

<b>APPLICATION NO</b>	<b>PA/2017/1715</b>
<b>APPLICANT</b>	Mr Andrew Roberts
<b>DEVELOPMENT</b>	Planning permission to erect a two-storey extension
<b>LOCATION</b>	The Smithy, Green Lane, Westgate, Belton, DN9 1QD
<b>PARISH</b>	Belton
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Leanne Pogson-Wray
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Third party request to address the committee

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

**North Lincolnshire Local Plan:** RD2, RD10, LC14, DS1, DS5, SPG1

**North Lincolnshire Core Strategy:** CS2, CS3, CS5, CS6

## **CONSULTATIONS**

**Highways:** No comments or objections.

**Archaeology:** The application site lies within an area where archaeological remains of medieval date are anticipated, including burials. Where the local planning authority is minded to grant consent, advise conditions requiring a programme of archaeological monitoring and recording during construction work.

## **PARISH COUNCIL**

No observations but would like to refer North Lincs Planning to application 2017/1009 refusal notes.

## **PUBLICITY**

A site notice has been posted close to the site. Objection letters have been received from three neighbours raising the following material issues:

- loss of light
- drainage/surface water run-off issues from the extension
- loss of privacy/overlooking
- the extension would be out of keeping with the rest of the property and the area
- plans are no less intrusive/generally have not changed since previously refused scheme (relates to originally submitted plans)
- overbearing and visual impact
- impact on neighbour's tree which is the subject of a tree preservation order.

It should be noted that other points have been raised in relation to the application, however these issues are not material planning considerations and cannot therefore be taken into consideration when determining this application.

## **ASSESSMENT**

This application was deferred at the last meeting of the planning committee to enable members to visit the site prior to making a decision.

The application site is a former blacksmith's, a detached dwelling which has previously been extended. The dwelling sits on the northern and eastern boundary of the plot, set well back from Green Lane, with a large garden to the front and side separating the dwelling from the road. The site is located outside the development boundary of Belton, within the open countryside. The site is located within an Area of Important Historic Landscape Interest.

This application seeks permission for a two-storey extension. This extension will provide a games room on the ground floor and two bedrooms and an en-suite at first-floor level. Dormer windows are proposed in the front elevation and two rooflights in the roof to the rear. The extension will be tied into the existing single-storey addition/outbuilding that currently comprises a games room which adjoins the neighbour's outbuilding to the north.

PA/2017/1009 was refused on the following grounds:

*The proposal, by virtue of its siting, design, scale and overall bulk, is considered to be out of character with the existing rural dwelling and would create an overbearing and domineering visual impact on the neighbour located to the north to the detriment of the amenity currently enjoyed by this property. Accordingly, the proposal is contrary to guidance in the National Planning Policy Framework, policy CS5 of the Core Strategy and policies RD2, RD10, DS1, DS5 and SPG1 of the North Lincolnshire Local Plan.*

This application was a resubmission of the previous scheme, with the removal of a gable roof and replacement with a partial hip roof. This was also originally considered to be unacceptable. Discussions were held with the agent and the ridge height of the proposed extension was reduced by 500 millimetres. The ridge height of the extension was originally the same as that of the main dwelling and the amended plans show the extension as being subservient, lower than the ridge height of the main house.

**The main issues in determining this application are whether the proposed extension would have any impact on the amenity of neighbouring properties or on the nearby protected tree, or any adverse impact on the character of the existing dwelling.**

### **Impact on the character and appearance of the dwelling**

In terms of the impact the extension would have on the character and appearance of the existing dwelling, whilst it is accepted that there would be some visual impact on the existing character of the dwelling, following the reduction in ridge height of the extension, and removal of the gable end and replacement with a hip roof, it is considered that, with the use of traditional materials, the extension would not significantly detract from the main dwelling or character of the area to justify refusing the application.

### **Impact on neighbours**

The comments made by the neighbours are noted. The majority of the impact of the extension will be on the neighbour to the north (The Old White Farmhouse). A site inspection has been made by the case officer to this property. There is a substantial hedge along the boundary and the neighbour has habitable windows, a conservatory and a seating area facing the boundary hedge. The neighbour's property is already in shadow for part of the day, particularly the conservatory and patio area, due to the extensions carried out to this property, the various large mature trees on the site and the boundary hedge. The proposed two-storey extension will be visible, and will create some sense of enclosure and some overshadowing to the neighbour's patio and garden. Following the removal of the gable roof and replacement with the hip roof, and the lowering of the ridge height, together with the hedge that stands between these properties, it is considered that, whilst there will be an impact on the amenity of this dwelling, it will not be significant enough to justify refusing this application against the policies outlined above. It should also be noted that there is a distance of approximately 15 metres from the rear of the proposed extension to the rear of the neighbour's main dwelling, restricting overshadowing and any overbearing impact to the garden area of this dwelling.

Objections have been raised by the occupiers of two properties to the east, one of which shares a boundary with the application site. Concerns have been raised regarding overlooking from the rooflights in the facing elevation. The low pitch of the roof slope would make any overlooking impossible due to the angle of these windows. A condition is proposed to ensure no new openings are made in any elevations without permission to prevent any future potential overlooking.

There is a good separation distance from the proposed extension to the adjacent property which would reduce potential for loss of light as a result of the extension. Concerns have also been raised regarding overbearing impact. The proposed East Elevation appears to show the extension being erected 'straight-up' over the existing single-storey outbuilding, which would dominate the boundary, however the gentle slope of the proposed extension as can be seen from the proposed North Elevation shows that there would in fact be a minimal impact on the dwelling to the east.

Concerns have been raised with regard to drainage. The majority of the drainage from the proposed extension would be into a new inboard gutter then to new below-ground drainage and then into a soakaway. A plan has been submitted illustrating this proposed drainage. Building Control will also deal with drainage at Building Regulations stage.

## **Impact on trees**

The site is located close to trees and the neighbour's trees overhang the site. The adjacent neighbour has a tree in his garden covered by a Tree Preservation Order. This is quite a distance from the site of the application. A tree survey has been submitted and contains information which suggests that a no-dig construction will be used around the protected tree. A condition is proposed regarding a method statement detailing how they intend to work within this protected area.

## **Conclusion**

The proposed extension, as amended, is an improvement on the previously refused scheme and on the originally submitted plans. It is considered that the proposal has overcome the previous reason for refusal and the extension would not significantly detract from the character and appearance of the main dwelling or the surrounding area. The proposed extension, whilst it would have some impact on the amenity of the neighbouring properties, would not have a significant impact which could justify refusal of the permission in accordance with the policies set out above and the provisions of the NPPF which support sustainable development. The proposal is therefore considered acceptable subject to conditions.

### **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: 15066 SE(--) 001 3, 15066 SE(--) 002 3, 15066 SE(--) 003 5 and 15066/SLP/001.

#### **Reason**

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

3.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no new window openings shall be created in the extension 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.

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.

#### 5.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ or by record of archaeological features of identified importance, including human remains
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses, including provision for scientific dating
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

#### Reason

To comply with legislation relating to the discovery of human remains during development and with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains, including burials, may be encountered and destroyed during construction of the new extension.

#### 6.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

#### Reason

To comply with legislation relating to the discovery of human remains during development and with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because

archaeologically significant remains, including burials, may be encountered and destroyed during construction of the new extension.

7.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

#### Reason

To comply with legislation relating to the discovery of human remains during development and with paragraph 141 of the National Planning Policy Framework, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains, including burials, may be encountered and destroyed during construction of the new extension.

8.

No development shall take place until a detailed method statement of how the extension shall be constructed within the tree protection area, particularly the no-dig construction, has been submitted to and approved in writing by the local planning authority. Once approved the construction shall proceed in accordance with the agreed details and with the submitted Arboricultural Survey ref GLB01-17 dated 3 Dec 2017 and additional information sent by email on 1 February 2018.

#### Reason

To protect the tree covered by a tree preservation order on the adjacent site and in the interest of the amenity of the area.

#### **Informative 1**

- (i) Developers are advised to contact the North Lincolnshire Historic Environment Record for a discussion about the archaeological mitigation strategy at least 20 working days prior to the proposed commencement of development (email [alison.williams@northlincs.gov.uk](mailto:alison.williams@northlincs.gov.uk) or telephone 01724 297471).
- (ii) Measures to achieve preservation in situ or by record of any archaeological remains, including human remains, should include a programme of archaeological observation and recording work during all groundwork associated with the development, followed by appropriate assessment, analysis and reporting of the results. The Historic Environment Office can prepare a brief for this mitigation strategy; alternatively an archaeological contractor may prepare a specification for approval.

#### **Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.

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PA/2017/1715

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# PA/2017/1715 Elevations (not to scale)

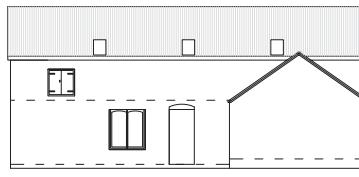
**AMENDED**

REVISIONS		
Date	Description	By
0	19/12/16 PRE-APPLICATION ISSUE	LP
1	22/06/2017 PLANNING ISSUE	LP
2	07/07/2017 RE-ASSUED FOR PLANNING	LP
3	24/08/2017 RE-ASSUED FOR PLANNING	LP
4	23/10/2017 RE-SUBMITTED FOR PLANNING	LP
5	06/12/2017 EXISTING ROOF LIGHT REDUCED BY 0.2m	LP



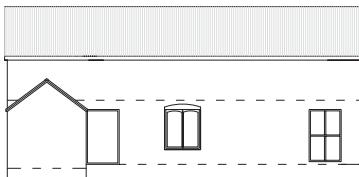
EXISTING WEST ELEVATION

SCALE 1:100



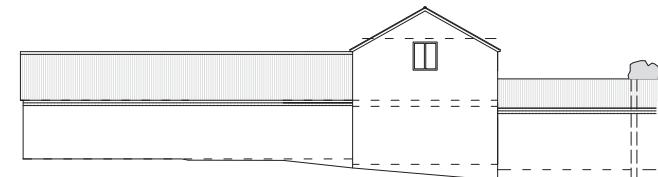
EXISTING SOUTH ELEVATION

SCALE 1:100



EXISTING NORTH ELEVATION

SCALE 1:100



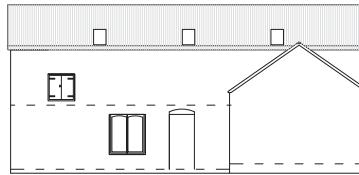
EXISTING EAST ELEVATION

SCALE 1:100



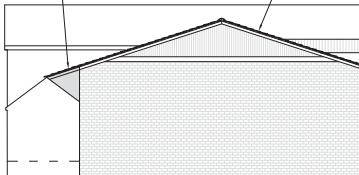
PROPOSED WEST ELEVATION

SCALE 1:100



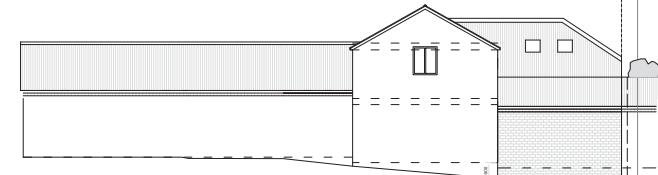
PROPOSED SOUTH ELEVATION

SCALE 1:100



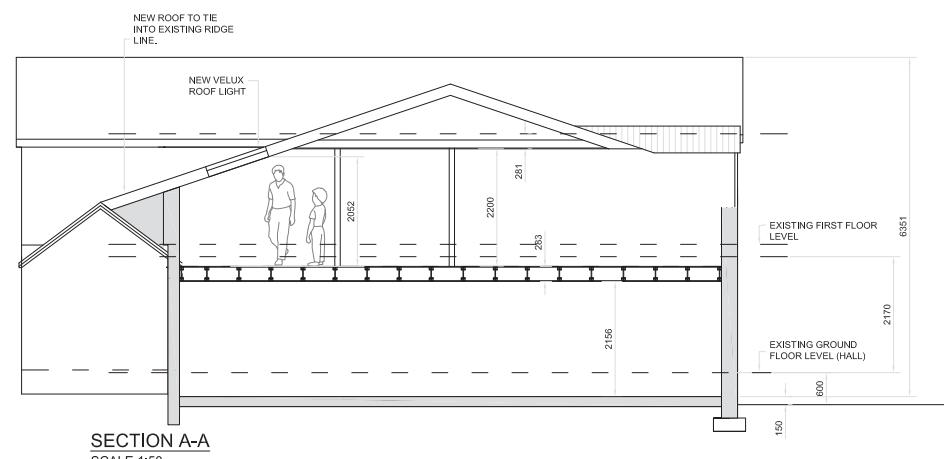
PROPOSED NORTH ELEVATION

SCALE 1:100



PROPOSED EAST ELEVATION

SCALE 1:100



**PLANNING**

**g<sup>2</sup>structural**

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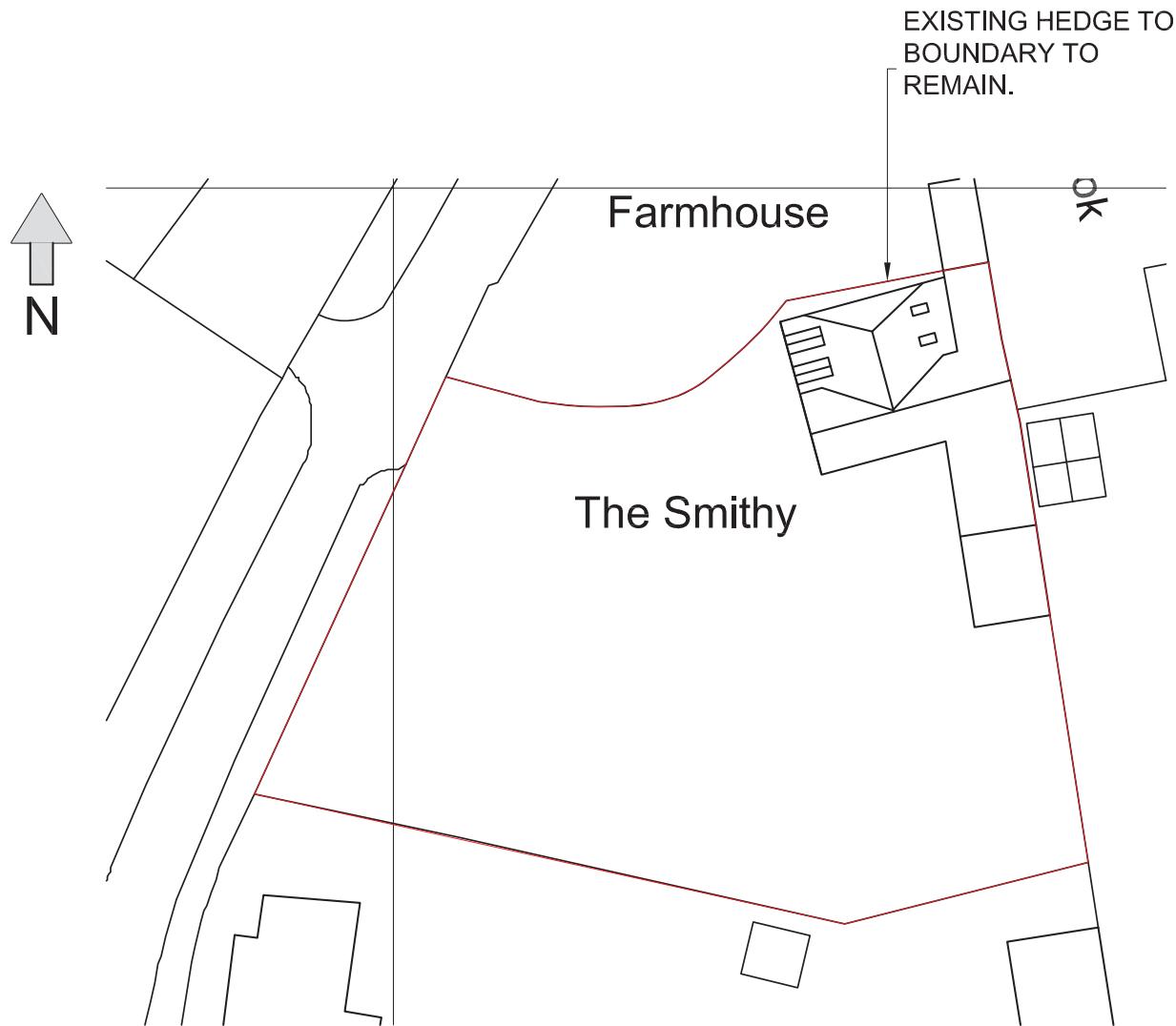
Mr A Roberts

PROPOSED MODIFICATIONS TO THE SMITHY, GREEN LANE, BELTON

1:100, 1:50 DEC 2016 LP LP

ELEVATIONS & SECTION

# PA/2017/1715 Block plan (not to scale)



**SITE BLOCK PLAN**

SCALE 1:500