

APPLICATION NO PA/2019/1288

APPLICANT Mr Amin Chaudhary, Kembles Holdings Ltd

DEVELOPMENT Planning permission to erect two pairs of semi-detached dwellings with associated works

LOCATION 6 Chesswick Avenue, Keadby, DN17 3DG

PARISH Keadby with Althorpe

WARD Axholme North

CASE OFFICER Natasha McCann

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Keadby with Althorpe Parish Council

POLICIES

National Planning Policy Framework: Paragraphs 9, 118 and Section 12

North Lincolnshire Local Plan: DS1, DS7, DS16, T1, T2, H7

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS7, CS8, CS19

CONSULTATIONS:

Environment Agency: The Environment Agency initially objected to the proposal for the following reason:

‘The submitted FRA [Flood Risk Assessment] does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. It does not therefore adequately assess the flood risks to the development. In particular, the FRA fails to:

- consider how a range of flooding events (including extreme events) will affect people and property;
- establish whether the measures proposed to deal with flood risk are appropriate and the exception test will be passed.’

Following further discussion with the applicant, an amended FRA has been submitted which is considered to fulfil the Environment Agency’s requirements and satisfies the proposed mitigation measures. The Environment Agency has confirmed that they wish to withdraw their objection subject to a condition.

Environmental Health: No objection subject to a condition.

Historic Environment Record: No objection.

Drainage: No objection subject to a condition.

Highways: No objection subject to a condition.

PARISH COUNCIL

Objects on the following grounds:

- over-development
- parking/congestion
- drainage issues.

PUBLICITY

Site notice posted; no comments received.

The site

The application site is located to the south side of Chesswick Avenue set wholly within the settlement boundary of Keadby with Althorpe (Housing and Employment Land Allocations DPD). It is located within SFRA Flood Zone 2/3 (a) Fluvial. The site is not located within a conservation area, nor does it contain a listed building. The site comprises a two-storey semi-detached dwelling located to the north-east of the plot.

The proposal

Planning permission is sought to erect two pairs of semi-detached dwellings with associated works. Each dwelling would include a garage, utility room and WC at ground floor; a kitchen, living room and one bedroom/bathroom at first floor; and two bedrooms at second floor. One on-site car parking space would be provided in front of each of the four dwellings accessed off Chesswick Avenue. The materials proposed are brick walls, concrete roof tiles and UPVC windows and doors.

Principle of development

Policy CS1 of the Core Strategy is concerned with the overarching spatial strategy for North Lincolnshire. Keadby is described as a rural settlement within the strategy and policy CS1 states of these areas "...Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement."

Policy CS2 of the Core Strategy sets out a sequential approach to development on certain land types. It states that "...Small-scale developments within the defined development limits of rural settlements to meet identified local needs..." is an appropriate form of development.

The proposal is wholly located within the settlement boundary and would represent infill development set within a populated residential area. The proposal is considered acceptable in principle.

Historic environment and character of the area

Policies DS5 of the local plan and CS5 of the Core Strategy are concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials. The pattern of residential development around the application site is characterised by a mix of semi-detached and terraced dwellings. Furthermore, planning permission has recently been granted under application PA/2017/1375 for a very similar scheme of a pair of semi-detached dwellings which reflect the scale and design of this proposal. The appearance of the dwellings is also mixed, with red brick the most prevalent external facing material. In terms of design, the proposed dwelling would feature a pitched roof which would reflect the architectural style of the immediate vicinity. Based on the character and appearance of the existing street scene, the introduction of two pairs of semi-detached dwellings of the appearance and scale proposed, constructed in brick and clay tiles, is considered to be in keeping with the character and appearance of the street scene.

The proposed dwellings would be set in approximately 1 metre from the west boundary of the site and set flush to the boundary to the east. Given the space to the side of both adjacent neighbours, the sense of openness between dwellings is retained, which is considered an important characteristic of the street scene. The dwellings would be set back from the public highway by approximately 7.7 metres; this allows for an area of amenity space to the front of the dwellings and reflects surrounding sites. The proposed amenity space to the front and rear is considered to be sufficient to meet the needs of the occupants of the proposed dwellings. The driveways are of sufficient size and depth to accommodate one parking space. Based on the amount of parking and private amenity space available to the occupants of the proposed dwellings and the fact that the dwellings will be set in from all 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 adequate space for amenity and parking purposes.

Comments received from the parish council raise concerns regarding over-development of the site and parking issues. The scale and siting of the proposed dwellings are considered to significantly reflect those of the recently approved pair of semi-detached dwellings under application PA/2017/1375 and therefore precedent is given to the surrounding built form. Given that the proposed scheme is of a similar size and location, it is not considered that the issue of over-development is substantial enough to warrant refusal. The parish council comments that there is only one proposed parking space per dwelling, however the properties would include a garage to the ground floor which would result in two parking spaces per dwelling and as such is considered acceptable.

It is therefore considered that the proposal is in accordance with policies DS5 and CS5.

Residential amenity

Policy H5 of the North Lincolnshire Local Plan is concerned with residential developments and requires that new dwellings do not result in unacceptable overlooking, loss of light or any other unacceptable loss of amenity to neighbouring residential properties.

The four proposed dwellings would be set wholly within the existing curtilage of the site. The dwellings would be set back from the highway and boundary line and therefore set in from the amenity space of surrounding neighbours. By reason of size and siting within the site, the proposal is not considered to cause detrimental harm to neighbouring properties.

It is therefore considered that the proposal would not have any overbearing, overlooking or overshadowing impacts that would be detrimental to the residential amenity rights of surrounding neighbours and aligns with policy H5.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst policy DS14 of the local plan is concerned with foul sewage and surface water drainage.

The application site is located within SFRA Flood Zone 2/3 (a) and as such is considered to be at risk of flooding. The council's drainage team has been consulted and raises no objection to the proposal subject to a condition regarding surface water run-off.

The Environment Agency objected to the original flood risk assessment (FRA) submitted alongside the application on the grounds that it did not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance and did not, therefore, adequately assess the flood risks to the development. Following engagement with the applicant, an amended FRA was submitted on 17 January 2020, which is considered to fulfil the Environment Agency's requirements and satisfies the proposed mitigation measures. The Environment Agency has confirmed that they wish to withdraw their objection subject to a condition.

It is therefore considered that the proposal complies with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

Land quality

Policy DS7 of the local plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

A screening assessment has been submitted with the application and this does not identify any potential sources of contamination from previous or adjacent uses. As such the site is not considered to be at risk of contaminated land. A condition has been recommended to guard against any unexpected contamination that may be encountered during development and this is considered to afford acceptable mitigation in accordance with policy DS7.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety; both policies are

considered relevant. The highway authority has been consulted and has raised no objection to the proposal. It is therefore considered that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Conclusion

The proposal is considered to represent a sustainable form of development in an appropriate location and, subject to the recommended conditions, there are no adverse impacts of the development that would demonstrably outweigh the benefits. The proposal is therefore 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: 001, 002 Rev A and 003.

Reason

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

3.
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.

4.
No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been 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 and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

5.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy and paragraph 163 of the National Planning Policy Framework.

6.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken to the satisfaction of the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

To prevent creating dangerous conditions for road users.

7.

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 2 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.

8.

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.

9.

No development shall take place until details of the relocation of the street lighting column have been submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on site.

Reason

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

10.

None of the dwellings shall be occupied until the street lighting column has been relocated in accordance with the approved details.

Reason

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

11.

No development shall commence until details showing the method of facilitating the adjacent manhole have been submitted to and approved in writing by the local planning authority.

Reason

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

12.

The development shall be carried out in accordance with the approved Flood Risk Assessment (ref. J. Roberts Design Ltd, 2247, January 2020) and the following mitigation measures it details:

- all habitable accommodation to be set at first floor level and above
- ground floor finished floor levels to be set no lower than 4.1 metres above Ordnance Datum (AOD)
- flood resilience measures to be incorporated as described on page 14.

These mitigation measures shall be fully implemented prior to occupation, and subsequently retained and maintained thereafter throughout the lifetime of the development.

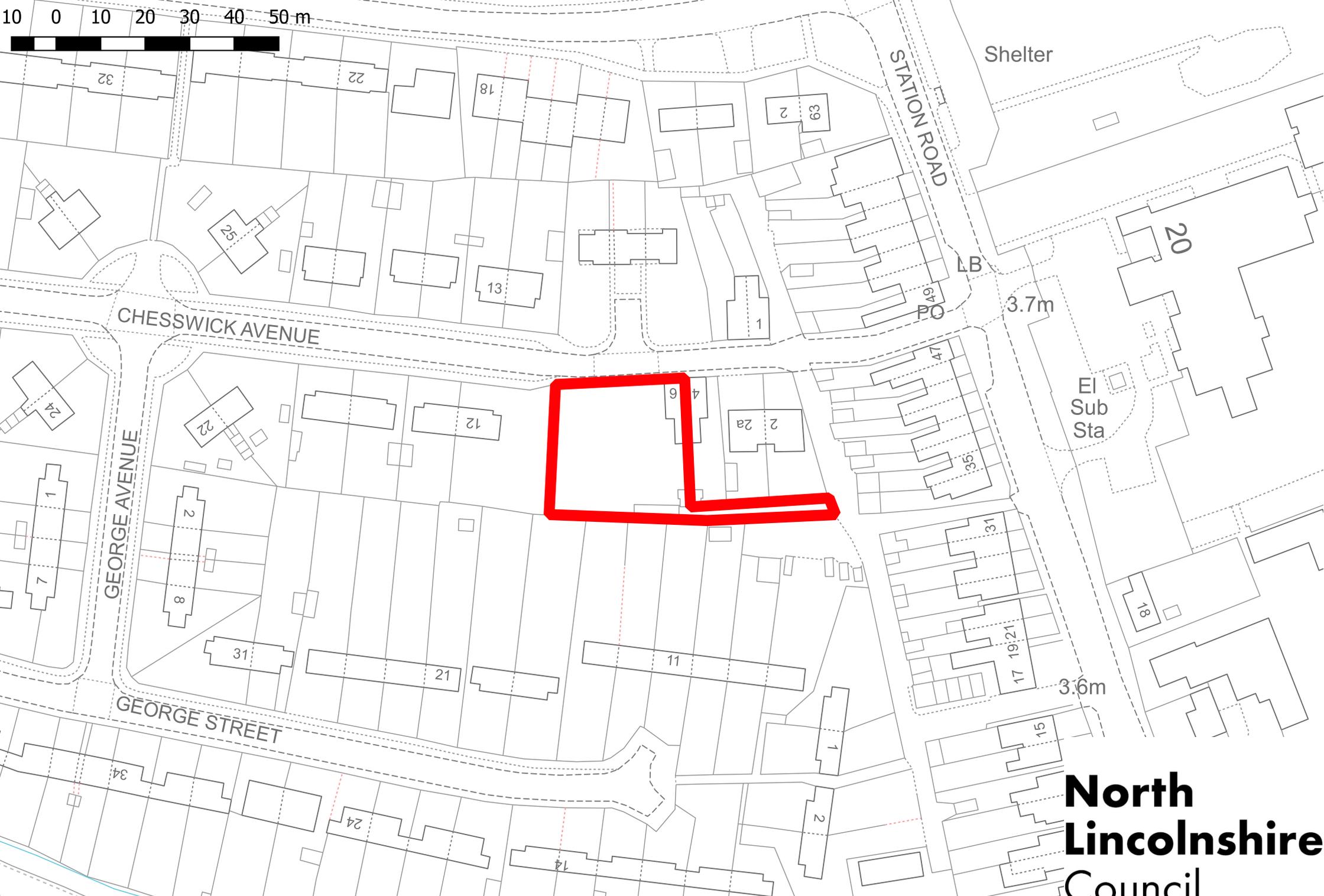
Reason

To reduce the risk of flooding to the proposed development and future occupants.

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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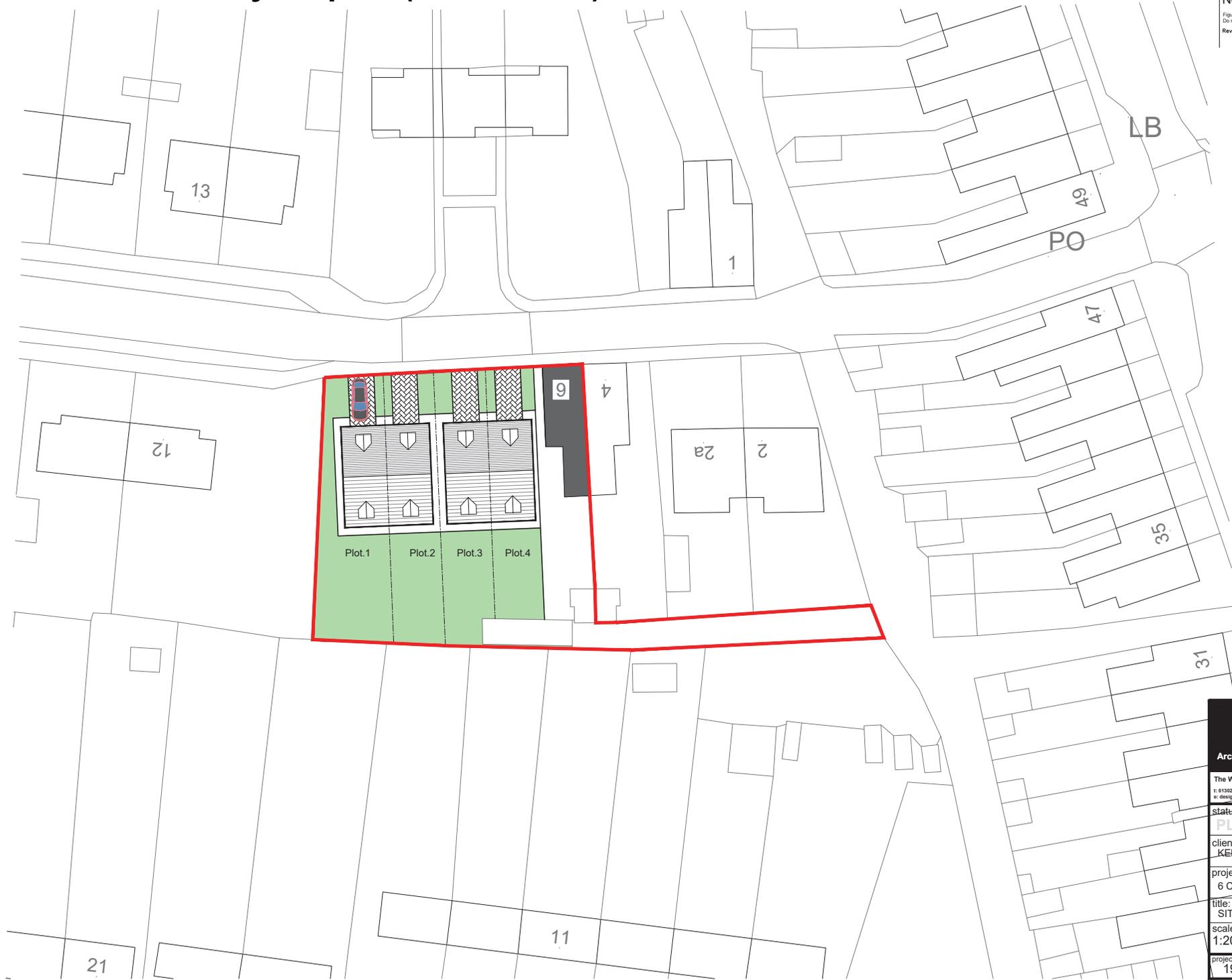
**North
Lincolnshire
Council**

PA/2019/1288

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PA/2019/1288 Site layout plan (not to scale)

Notes			
Figured dimensions only to be taken from this drawing. Do not scale if in doubt ask.			
Rev	Date	Drawn	Description



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status:
PLANNING

client:
 KEMBLE ESTATES

project:
 6 Chesswick Avenue, Keadby

title:
 SITE PLAN AS PROPOSED

scale: 1:200@A1 **date:** JUNE 2019

project no.: 19109	drawn: MJ	number: 002	rev.: A
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