

APPLICATION NO PA/2010/0181

APPLICANT Mr B Dodd

DEVELOPMENT Planning permission to erect a replacement dwelling

LOCATION Land adjacent to Selwyn Motors, Saxon Lane, Westgate, Belton

PARISH BELTON

WARD Axholme Central

SUMMARY Grant permission subject to conditions

RECOMMENDATION

REASONS FOR REFERENCE TO COMMITTEE Third party request to address the committee

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: Policy P1 (Strategic Patterns of Development) – development should be located in sustainable locations within urban areas close to public transport.

Policy H1 (Sequential Approach to the Allocation of Land for Housing) – previously used land should be the first preference for new housing.

North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) – Belton is identified as a minimum growth settlement.

Policy ST3 (Development Limits) – the site is situated outside the development boundary.

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 would not exceed a 20% increase on the original, exclusive of permitted development rights, and would not be substantially higher in elevation.

Policy LC14 (Area of Special Historic Landscape Interest) states that within this area, development will not be permitted which would destroy, damage or adversely affect the character, appearance or setting of the historic landscape or any of its features.

Policy DS1 (General Requirements) also applies.

CONSULTATIONS

Highways: No objections.

Environment Agency: Awaiting comments.

PARISH COUNCIL

No objections.

PUBLICITY

Neighbouring properties have been notified. Two letters of objection have been received raising the following material issues:

- overlooking/loss of privacy
- concerns regarding use of chimney for open fire and the impact on the neighbouring property

A number of non-material issues have also been raised.

ASSESSMENT

Planning permission is sought to erect a replacement dwelling. The existing dwelling is a detached two-storey cottage in a poor state of repair. The application site is located to the north of a large motor garage, which is owned by the applicant. There are a small number of new houses in Saxon Lane, in the immediate vicinity of the application site. It should be noted that whilst the site is within a built-up area, it is located outside the development boundary.

The proposed replacement dwelling will be larger than the existing but this increase is not considered to be significant, particularly as it will be no larger than the surrounding houses.

The main issue in determining this application is whether the proposed replacement dwelling is acceptable in terms of impact on neighbouring properties.

In terms of overlooking and loss of privacy, the window concerned is located 25 metres from the front of the objector's property, with a road separating them. As this distance exceeds the minimum separation distance of 20 metres any overlooking is considered minimal and would not have an adverse impact on the occupiers of this property.

With regard to any smoke generated from the proposed chimney, the Environmental Protection team have been consulted and raise no objections to the proposal. It should be noted that whilst a chimney is proposed, no details have been submitted to indicate an open fire.

Due to the condition and location of the property a bat and nesting bird survey was requested. This survey did not reveal any evidence of bats or nesting birds. An informative is therefore suggested to ensure that necessary measures are taken if any bats are found during demolition.

The non-material issues raised relate to building regulations and/or are civil matters to be resolved between the two parties. The proposal is therefore recommended for approval.

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: 742 1 of 3, 742 2 of 3, 742 3 of 3.

Reason

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

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

6.

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 dwelling is occupied, 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.

7.

Notwithstanding the provisions of Class E of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that order with or without modification, no outbuildings or garages shall be erected within the curtilage of the dwelling other than those expressly authorised by this permission.

Reason

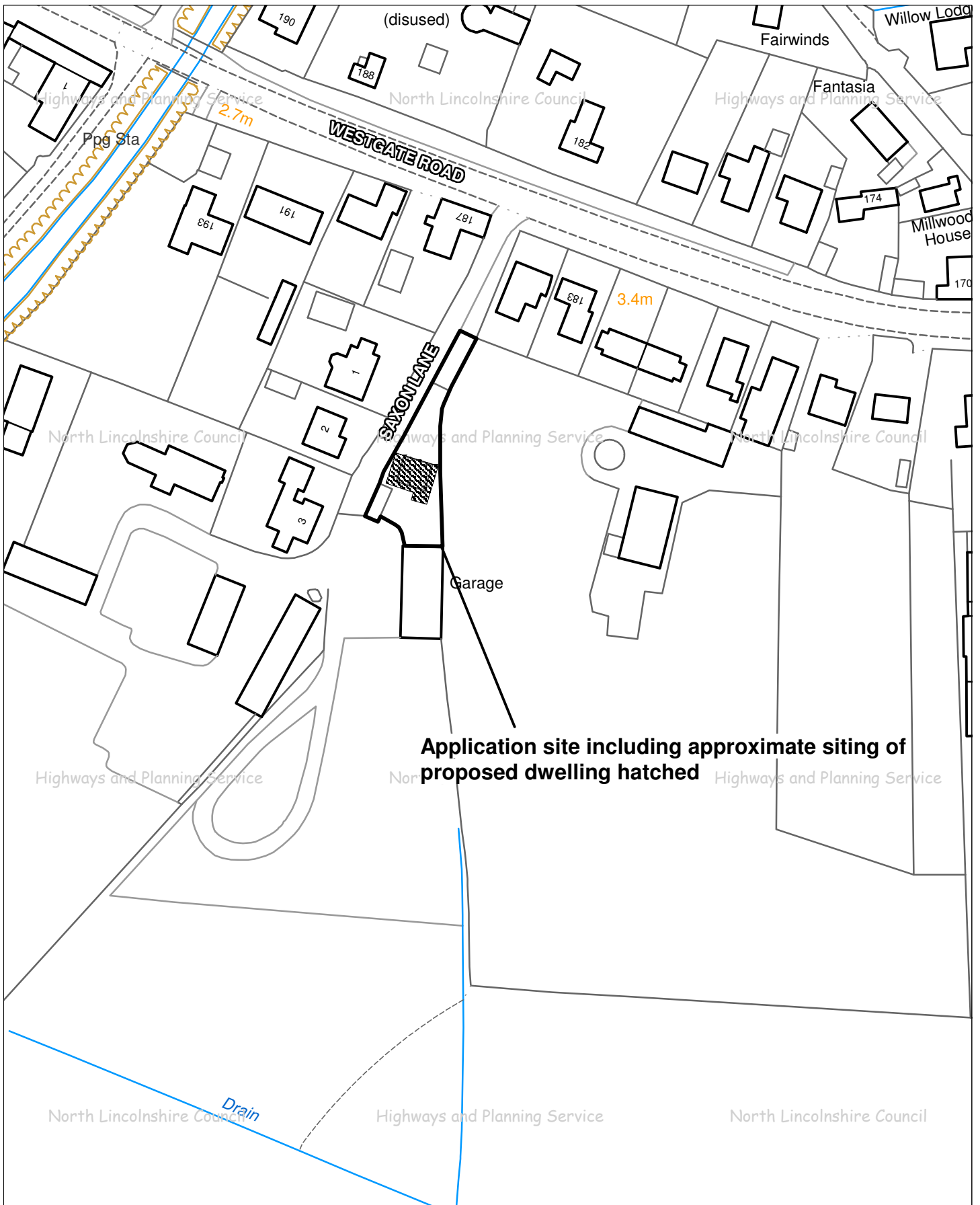
To maintain the character of the development in accordance with policy RD9 of the North Lincolnshire Local Plan.

8.

The existing dwelling shall be demolished and all debris removed from the site no later than three months from the date when the new dwelling is first occupied.

Reason


To ensure the timely removal of the existing dwelling as the site lies in an area where new dwellings are not normally permitted: permission has been granted in this case on a replacement basis under policy RD9 of the North Lincolnshire Local Plan.




Application site including approximate siting of proposed dwelling hatched

Drawing Title: 2010/0181

OS Grid Ref: SE76980736	Drawn by: KC	Scale: 1:1250	Date: 16/04/2010
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Highways and Planning Service
 Service Director,
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