

**APPLICATION NO** PA/2022/1005

**APPLICANT** Mr Paul Davies

**DEVELOPMENT** Planning permission for the change of use of 415 square metres (approximately) of land to residential use and to erect on part thereof a residential/domestic garage extension plus any ancillary works necessary

**LOCATION** Plot adjacent to Grey Green Farm, Woodhouse Road, Woodhouse, Belton

**PARISH** Belton

**WARD** Axholme Central

**CASE OFFICER** Jennifer Ashworth

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Departure from the development plan

**POLICIES**

**National Planning Policy Framework:**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 11: Making effective use of land

Section 12: Achieving well-designed places.

**North Lincolnshire Local Plan:**

DS1: General Requirements

RD2: Development in the Open Countryside

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

LC14: Area of Special Historic Landscape Interest

**North Lincolnshire Core Strategy:**

CS2: Delivering more Sustainable Development

CS3: Development Limits

CS5: Delivering Quality Design in North Lincolnshire

CS8: Spatial Distribution of Housing Sites

### **Housing and Employment Land Allocations DPD (2016):**

The site is outside the defined development limits within the open countryside and covered by policy LC14 – Area of Special Historic Landscape Interest within the Proposals Map Inset 08 – Belton, Westgate & Carrhouse

**Supplementary Planning Guidance:** SPG Design in the Countryside

### **CONSULTATIONS**

**Highways:** No comments or objections.

**LLFA Drainage:** No objections but recommend an informative.

**Environmental Protection:** The proposed development is on land used for agricultural buildings and storage. Agricultural sites have the potential for contaminants such as PAHs, metals, petroleum hydrocarbons and asbestos from the over-application of slurry and the illegal deposition of waste, which are harmful to human health. A condition is therefore proposed to protect human health that 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 has been submitted and agreed in writing.

With regard to noise, the proposed development is in close proximity to residential dwellings and the department is concerned that any commercial activity would have an adverse impact on residential amenity. The department therefore recommends the inclusion of a condition to ensure the development relates to private use only and that no trade, business or profession is carried out on the site.

**HER (Archaeology):** The HER recommended refusal of planning permission on the adjacent sites (PA/2018/2416 and PA/2021/1612) as the developments would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2 and DS1.

The current proposal will contribute to the cumulative adverse impact of the intrusion of the built environment into the historic landscape. Where the planning authority is minded to grant consent for this application permitted development rights should be removed by condition to avoid any unregulated extension of the built environment into the protected historic landscape area.

### **PUBLICITY**

A site notice has been displayed. No letters of comment have been received.

### **ASSESSMENT**

#### **Constraints and allocation**

The site is within the open countryside outside of any defined development limits.

The site is within an area of Area of Special Historic Landscape Interest.

### **Planning history/designations**

- 2/1986/0443: Change of use to timber business and widening of an existing access – approved 26/09/1986
- 2/1991/0991: Erection of a farm shop – refused 16/03/1992
- PA/2015/1269: Outline planning permission to erect a detached dwelling and garage with appearance, landscaping, layout and scale reserved for subsequent approval approved 16/12/2015
- PA/2018/1117: Planning permission to re-site previously approved vehicular access – approved 30/08/2018
- PA/2017/635: Application for approval of reserved matters pursuant to outline application PA/2015/1269 dated 16/12/2015 for the erection of a detached dwelling and garage with appearance, landscaping, layout and scale reserved for subsequent approval – approved 22/06/2017
- PA/2022/605: Planning permission to erect a workshop/garage extension and associated works – refused 23/05/2022.

### **Site characteristics**

The site is an existing residential property on the northern edge of the main built-up area of Belton. The residential property West Lyne is to the north of the site, whilst open countryside forms the eastern and western boundaries. To the south are other existing residential properties. A recent planning application has been granted to the rear of the application site (east and south) on land within the open countryside and LC14 (PA/2021/1612 – outline planning permission to erect four dwellings, garages and associated works with scale, appearance and landscaping reserved for subsequent consideration – granted 11/02/2022).

### **Principle of development**

The land is outside the development limits within open countryside. As such, policies CS3 and RD2 need to be considered. There is currently an existing residential property on the site and detached garage. The land to which this application relates is to the rear of this existing built development and the existing private garden. The proposal seeks the change of use of 415 square metres (approximately) of land to residential use and to erect on part thereof a residential/domestic garage extension plus any ancillary works necessary.

Belton is classed as a 'Rural Settlement' according to North Lincolnshire Council's settlement hierarchy. Policies CS1 and CS3 of the Core Strategy are primarily concerned with the spatial strategy for North Lincolnshire and how development limits are applied to the settlement hierarchies. Both policies stipulate the use of development limits in the urban area, market towns and rural settlements with the aim of creating vibrant rural settlements through the protection and enhancement of local services. Policy CS1 in particular states, 'rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be

limited and should take into account levels of local service provision, infrastructure capacity and accessibility’.

Policy CS3 confirms that development outside defined boundaries will be restricted to that which is essential to the functioning of the countryside. This will include uses such as those related to agriculture, forestry or other uses which require a countryside location or will contribute to the sustainable development of the tourist industry. Development limits ensure that the countryside is protected from inappropriate development and no uncontrolled expansion of settlements.

The proposal is within the open countryside where residential development is restricted.

Policy RD2 strictly controls development within the open countryside. The policy allows development which is for the replacement, alteration or extension of an existing dwelling. Whilst the change of use does not seek permission to extend an existing dwelling, it does seek the extension of the curtilage of the existing dwelling. In such cases, where the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials, then development would be permitted.

Recent outline planning application PA/2021/1612 was granted on 11/02/22 to erect four dwellings and garages, with associated works, with scale, appearance and landscaping reserved for subsequent consideration. This land is sited between the existing property (Meadow Cottage) and approved residential development (PA/2021/1612). The proposed block plan for PA/2021/1612 shows that the application site will become a strip of countryside land sandwiched between residential land, and it would be unreasonable for it not to be included within the residential curtilage of the existing property of Meadow Cottage and used as such going forward.

It is considered that the proposed change of use of land and extension of the proposed garage would be acceptable in principle and therefore accords with the above policies.

### **Design and appearance**

Planning permission is sought for the change of use of approximately 415 square metres of land to residential use and to erect on part thereof a residential/domestic garage extension plus any ancillary works necessary.

The plans show the proposal is for a quadruple garage block measuring 14 metres by 6.5 metres, with a ridge height of 5 metres (2.7 metres eaves height). It will be viewed as an extension to the existing workshop to the front as it will be physically attached and will provide a four-bay garage and pedestrian door opening. The garage block will have a lower ridge height than the existing workshop and garage to which it will be attached and will be constructed from similar materials to match the appearance of the existing outbuilding, namely a red brick and a slate roof tile. The garage is required to store vintage motor cars away from the external elements.

The garage is currently shown to be outside the defined domestic curtilage of the applicant’s property, on land classed as open countryside. The proposal seeks permission for the change of use of this area of land for it to be included within the residential curtilage. This matter (change of use) has been addressed above and is considered acceptable.

The HER has objected to the proposals as they consider that development would adversely affect the character, appearance and setting of the historic landscape contrary to the NPPF, Core Strategy policies CS5 and CS6, and local plan policies LC14, LC7, RD2 and DS1. This matter has been addressed above and it is considered that the principle of development (change of use of land to residential use) is acceptable given the recent permission for residential development to the east of the site. A request has been made to remove the permitted development rights; however, this is not considered necessary given the surrounding land has been granted permission for residential. The development, while in the policy LC14 area, is surrounded on three sides by residential development. The arguments put forward by the HER are not considered valid or reasonable in this instance. Due to the nature of the surrounding land and existing residential development and uses, the proposal is not considered to destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features. It is not considered that the development would represent encroachment of the built environment into the countryside or LC14 area due to the recent change in context of the surrounding land uses.

It is therefore considered that the proposal is acceptable in relation to policies LC14, RD2, RD10, DS1 and DS5 of the North Lincolnshire Local Plan, and CS5 and CS6 of the Core Strategy.

### **Residential amenity**

Policy DS1 is partly concerned with impacts upon residential amenity. It states, ‘...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.’

It is not considered the inclusion of this land would have a detrimental impact on the residential amenity of surrounding properties and residents.

In relation to the erection of the garage, the proposals would extend the existing detached garage building further east and allow for the parking of additional vehicles. The owner collects and restores vintage cars and requires the space to undertake his hobby. Land north of the site is open countryside and is to the rear of the existing residential property to the north. The proposed extension will be 2.7 metres to eaves height and 5 metres to ridge height. The building will include four garage doors and one pedestrian door opening to the frontage. There will be no windows. There are no concerns in relation to overlooking, overshadowing, overbearing or privacy impacts.

The Environmental Health team have raised concern regarding the potential for noise impacts and recommend a condition stipulating that the garage extension shall be for private use only and that no trade, business or profession shall be carried out from the site without the prior permission in writing of the local planning authority.

The proposed garage extension is not considered to result in loss of residential amenity to neighbouring properties due to its separation distance to the south-east and its position beyond the domestic curtilage of West Lynne to the north and, as such, it is considered to comply with policy DS1 of the local plan.

### **Contamination**

The proposed development is situated on land used for agricultural buildings and storage. Agricultural sites have the potential for contaminants such as PAHs, metals, petroleum

hydrocarbons and asbestos from the over-application of slurry and the illegal deposition of waste, which are harmful to human health.

A condition is therefore recommended that 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 by the local planning authority, and that the approved method statement shall be implemented in full prior to development commencing on the site.

### **Flood risk and drainage**

Policy CS19 is concerned with flood risk, whilst policy DS14 is concerned with foul sewage and surface water drainage. The application site is within flood zone 1 and therefore is a preferred place for development in terms of flood risk.

The applicant has submitted a Flood Risk Assessment. The site is within Flood Zone 1 which is considered to be at low risk of flooding. The proposed use of this site, for the erection of a garage for the storage of vintage cars, is considered a less vulnerable use than habitable space.

LLFA Drainage have considered the proposals and have no objection subject to the inclusion of the following informative:

'We note that the proposed development proposes to use the access road for PA/2021/1612. With this in mind we would recommend that this site ties into the proposed surface water drainage system for PA/2021/1612.'

### **Conclusion**

Whilst this proposal would be a departure from the development plan, in light of the above decision, it is considered that this extension of the residential curtilage should be allowed. The land would be used as additional garden space and would allow for the extension of the applicant's existing garage to continue his hobby of restoring and collecting vintage cars. The proposed development is considered acceptable in terms of siting, scale, massing, design and use of materials in accordance with local plan policy RD2, to protect the Area of Special Historic Landscape Interest (policy LC14), as well as protecting the amenity of future residents on and adjoining the site (policies CS5 and DS1).

### **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:

- Proposed Floor Plan 3 of 4 - 925-22

- Proposed Elevations 2 of 4 - 925-22
- Location and Block Plans 4 of 4 - 925-22.

Reason

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

3.

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 by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

Reason

To protect human health.

4.

The 'residential/domestic garage extension' hereby permitted shall be for private use only and no trade, business or profession shall be carried out from the site without the prior permission in writing of the local planning authority.

Reason

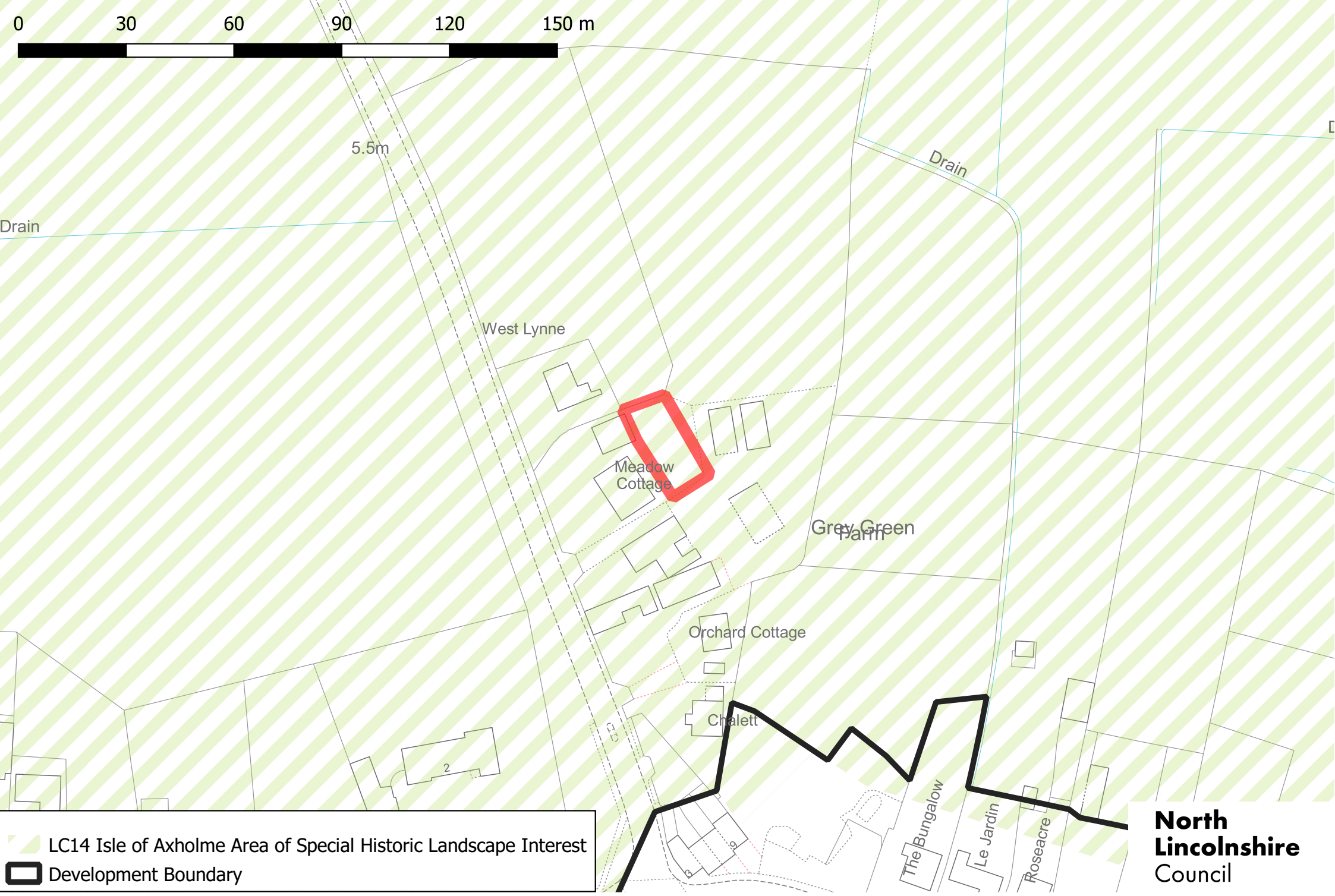
To prevent the uncontrolled introduction of a use which may potentially have an adverse impact on the character of the surrounding area without an opportunity to examine this against the criteria in policy DS4 of the North Lincolnshire Local Plan.

**Informative 1**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

**Informative 2**

The proposed development proposes to use the access road for PA/2021/1612. With this in mind, LLFA Drainage recommend that this site ties into the proposed surface water drainage system for PA/2021/1612.



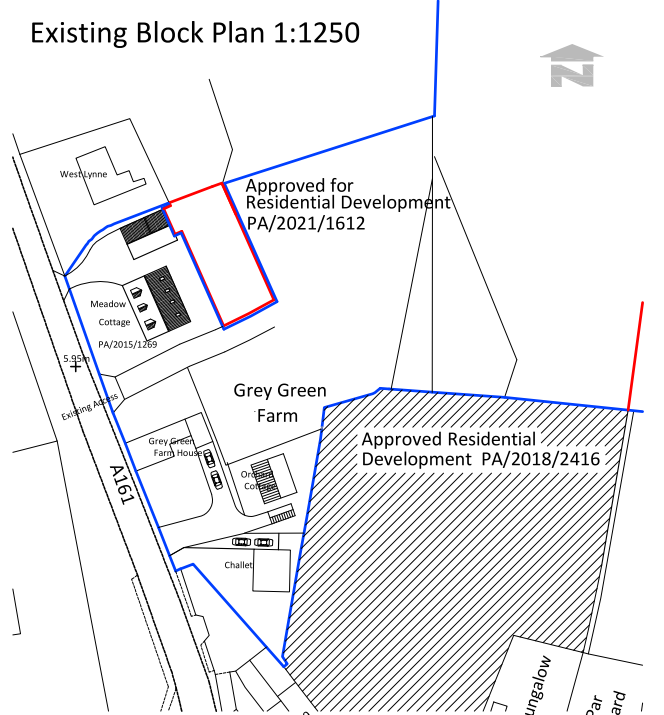
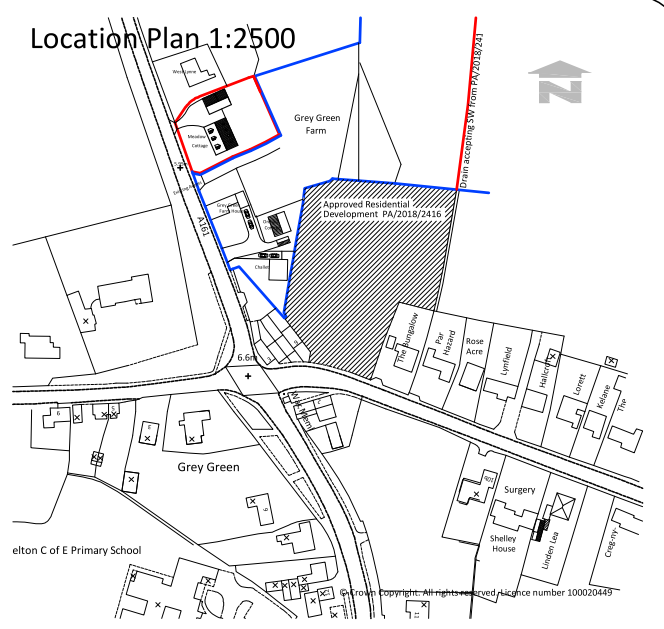
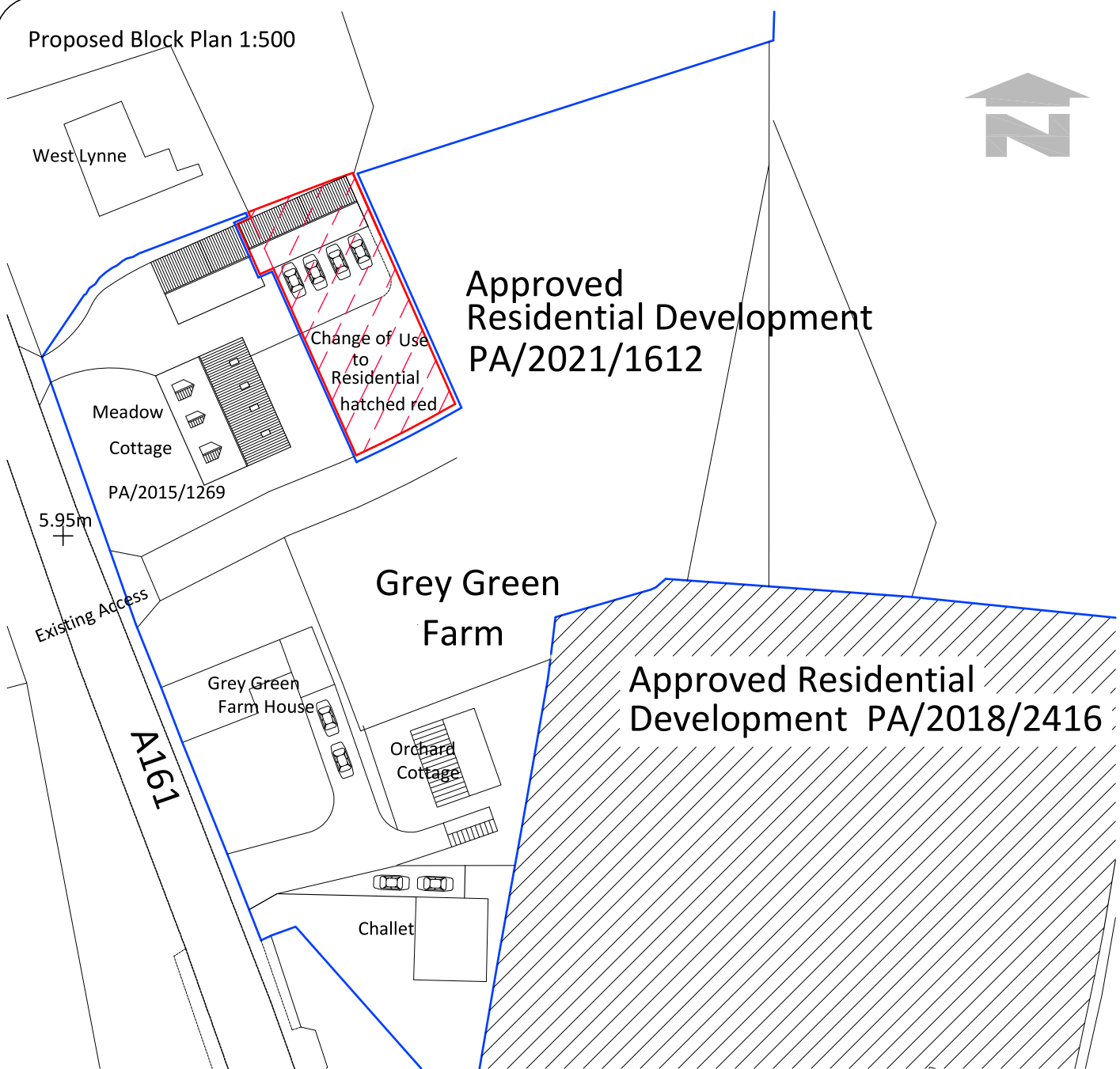
LC14 Isle of Axholme Area of Special Historic Landscape Interest  
Development Boundary

**North  
Lincolnshire  
Council**

**PA/2022/1005**



# PA/2022/1005 Proposed layout (not to scale)



Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN	Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	<b>Client</b>	Mr P Davies		<b>Proposal</b>	4 bay garage extension at Meadow Cottage A161, Belton, Doncaster, DN9 1QQ	
		<b>Date</b>	25/5/22	<b>Dwg No</b>			4 of 4
		<b>Scale</b>	As noted	<b>Ref No</b>			925-22
		<b>Drawing</b>	<b>Location and Block Plans</b>				

