

**APPLICATION NO** PA/2020/585

**APPLICANT** Mr Alan Moore

**DEVELOPMENT** Planning permission to erect a dwelling

**LOCATION** Land to the rear of 30-32 Low Street, Haxey, DN9 2LE

**PARISH** Haxey

**WARD** Axholme South

**CASE OFFICER** Scott Jackson

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Departure from Development Plan

## **POLICIES**

### **National Planning Policy Framework:**

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 16 – Conserving and enhancing the historic environment

### **North Lincolnshire Local Plan:**

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy LC14 (Isle of Axholme Area of Special Historic Landscape Interest)

Policy HE9 (Archaeological Evaluation)

**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 CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

**CONSULTATIONS**

**Highways:** No objection, but recommend a condition.

**Historic Environment Record:** No objection.

**LLFA Drainage:** No objection, but recommend the following condition:

The proposed development and/or adjacent lane/properties have the potential to suffer from a level of flooding due to surface or ground water run-off and/or overland flow. Care should be taken with finished floor levels, threshold levels and location of openings. All surface water from the proposed development must be retained within the site boundary.

**Environmental Health:** This application for a residential development is a sensitive end use. Historic information held by this department shows the site has previously been agricultural land. There is, therefore, the potential for the site to have been impacted upon by contamination associated with the over-application of slurry and the illegal deposition of waste, which is harmful to human health. It is the developer's responsibility to assess and address any potential contamination risks. However, no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level. Recommend a condition in respect of contaminated land investigation.

**Trees officer:** No objection.

**PARISH COUNCIL**

No objection, but the following comments were made:

- the overall footprint has increased
- a number of windows have been added to the western elevation which could result in overlooking

- potential for overlooking from the balcony proposed to the south.

## **PUBLICITY**

A site notice has been displayed; no comments have been received.

## **ASSESSMENT**

The site comprises a plot of land to the rear of 34a and 34b Low Street in Haxey. It is outside the defined settlement boundary on land which is also defined as the Isle of Axholme Area of Special Landscape Interest under policy LC14 of the North Lincolnshire Local Plan. The site is within flood zone 1 as defined in the North Lincolnshire Strategic Flood Risk Assessment (SFRA) and forms part of a wider development site which was approved for five dwellings under planning application PA/2015/1139. Planning permission is sought to erect a detached dwelling and garage, with associated garden, different to that which was previously approved on plot 4 under the 2015 application.

**The main issues in the determination of this application are the principle of development, impact on the character and appearance of the street scene and impact on residential amenity.**

### **Principle**

This site is outside of any defined settlement boundary and the proposal would represent a departure from the current local plan. In determining whether the principle of residential development outside the settlement boundary is acceptable in this instance, significant weight can be given to the previous, site-specific appeal decision (APP/Y2003/A/14/2221430) which concluded that the principle of residential development on the site was acceptable. In particular the inspector commented:

*“The area is part of a large garden within the built-up area of the village. It is not connected functionally or visually within the open countryside and it does not have the characteristics of the open countryside.”*

and,

*“...overall I consider that development of this site could take place in a manner which would be consistent with the aims of the Framework and would not harm the natural, built or historic environment. The Council acknowledge that this is a sustainable location for development and I share that view. I conclude that its development is acceptable in principle.”*

In addition, planning permission was granted for the erection of five dwellings on this land (PA/2015/1139) and this application seeks to amend the house type on plot 4. Given that the site is located adjacent to the settlement boundary for Haxey (a defined Market Town/Large Service Centre in the Sustainable Settlement Survey 2016), that a dwelling could be erected on this plot under the 2015 permission and the Planning Inspector's decision from 2014, it is considered that the principle of residential development on this land has been established and is acceptable.

## **Impact on the character/appearance of the street scene**

The plans show the erection of a detached dormer-style bungalow with detached single garage proposed to the side (to the south). The bungalow has been repositioned closer to the northern boundary with plot 5 and a 2.5 metre wide strip for pedestrian circulation is proposed between the northern elevation of the dwelling and the boundary with plot 5 to the north. The dwelling would have its principal elevation facing towards the internal access road to the east and the scale and size of the dwelling is considered proportionate to the plot size and with existing residential properties that surround the site to the north, west and south-east. An area of private amenity space measuring approximately 337 square metres is proposed to the side (south) and rear (west) of the dwelling and a minimum of two off-street parking spaces would be provided to the south and south-east in front of the proposed detached garage.

The scale and height of the proposed dwelling, at a ridge height of 6.96 metres, is consistent with the modern dwellings located on Chatsworth Way/Farriers Fold to the east, Hopgarth to the south-east and with the prevailing height of dwellings located in the vicinity of the site along Low Street and Haxey Lane (A161). The dwelling would not be highly visible within the street scene, set behind the rear elevations of 30 and 32 Low Street (Poppycroft) at a distance of 75 metres from the edge of the public highway. The dwelling would be screened to the west by existing detached houses along the eastern side of Haxey Lane (A161).

In terms of design, the proposed dwelling is of traditional appearance with a hipped roof to all elevations and a double height projecting gable feature to the front; this contains double height glazing and an arched opening and provides visual interest to the principal elevation. The hipped roof follows a similar profile to the roof design of the bungalow previously approved on this plot, albeit this dwelling is proposed to be two storeys in height. The dwelling has been designed with an exaggerated roof slope with overhanging eaves. The resultant roof slope is broken up by a projecting gable and dormer window to the front, by two dormer windows to the rear roof slope and a further dormer window/balcony to the southern roof slope. Visual interest is added through the inclusion of the double height projecting gable feature with arched window design and chimney stack to northern elevation, which add some vertical emphasis to the appearance of the dwelling. Each of the elevations is broken up by a combination of window and door openings. As no details of the proposed external materials of construction have been submitted, a condition is recommended requiring such details to be provided for consideration, to allow the local planning authority to ensure that the appearance of the dwelling is in keeping with the character and appearance of the area.

## **Residential amenity**

The plans show the inclusion of two dormer windows to the rear roof slope, which would serve a bedroom and en-suite respectively. The separation distance from the rear elevation of the proposed dwelling to the nearest properties on Haxey Lane (numbers 5, 7 and 9) varies between 29–30 metres; this separation distance is considered sufficient to negate the potential for overlooking. The height and siting is not considered to result in loss of residential amenity to neighbouring properties through overlooking, overshadowing or having an overbearing impact. The level of private amenity space and off-street parking provision is considered to be commensurate to the scale of the plot and to meet the needs of future occupants.

The majority of the balcony proposed to the southern roof slope would be flanked by the roof slope, the predominant outlook being to the south. The balcony would have an outlook onto an existing paddock to the south and it is considered that there is sufficient separation distance to neighbouring properties (the rear of the nearest properties being located approximately 37 metres to the south-east and 34 metres to the south-west) to negate the potential for overlooking from the balcony. In addition, there is a separation distance of 16 metres to the southern boundary of the site and it is proposed to introduce planting along the southern boundary of the site to create additional screening once it becomes established. In the interests of safeguarding residential amenity and to provide privacy to the rear garden to the south, it is considered reasonable and necessary to impose a condition requiring the submission of a landscaping scheme. The balcony extends marginally further south than the dormer feature that flanks it; however, it is considered, given the balcony only protrudes 0.34 metres beyond the roof plane, that the extent of the outlook (i.e. to the south-east and south-west) towards residential properties would be restricted and would not provide an outlook above and beyond that which would be afforded to the occupants if a dormer window was installed in the same position as the balcony. In conclusion, taking into account the separation distance to residential properties and the depth by which the balcony protrudes beyond the roof plane, the proposed development would not result in unacceptable overlooking to neighbouring properties, nor in loss of amenity through overshadowing or having an overbearing impact.

### **Other issues**

In respect of highway matters, it is worth noting that a non-material amendment was approved for alterations to the access arrangements for the site; this pertained to the original planning application submitted in 2015 (PA/2015/1139). The granting of the non-material amendment had the effect of there being no requirement for the visibility splays to be set out as a planning condition in the 2015 planning application. Therefore Highways have previously confirmed in response to PA/2018/1799 (the non-material amendment) that there is no requirement for a condition to be imposed pertaining to the setting out of visibility splays for this site. In addition, no issues have been raised by Highways in relation to this proposal on highway or pedestrian safety grounds.

### **Conclusion**

It is considered that the principle of development is acceptable: the site is located adjacent to the settlement boundary for Haxey, in a sustainable location. In addition, the erection of a detached dormer-style dwelling on this site is in keeping with the character and appearance of the street scene and would not result in loss of residential amenity to existing neighbouring properties. Sufficient parking and private amenity space would be provided and the proposal would not generate traffic movements over or above those expected in a residential area. The application 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: 798M-08, 798M-09, 798M-10 and DRWG/PA/2020/585/01.

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.

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.

5.

No above-ground works 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 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.

6.

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.

7.

No above-ground works shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

8.

No above-ground works shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows and include provision for the planting of trees along the south western edge of the site and a hedge along the southern boundary of the site, and details of any trees and hedges to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

9.

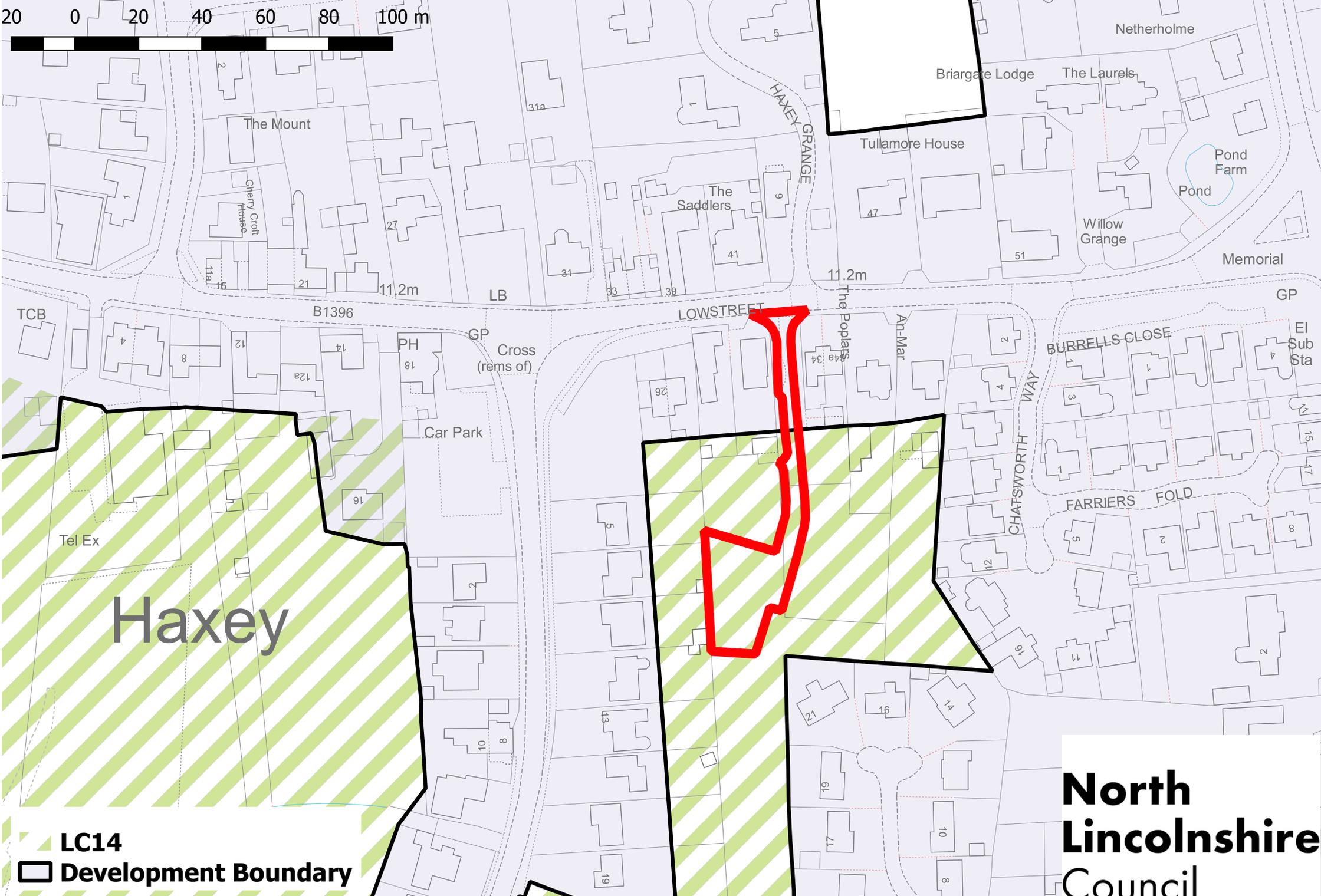
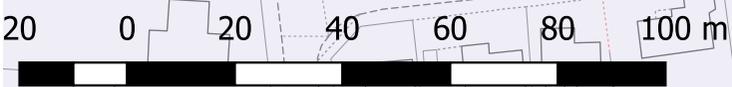
All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To define the terms of the permission and in the interests of safeguarding residential amenity and the visual amenity of the area in accordance with policy DS1 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.



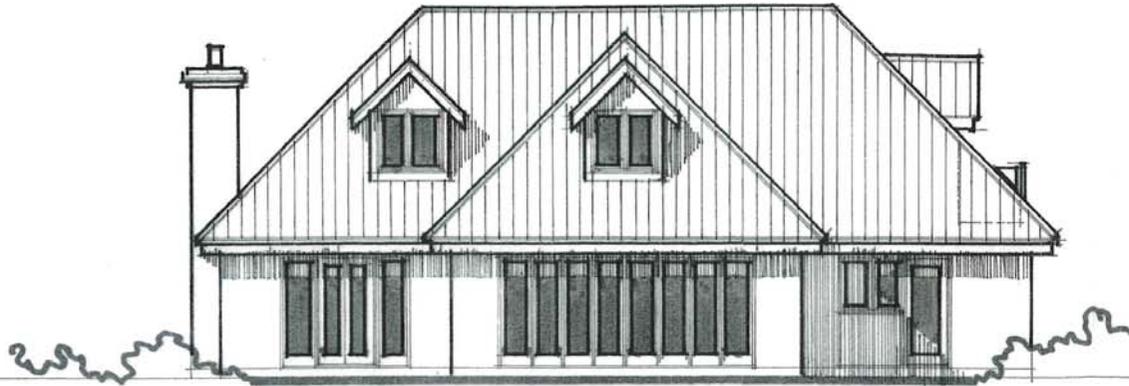
Haxey

- LC14
- Development Boundary

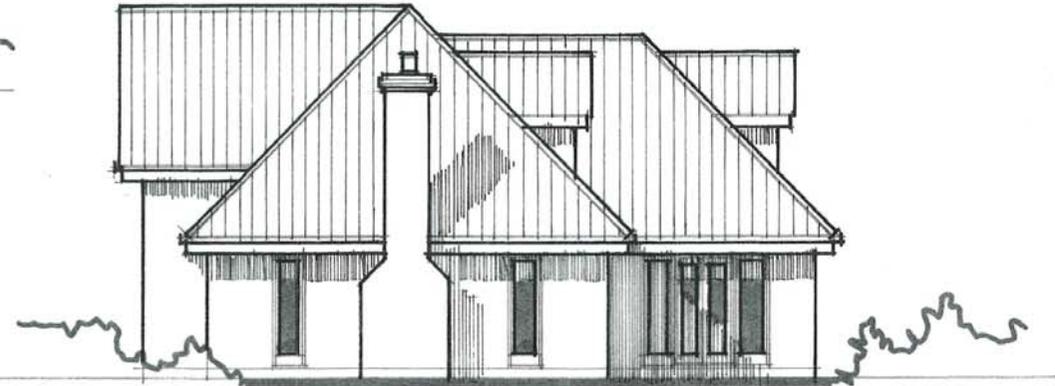
North  
Lincolnshire  
Council

PA/2020/585

# PA/2020/585 Proposed elevations (not to scale)



west

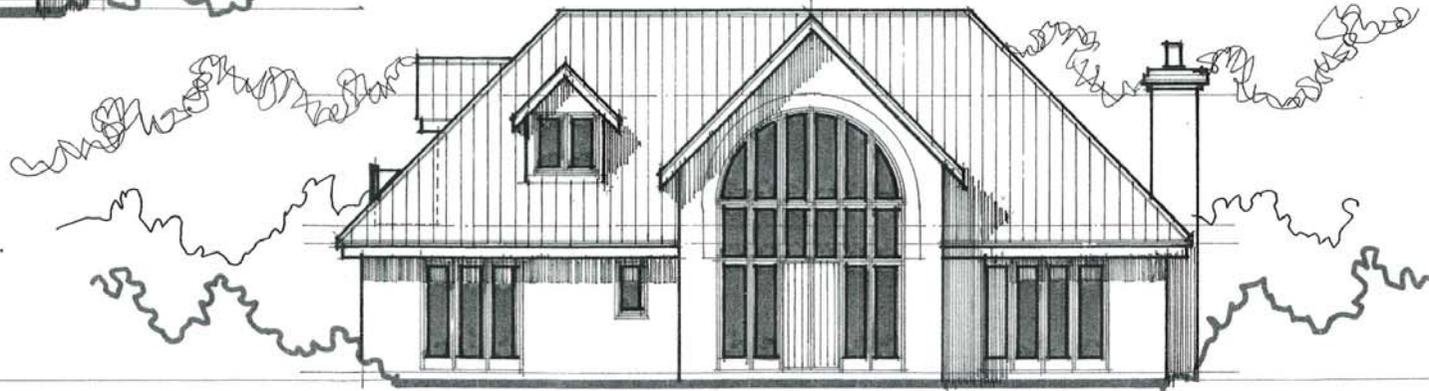


north



south

RECEIVED  
10 MAR 2020



east elevation facing dolly tub row

PROPOSED DWELLING  
PLOT 4 - DOLLY TUB ROW - HAXEY  
ALAN MOORE

Drawing <b>PROPOSED ELEVATIONS</b>		
Scale <b>1:100</b>	Date <b>FEB 2020</b> Dwg No. <b>798M-09</b>	
<small>RAW DESIGNS ** Architectural Designers • 2 Redwing Close • Skellingthorpe • Lincoln • LN6 5SH R. Andrew Walshaw ** Design Consultant ** t: 01522 694 802 ** m: 07754 659 205 Please note that copying or reproducing any or whole part of this drawing is copyright reserved by RAW DESIGNS</small>		