

APPLICATION NO	PA/2011/0773
APPLICANT	Fleet Developments Ltd
DEVELOPMENT	Planning permission for minor material amendments to house types (30 dwellings)
LOCATION	Land north of 26 West Street, West Butterwick
PARISH	WEST BUTTERWICK
WARD	Axholme South
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee

POLICIES

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

North Lincolnshire Local Plan: Policy LC14 – the site lies within an area of Special Historic Landscape Interest.

Policy T2 – all new development must have a satisfactory access.

Policy RD2 – development in the open countryside will be strictly controlled. Permission will only be granted for residential development which is essential to the efficient operation of agriculture or forestry, affordable housing to meet a proven local need or the re-use/adaptation of existing rural buildings or replacement dwellings.

Policy DS16 (Flood Risk) – new development will not be permitted within floodplains if strict criteria are not fulfilled.

Policy DS1 (General Requirements) – all new development must be of a high standard of design.

North Lincolnshire Core Strategy: Policy CS1 – spatial strategy will focus on Scunthorpe. Within rural settlements development will be limited to and should take into account levels of local service provision, infrastructure capacity, and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS3 – the site is located outside the development limits of West Butterwick. Development outside defined settlement boundaries will be restricted to that which is essential to the functioning of the countryside.

Policy CS7 (Overall Housing Provision) – within rural settlements and the countryside 30-35 dwellings per hectare should be achieved.

Policy CS8 – housing development in the open countryside will be strictly limited. Consideration will be given to development which relates to agriculture, forestry or to meet a special need associated with the open countryside.

Policy CS19 – development in areas of high flood risk will only be permitted where it can be demonstrated that it would provide wider sustainability benefits to the community and the area that outweigh flood risk, the development should be on previously used land, and a flood risk assessment has demonstrated that the development would be safe, without increasing flood risk elsewhere, by integrating water management methods into the development.

CONSULTATIONS

Highways: No objections.

Environment Agency: No comments.

PARISH COUNCIL

No observations.

PUBLICITY

Neighbouring properties have been notified. Three letters of support have been received on the grounds of the benefit of the development to the shop, school, public house, local tradesmen and the community, and four letters of objection have been received raising the following issues:

- the site plan is incorrect
- no FRA has been submitted
- the development is contrary to policy as the site is outside the development boundary and there is no provision for affordable housing
- no Certificate B has been served
- a completion notice has been served and ignored
- overlooking
- the development is contrary to policies
- insurances and mortgages would be disallowed due to flood risk

ASSESSMENT

This proposal is a minor amendment to the originally approved house types. There has also been some very minor alteration to the position of some of the plots on the layout as the amended plan approved in 2003 was not 100% accurate. With the advance in technology in relation to mapping techniques the originally approved layout in 2003 has been updated to reflect an accurate layout of the dwellings on the site. The external changes to the originally approved dwellings comprise the removal of timber boarding and windows, the introduction

of dormer windows and rooflights, changes from hipped roof to gable roofs, and a reduction in the size of windows. Some of the internal layouts have been altered to update the dwellings.

The site has a long history. However it must be made clear to all interested parties that permission for 31 dwellings (30 proposed on the site layout) has been approved and this permission has been lawfully implemented on the site. An outline permission (PA/1998/1295) was granted on the site in 1999 and reserved matters (PA/2001/1162) were approved in 2003. The planning permission was implemented on site in 2003. Furthermore, it must be made clear that a completion notice has not been served as Members resolved to allow officers to continue with existing negotiations to ensure that the approved development is completed. At the present time the site is largely undeveloped. The developer has submitted this minor amendment application to ensure that the site will be developed in its entirety.

The main issues associated with this case are whether the minor amendments are acceptable in design and highway terms as the alterations are solely related to design issues.

The alterations are acceptable in highway terms, and in design terms they will not result in any demonstrable harm to surrounding neighbours. The proposed amendments will not impact on the amenity of the locality any more than the originally approved scheme. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan.

The concerns of objectors are noted. However, the majority of these concerns cannot be taken into consideration because permission for the dwellings has already been approved and implemented on site. The issues of the site being outside the development boundary, no affordable housing being proposed and the site being in a high flood risk area are not relevant as permission has already been granted and implemented on site.

A Certificate B has been served in relation to this application and the correct procedure followed. The issue of the public right of way is not relevant as it is outside the application site and no conditions or Section 106 agreement stipulated a 5m strip had to be provided to the north of the site. The issue of mortgages and insurances are private matters for the purchasers of the dwellings to resolve.

RECOMMENDATION Grant permission subject to conditions:

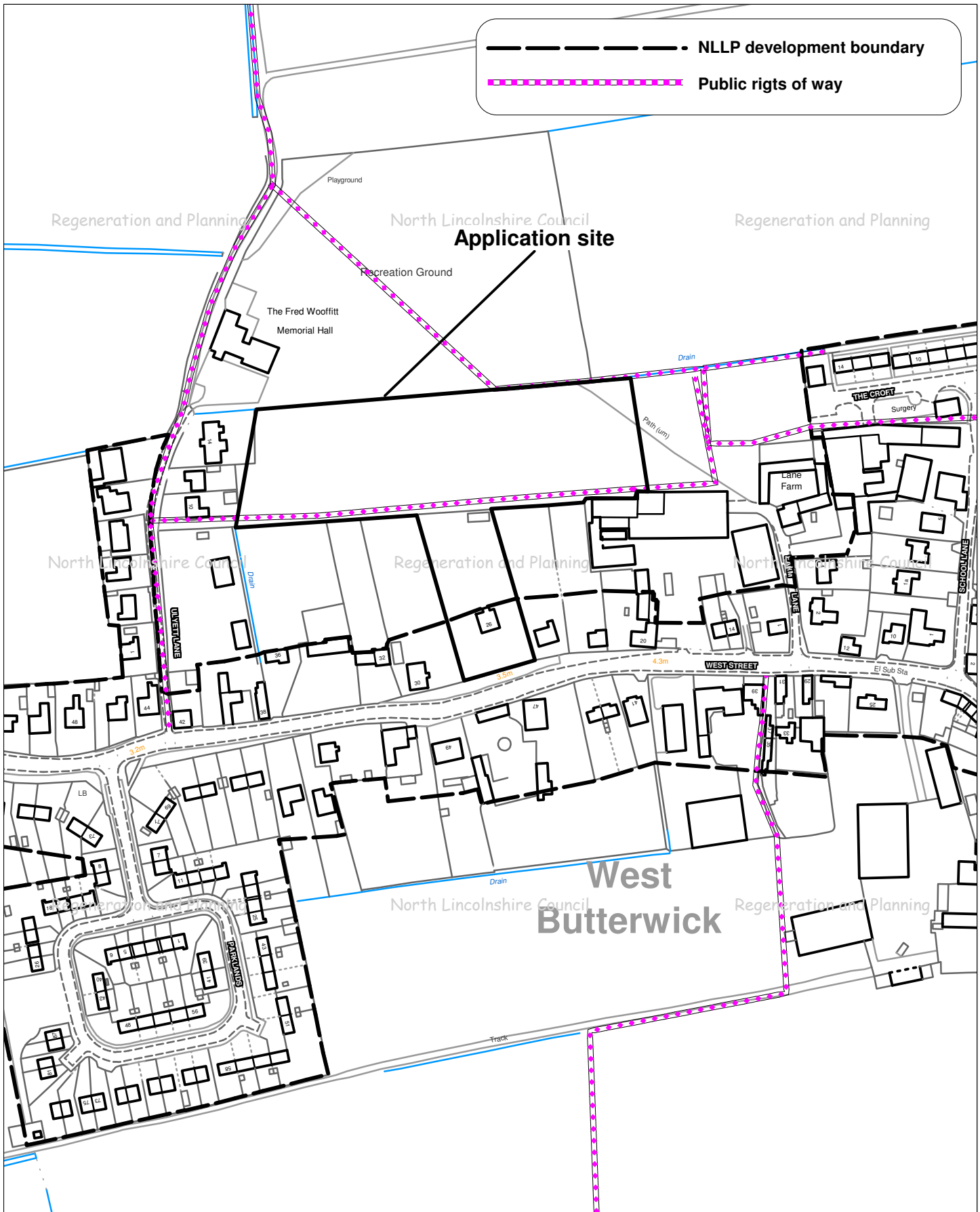
1.

The development shall be carried out in accordance with the following plans: FD/WB/002 REV B, FD/WB/016 REV A, FD/WB/014 REV A, PA/2011/0773/01, FD/WB/003 REV A, FD/WB/004 REV A, FD/WB/010 REV A, FD/WB/011 REV A, FD/WB/012 REV A, FD/WB/007 REV A, FD/WB/008 REV A, FD/WB/009 REV A, FD/WB/013 REV A, FD/WB/005 REV A, FD/WB/006 REV A, FD/WB/015 REV A and FD/WB/017 REV A. In all other aspects the development shall be constructed in accordance with planning permission PA/2001/1162 dated 7 March 2003.

Reason

For the avoidance of doubt and to ensure the development is carried out in accordance with the approved details.

NLLP development boundary
 Public rights of way



Drawing Title: 2011/0773

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Regeneration and Planning

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