

APPLICATION NO	PA/2016/797
APPLICANT	Mr Mark Wall
DEVELOPMENT	Planning permission to erect a detached dwelling and demolish existing cottage and barn
LOCATION	Tetley Cottage, Tetley, Crowle, DN17 4HY
PARISH	Crowle
WARD	Axholme North
CASE OFFICER	James Roberts
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from policy

POLICY

National Planning Policy Framework: Chapters 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment), 12 (Conserving and enhancing the historic environment)

North Lincolnshire Core Strategy:

- CS1 (Spatial Strategy for North Lincolnshire)
- CS2 (Delivering More Sustainable Development)
- CS3 (Development Limits)
- CS5 (Delivering Quality Design in North Lincolnshire)
- CS6 (Historic Environment)
- CS7 (Overall Housing Provision)
- CS8 (Spatial Distribution of Housing Sites)
- CS17 (Biodiversity)
- CS19 (Flood Risk)

North Lincolnshire Local Plan:

- H8 (Housing Design and Housing Mix)

LC5 (Species Protection)

DS16 (Flood Risk)

RD2 (Development in the Open Countryside)

RD10 (Replacement, Alteration and Extensions to Dwellings in the Open Countryside)

T2 (Access to Development)

HE5 (Development affecting Listed Buildings)

DS1 (General Requirements)

Legislation:

Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

CONSULTATIONS

Highways: No objections subject to a condition.

Conservation Officer: No objections subject to conditions.

Environmental Health: Request further information in relation to contaminated land.

Environment Agency: No objection subject to a condition controlling finished floor levels.

NLC Ecologist: No objections subject to conditions.

TOWN COUNCIL

No objections.

PUBLICITY

The application has been advertised by site and press notices, and neighbouring properties have been notified. No comments have been received.

ASSESSMENT

Details of the scheme

Full planning permission is sought for the demolition of the existing property and agricultural building. It is proposed to replace these structures with a detached, four-bedroomed property with attached double garage.

Principle of development

It is acknowledged that the site is outside any established settlement limit. The proposal involves the demolition of the existing dwelling and agricultural building. Policy RD10 states that replacement dwellings in the open countryside are acceptable provided that "...the

replacement dwelling would not exceed the volume of the original dwelling, which it is to replace, by more than 20%, exclusive of the normal permitted development rights, and would not be substantially higher in elevation”.

It is acknowledged that the proposed dwelling (approximate volume 570 cubic metres) would significantly exceed the volume of the existing dwelling (approximate volume 270 cubic metres). However, it should also be noted that the proposal would result in the demolition of the existing barn (approximate volume 210 cubic metres). When factoring in the barn, the proposal would result in a net increase in volume of approximately 19%. Furthermore, the proposal would result in the consolidation of built form within the site, thus reducing the impact on the open character of the area. It is recommended that any approval be accompanied by a condition removing permitted development rights for any further extensions or alterations. With these factors in mind it is considered that the proposal would sufficiently accord with policy RD10 of the North Lincolnshire Local Plan (NLLP) and that the location of this development outside any established settlement limit is acceptable.

Design/impact on heritage assets

The application site is located close to a number of listed buildings/structures. The council's Conservation Officer has offered no objections to the scheme.

The buildings that are proposed to be demolished are not listed by association with Tetley Hall and its listed agricultural buildings. There is no objection to the demolition of Tetley Cottage as it is of limited architectural quality and does not contribute to the setting or significance of Tetley Hall and its listed subsidiary buildings.

Whilst the new build is some distance away from the listed buildings it is still within their setting, which is described by the National Planning Policy Framework (NPPF) as:

“...the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.”

However, because of the separation distance, and the fact that it is close to a group of traditional buildings, a well-designed building of a traditional design and appearance will not have a negative impact on the setting in this instance.

The new building has been designed in a traditional farmhouse style and because of this there is no objection in principle as long as the materials and detailing complement the site. This matter can be controlled by condition.

It is therefore considered that the scheme would sufficiently accord with policies CS5 and CS6 of the Core Strategy, HE5 and DS1 of the NLLP and chapters 7 and 12 of the NPPF. The proposal conforms with the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990.

Flood risk

It is acknowledged that the site is located within an area known to be at risk from flooding (zone 2/3a according to the council's Strategic Flood Risk Assessment (SFRA)). However, the proposal would not result in an increase in the number of residential properties at the site and would not introduce any new vulnerable uses. Furthermore the proposal provides

the opportunity to secure appropriate finished floor levels at the proposed dwelling (4.3 metres AOD) which would result in clear betterment in terms of flood risk.

As such the scheme would not increase the risk from flooding in the area in accordance with policy CS19 of the Core Strategy and guidance contained within chapter 10 of the NPPF.

Residential amenity

The proposed dwelling would be located within a well-spaced plot with the majority of primary openings facing towards the east and west. Given the location of the proposed dwelling, and that it would result in the demolition of Tetley Cottage, it is considered that the scheme would result in betterment in terms of privacy and levels of daylight at the nearest residential property, Ivy House.

It is considered that the proposed scheme would not have an unacceptable impact on living conditions at any neighbouring property in accordance with policy DS1 of the NLLP and guidance contained within the NPPF.

Contaminated land

There is no evidence that the site is likely to contain contaminants. It is acknowledged that the council's Environmental Health team has requested further information in relation to potential contaminants. However, given that this matter could be adequately controlled by condition it is considered that any request for a full contaminated land survey at this stage would be overly onerous. This proposal is therefore considered acceptable in this regard.

Ecology

The application site is located in a rural area and includes the demolition of buildings which have the potential to be of ecological interest. The application has been accompanied by a protected species report which found no evidence of bat roosts in the buildings to be affected by the development, save for some old bat droppings in a single niche. However, the report did find evidence of bats and birds in the locality. The council's Ecologist has offered no objections subject to conditions which are considered reasonable. With this response in mind, and given the factors outlined above, it is considered that the proposal would not be of detriment to ecological assets.

Highways

The proposal would utilise the existing main entrance point to the site and it is clear from the submitted plans that adequate parking provision would be provided within the site. The proposal would not result in an increase in residential units at the site and it is considered that the scheme would not result in a significant intensification in vehicular movements in the area. With these factors in mind, and given the lack of objections from the council's Highways team, it is considered that the proposal would not have any unacceptable highways impacts.

Conclusion

In light of these factors it is considered that the proposal is acceptable in principle at this location, would not detract from the character of any heritage asset, would not adversely affect the character of the area, would not unacceptably impact on flood risk, would not harm ecological interests and would not materially harm residential amenity. The proposal

is considered to sufficiently accord with adopted planning policy, guidance and relevant legislation.

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: 150902-01 REV A, 150902-2, and “Protected Species Survey” dated May 2016.

Reason

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

3.

No works on the construction of the replacement dwelling hereby approved shall take place until the existing barn and dwelling have been demolished in full.

Reason

In the interests of preserving the open character of the site in accordance with policy RD10 of the North Lincolnshire Local Plan and to ensure only one dwelling persists on the site.

4.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to avoid harm to bats and nesting birds during demolition, vegetation clearance and construction works;
- (b) details of bat roosting features to be installed in accordance with the submitted drawings;
- (c) details of nesting sites to be installed to support house sparrows;
- (d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (e) proposals for the retention or sensitive treatment of ash tree T1 at Ordnance Survey Grid Reference SE7768311704, as described in the submitted protected species survey report;
- (f) proposed timings for the above works in relation to the completion of the new building.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

5.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

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

6.

The dwelling hereby approved shall not be occupied until internal finished floor levels are set a minimum of 4.3 metres above Ordnance Datum. Floor levels shall thereafter remain above this level for the lifetime of the development unless otherwise agreed in writing with the local planning authority.

Reason

To reduce the risk of flooding and to accord with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

7.

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

In the interests of visual amenity and to ensure the impact does not have an adverse impact on the setting of nearby listed buildings.

8.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

9.

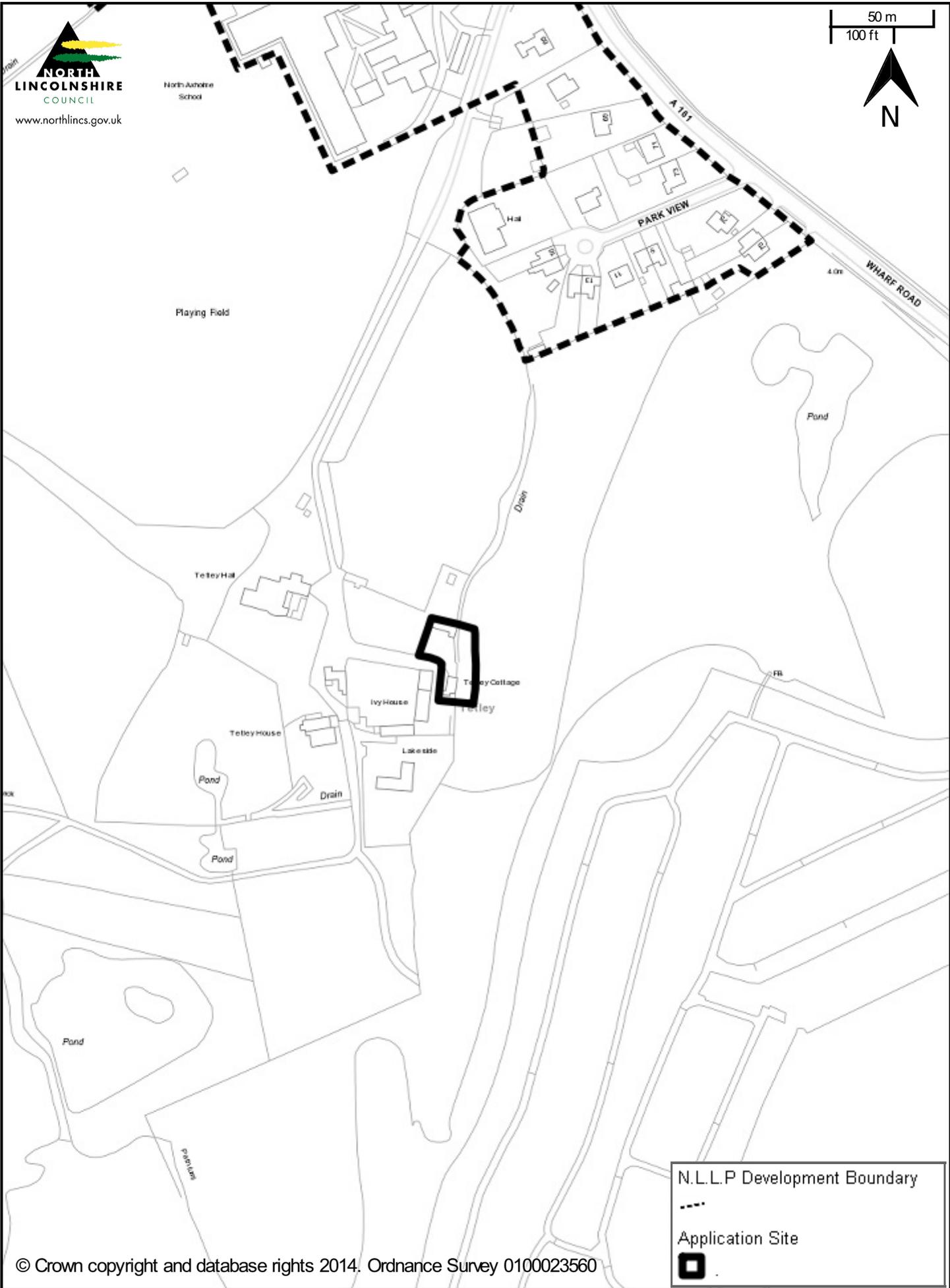
Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that order with or without modification; no further extensions or outbuildings shall be erected on the site other than those authorised by this permission.

Reason

To define the terms of the permission and to ensure that the replacement dwelling hereby permitted is in keeping with the character and appearance of the countryside, in accordance with policies RD2 of the North Lincolnshire Local Plan and CS3 of the adopted Core Strategy.

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.



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Scale @A4 1:2500

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PA/2016/797 Proposed Site layout - Not to scale

