

APPLICATION NO	2006/0782
APPLICANT	Haslam Homes Ltd
DEVELOPMENT	Planning permission to erect 45 dwellings with associated garages and allocated parking areas
LOCATION	Land at Barrow Road, Barton-upon-Humber
PARISH	BARTON-UPON-HUMBER
WARD	Barton-upon-Humber
SUMMARY RECOMMENDATION	Subject to the completion of a section 106 agreement, grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Barton-upon-Humber Town Council
POLICIES	<p>Humberside Structure Plan: Policy S2 – housing development will be approved in appropriate locations. Policy S4 – housing will be provided in urban centres such as Barton.</p> <p>Regional Spatial Strategy for Yorkshire and the Humber: Policy P1 (Strategic Patterns of Development) – development should be located within urban areas, on previously developed land and in sustainable locations.</p> <p>Policy H2 (Sequential Approach to the Allocation of Housing Land) – priority should be given to development of previously developed land in urban areas.</p> <p>North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) identifies Barton as a principal growth settlement.</p> <p>Policy H1 (Housing Development Hierarchy) – primary focus for housing development secondly to the principal settlements such as Barton.</p> <p>Policy H3 (Previously Used Land) states that development will be permitted on previously used land before greenfield land.</p> <p>Policy H5 (New Housing Development) states that proposals for new housing development will be permitted in the principal growth settlements such as Barton.</p> <p>Policy H8 (Housing Design and Mix) permits new residential development provided that it respects the</p>

character of the area, preserves elements that contribute to the amenity of the area, provides a sense of identity and creates an appropriate mix of dwelling size and type.

Policy H10 (Public Open space Provision in New Housing Development) requires new open space to be provided in new developments.

Policy H11 (Affordable Housing Provision in Principal Growth Settlements) requires 10-15% of new dwellings in developments in Barton to be affordable.

Policy C1 (Educational Facilities) states that where major new housing proposals would result in increased demand for education facilities, a developer contribution will be required.

Policy T1 (Location of Development) – development which generates a significant volume of traffic should be located in urban areas.

Policy DS1 (General Requirements) requires good standards of design.

CONSULTATIONS

Highways: Advise conditions.

Environment Agency: No objections subject to a condition requiring mitigation measures as per the flood risk assessment.

TOWN COUNCIL

Object: over-development of the site; further traffic congestion; potential hazard as the access is onto a dip and bend in the road; further strain on the town's infrastructure and services; limited provision of visitor parking; limited provision for the preservation of trees; not ideally located as adjacent to a school.

PUBLICITY

Four letters of objection have been received from nearby residents on the following grounds:

- concern about responsibility for trees
- hazards due to extra traffic on a busy road, especially so close to a school
- detrimental change to the character of the area
- spoil outlook
- cause noise during building work and afterwards
- loss of trees

- no need for more houses – infrastructure already under strain
- need a strong retaining wall to secure the bank

ASSESSMENT

The site is presently a house in a large garden, part of which was a quarry. The site slopes upwards from front to rear and there are retaining walls to several edges.

A previous planning application for housing was withdrawn to enable the scheme to be amended so that it more reflected the character of the area and preserved the most important trees on site.

The key issues associated with this development are: the principle of the use of the site for housing development; density, traffic generation and road safety; trees; design; and provision for education facilities, public open space and affordable housing.

Principle: The site is previously developed land and lies within the settlement boundary. Development for residential purposes therefore accords with policy.

Density: The site area is about 1.34 hectares. The proposed density is 33.6 plots per hectare. This is in line with the lower end of PPG3 density requirements and in spite of the objections, is considered acceptable.

Traffic generation: Highways consider the likely traffic generation and the proposed access arrangements to be satisfactory. It is not anticipated that there will be any road safety problems. Adequate sight lines would be provided either side of the single access point onto Barrow Road.

Trees: Whilst there would be a loss of some trees, the developers propose to retain the protected ones and plant new ones where appropriate. This could be the subject of a landscaping condition. The large hedge in the south-eastern part of the site would be trimmed back.

Design: The layout and house details are considered satisfactory. There will be no material loss of amenity by nearby residents and the proposed internal layout will afford a reasonable standard of amenity. There will be a change in the character and appearance of the site but, given the location, the overall character of the area would not be materially harmed.

Education, open space and affordable housing: The developer is proposing to provide affordable housing and some open space on site. A commuted sum is also proposed for education facilities and off-site open space. These are to be the subject of a legal agreement in accordance with policy. The applicant has now submitted draft proposals for the Section 106 agreement, but the detail relating to this agreement needs to be resolved in discussion with the council's legal officer and officers within other relevant council departments.

RECOMMENDATION

Subject to the completion of a suitable agreement under Section 106 of the Town and Country Planning Act 1990 (or other appropriate legislation) providing for an education commuted sum payment, play area provision and affordable housing, the committee resolves:

- (i) it is mindful to grant permission for the development;**
- (ii) the decision be delegated to the Head of Planning and Regeneration upon completion of the obligation;**
- (iii) the permission so granted be subject to the following conditions; and**
- (iv) if the obligation is not completed by 31 March 2007 the Head of Planning and Regeneration be authorised to refuse the application on grounds of inadequate provision for education facilities, public open space and affordable housing in accordance with local plan policy;**

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.

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.

4.

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 change of use takes place/the building(s) is/are occupied/in accordance with a programme to be agreed in writing by the Local Planning Authority before development is commenced, 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.

5.

No development 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 on the site, and details of any 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.

6.

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 ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

7.

Before development is commenced, details of the method of protecting the existing trees on the site throughout the construction period shall be submitted to and approved in writing by the Local Planning Authority, and such works as may be so approved shall be carried out before development is commenced, and maintained until completion of the development. None of the trees so protected shall be wilfully damaged or destroyed, uprooted, felled, lopped or topped, nor any other works carried out which would cause damage to the root systems or otherwise threaten the lives of the trees during the period of construction without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason

In order to protect the existing trees on the site.

8.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

Works shall not commence on site until wheel cleaning facilities in accordance with details to be approved in writing by the Local Planning Authority, have been

provided within the curtilage of the site and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

10.

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.

Reason

To prevent creating dangerous conditions for road users.

11.

No loose material shall be placed on any driveway or parking area within 10 m of the adopted highway unless measures are taken to the satisfaction of the Local Planning Authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

To prevent creating dangerous conditions for road users.

12.

No dwelling on the site shall be occupied until the access road has been completed to at least basecourse level and adequately lit from the junction with Barrow Road up to the access to the dwelling.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

13.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with Barrow Road, have been approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

14.

No other works shall be commenced on the site until the access road junction with Barrow Road, including the required visibility splays, has been set out and established.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

15.

No dwelling on the site shall be occupied until the footway has been constructed up to basecourse level from the junction with Barrow Road to the access to the dwelling.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

16.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

17.

No development, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, shall take place within any service strip adjacent to any Shared Surface Road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the Local Planning Authority prior to planting.

Reason

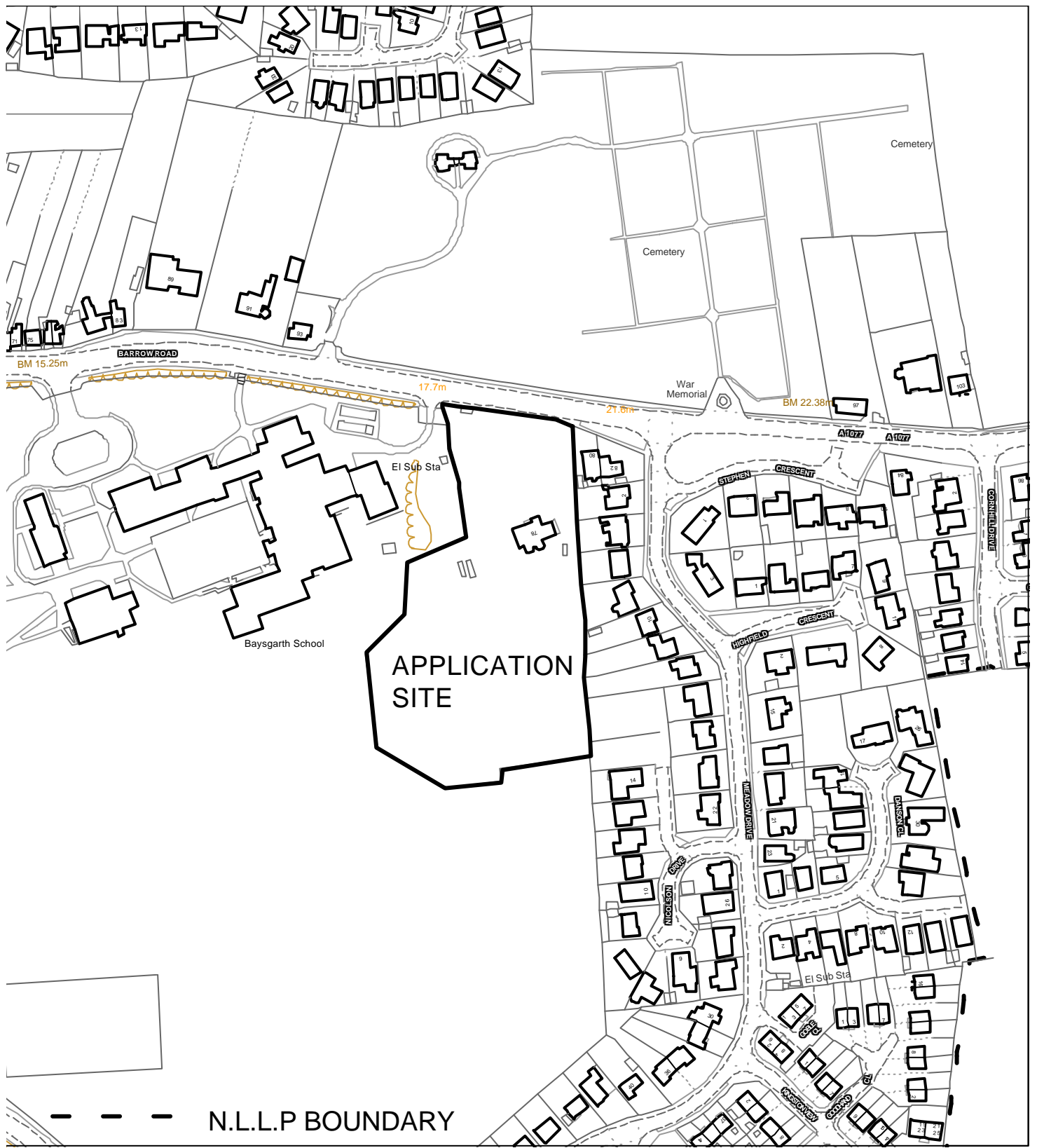
In the interests of highway safety and to comply with policy T2 of the North Lincolnshire Local Plan.

18.

The design of the development shall incorporate all the mitigation measures identified in the agreed flood risk assessment dated 9 June 2006 and supplemented by the Micro Drainage calculations dated xx July 2006.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.



TITLE : 2006/782

SCALE : 1:2500



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