

APPLICATION NO PA/2015/1158
APPLICANT L Kirkby (Farms) Ltd
DEVELOPMENT Planning permission to erect a replacement dwelling
LOCATION Burnham Beeches Cottage, Burnham, Thornton Curtis
PARISH **THORNTON CURTIS**
WARD Ferry
CASE OFFICER Ann Scott

SUMMARY **Grant permission subject to conditions**
RECOMMENDATION

REASONS FOR REFERENCE TO COMMITTEE Departure from policy

POLICIES

National Planning Policy Framework: Paragraph 56 requiring good design.

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5.

North Lincolnshire Local Plan: R1, DS1, DS3, DS16, T1.

CONSULTATIONS

Highways: Does not wish to restrict the granting of permission.

Environment Agency: Objected on grounds of flood risk – no FRA has been submitted and the site is partly in flood zone 2. We recommend locating the dwelling further from the watercourse or raising finished floor levels to 300 millimetres above existing ground level. The applicant should submit a brief flood risk assessment confirming the chosen mitigation measures. A letter has been received from the Environment Agency confirming that the objection has been withdrawn subject to a condition as set out above being attached to the planning decision notice.

TOWN COUNCIL

No comments to make.

PUBLICITY

Neighbouring properties have been notified.

ASSESSMENT

Planning policy

The relevant planning policies for consideration as part of this application are as follows: National Planning Policy Framework, paragraph 56, relating to good design which is an integral part of sustainable development.

North Lincolnshire Local Development Framework Core Strategy policies in relation to the Location of Development, CS1 (Spatial Strategy), CS2 (Delivering More Sustainable Development), CS3 (Development Limits) and CS5 (Delivering Quality Design) are relevant to this proposal.

The North Lincolnshire Local Plan Policies most related to this proposal are RD2 (Development in the Open Countryside), RD10 (Replacement, Alteration and Extensions to Dwellings in the Open Countryside), DS1 (Development Standards), DS3 (Planning Out Crime), T1 (Location of Development) and T2 (Access to Development). The proposal accords with the criteria set out in the policies above. However, in relation to policy RD10, the proposed dwelling is approximately 50% larger than the existing and is therefore an exception to existing policy. In terms of policy RD10, the replacement dwelling should not normally be more than 20% of the original dwelling exclusive of permitted development rights. It is considered that the design and scale of the dwelling is acceptable in this location and that permitted development rights should be removed in order to control any further extensions and alterations to the property to ensure that the site is not over-developed.

Residential/visual amenity

The proposed building will measure approximately 11 metres long by 10 metres wide, by 8 metres high to the ridge. The proposed materials are multi red facing bricks and cream UPVC window and door frames. There are no other surrounding residential properties affected by the development. The existing dwelling is not subject to an agricultural occupancy condition and the relevant planning policies allow for replacement agricultural dwellings. Officers consider that it would be unreasonable, therefore, to impose an agricultural occupancy condition on this application.

Highways

There are no objections in principle to the proposal from the highway control officer who does not wish to restrict the grant of planning permission. The proposed existing parking facilities are to be used in connection with this new dwelling and a separate detached garage will provide parking.

Flood risk

The application is not accompanied by a flood risk assessment. The majority of the site is situated in flood zone 1 and a very small proportion in flood zone 2/3a which is the nearby Barrow Beck. There is an objection to the proposal from the Environment Agency which considers the new dwelling should either be relocated away from the beck or finished floor levels should be raised to 300 millimetres above AOD. The dwelling cannot be relocated away from the existing footprint as it is not acceptable on planning policy grounds and to do so would incur the need for a Section 106 planning agreement to ensure the existing house was demolished. There is also insufficient room on the existing site to relocate the dwelling. In flood zone 1, which is where the majority of the site is located, a flood risk assessment is

not normally required. It is considered that this suggestion would be costly to the applicant and unreasonable when a planning condition could be imposed requiring finished floor levels to be raised in accordance with the Environment Agency's comments. Officers consider that there is sufficient information already submitted with the application to determine the proposal and that conditions can overcome any potential effects from flood risk.

The objection from the Environment Agency has now been withdrawn subject to the above condition.

Conclusions

The application is considered to be in accordance with the relevant national planning guidance and planning policies set out above and is recommended for approval 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: JRD/27/2015 and PA/2015/1158/001.

Reason

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

3.
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.

4.
No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

5.

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.

6.

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.

7.

Notwithstanding the provisions of Classes A, B and C 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 extensions shall be carried out to the existing dwelling, or windows or dormers installed in the roof slope or walls, without the prior written approval of the local planning authority other than those expressly authorised by this permission.

Reason

To ensure that the existing residential amenities of adjacent properties are protected in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

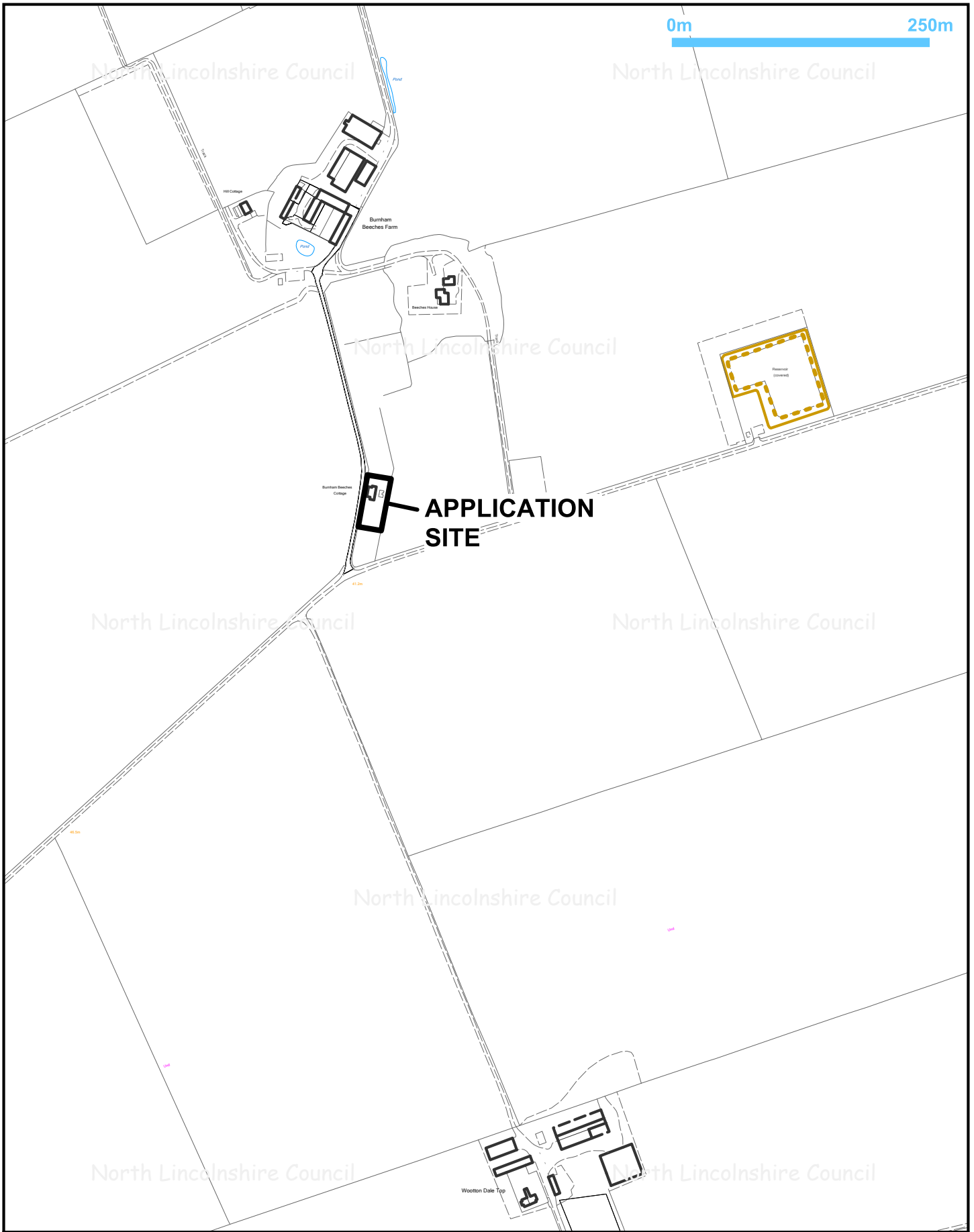
The finished ground floor levels of the dwelling hereby approved shall be set no lower than 300 millimetres above AOD.

Reason

This condition is imposed in order to reduce the risk and impact of flooding to the proposed development and future occupants and in accordance with policies DS1 and DS16 of the North Lincolnshire Local Plan.

Informative

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.

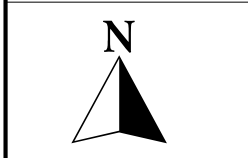


Title: PA/2015/1158

Drawn by: Sue Barden

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PA/2015/1158

Proposed Elevation – Not to scale



Proposed block plan – Not to scale

