

**APPLICATION NO** PA/2012/0148

**APPLICANT** Mr N Cooke

**DEVELOPMENT** Planning permission to erect a replacement dwelling (alternative house type to that approved on PA/2007/0117 dated 13/03/2007)

**LOCATION** Land at 16 Green Lane, Westgate, Belton

**PARISH** BELTON

**WARD** Axholme Central

**CASE OFFICER** Tanya Eggett

**SUMMARY RECOMMENDATION** Grant permission subject to conditions

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Belton Parish Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy RD2 (Development in the Open Countryside) lists the type of development acceptable in the open countryside.

Policies RD10 (Replacement, Alterations and Extensions to Dwellings in the Open Countryside) and DS1 (General Requirements) also apply.

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire) and CS7 (Overall Housing Provision).

## **CONSULTATIONS**

**Highways:** No objection subject to conditions (8 to 10).

**Environment Agency:** No objection.

## **PARISH COUNCIL**

Object. The plans are incorrect as they show two bedroom 4s when obviously one should read bedroom 5. There are two garages and two parking spaces – where are additional cars going to be parked when it is a narrow lane? Also egress from Green Lane onto Westgate Road is dangerous.

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. No comments have been received.

## **ASSESSMENT**

The site is located within the open countryside. The proposal is for a replacement dwelling of a revised design. Permission was previously granted for a replacement dwelling on this site on 13 March 2007(PA/2007/0117). This permission has been implemented by virtue of the foundations being laid. The original dwelling has been demolished. The proposed replacement dwelling is a similar design and size to that approved under PA/2007/0117. The site is accessed from Green Lane which is a narrow lane with various detached dwellings located along it of various ages and designs.

**The main issues associated with this case are whether, in planning policy terms, a replacement dwelling is acceptable on the site, and if so, whether the siting, design and access arrangements are also acceptable.**

Policies RD2 and RD10 of the North Lincolnshire Local Plan permit replacement dwellings in the open countryside. Policy RD2 specifies that the development should be in character with the area, with no adverse impact on residential amenity or highway safety. Policy RD10 permits replacement dwellings subject to the volume of the replacement dwelling not exceeding the volume of the original dwelling by more than 20%, exclusive of normal permitted development rights, and it not being substantially higher in elevation. All new construction should be of a high standard of design and should not adversely affect the amenity of neighbours or the appearance of the locality.

In this particular case, the proposed dwelling is almost identical to the size and design of the dwelling permitted under PA/2007/0117. The dwelling will not appear out of character with the existing properties on Green Lane as they are a mix of different designs and ages. The proposed dwelling, subject to conditions, will not result in any loss of amenity to adjoining neighbours. The proposed dwelling does exceed the volume of the original dwelling (now demolished) by more than 20% but that dwelling was a very small cottage and any replacement dwelling would be likely to exceed the limits set out in policy RD10. The proposal is a similar size and design to that approved under PA/2007/0117 which can be implemented on site. It is therefore considered acceptable for a larger replacement dwelling to be permitted on this site than is normally allowed under policy RD10 having regard to the fallback position.

In terms of the core strategy policies, the proposal will not create an additional dwelling on the site. The design of the dwelling is an improvement on the original dwelling that was on the site and will not result in adverse impact on neighbours or the open countryside. The proposal accords with policies CS1, CS2, CS3, CS5 and CS7 of the North Lincolnshire Core Strategy.

Concerns from the parish council are noted. However there is no objection from Highways to the proposal. Vehicles serving the dwelling can be accommodated within the site and therefore should not need to park on Green Lane.

**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: 2012/2331/01 REV C, 2012/2331/02 Rev A and drawing no. 001.

Reason

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

3.

The finished floor levels of the dwelling hereby permitted shall be set 600mm above the existing ground level at all times

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan and policy CS19 of the North Lincolnshire Core Strategy.

4.

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.

5.

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 enhance the appearance of the development in the interests of amenity.

6.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order re-enacting that order with or without modification), no new window openings shall be created in the northern wall/roof plane 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.

7.

Before the dwelling is first occupied, the bedroom rooflights in its northern 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.

8.

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.

9.

Nothing shall at any time, whether permitted by the Town and Country Planning (Development Management Procedure) (England) Order 2010 or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

10.

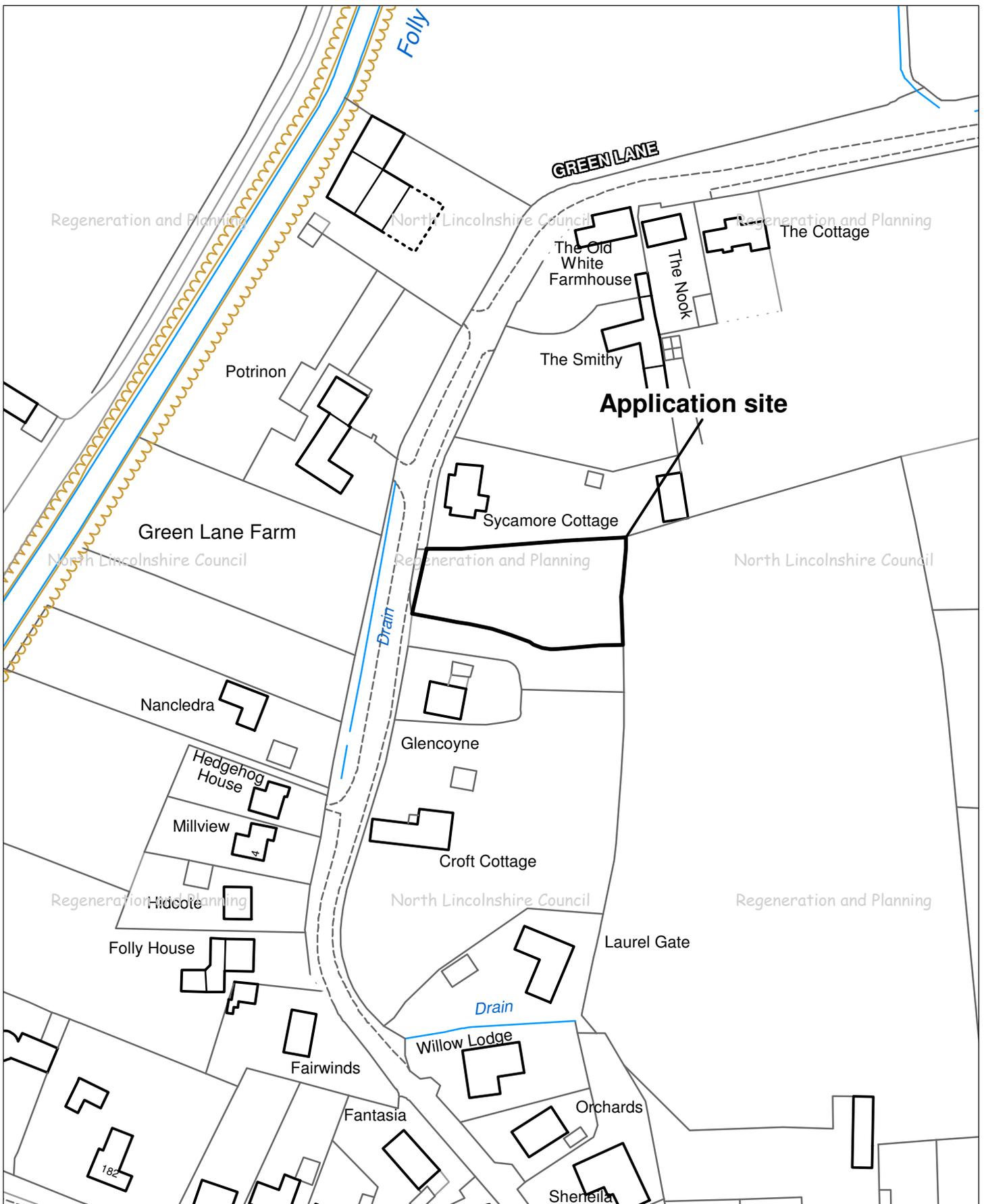
The dwelling shall not be occupied until the vehicular access to it and the vehicle parking space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

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

**Reasons for approval**

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are policies DS1, RD2, RD10 and T2 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS5 and CS7 of the North Lincolnshire Core Strategy.



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



**Regeneration and Planning**

Head,

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