

APPLICATION NO	PA/2020/1059
APPLICANT	Mr Kevin Hamilton
DEVELOPMENT	Planning permission to erect a detached dormer bungalow and garage
LOCATION	18 West Street, Barnetby le Wold, DN38 6JP
PARISH	Barnetby le Wold
WARD	Brigg and Wolds
CASE OFFICER	Andrew Cotton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Rob Waltham and Carl Sherwood – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 7 states, '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 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- '(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.'

Paragraph 12 states, 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 54 states, '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 59 states, 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

Paragraph 70 states, 'Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.'

Paragraph 73 states, 'Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where

the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- (a) 5% to ensure choice and competition in the market for land; or
- (b) 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- (c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.'

Paragraph 74 states, 'A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- (a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
- (b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.'

Paragraph 75 states, 'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.'

Paragraph 163 states, 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'

North Lincolnshire Local Plan:

Policy H7 (Backland and Tandem Development)

Policy H5 (New Housing Development)

H8 (Housing Design and Housing Mix)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS17 (Biodiversity)

CONSULTATIONS:

LLFA Drainage Team: No objection/comments.

Environmental Protection: No objection subject to conditions.

Highways: No objection/comments.

PARISH COUNCIL

No response at time of writing.

PUBLICITY

Advertised by site notice. A number of responses have been received raising the following concerns:

- traffic issues with comings and goings/noise from vehicles accessing the site
- out of building line
- overlooking, overshadowing, loss of privacy
- the site is currently not in residential use
- much taller than a standard bungalow
- a window in the side elevation at first floor level results in a loss of privacy for existing residents.

ASSESSMENT

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

Site and proposal

The application site is land to the rear of 18 West Street, Barnetby. The site is bounded by residential properties fronting West Street and open fields to the north-west. Access to the highway is taken from an existing access to the south of 18 West Street.

Planning permission is sought to erect a dormer bungalow dwelling and detached garage. The footprint would be 10 metres by 14 metres with a single-storey rear sunroom projecting a further 3.7 metres from the rear elevation.

The property would benefit from a lounge, kitchen/diner, utility room, bathroom and bedroom with en-suite to the ground floor. To the first floor would be a second bedroom with en-suite, bathroom and second lounge.

The main issues in the determination of this application are the principle of development, visual amenity, design and heritage, residential amenity and highways.

Principle of development

The application site is within the development limit for Barnetby le Wold as defined by the HELA DPD. The site is considered to be greenfield development. Planning policy aims to steer new residential development towards sustainable locations. Barnetby le Wold is a sustainable settlement. The proposed development is considered to constitute sustainable development and accords with policies CS1, CS2 and CS3, and as such is acceptable in principle.

Visual amenity and design

Paragraphs 124 and 130 of the National Planning Policy Framework express the importance of good design, high quality buildings and improving the character and quality of an area.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) states ‘...all new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’

Policy H5 of the local plan relates to new housing development and seeks to ensure that it is within the settlement boundary and that, inter alia, the size and scale is commensurate with the settlement.

Policy H7 of the local plan also relates as the proposed dwelling is located in a backland position. This policy requires that new backland development does not affect the quality and character of the area by unacceptably increasing density, resulting in loss of important natural and man-made features or by resulting in the proliferation of vehicular accesses to the detriment of the street scene.

The plot is situated within the settlement boundary to the rear of the existing residential properties on West Street. The surrounding area is extremely varied in terms of architectural style, plot size, scale of properties and has a non-uniform building line. Although set back from the street scene, the proposed dwelling and garage would be of a traditional design which would sit well within its setting. The development will make use of an existing access point and will have limited impact upon the street scene along West Street.

Having regard to the neighbouring plots of land, it is considered that the plot size would respect the local character of the area and prevailing plot size and would not result in a cramped form of development.

Residential amenity

Given the orientation of the proposed property, which would result in habitable room windows maintaining a suitable separation distance with neighbouring properties’ windows and private amenity spaces, it is not considered that the proposal would result in loss of privacy to neighbouring properties.

Specific concerns have been raised with regard to the ridge height of the proposed dwelling and a window proposed at first floor level in the side elevation, and the potential impact these may have on the neighbouring property to the south. Amended plans have been submitted and a new site notice displayed. The amended plans show the ridge height has been reduced and the window in the side elevation altered to a high-level window to prevent overlooking. It is considered, given these alterations, that there would be no significant loss of privacy, overshadowing or overbearing effect upon the property to the south.

There would be no window at first floor level in the front elevation of the proposed property, and as such the nearest property to the east, 18 West Street, would not be detrimentally affected, particularly given the proposed detached garage and presence of an existing boundary treatment.

As a whole the proposal is not considered to result in a significant loss of light, overshadowing or overbearing impact.

Highways

The proposed development would utilise the existing site access off West Street. This access has historically been used to serve the site, and it is not considered that the proposed residential property would result in a significant increase in comings and goings from the site. The council's highways department have reviewed the proposal and raise no concerns or objection.

Pre-commencement conditions

The recommendation includes some pre-commencement conditions. The agent and applicant have been consulted on these in accordance with the Town and Country Planning (Pre-commencement conditions) Regulations 2018 and agree to the authority imposing such conditions should the application be approved.

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: Amended Elevations dated 25/09/20, Front elevation not showing detached garage dated 25/09/20, Amended block plan dated 24/09/20, all as received by North Lincolnshire Council 28/09/20.

Reason

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

3.

Prior to their first use on the site, samples of the external facing materials to be used shall be submitted to and approved in writing by the local planning authority 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.

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (i) Part 1, Class A (enlargements, improvements or other alterations)
- (ii) Part 1, Class B (additions etc to the roof of a dwellinghouse)
- (iii) Part 1, Class C (other roof alterations), and
- (iv) Part 1, Class E (incidental buildings, enclosures, swimming or other pools).

Reason

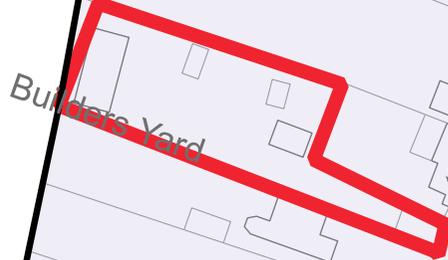
To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

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.



Barnetby Le Wold



Burdars Yard

The Paddocks

El Sub Sta

Church

SMITHY LANE

Track

OLD POST OFFICE LANE

QUEEN'S ROAD

WEST STREET

LB

Pond

21.1m

22.9m

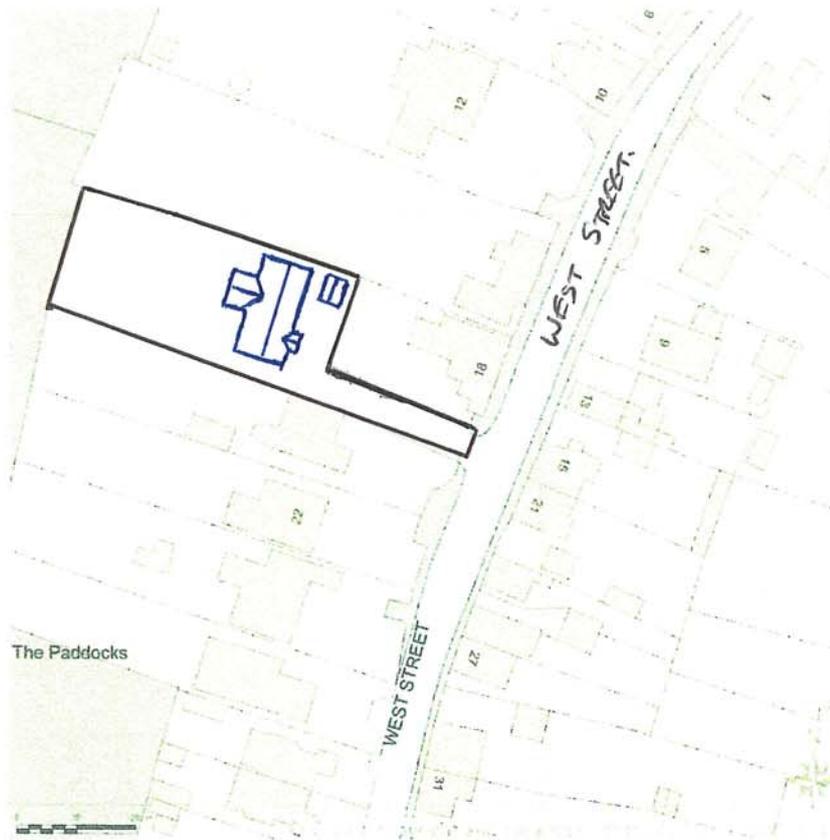
25.7m

Development Boundary

PA/2020/1059

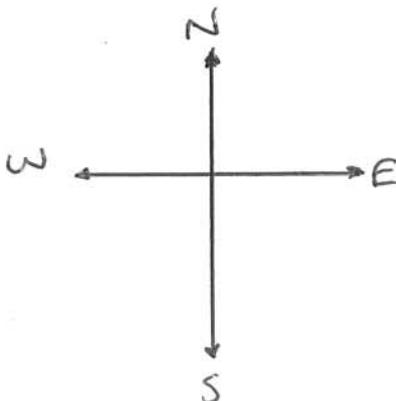
North Lincolnshire Council

NEW BUILD LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 505780, 409364



Supplied by Streetwise Maps Ltd
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24/09/2020 11:25

The area outlined in Blue is the location line of the New Build, Ja Jo House, West Street, Barnetby, North Lincolnshire, DN386JP



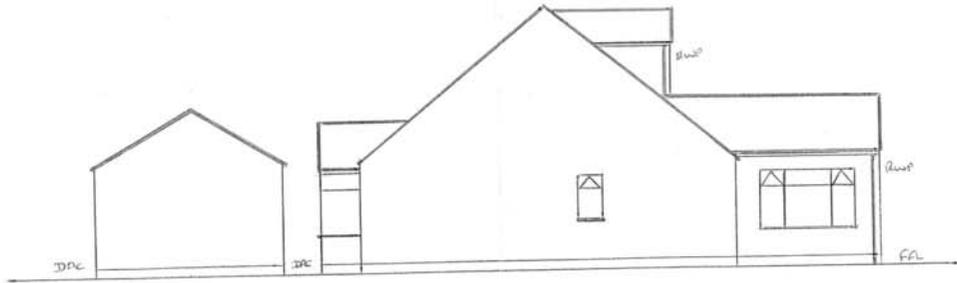
AMENDED

AMENDED

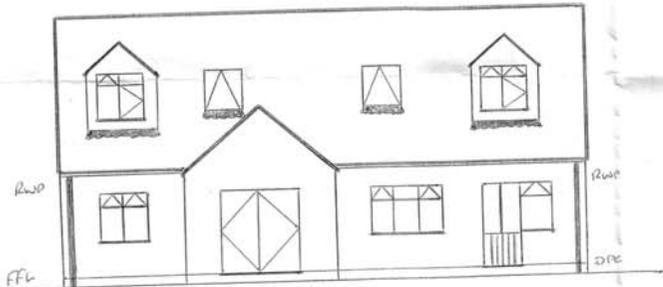
FRONT ELEVATION
WEST



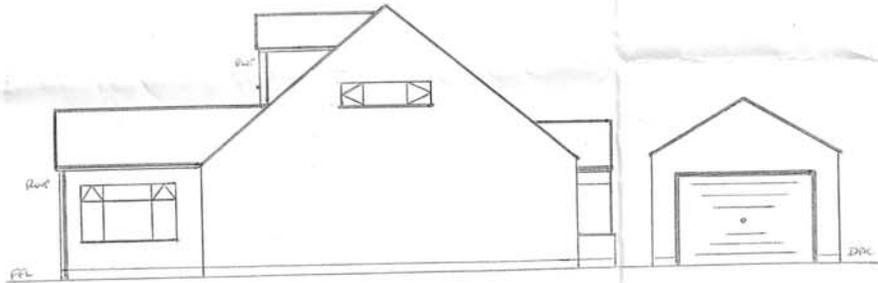
SIDE ELEVATION
SOUTH



REAR ELEVATION
EAST



SIDE ELEVATION
NORTH



RECEIVED
28 SEP 2020

ELEVATION LAYOUTS	
DETACHED DETACH BUNGALOW	
DRAWN BY: A J BUILDINGS	
CUSTOMER: MR + MRS HAMILTON	
JA JO HOUSE, WEST STREET,	
BARNET, N.L., DN386JP.	
SCALE: 1:100	DATE 25/09/2020
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