

APPLICATION NO	PA/2019/1839
APPLICANT	Mr Martin Hutson
DEVELOPMENT	Planning permission to erect a detached garage
LOCATION	land adjacent to 30 High Street, Burton upon Stather
PARISH	Burton upon Stather
WARD	Burton upon Stather and Winterton
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Helen Rowson and Ralph Ogg – significant public interest) Objection by Burton-upon-Stather Parish Council

POLICIES

National Planning Policy Framework: Paragraph 10 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be pursued in a positive way.

Paragraph 124 states that 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.

National Design Guide – advice regarding design relevant.

North Lincolnshire Local Plan:

Policy DS1 – General Requirements

Policy DS5 – Residential Extensions

Policy HE2 – Development in Conservation Areas

North Lincolnshire Core Strategy:

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS6 – Historic Environment

CONSULTATIONS

Highways: No objections.

Historic Environment Record: No objections subject to conditions.

PARISH COUNCIL

This application would increase traffic into a small cul-de-sac which was not built for extra vehicles.

PUBLICITY

Press and site notices have been displayed. The following comments have been received from four neighbouring properties:

- The original plans were for a modest dwelling with a traffic management plan, we have seen no signs of traffic being managed in accordance with this plan.
- Together with the basement application, this is not a modest proposal anymore and does not comply with the development approved by the inspector.
- The garage is too excessive for the plot and will lead to further disruption for surrounding residents.
- Why is there an upper floor in the garage and what will be stored there? Why does it have rooflights and do these comply with building regulations?
- The term 'storage' is vague and why is it needed?
- The property is now four-storey, with the extra basement and loft conversion.
- The scale and design of the garage, with external staircase with residential above, is not in keeping with what the inspector approved.
- The garage will result in loss of amenity due to overlooking and reduce privacy to habitable room windows.

ASSESSMENT

Planning permission is sought to erect a detached double garage with storage above, in the rear garden area of a detached dwelling currently under construction, in the settlement boundary for Burton upon Stather. The dwelling was approved on appeal (PA/2016/1777) and was for a detached four-bedroom property with new vehicular access. Although the address of the property is High Street, the vehicular access is to the rear from Breydon Court. This application should be read in conjunction with PA/2019/1783 to retain a basement for the main dwelling, which is also on this agenda. The site is located within the conservation area.

The main issues in the determination of this application are whether the proposal is detrimental to the amenities of nearby residents; whether the development will have an adverse impact on highway safety and whether the scale of the development is too large for the plot.

The proposed double garage is proposed to be built in part of the rear garden of a dwelling under construction. The garage measures 8.2 metres wide, 6.5 metres deep, is 3.3 metres high to the eaves, and 5.9 metres to the ridge. It is proposed to be built adjacent to the

boundary with 30 High Street, and will be set away from the boundaries with other surrounding residential properties (5 metres from the rear boundary of 2 Breydon Court and 13 metres from the rear boundary of 27 Norfolk Avenue). The design and appearance of the garage reflects the design of the house under construction, and is considered to be an appropriate development in terms of impact on the character of the conservation area, and the area as a whole. The garage will be accessed via the driveway approved under the original application, from Breydon Court to the rear. The proposal also includes storage space in the roof, two rooflights in the northern elevation, and an external staircase.

Due to the position of the garage, it is not considered that there will be any loss of amenities to surrounding neighbours either from overlooking or loss of light from overshadowing. The garage is approximately 9 metres from the rear wall of the property to the east on Breydon Court and 20 metres from the rear wall of the property to the north, 27 Norfolk Avenue. This is considered to be a sufficient distance from both properties in order to maintain residential amenities. However, to overcome the concerns of the occupier of 27 Norfolk Avenue in relation to overlooking, it is suggested that a condition be imposed to provide obscure glazing to the two rooflights in the garage roof. The external staircase is set in from the boundary with surrounding properties and is not considered to result in any loss of amenity due to overlooking.

Concerns have been raised in relation to an increase in traffic and that the development will have an impact on highway safety. However, the development will not result in an increase in vehicular traffic, as the overall proposal is still for one dwelling, that will utilise the same access as already approved for the site. The garage will enable the occupier's cars to be parked under cover, rather than on the driveway, and this will not add to the number of cars that will access the site. It has also been suggested that the scale of the development is not in keeping with the dwelling approved by the planning inspector under PA/2016/1777, and that together with the basement application, will be an over-development of the site, not in keeping with the area. However, the planning inspector considered the matters before him at that time. Any subsequent planning application must be determined on its own planning merits. The scale and design of the original property has not changed, and it is not unreasonable to expect that a dwelling would have a garage in the garden. The size and location of the proposed garage still provides adequate garden areas for the occupiers of the dwelling, together with access, parking and turning areas. No objections have been received from the highways department, who are satisfied that the development meets current highway standards.

Questions have been asked about the nature of the storage, and whether this will be a commercial use or further residential accommodation. From a planning point of view, the storage and garage use will be for domestic purposes in connection with the applicant's dwelling. Any commercial use, or a change of use to a dwelling, would require the submission of a further planning application, which would be judged on its own merits accordingly.

No other adverse comments have been received as a result of the publicity carried out. It is considered, therefore, that the proposal is in accordance with the policies in the adopted local plan and Core Strategy and is 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: 2180 201 and 2180 200 A.

Reason

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

3.

No above-ground works 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 the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy, to be defined in a Written Scheme of Investigation that has been submitted to, and approved in writing, by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record and shall include details of the following:

- (i) measures to ensure the preservation by record of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analysis
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works

- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

5.

The applicant shall notify the local planning authority in writing of the intention to commence the archaeological site works at least one week/seven days before commencement. Thereafter, the archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Reason

To comply with paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

6.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire 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 paragraph 199 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan because the site potentially contains archaeologically significant remains that the development would otherwise destroy; the archaeological mitigation strategy is required in order to preserve archaeological evidence by means of a comprehensive record and creation of a permanent archive, to advance public understanding. The archaeological mitigation strategy must be prepared and approved for implementation prior to the commencement of any groundwork within the application site that would otherwise result in destruction without record.

7.

Before the garage is first brought into use, the rooflights in the northern elevation shall be obscure glazed to a minimum of Privacy Level 3 in accordance with the Pilkington Scale of Obscuration and shall be retained in that condition thereafter.

Reason

To protect the living conditions presently enjoyed by occupants of adjoining properties in accordance with policy DS5 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.

10 0 10 20 30 40 50m

RODDS LANE

HIGH STREET

El Sub Sta

BREYDON COURT

HUNTINGDON

ESSEX DRIVE

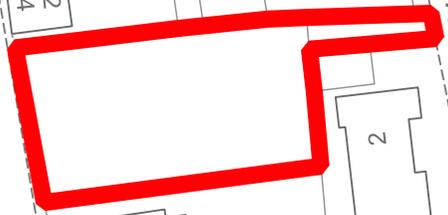
The Cottage

61.9m

**North
Lincolnshire
Council**

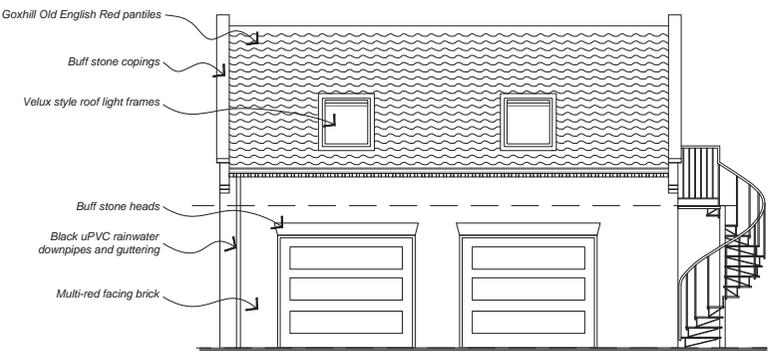
PA/2019/1839

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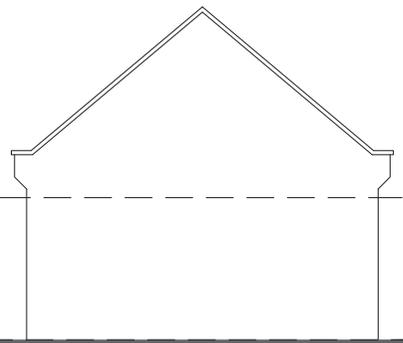


PA/2019/1839 Proposed block plan and elevations (not to scale)

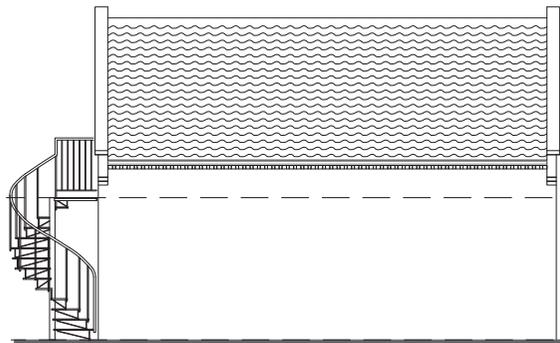
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north elevation
scale 1:50 @ A1



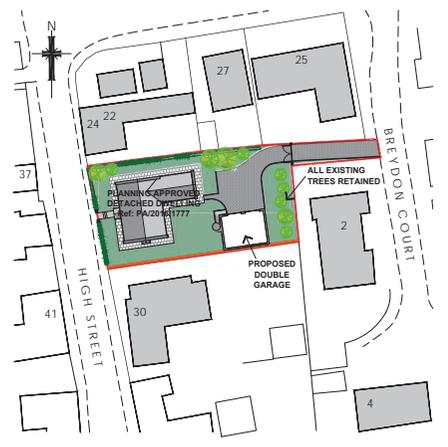
east elevation
scale 1:50 @ A1



south elevation
scale 1:50 @ A1



west elevation
scale 1:50 @ A1



block plan
scale 1:500 @ A1

A		Change position required to Client instruction	GRY	SMD	2019/04/01
B					
C					
D					

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NAME: MARTIN HUTSON
 PROJECT: LAND ADJACENT 30, HIGH STREET BURTON-UPON-STATHER
 PROJECT NO: 2180 DRAWING NO: 200
 DATE DRAWN: Apr 2019 SCALE: A
 DESCRIPTION: PROPOSED GARAGE PLANS ELEVATIONS AND LAYOUT
 DRAWN BY: GRT CHECKED BY: SMD
 SCALE: 1:100 @ A1