

APPLICATION NO	PA/2008/0552
APPLICANT	Mr T Drayton
DEVELOPMENT	Planning permission to erect a detached two-storey dwelling
LOCATION	Land on King Edward Street, Belton
PARISH	BELTON
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton Parish Council Third party request to address the committee
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: Policy H2 (Sequential Approach to the Allocation of Housing Land) sets out the sequential approach to housing that should be applied through development plans and the allocation of land where previously developed land is the preferred option, other infill within urban areas, and then the extension to main urban areas where the land is accessible or capable of being made accessible to services and jobs by good public transport, and conversions before greenfield land.</p> <p>Policy H4 states that targets for the provision of affordable housing should be developed through local housing needs assessments to common standards in consultation with housing authorities and other social and affordable housing providers. Releases of land for housing should take account of the need for different types and sizes of housing to meet all needs and be subject to the delivery of an appropriate proportion of affordable housing.</p> <p>North Lincolnshire Local Plan: Policy H5 (New Housing Development) requires all new housing developments to be well related to existing infrastructure; be in keeping with the scale and character of the settlement; not result in the loss of important open space; comprise development of not more than three dwellings; reasonably be expected to commence within the lifetime of the local plan; be appropriate in scale, layout, height, and materials of construction, which are compatible with the character and amenity of the immediate environment;</p>

have an appropriately designed access with adequate parking facilities; conserve and retain features of particular architectural, historic, archaeological, landscape or nature conservation importance; provide a sufficient amount of private amenity space unless the development is for flats; and not result in overlooking or loss of privacy of adjacent land uses.

Policy H8 (Housing Design and Housing Mix) requires new residential development to respect and reflect the form, scale, massing, design and detailing of the local environment; have a high standard of design and layout; protect existing natural and built features that contribute to the amenity of the area; prioritise the needs of pedestrian movement taking into account safety, health and the security of residents; and provide residents with a sense of identity and an appropriate mix of dwelling size and types.

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 conditions.

Severn Trent Water Ltd: Advise conditions.

PARISH COUNCIL

Object to the application on the following grounds:

- the proposed dwelling is too large for the site and is over-intensive development of the site

- loss of amenity to neighbouring dwellings by virtue of loss of light and overshadowing
- lack of amenity space to proposed dwelling
- drainage issues
- the application has been refused previously by North Lincolnshire Council and the Planning Inspectorate.

PUBLICITY

Five letters have been received objecting on the following grounds:

- the proposed dwelling is too large and over-intensive use of the site
- loss of amenity to neighbouring dwellings by virtue of loss of light and overshadowing
- drainage issues
- car parking issues.
- legality of design and access statement
- design of the dwelling
- questioning of accuracy of plans and their relationship to other neighbouring properties.

ASSESSMENT

Planning permission is sought for the erection of a three-bedroom, one-and-a-half-storey building on land next to The Cottage and Conifer Lodge, King Edward Street, Belton. The dwelling measures some 8.6 metres long and 5.6 metres wide, and is 7.4 metres high to the ridge.

The site also includes a small area of garden land that is considered to be of sufficient size for a three-bedroom property. To the rear of the site is a public footpath known as Steel Goose Lane, however the footpath is overgrown and there is little evidence of its existence. King Edward Street runs to the front of the site.

The main issues to consider when determining this application are whether or not the proposed dwelling is too large for the site and whether it would have a detrimental impact on adjacent dwellings.

Policy H5 calls for all new dwellings to be of an appropriate size and scale in relation to the character of the area. Although at first glance the proposed dwelling

may look out of scale and character, it does in fact sit well within the site. The application has been the subject of a number of previous applications, the most recent being PA/2007/2047; this was withdrawn due to the inadequacy of the design and access statement. Another earlier application (PA/2007/0971) was refused on the grounds that the proposed building was too large for the site.

The total volume of the current proposal has been reduced by a third from the earlier refused application (PA/2007/0971). The design now proposed is similar in scale to that of the withdrawn scheme (PA/2007/2047). The proposed dwelling does fit in the site and will provide a level of amenity space, which is considered to be acceptable for a modest three-bedroom detached dwelling such as this.

The site has also been the subject of a previous appeal, whereby the inspector refused the application on the grounds that the proposal was too large for the site and would be detrimental to the occupants of The Cottage. It is considered that the current application successfully addresses the issues that the inspector raised. Merely because an earlier appeal has been dismissed does not mean all subsequent proposals should be refused. All applications need to be reconsidered on their own merits.

The neighbouring dwellings are a bungalow (to the east) and a two-storey dwelling (to the north-west). The property most affected by the proposed dwelling is the property known as 'Conifer Lodge' (the bungalow). However, it should be noted that as the proposed dwelling is only one-and-a-half storeys high the difference in height is minimal. Therefore there can be no basis for a refusal on the grounds that the proposal is detrimental to the occupiers of Conifer Lodge by virtue of visual domination. The council's 30 degree and 45 degree rules concerning light loss relate to the construction of house extensions under SGP1. They are not designed to be used in relation to new buildings as such. It should be noted that the SPG does not apply to new dwellings, but can help in the determination as to whether or not there will be an impact on any adjoining dwellings, which in this case there isn't. Due to the siting of the proposal, there would be no overlooking of Conifer Lodge due to the proposed dwelling being at an oblique angle.

Policy H5 also calls for adequate access to all new housing developments. Again the Highways department has assessed the proposed development and the scheme has been amended to remove the garage and thus leave

an open driveway. It should be noted that previous applications have been the subject of complaints with regard to maintaining uninterrupted access for motor vehicles to 'The Cottage'. Due to the fact that the scheme now has a separate access direct onto King Edward Street it is considered that adequate access and egress from both 'The Cottage' and the proposed new dwelling will be satisfactory and not detrimental to the living conditions of either property. Highways have no concerns with the proposal provided that certain conditions are added to any permission.

Concerns have also been raised about a small triangular area of land at the western tip of the site, where a telegraph pole is sited, and whether or not the land is part of the adopted highway. The telegraph pole and small patch of land does not form part of the adopted highway and the applicant is satisfied that the land lies within his ownership.

In terms of the proposal's design, it is considered that this will complement and may even improve the character of the area. The proposed dwelling fits with its rural character, being one-and-a-half storeys, and it is felt that, in policy terms, this proposal meets the requirements of policies H5 and H8 of the local plan. In the overall street scene it is felt that this property will sit well between the two-storey cottage and single-storey bungalow; it will also give some balance to the large five-bedroom property that is located immediately across the road.

Whilst concerns have been raised about the design of the dwelling, particularly the 'Dutch hips' element, it is considered that these are without foundation. Belton has become increasingly characterised by large executive detached homes, which often have done little to enhance what was once a rural village. It could be argued that the large detached family homes are more in keeping with an urban setting rather than the rural one that they sit in. It is considered that the design of the proposed dwelling is one that reflects the rural character of the village that is slowly being eroded. Guidance from both CABE and in PPS1 state that 'good design is indivisible from good planning' and it is considered that this proposal is one of good design. It does reflect the original rural character of the area and does not promote an urban feel to the area, which the large detached homes do.

With regard to the question of the legality of the design and access statement, initially it is up to the Local Planning Authority to determine whether or not the

statement is acceptable. Ultimately, if challenged, it is for the courts to decide. In this case, the statement was considered suitable.

In conclusion, it is felt that the proposed dwelling is, after many attempts, of a suitable size and design for what is admittedly a small site, but one that can be developed nonetheless. The proposal is of an acceptable design, which both respects the rural character of Belton and has no adverse impact on the adjacent properties. Access to the site is much improved and the introduction of a separate drive also now improves the situation for residents living at The Cottage. Therefore the proposal is recommended for approval in accordance with policies H5, H8 and DS1 of the North Lincolnshire Local Plan.

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 development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority 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.

3.
The dwelling shall not be occupied until the sewage disposal/drainage works to serve it have been completed in accordance with the submitted plans.

Reason
To ensure satisfactory drainage is provided in accordance with policy DS14 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 which demonstrate the relocation of the existing telegraph pole and streetlight. The proposed new dwelling shall not be occupied until this work has been completed in accordance with the approved drawings.

Reason

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

5.

No loose material shall be placed on any driveway or parking area within ten 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.

6.

Nothing shall at any time, whether permitted by the Town and Country Planning General (Permitted Development) Order 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 for the area of frontage west of the dwelling.

Reason

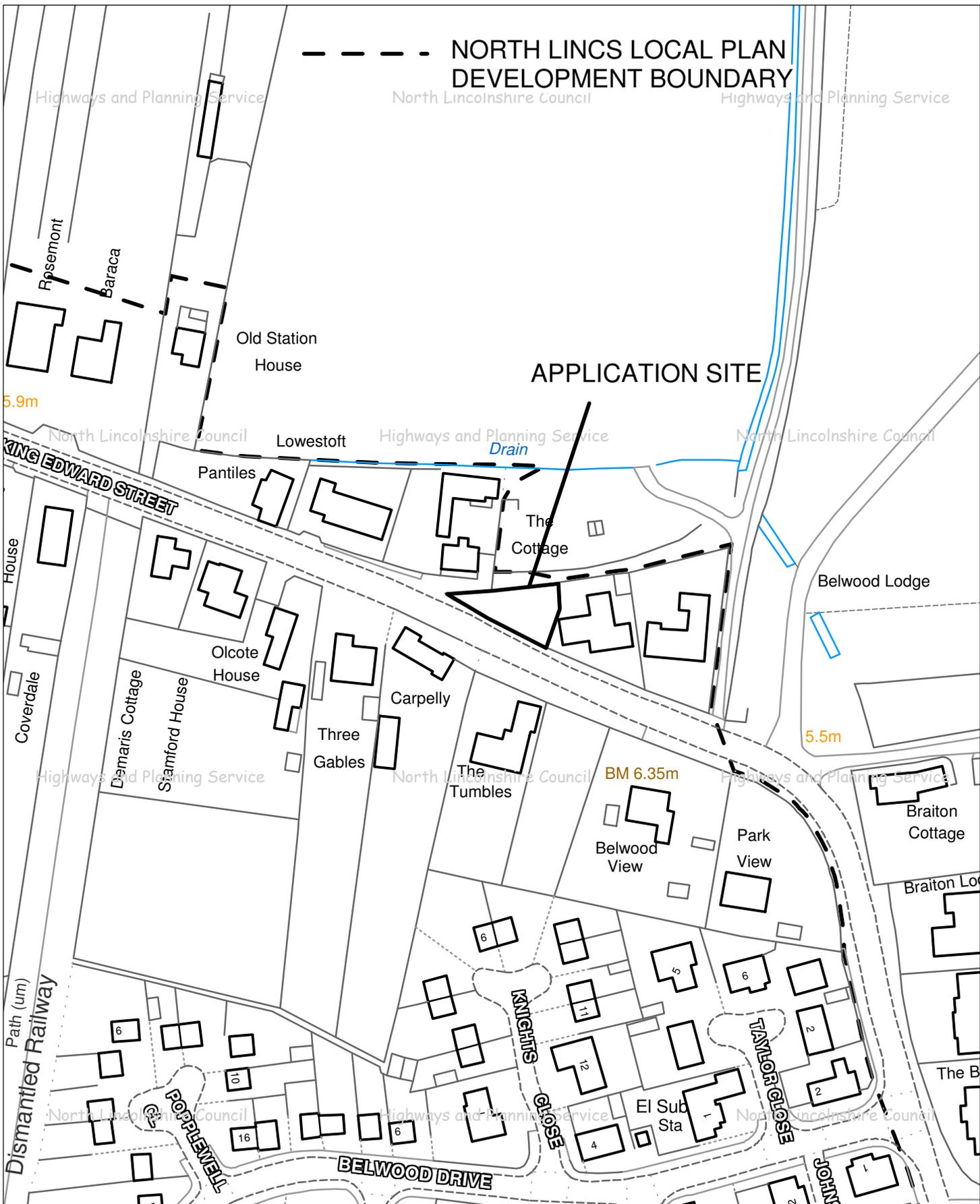
In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

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.



Drawing Title: 2008/0552

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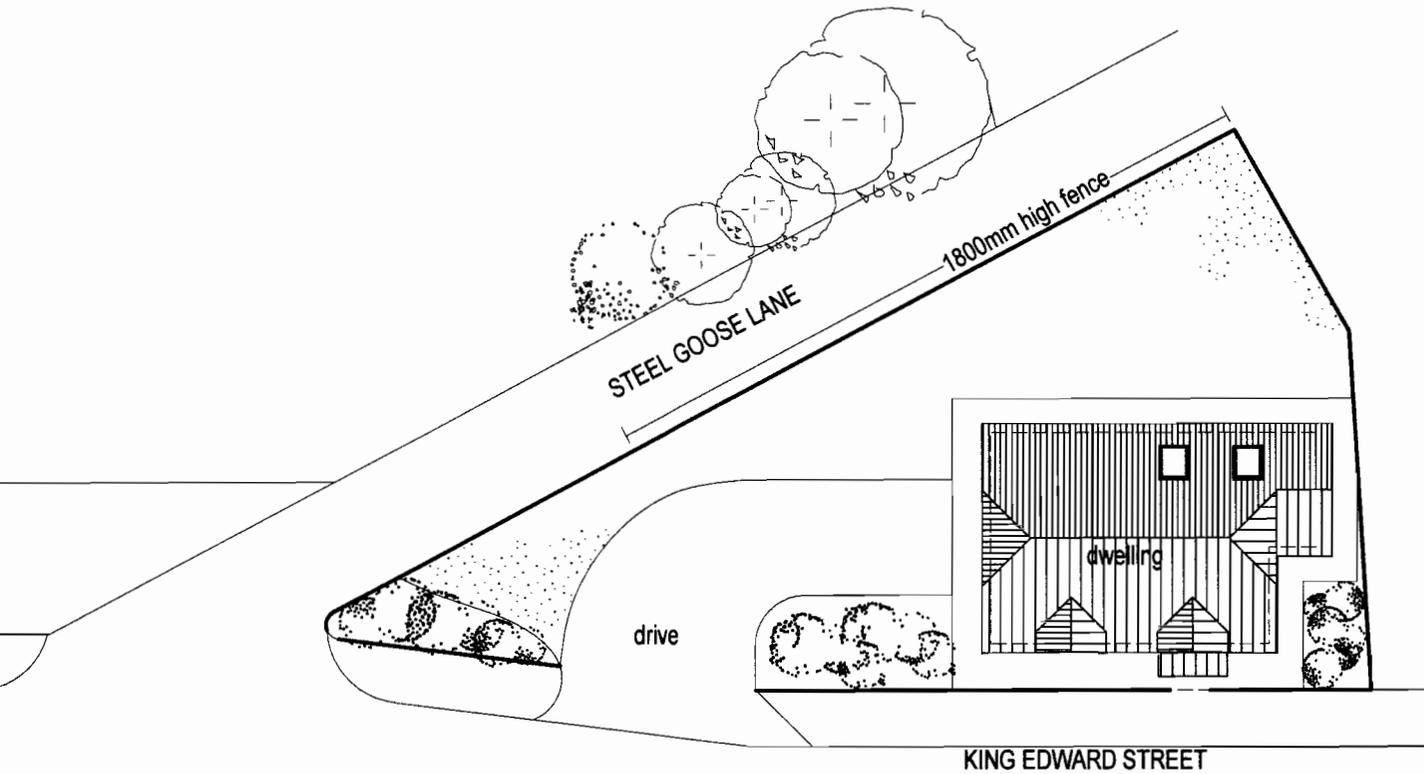
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Highways and Planning Service

Service Director,
G Popple

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Do not scale from this drawing
 All dimensions to be verified on site.

Client
MR T. DRAYTON

Project
**PROPOSED DEVELOPMENT
 IVY COTTAGE
 KING EDWARD STREET
 BELTON**

Title:
PROPOSED SITE PLAN

Scale Date
 1:200@A4 08:2006

Drawing No.

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