

APPLICATION NO	PA/2023/1010
APPLICANT	Mr John Walker
DEVELOPMENT	Planning permission to vary condition 2 of PA/2020/2026 namely to make revisions to the elevations of the dwelling
LOCATION	Land east of Brandon House, Luddington Road, Garthorpe, DN17 4RU
PARISH	Garthorpe and Fockerby
WARD	Axholme North
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Garthorpe and Fockerby Parish Council

POLICIES

National Planning Policy Framework:

Section 12: Achieving well-designed places

North Lincolnshire Local Plan:

DS1: General Requirements

DS5: Residential Extensions

H5: New Housing Development

H8: Housing Design and Housing Mix

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

CS19: Flood Risk

CS6: Historic Environment

Supplementary Planning Guidance:

SPG1: Design Guidance for House Extensions

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1: Presumption in Favour of Sustainable Development

SS2: A Spatial Strategy for North Lincolnshire

SS3: Development Principles

SS11: Development Limits

DM1: General Requirements

HE1: Conserving and Enhancing the Historic Environment

CONSULTATIONS

Highways: No objection but advise a condition on any approval requiring approved access and parking to be provided prior to occupation of the dwelling.

Drainage (Local Lead Flood Authority): A highway drain exists on the footway where a new dropped crossing is proposed. This requires identifying and appropriate works to protect the drain whilst constructing the dropped crossing. The application proposes permeable surfacing but provides no details to support this proposal.

Environment Agency: No objection as the application does not seek to vary condition 7. Should the applicant consider that the proposed elevations cannot achieve a ground finished floor level of 4.1 m AOD then this should be clarified, and the Environment Agency should be re-consulted.

PARISH COUNCIL

Objection. The parish council considers that the new plans will severely impact the privacy of the two neighbouring properties.

PUBLICITY

The proposal has been advertised by means of site notice. One response has been received objecting to the proposed changes to the west elevation on grounds of overlooking and loss of privacy, making the following comments:

- The proposed changes to add windows in the west elevation will take away our right to private family life within our home and outdoor space.

- The original plans were designed in a way to minimise the invasion of privacy and overlooking on the west side, which is why no initial objections were made, despite the negative impact it will have on the natural light we currently enjoy at our home both indoors and outdoors.
- The property has had the benefit of privacy since being built in the 1930s and we feel that our family's privacy internally and externally would be greatly compromised by overlooking windows.

ASSESSMENT

Planning history

PA/2020/2026: Planning permission to erect a detached dwelling and double garage with access – approved 30 March 2021.

Proposal and site characteristics

The application site is a rectangular section of field situated to the southwest of Garthorpe and Fockerby, on the south side of Luddington Road. The site bounds open fields to the south, and residential dwellings on either side. The site is within an SFRA level 2/3a area at high risk of flooding and is within the settlement boundary as per the Housing and Employment Land Allocations DPD.

Proposed is a detached dwelling with an attached garage to the front with driveway and access from Luddington Road at the northeast of the site. Access to the west of the red line boundary would be retained for fields to the rear.

Material considerations

The main issue in the determination of this application is whether the variation of condition 2 of planning permission PA/2020/2026 (the plans condition) is acceptable.

Condition 2 reads as follows:

'The development hereby permitted shall be carried out in accordance with the following approved plans:

- AR267(S3) 105 Location Plan
- AR267(S3) 106 Site Plan
- AR267(S3) 124 Proposed Elevations
- AR267(S3) 122 Proposed Ground & First Floor Plans
- AR267(S3) 123 3D Views.

Reason: For the avoidance of doubt and in the interests of proper planning.'

The applicant seeks to vary condition 2 namely to alter the design and layout and therefore the positioning of windows as part of the proposed development that was originally granted permission under PA/2020/2026.

The proposed development seeks to alter the ground floor layout to reduce the double garage to a single garage space with boot room and toilet accessed via the internal utility room and external door on the western elevation. This also includes the relocation of the original external ground floor door from the utility room which is replaced by a small window. A ground floor window will also be introduced in the garage. The kitchen/dayroom will be reconfigured and extended to include a snug room at the ground floor. The rear elevation will introduce a pitched gable end slightly extending the property further south.

The proposed window changes which appear to be the main area of concern are summarised in the table below:

Elevation	Original	Proposed	Assessment
North elevation ground floor	Large open window to hall 2 windows to kitchen/dayroom	Small window to hall 2 windows to kitchen/dining	Minor change. Not considered to raise any amenity issues.
North elevation first floor	2 windows serving bedrooms 4 and 5	2 windows (smaller) serving bedroom 3 and en suite	Minor change. Not considered to raise any amenity issues. En suite to be obscure glazed.
South elevation ground floor	Bifold doors to living room Bifold doors to kitchen/dayroom Floor to ceiling windows to hallway	Window to living room Window to hallway Bifold to kitchen/dining Window to snug	Windows overlooking rear garden. No concerns of overlooking/amenity issues.
South elevation first floor	3 large windows serving bedroom 3, bathroom and ensuite Floor to ceiling windows to hallway	3 windows at first floor serving bedrooms 1 (Juliet balcony) and 4, and hallway	Windows overlooking rear garden and same number of openings to those originally granted permission. No concerns of overlooking/amenity issues.
East elevation ground floor	Double garage door openings Large floor to ceiling windows to hallway	Single garage door opening Small toilet window (obscure glazed) Entrance door	The hallway windows have been removed. A small toilet window (obscure glazed) is introduced. No concerns of overlooking/amenity issues. There are existing boundary treatments to the existing neighbouring property and the

			original application includes a condition for boundary treatments to the application site which adds further screening. This would be carried forward to any new application.
East elevation first floor	2 windows to master en suite (now bedroom 2) Large floor to ceiling windows to hallway	2 windows to bedroom 2 Small window to hallway Small window to utility (obscure glazed)	The proposed change is considered to be minor and introduces one extra window which serves the en suite which will be obscure glazed. The bedroom and hallway windows are considered to be smaller or of a similar size to those previously approved. No concerns of overlooking/amenity issues.
West elevation ground floor	Single external door serving utility room	Window to garage Window to utility room Window to office External door to boot room	The proposed windows are at the ground floor and set some 12m from the adjacent property. An outbuilding/garage with blank elevation is located adjacent and is closer to the property at 8m. Overlooking is not considered an issue in this regard. A field access is also retained between the two properties. There are existing boundary treatments to the existing neighbouring property and the original application includes a condition for boundary treatments to the application site which adds further screening. This would be carried forward to any new application.
West elevation first floor	No windows or openings	2 small windows serving two en-suite bathrooms (both obscure glazed)	The proposed windows will serve en-suite bathrooms and will be obscure glazed. It is not considered that this would lead to issues of overlooking.

Whilst concerns have been raised by neighbours to the west and the parish council, it is considered that the proposed changes will not lead to any issues of overlooking or loss of/impact on privacy and therefore are considered acceptable in amenity terms. The new proposals do increase the footprint of the building to the south; however, this is considered minor in the context of the previous proposal approved on the site. The design of the property

reflects that of the adjacent property and introduces pitched-roof dormer-style windows to the northern elevation and smaller, more traditional windows throughout, removing the modern large glazing which was previously approved. The southern elevation introduces differing roof pitches which are considered to balance well with the property and adds interest.

Other matters

Highways

Highways do not raise any objection but have advised a condition on any approval requiring approved access and parking to be provided prior to occupation of the dwelling. This is addressed as part of condition 6 of the original application PA/2020/2026 and should be carried forward as part of any new decision.

Drainage

A highway drain exists on the footway where a new dropped crossing is proposed. The Drainage team has raised that this requires identifying and appropriate works to protect the drain whilst constructing the dropped crossing. The drainage team notes that the application proposes permeable surfacing but provides no details to support this proposal and therefore planning conditions are recommended. Conditions 4, 5 and 7 on the original permission PA/2020/2026 relate to drainage and should be carried forward as part of any new decision.

Flood risk

The Environment Agency has commented and has no objection as the application does not seek to vary condition 7. Should the applicant consider that the proposed elevations cannot achieve a ground finished floor level of 4.1m AOD then this should be clarified, and the Environment Agency should be re-consulted. The applicant is not looking to amend condition 7 and therefore no information has been provided to suggest the original ground finished floor level of 4.1m AOD cannot be achieved. This condition should be carried forward as part of any new decision.

Conclusion

The proposed development will not have an unacceptable impact on the character or appearance of the area, the amenity of neighbouring properties, or highway safety. The changes are considered to be more modest in their design and create a good sense of equilibrium to the overall building and design; the application is therefore recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun on or before 30 March 2024.

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:

- AR267(S3) 105 Location Plan
- JW23SP.1 Site Plan
- JW23PE.1 Rev A S&E Proposed Elevations
- JW23WNE.1 Rev A W&N Proposed Elevations
- JW23SkGFP.1 Rev A Proposed Ground Floor Plan
- JW23SkFFP.1 Rev A Proposed First Floor Plan.

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 by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

In the interests of the safety of construction workers and future occupants of the site 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 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.

5.

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 65 of the National Planning Policy Framework.

6.

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.

7.

The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref 6845 dated October 2020 compiled by Steve Gilman Design Ltd and the following mitigation measures detailed within the FRA: Ground floor habitable accommodation to have finished floor levels set no lower than 4.1 metres above Ordnance Datum. The mitigation measures shall be fully implemented prior to occupation and shall subsequently remain in place.

Reason

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

8.

No development 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

In the interests of the appearance of the site and the street scene, and the amenity of neighbours in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

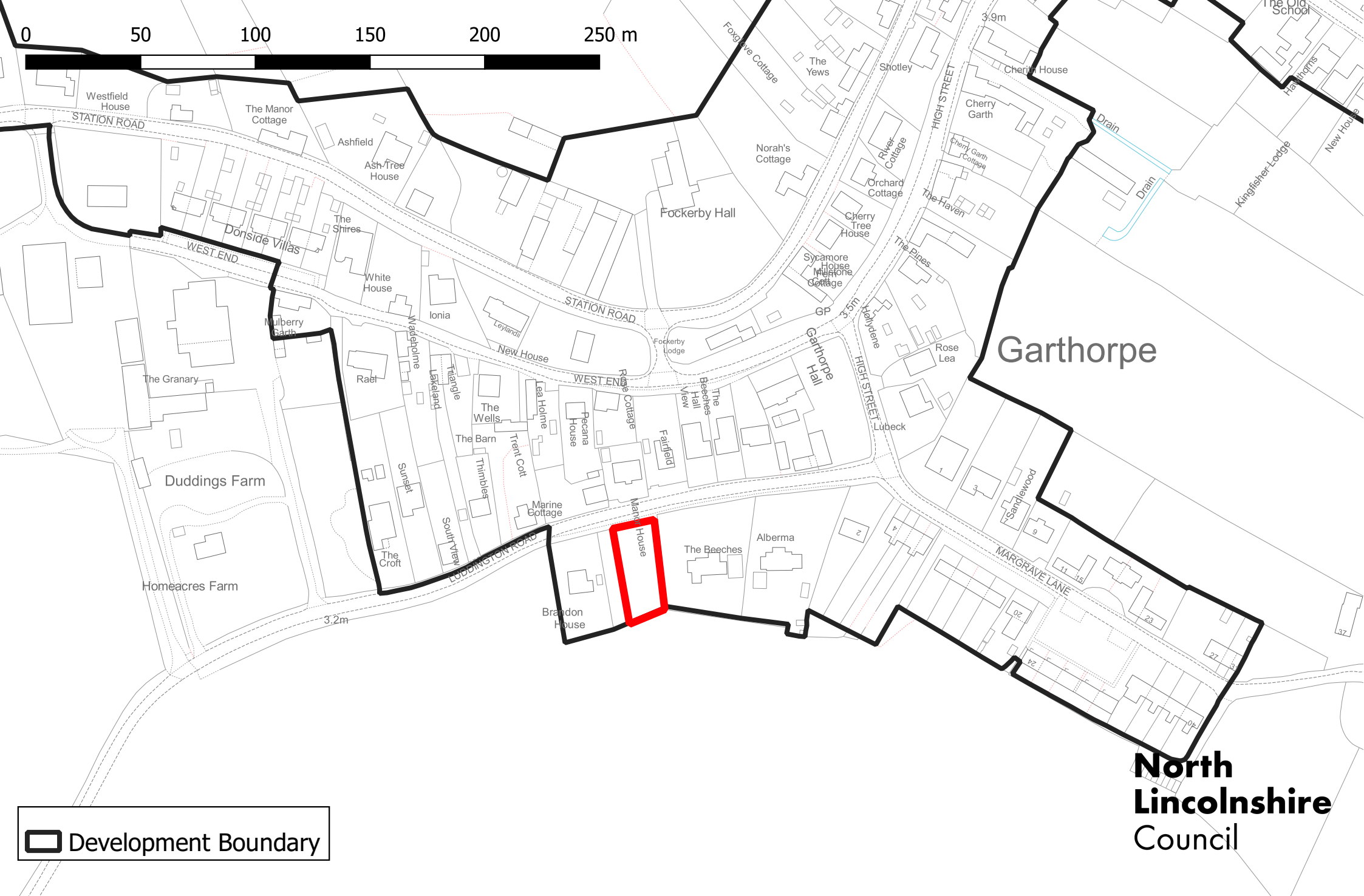
No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

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.

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.

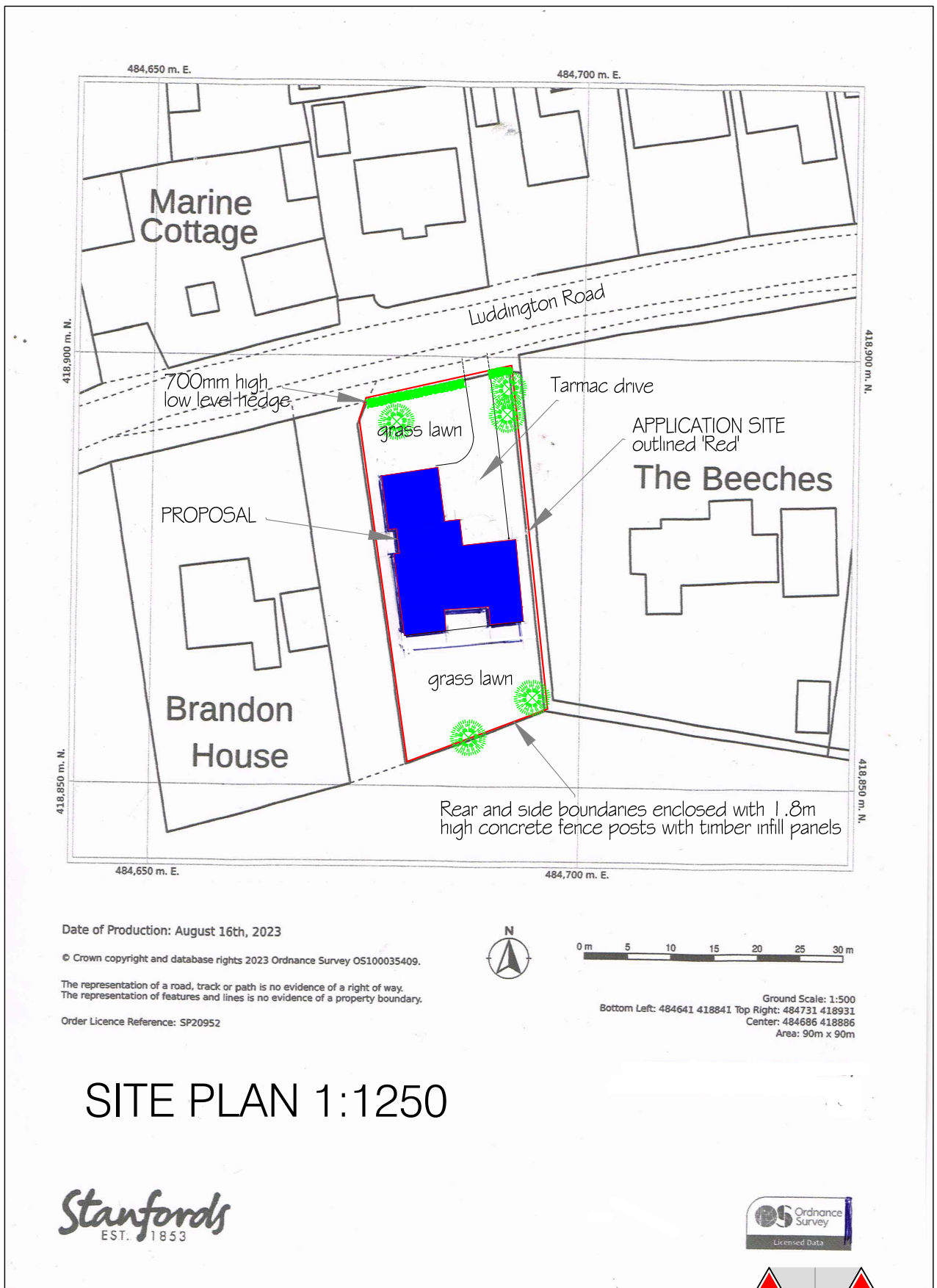


Garthorpe

North
Lincolnshire
Council

 Development Boundary

PA/2023/1010



Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing SITE PLAN

Scale 1:1250@A4
Date July 2023

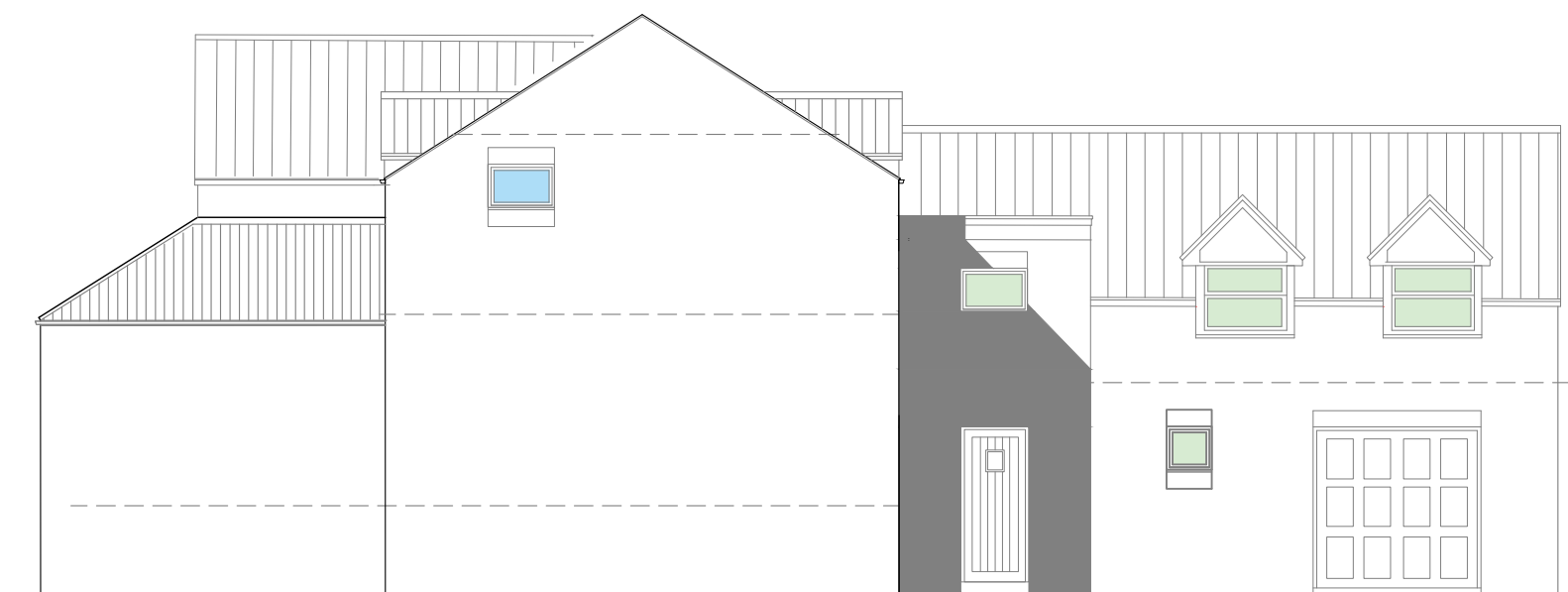
AREAL Architect
Michael Cooper BSC.Dipl.Arch RIBA
The Mission. Bridge Lane.
Rawcliffe Bridge. DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Drg.No.	Rev.
JW23SP.1	

PA/2023/1010 Proposed south and east elevations (not to scale)



South Elevation



East Elevation

Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing S&E Elevations

Scale 1:100@A4
Date March 2023



AREALarchitect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission. Bridge Lane.
Rawcliffe Bridge. DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

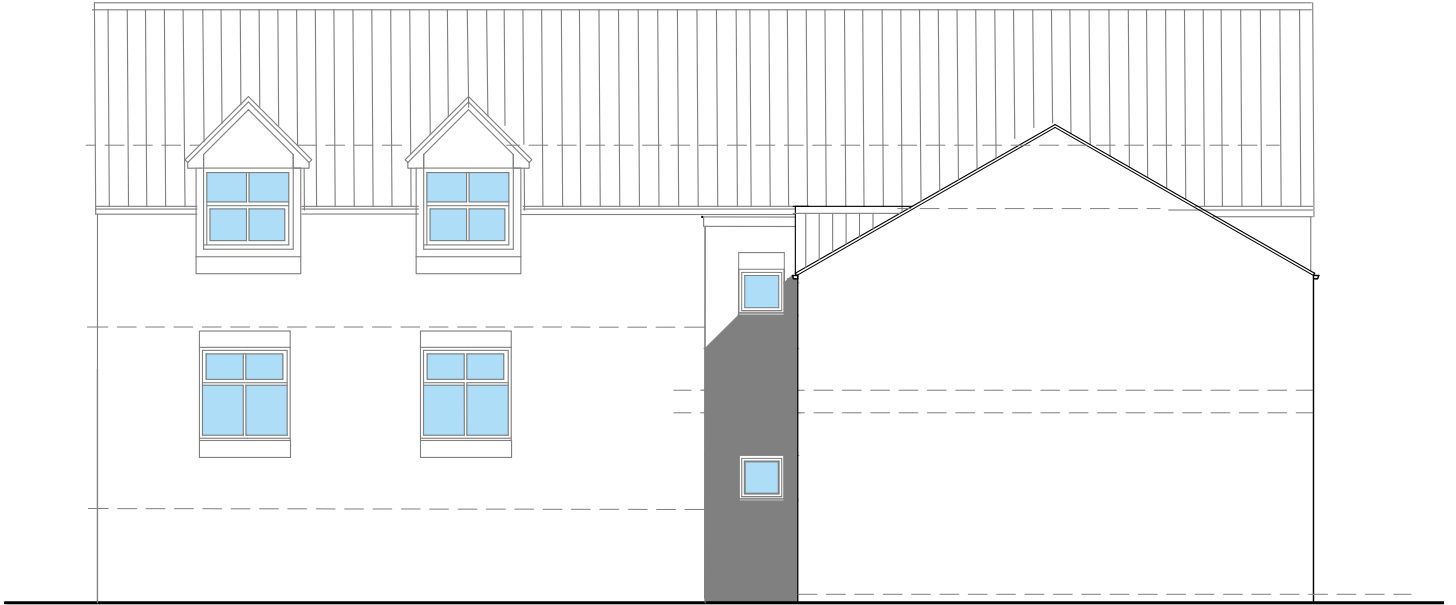
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Drg.No.
JW23PE.1

Rev.
A

PA/2023/1010 Proposed north and west elevations (not to scale)



North Elevation



West Elevation

Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing W&N Elevations

Scale 1:100@A4
Date March 2023



AREAL architect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission, Bridge Lane,
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Scale Bar 1:100



Drg.No. JW23WNE.1	Rev. A
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PA/2023/1010 Proposed ground floor plan (not to scale)



GROUND FLOOR PLAN 1:100

Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing Ground Floor Plan

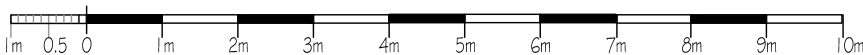
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AREAL architect
Michael Cooper BSC(Hons)Dipl.Arch RIBA

The Mission, Bridge Lane,
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com

Scale Bar 1:100



Drg.No. JW23SkGFP.1	Rev. A
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PA/2023/1010 Proposed first floor plan (not to scale)

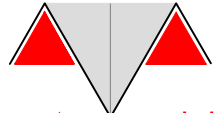


FIRST FLOOR PLAN 1:100

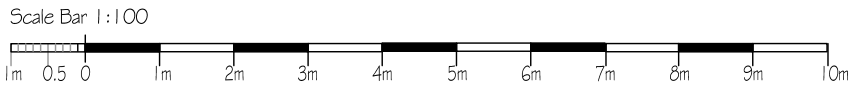
Project Proposed House
Luddington Road
Garthorpe
DN17 7EB

Drawing First Floor Plan

Scale 1:100@A4
Date March 2023



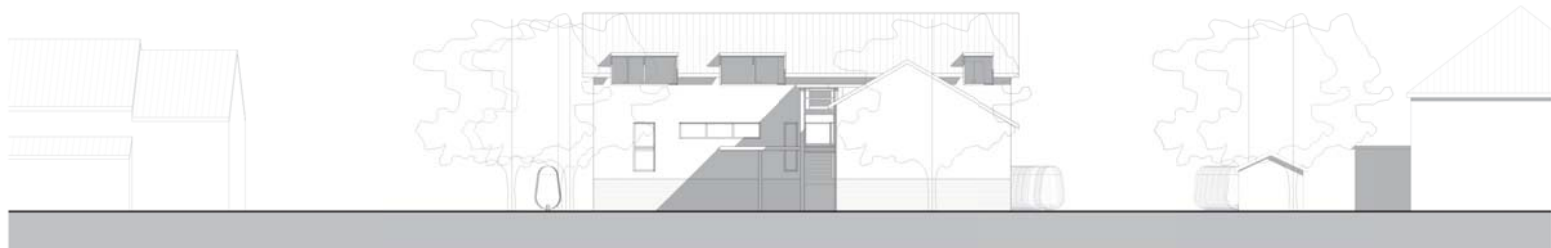
AREALarchitect
Michael Cooper BSC(Hons)Dipl.Arch RIBA
The Mission, Bridge Lane.
Rawcliffe Bridge, DN14 8NH
(01405) 839944 m 0751496 1001
arealarchitect@btinternet.com



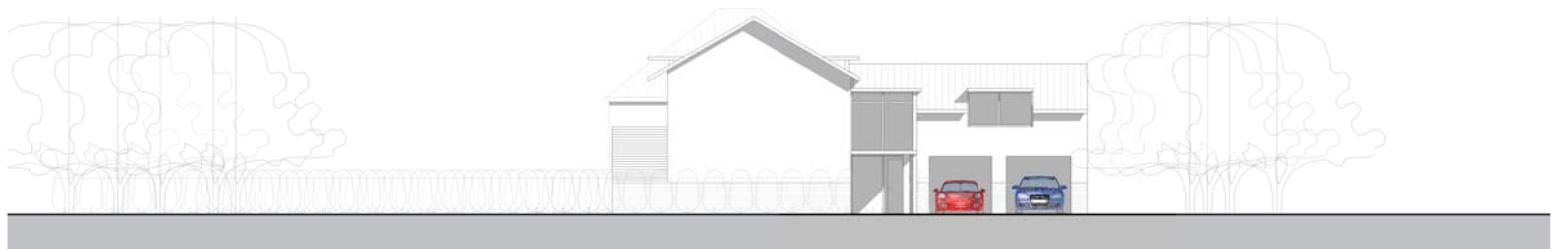
Drg.No. JW23SkFFP.1	Rev. A
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PA/2023/1010 Proposed elevations approved under PA/2020/2026 (not to scale)

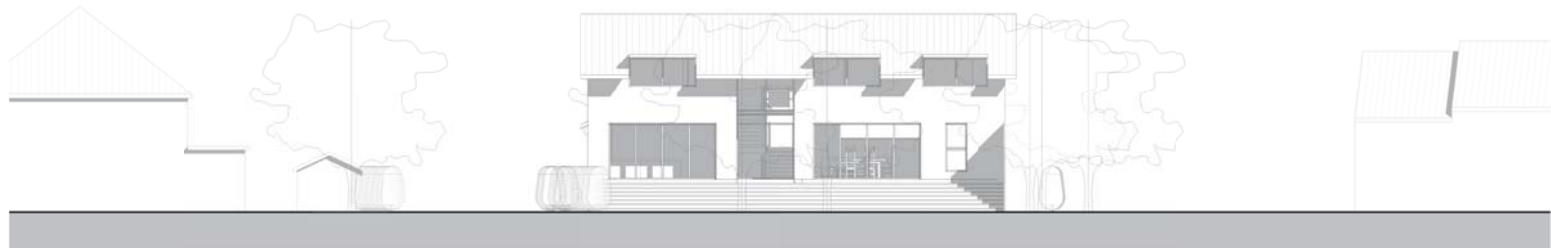
DO NOT SCALE THIS DRAWING
USE DIMENSIONS ONLY
VERIFY BEFORE MANUFACTURE



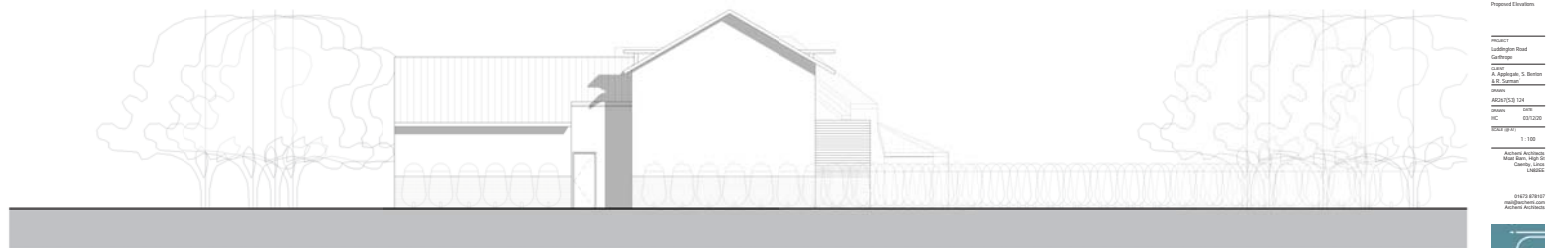
1 North Elevation
1 : 100



2 East Elevation
1 : 100



3 South Elevation
1 : 100



4 West Elevation
1 : 100

Site
Proposed Elevation

PROJECT
Ludington Road
Coltrane

DATE
A. Popplewell, S. Brown
E.S. Spurr

ISSUES

NO. 001/23/124

ISSUED DATE 02/02/23

ISSUED BY

1 : 100

ARCHITECT
Muir Park - High St
Glasgow, G4 0LQ
LNERDC

