

APPLICATION NO	2006/1107
APPLICANT	Mr & Mrs M Riley
DEVELOPMENT	Planning permission to erect a detached dwelling and integral garage
LOCATION	Rear of Village Hall, Main Street, Bonby
PARISH	BONBY
WARD	Brigg and Wolds
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Bonby Parish Council
POLICIES	<p>Humberside Structure Plan: Bonby is defined as a non-selected settlement (policy S6).</p> <p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Policy H5 (New Housing Development) states that new housing development should be in keeping with the scale and character of the settlement and immediate environment; have an area of private amenity space; and not result in overlooking, loss of privacy, loss of light or other loss of amenity to existing dwellings. Policies H3 (Previously Used Land), H8 (Housing Mix and Design) and DS1 (General Requirements) also apply.</p>
CONSULTATIONS	Highways: Advise conditions.
PARISH COUNCIL	<p>Object to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • The house is too large for the plot. • It is situated too close to The Haymaker Public House. • The elevation is too high and detrimental to other residents. • It is too close to the village hall – a village amenity licensed for music/dancing and the potential for future problems. The village hall car park would only be approximately 5 feet away.

PUBLICITY

Neighbouring properties have been notified of the proposal and several letters of objection have been received, raising the following material issues:

- the house is too large and therefore out of keeping with the area
- overlooking and loss of privacy
- would have an adverse impact on the amenity of the neighbouring public house
- conditions on previous outline planning permissions have restricted the siting of the dwelling, which have not been adhered to in this application.

ASSESSMENT

Planning permission is being sought to erect a large detached house with integral garage on a vacant plot to the rear of the village hall. It will be accessed via a private drive leading onto Main Street. The plot has had three outline planning permissions on it, dating back to 1995, the most recent being 2003. All of these permissions include a condition to restrict the siting of the dwelling so that no part is within 10m of the southern boundary and 15m of the western boundary. This was to ensure adequate garden area and to avoid unacceptable impact on the living conditions of neighbouring properties.

The main issues in determining this application are whether the dwelling is acceptable in terms of size and design and whether it would have an adverse impact on neighbouring properties.

Objections have been received from and relating to commercial properties. Policies within the local plan only relate to adverse impacts on residential dwellings, therefore objections on the grounds of loss of amenity to commercial properties cannot be taken into consideration.

In terms of the conditions on the previous outline permissions, as this is not a reserved matters application the terms of those conditions do not have to be met in this application. Additionally, it is considered that there is sufficient rear private amenity space to the proposed dwelling. In terms of overlooking and separation from dwellings to the south and west, it should be noted that the dwelling to the south has a blank gable wall facing the plot and the facing windows in the proposed dwelling are all to be obscure glazed. The separation distance between windows to the house to the west will exceed

20m. As such it is not considered that there will be any overlooking or loss of privacy to neighbouring dwellings, or that the previous restriction on the siting should continue to be implemented.

It is accepted that the proposed dwelling is large, however, it is considered that the house sits well within the plot and there is a sufficient amount of amenity space to the dwelling.

In terms of proximity to the village hall, it is accepted that there will be some functions in the hall which do run into the night. However, these will not be on a daily basis and should not result in an unacceptable level of disturbance to the occupiers of the proposed dwelling.

Further to comments made at the previous committee meeting, if the proposed dwelling were to be re-sited to the centre of the plot (away from The Haymaker), this may result in an unacceptable level of overlooking from the first floor bedroom window of the proposed house to the rear private amenity space to the dwelling to the south. The dwelling is therefore considered to be acceptable in its current location.

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 shall be carried out in accordance with the submitted drawings and particulars unless otherwise agreed in writing by the local planning authority in which case the development shall be carried out in accordance with the agreed amended details.

Reason

To ensure that the development is carried out in accordance with the provisions of the Town and Country Planning Act 1990 or any amending legislation.

3.

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.

4.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order re-enacting that order with or without modification), no new window openings shall be created in the southern elevation of the dwelling other than those shown on the submitted plan.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

5.

Before the dwelling is first occupied the bathroom windows in its southern elevation shall be obscure glazed and shall be retained in that condition thereafter.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

6.

The development shall be carried out in accordance with the amended site plan received by the Local Planning Authority on 2 August 2006.

Reason

To define the terms of the permission and to provide safe and adequate access in accordance with policy T2 of the North Lincolnshire Local Plan.

