

APPLICATION NO	PA/2011/0066
APPLICANT	Mr J Braddish
DEVELOPMENT	Planning permission to erect a replacement dwelling and detached garage
LOCATION	South View, Main Street, Cadney
PARISH	CADNEY CP
WARD	RIDGE
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: Policy H1 (Provision & Distribution of Housing) states that the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes, and that greater emphasis should be placed on meeting local needs in rural areas.

Policy H2 (Managing and Stepping up the Supply and Delivery of Housing) applies.

North Lincolnshire Local Plan: Policy RD10 (Replacement, Alteration and Extensions to Dwellings in the Open Countryside) states that proposals to replace dwellings in the open countryside will only be permitted provided that the replacement dwelling would not exceed the volume of the original dwelling which it is to replace by more than 20% and would not be substantially higher in elevation.

Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Permission will only be granted for development which is for the replacement of an existing dwelling provided that the development would not be detrimental to the character or appearance of the open countryside in terms of siting, scale, massing, design and use of materials.

Policy ST3 (Development Limits) states that development in the open countryside will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;

- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

CONSULTATIONS

Highways: Advise a condition (2).

PUBLICITY

Neighbouring properties have been notified by letter. One representation has been received asking questions about the application, other representations have been received raising concerns/objections about the risks from asbestos which may be in the original building.

ASSESSMENT

The application site, on the north side of Main Street, Cadney, is occupied by a detached bungalow with existing vehicular access, with outbuildings in the grounds.

The site lies in the open countryside because Cadney is allocated as a rural hamlet under policy ST2 of the North Lincolnshire Local Plan. There are existing properties either side of and opposite the site and the dwellings along Main Street are a mixture of designs.

A previous application (PA/2009/0649) was approved. The current scheme has been re-submitted to seek minor alterations to the design and layout of the proposed dwelling.

The main issue in determining this application is whether or not the scale and size of the replacement dwelling is appropriate in this open countryside location. Additional issues are whether the replacement dwelling is acceptable in design terms and whether it will be in keeping with the area.

It should be noted that the replacement three-bedroomed bungalow will be substantially larger in scale than the dwelling it is to replace but the plot is large enough to accommodate the replacement dwelling. The existing bungalow sits in the centre of the plot and its replacement is proposed in the same part of the plot. Policy RD10 specifically sets a limit on the increase in the size of new dwellings to 20% and states they should not be significantly higher. The existing dwelling on this site is 360 cubic metres; that proposed would be 600 cubic metres, a volume increase of not far short of 100%. However, the site is in a row of dwellings and there are a mixture of designs, styles and sizes in the street. The site is not isolated or prominent even though it is technically in the open countryside. The size and scale of the replacement dwelling will not be out of keeping with the other dwellings located in the immediate vicinity of the site.

There will be no demonstrable loss of amenity through loss of light or overbearing impact.

There is an existing vehicle access and dropped-kerb into the site. This would allow demolition and construction traffic to enter the development site and not result in

obstruction of the highway. The proposed double garage and store is to be erected in front of the bungalow in the south-eastern corner of the plot.

Neighbours have raised concerns about asbestos in the original building, however this is not a reason to refuse a planning application – the developer would need to comply with the current regulations on disposal of waste materials. The objectors say the planning application forms are incorrectly filled out as they state no ‘hazardous substances’ are involved, whereas neighbours believe they are. However the term ‘hazardous substance’ in planning terms does not relate to domestic waste such as demolished buildings.

The proposed development is considered to be acceptable for the reasons given above.

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.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

3.

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 roof plane of the proposed replacement 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.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans: Sheet 1 of 2, Sheet 2 of 2 and block plan received on 26 January 2011.

Reason

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

5.

No demolition shall take place until details of the arrangements to be made for the safe disposal of any asbestos within the existing building have been submitted to and approved in writing by the local planning authority. Demolition shall be carried out in strict accordance with the agreed arrangements.

Reason

To ensure any asbestos is satisfactorily removed from the site and to comply with policy DS1 of the North Lincolnshire Local Plan.

6.

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.

Application site showing approximate siting of proposed replacement dwelling and garage hatched



Drawing Title: 2011/0066

OS Grid Ref: TA01700347

Drawn by: KC

Scale: 1:1250

Date: 22/02/2011



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