

7.

Prior to occupation of the dwelling details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, shall be 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.

8.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

9.

Prior to occupation of the dwelling 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, shall be 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.

10.

Before the dwelling is first occupied the bedroom window in its western wall shall be obscure glazed to a minimum of Privacy Level 3 and the bathroom window in its northern wall to a minimum of Privacy Level 4 in accordance with the Pilkington Scale of Obscuration, and any opening part shall be a minimum of 1.7m above the floor level. Once installed it shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

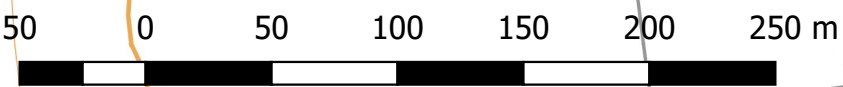
Informative 1

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 paragraph 38 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.



Messingham

Application site



PA/2018/1141

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