

**APPLICATION NO** PA/2022/1486

**APPLICANT** Mr & Mrs Dave Pottage

**DEVELOPMENT** Planning permission for change of use of existing vacant land attached to former public house and retention of masonry wall and summerhouse

**LOCATION** Milbrook, 185 Scawby Road, Scawby Brook, DN20 9JX

**PARISH** Scawby

**WARD** Ridge

**CASE OFFICER** Jess Hill

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

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

#### **POLICY**

**National Planning Policy Framework:** Section 12 (Achieving well-designed places)

**North Lincolnshire Local Plan:** Policies DS1, DS5, RD2

**North Lincolnshire Core Strategy:** Policies CS1, CS2, CS3, CS5

#### **CONSULTATIONS**

**Highways:** No comments or objections.

**LLFA Drainage:** No response received.

**Environmental Protection:** No comments.

**Recycling/Waste:** No response received.

**Environment Agency:** No response received.

#### **PARISH COUNCIL**

No comments or objections.

#### **PUBLICITY**

A site notice has been displayed. Two objections have been received raising the following concern:

- No requirement for gates given there is no access from the site to the adjacent land.

## **ASSESSMENT**

### **Site location and context**

The site comprises a detached dwelling to the south of Scawby Road, on the south-western edge of Scawby Brook.

The dwelling and garage to the rear of the property are within the development limits of Scawby Brook. The land within which the summer house and wall have been constructed is outside, though adjacent to, the development limits.

### **Planning history**

- 7/1978/0744: Erect a new food preparation room and an extension to a beer store – approved 19 October 1978
- 7A/1984/0342: Consent to display two externally statically illuminated hanging and fascia signs and two internally statically illuminated lantern signs and a statically externally illuminated wall-mounted display sign – approved 26 July 1984
- 7/1985/0004: Erect three houses with associated vehicular access – approved 14 February 1985
- 7/1992/0593: Erect a 12-bedroom motel – refused 17 December 1992
- 7/1993/0150: Erect extensions to existing public house to provide a 12-bedroom motel, family room, dining room and kitchen; also to provide a ground-floor flat and extend first-floor flat – approved 29 April 1993
- PA/1998/0318: Planning permission to erect extensions to existing public house to provide a 12-bedroom motel, family room, dining room and kitchen, also to provide a ground-floor flat and extend first-floor flat (renewal of 7/150/93 dated 29/04/93) – approved 22 June 1998
- PA/2002/1575: Outline planning permission to demolish existing public house and erect six detached dwellings and garage with associated access road (siting and means of access not reserved for subsequent approval) – refused 7 February 2003
- PA/2003/1870: Outline planning permission to demolish existing public house and erect four detached dwellings (re-submission of PA/2002/1575, refused 07/02/2003) – approved 10 February 2004
- PA/2005/1722: Planning permission to erect detached dwelling and garage – approved 25 November 2005
- PA/2006/1134: Planning permission to amend garage type previously approved under PA/2005/1722 dated 25/11/05 – approved 21 August 2006.

### **Designations/constraints**

The southern part of the site is outside the development limits of Scawby Brook.

Not within a conservation area and there are no listed buildings on or next to the site.

Within SFRA Flood Zone 1.

## **Proposal**

The application seeks consent to change the use of existing vacant land attached to a former public house and to retain a masonry wall and summer house.

### **The following considerations are relevant to this proposal:**

- **principle of development**
- **design and appearance**
- **residential amenity.**

### **Principle of development**

Householder alterations are acceptable in principle subject to there being no harm to the character and appearance of the property through unsympathetic design or harm to the amenity of neighbouring properties and residential areas.

The site comprises a dwelling and vacant land to the rear of the dwelling that used to be attached to a public house that has now been demolished.

The southern part of the site is outside the development limits of Scawby Brook, whereas the dwelling is within the development limits.

Policy RD2 (Development in the Open Countryside) sets out that development in the countryside is allowed if it is for the 'replacement, alteration or extension of an existing dwelling' (part vii).

The application seeks retrospective permission to change the use of the land to ancillary to the main dwelling and to retain the summer house. It is considered that the development falls within the allowance of part vii of policy RD2.

The principle of development is therefore acceptable.

### **Design and appearance**

Policy DS5 (Residential Extensions) states that proposals should be sympathetic in design, scale and materials.

Policy CS5 (Delivering Quality Design in North Lincolnshire) is also concerned with visual amenity and seeks to achieve quality design in North Lincolnshire.

The summer house is made from timber and measures 4.4 metres by 3.2 metres. The roof is sloped and ranges in height from 2.2 metres to 2.4 metres. As the summer house is less than 2.5 metres high, it would comprise permitted development if constructed within the curtilage of the dwelling.

The boundary wall comprises red facing brickwork that matches the dwelling. The boundary wall includes gates along the eastern boundary of the site. Two objections have been

received from members of the public commenting that the location of the gates is inappropriate as the applicant is not considered to have access to the gates from the land next to the site. Whilst access might not be permitted to the site through these gates, the main access to the site is from the site frontage. There is, therefore, another access to the site and the gates along the western boundary are not relied upon for access. The gates can and do remain closed and as such function as part of the boundary wall. The retention of the gates is therefore considered to be acceptable in this case.

The proposed appearance and materials used in the construction of the summer house and boundary walls are considered to be appropriate. The proposal is therefore in accordance with policies DS5 and CS5.

### **Residential amenity**

Policies DS1 (General Requirements) and DS5 require proposals to be assessed to ensure they would not result in an unacceptable impact or loss of amenity to neighbouring land uses including as a result of the effects of overlooking or overshadowing.

The summer house is located to the rear of the dwelling, approximately 21 metres to the north-east of The Woodlands, and approximately 25 metres to the south-east of 187 Scawby Road. There are, therefore, suitable separation distances between the summer house and neighbouring properties.

The summer house does not result in an unacceptable impact in terms of overshadowing or overlooking. It is therefore considered that the summer house has an acceptable impact on the amenity of neighbouring properties. The proposals therefore accord with policies DS1 and DS5.

### **Conclusion**

The summer house and boundary wall are considered to be appropriate and retrospective consent should be granted.

### **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:

- Amended Site Location Plan - DP/22/01
- Proposed Block Plan - DP/22/02A
- Proposed Summerhouse, Boundary Walling and Gates - DP/22/03.

Reason

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

3.

The materials for the bricks, roof, windows and doors hereby approved for the development shall match those outlined in section 9 of the application form.

Reason

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

**Informative**

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.

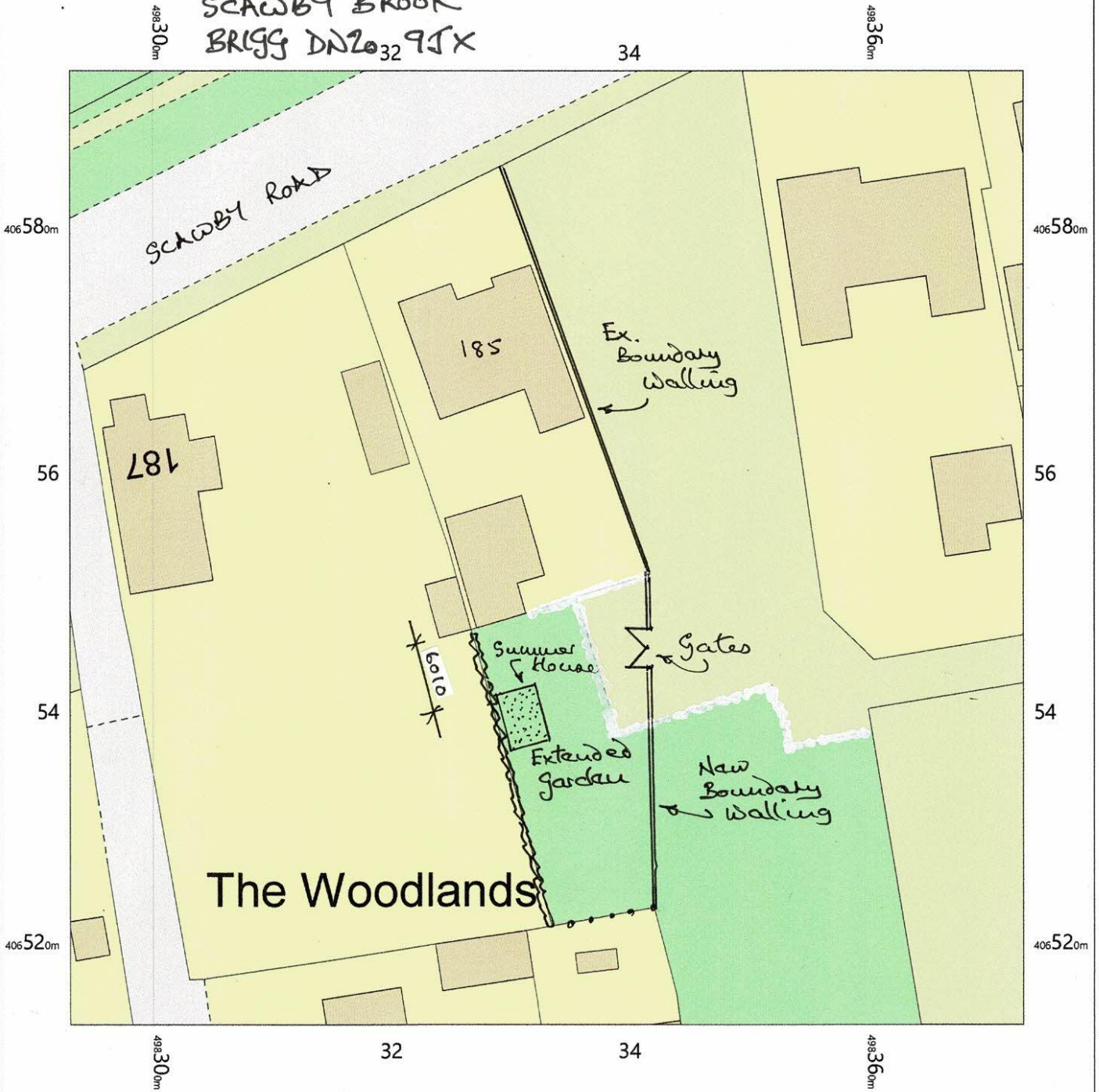


 Development Boundary

**PA/2022/1486**

**North  
Lincolnshire  
Council**

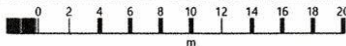
MR & MRS D. POTTAGE  
MILL BROOK  
185 SCAWBY ROAD  
SCAWBY BROOK  
BRIGG DN20 32 9TX



The Woodlands

PROPOSED BLOCK PLAN

DRS. NO. DP/22/02A



Thursday, August 18, 2022, ID: BW1-01056576  
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1:500 scale print at A4, Centre: 498333 E, 406554 N

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