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| APPLICATION NO | PA/2018/2338 |
| APPLICANT | Mrs S Sherwood |
| DEVELOPMENT | Planning permission to erect a vehicle port and replacement gates |
| LOCATION | The Orchards, Barton Road, Wrawby, DN20 8SH |
| PARISH | Wrawby |
| WARD | Brigg and Wolds |
| CASE OFFICER | Andrew Willerton |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Application by the spouse of a member of the council (Cllr Nigel Sherwood) |

POLICIES

National Planning Policy Framework: Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account and is a material consideration in planning decisions.

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 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

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 127 states that decisions should ensure developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible which promote health and wellbeing with a high standard of amenity for existing and future users.

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 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 DPD:

Inset Map for Wrawby

PS1 (Presumption in Favour of Sustainable Development)

North Lincolnshire Local Plan:

T2 (Access to Development)

DS1 (General Requirements)

DS5 (Residential Extensions)

CONSULTATIONS

Highways: No objection subject to conditions.

Drainage: No comments received.

PARISH COUNCIL

No objections or comments.

PUBLICITY

The application has been advertised by site notice for a period of 21 days. At the time of writing no comments have been received. Any comments which are received will be verbally reported at the meeting.

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 (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 the Planning Practice Guidance (PPG).

The application site is The Orchards, Barton Road, Wrawby. The Orchards consists of a detached bungalow with several outbuildings to the south. The property is well screened to all boundaries by mature coniferous hedging. Access is from the south-west of the site onto Barton Lane. Planning permission is sought for the erection of a vehicle port and replacement gates.

The main issues for consideration with regard to the determination of this application are whether the proposed works would result in significant harm to residential amenity and whether the proposed gates would adversely affect the safe operation of the highway.

The application site is within the HELA DPD defined development limit for the settlement. The Town and Country Planning (General Permitted Development) Order 2015 (as amended) affords deemed consent for the erection of outbuildings within the site and for the installation of gates to the front boundary. However, the proposals do not meet all the criteria set out within the regulations and therefore require planning permission. The principle of the development of outbuildings and the installation of gates is acceptable.

The proposed vehicle port is to be sited to the south-east corner of the application site adjacent to other outbuildings. The proposed vehicle port measures 7.9 metres by 3.7 metres. The structure has a maximum height of 4 metres and is within 2 metres of the

boundary of the property with Park Lea, which generates a need for planning permission. The structure, by virtue of its siting and height, is not considered to result in a loss of amenity to neighbouring property due to the mature vegetation bordering the site. In addition, the property known as Park Lea is set back from The Orchards and land due south of the boundary forms the driveway to Park Lea. The structure is to be constructed of timber with sheeting to the roof which is considered to be acceptable due to structure forming an outbuilding that is set back within the site and obscured from view by mature vegetation.

It also proposed to erect replacement gates at the point of access of the property with Barton Lane to the south-west corner of the site. The gates have a maximum height of 2.1 metres and are to be constructed of timber with 1.9 metre high brick pillars to either side. The gates are to replace an existing gate which is lower in height. Due to the presence of high level coniferous hedging to the frontage of the site, which is set back from the highway by a grass verge, it is not considered that the proposed gates would harm the visual amenity of the street scene. Highways has been consulted on the proposal and has raised no objection subject to conditions to ensure that the gates are not constructed within the realms of the public highway and that they do not open out onto the public highway. On this basis it is not considered that the proposal would adversely affect the safe operation of the highway.

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: 'Site Location Plan', 'Block Plan' and S.01/18 SK1.

Reason

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

3.

The proposed gates shall be installed in such a fashion as to not open out over the adopted highway and shall remain installed in such a fashion thereafter.

Reason

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

4.

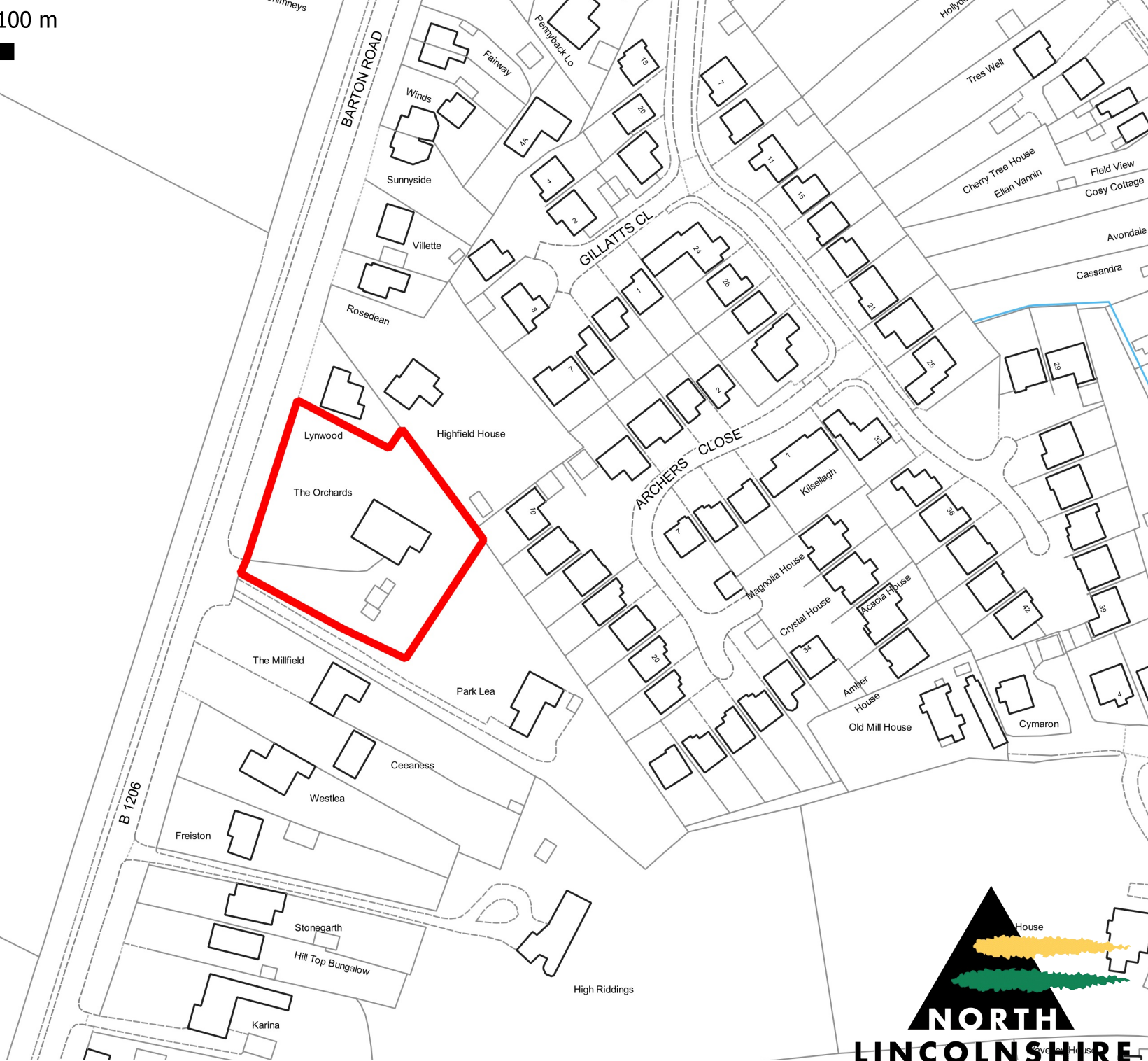
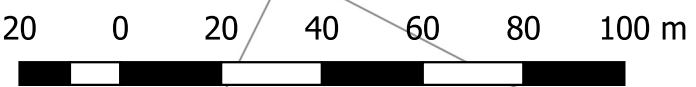
The proposed brick pillars, including their foundations, shall not be constructed within the limits of the adopted highway.

Reason

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

Informative

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.



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