

APPLICATION NO	PA/2022/1626
APPLICANT	Mr Arun Thomas
DEVELOPMENT	Planning permission for a proposed replacement dwelling
LOCATION	Land east of Priesthows Lodge, Butterwick Road, Messingham, DN17 3PL
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from development plan Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: Sections 5 and 12

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

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

Policy H5 (New Housing Development)

Policy LC7 (Landscape Protection)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS17 (Biodiversity)

Policy CS25 (Promoting Sustainable Transport)

New North Lincolnshire Local Plan Submission:

The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are as follows:

RD1: Supporting Sustainable Development in the Countryside

SS1: Presumption in favour of Sustainable Development

SS3: Development Principles

SS6: Spatial Distribution of Housing Sites

SS10: Development Limits

CONSULTATIONS

Highways: No objection, recommend conditions.

LLFA Drainage: No objection, recommend conditions.

Severn Trent Water: The disposal of surface water via soakaways should be considered as the primary method. If this is not practical, then other sustainable methods should be considered. No surface water to enter the foul water system by any means. If the applicant wishes to make a sewer connection then they will be required to make a formal application under Section 106 of the Water Industry Act 1991.

Environmental Protection: A phase 1 report for this site should be submitted. If this is not submitted then the full contaminated land investigation condition is recommended.

PARISH COUNCIL

No objection on the understanding that the replacement dwelling is an extension to the existing footprint.

PUBLICITY

A site notice has been displayed; no responses have been received.

ASSESSMENT

The application site consists of a detached bungalow and garage located outside the defined settlement boundary for Messingham, near Catchwater Crossroads where Butterwick Road intersects North Moor Lane/Road. A detached bungalow approved under a 2015 planning permission has been erected on the site but the dwelling remains uninhabited. The application site extends to some 0.64 hectares (or 6,400 square metres) and is bordered by a dwelling to the west (barn conversion under construction) and a dwelling to the south-west. It is accessed via an existing gated access from Butterwick Road to the south and has substantial hedge planting along its northern, eastern and southern boundaries and a 2-metre-high palisade fence along the western boundary with Priesthows. Planning permission is sought to erect a replacement detached bungalow on the site. The relevant planning history is:

- PA/2010/0227: Planning permission to change the use of land for caravan storage and erect a security fence – refused 05/05/2010
- PA/2013/1006: Planning permission to erect a detached dwelling – approved 15/10/2013
- PA/2015/1362: Planning permission for residential development (one dwelling) (alterations to previously agreed schemes) – approved 23/12/2015
- PA/2017/885: Planning permission to provide a new hawthorn hedge to site perimeter incorporating palisade fencing – approved 31/07/2017
- PA/2016/353: Planning permission to erect a garage to be used in conjunction with the new dwelling – approved 06/05/2016
- PA/2019/1243: Non-material amendment to PA/2015/1362 (change of roof tile) – approved 31/07/2019
- PA/2012/1364: Planning permission for a new vehicular access to a certified touring caravan site – approved 17/01/2013
- PA/2012/0545: Planning permission to erect a three-bedroom detached replacement dwelling including the demolition of the existing detached dwelling – approved 28/02/2013
- PA/2021/1184: Planning permission to erect a detached dwelling – refused 23/09/2021.

The main issues in determining this application are the principle of development (including impact on the character and appearance of the countryside), highway issues, impact on residential amenity, flood risk and drainage, and land contamination.

Principle

This proposal is for the erection of a replacement dwelling on land classed as open countryside. Policy RD2 of the North Lincolnshire Local Plan therefore applies and states that development in the open countryside will be strictly controlled and only permitted for development which is for the replacement, alteration or extension of an existing dwelling. Policy RD10 also applies and states that proposals to replace, extend or alter dwellings in the open countryside will only be permitted provided that:

- (i) 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;...
- (iii) all new construction is of a high standard of design and in particular reflects the architecture of the building and/or vernacular styles in the locality; and
- (iv) the appearance or use of the dwelling as replaced, extended or altered will not adversely affect the amenity of local residents or the appearance of the locality.

A previous application for a replacement dwelling on this site (PA/2021/1184) was partly refused on the grounds that the applicant failed to demonstrate that planning permission is still in place (extant) from the 2015 planning permission for a dwelling to exist on this site. The design and access statement submitted with this current planning application states that Building Control has granted Building Regulations Approval under FP/2018/301, and from the supporting photographs and the case officer's site visit it is evident that a dwelling exists on the site. On this basis, it is considered that an extant permission for a detached bungalow is in place and a replacement dwelling can be assessed in that regard.

The application is supported by a plan which sets out a full assessment of the volume to be created by the replacement dwelling and a separate email. The supporting information states the following in terms of volume calculations:

- The existing dwelling is 896 cubic metres plus 20% additional volume which gives 1,075.2 cubic metres.
- Ordinarily, if permitted development rights were exercised (without being removed via a previous planning permission), this could be increased to an overall volume of 1,831 cubic metres to the existing dwelling.
- The volume of the replacement dwelling is 2,398 cubic metres.

The proposal would result in a dwelling 57% larger in volume than the existing property at a similar height. Whilst the replacement dwelling results in a substantially larger property (in terms of volume and built footprint), it will not be highly visible in the rural landscape owing to surrounding screening in the form of a mature hedge along the boundaries and the single-storey height of the dwelling. Consequently, the proposal is not considered to amount to a significant departure from local plan policy.

The existing property is a traditional detached bungalow constructed from a red brick and a grey concrete tile, with a single-storey detached double garage to the rear. The existing dwelling, except for the projecting gable feature to the principal elevation, has little or no defining details of interest: it is of traditional design, scale and materials of construction. The existing dwelling has its principal gables facing east and west; the proposal is to introduce a replacement dwelling which will respect the siting and orientation of the existing bungalow on the site. Whilst it is noted the replacement dwelling will extend further into the site to the north, the plans clearly show the position of the new dwelling will overlap with the existing dwelling and its outbuilding to the rear and its principal elevation will address the public highway (Butterwick Road) to the south. The replacement dwelling therefore respects the siting of the existing dwelling and how it responds to its surroundings. The replacement dwelling will not be substantially higher in its finished ridge height, respects the openness that exists between the existing dwelling and its boundaries/neighbouring properties and is

proportionate to the scale of the site. Given the substantial hedge planting along the boundaries of the site, views of the proposed replacement dwelling will be restricted and limited to when a person is level with the vehicular access which offers views into the site. Furthermore, the dwelling will not be viewed in isolation in the countryside – it will be viewed against the backdrop of a barn conversion and its associated outbuilding to the west.

The replacement dwelling has been designed with its principal elevation facing south towards Butterwick Road and the existing vehicular access. The replacement dwelling has a balanced appearance to its principal elevation with rooflights in vertical alignment with ground-floor openings. To add some visual interest, it is proposed to have two projecting gables to the front elevation facing Butterwick Road: these are at varying ridge heights to add further visual interest and the inclusion of the projecting gable to the main dwelling is reflective of the appearance of the bungalow it is proposed to replace. Each of the elevations and roof slopes will be broken up by a mix of windows, door openings, garage doors, solar panels and rooflights. Details of the proposed external materials of construction have been submitted as shown on the supporting drawings: these include a mix of red brick, off-white rendered sections and vertical cedar cladding to the walls, and an interlocking slate roof tile. These materials are broadly consistent with the appearance of the existing dwelling and with the dwelling under construction on the neighbouring site. It is worth noting a different timber finish is proposed to the projecting gable to the front of the dwelling. This, together with the large feature window and entrance porch, is considered to add visual interest to the principal elevation.

In conclusion, whilst the proposal is larger in its built footprint and would be closer to the public highway than the existing dwelling, it is considered that the replacement dwelling presents an opportunity to provide residential development which is of a high standard of design, which responds to its rural surroundings and doesn't result in an alien or discordant feature in the countryside. The principle of a replacement dwelling in this rural location is considered acceptable in this case.

Highway issues

The proposal shows the existing gated vehicular access from Butterwick Road to the south is to be utilised which will provide level access to a triple garage to the front and off-street parking for a minimum of four vehicles together with a turning space. The site is afforded sufficient visibility in both directions along Butterwick Road and no improvements are needed to the existing site access. Highways have considered the proposals and raise no objections on grounds of any impact on highway or pedestrian safety. To this end conditions are recommended by Highways requiring measures to be taken to ensure no loose material is deposited on the highway (a gravel driveway is proposed) and the parking, access and turning areas to be completed prior to the dwelling being occupied.

Flood risk and drainage

The site lies in flood zone 1 and therefore has a lower risk of flooding; there is no requirement for a flood risk assessment to be submitted for consideration by the local planning authority. Conditions are also recommended by LLFA Drainage requiring details to be submitted of the method of preventing surface water run-off from the site into the highway and from the highway into the site; such conditions are considered to be both reasonable and necessary in this case.

In respect of drainage matters Severn Trent has commented that surface water should be directed via soakaways as the primary method of disposal, and that if this is not practical then other alternative methods should be explored. The proposed method of surface water drainage disposal is via soakaways; this is considered acceptable in this location. In respect of foul drainage disposal Severn Trent has commented that any connection or re-connection to the public sewer should be made via an application to them under Section 106 of the Water Industry Act 1991. The planning application form states an intention to connect to the mains sewer as the means of foul drainage disposal, therefore an application will be required with Severn Trent to facilitate this.

Residential amenity

The proposal is not considered to result in loss of residential amenity in this case. The applicant will retain a significant amount of private amenity space around the replacement dwelling and will have a minimum of three off-street parking spaces to the front, together with an area for turning vehicles. The plans show the replacement dwelling will be set in from the side boundaries at distances of 7.3 metres to the west and 8.69 metres; this provides sufficient separation from the dwelling under construction/conversion to the west and allows for pedestrian circulation space to the sides of the dwelling. It is therefore considered that the proposal would be in accordance with policy DS1 of the North Lincolnshire Local Plan.

Given the scale of the replacement dwelling under consideration (the increase in floorspace compared to the existing dwelling it is proposed to replace) and the location of the dwelling in the open countryside, it is considered necessary to remove permitted development rights to extend or alter the replacement dwelling in this case.

Land contamination

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

Environmental Protection has reviewed the submission and recommends a phase 1 site investigation, including remediation and verification reports, be submitted to and agreed with the local planning authority, the remediation strategy being prior to works commencing. In considering this request it is worth noting that a dwelling with garden space to the rear has been approved and constructed on this site and therefore the risk of contamination on this site has already been considered. In addition, the replacement dwelling is proposed on the footprint of the existing house and garage on the site and on this basis it is considered the condition recommended by Environmental Protection is neither reasonable or necessary in this case.

Conclusion

This proposal is for a replacement dwelling in the countryside whereby the new dwelling proposes a sizeable increase in the volume being created; however, the plans show that the replacement dwelling presents an opportunity to provide residential development which is of a high standard of design, which responds to its rural surroundings, is not significantly higher in elevation and doesn't result in an alien or discordant feature in the countryside. The proposal is therefore considered to be broadly compliant with policy RD10 of the North

Lincolnshire Local Plan. In addition, the proposal is considered to have sufficient provision for off-street parking and private amenity space and is located on the built footprint of the dwelling it is proposed to replace. The proposal is not considered to be detrimental to highway safety or residential amenity and as such it is recommended for approval.

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:

880-A3-001A

880-A3-002A

880-A3-003

880-A3-004

880-A3-005

880-A3-006

880-A3-006

880-A3-009

880-A3-011

880-A3-012

880-A3-013

880-A3-014

880-A3-015

880-A3-016

880-A3-017

880-A3-018

880-A3-019.

Reason

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

3.

No loose material shall be placed on any driveway or parking area within 10 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.

4.

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.

5.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

6.

No above-ground works shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

7.

Notwithstanding the provision of classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015, or any order revoking and re-enacting that order with or without modification, no extensions shall be made to the dwelling or outbuildings erected on the site other than those authorised by this permission.

Reason

To define the terms of the permission, to take into account the scale and size of the replacement dwelling already permitted and to ensure that the replacement dwelling 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 1

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

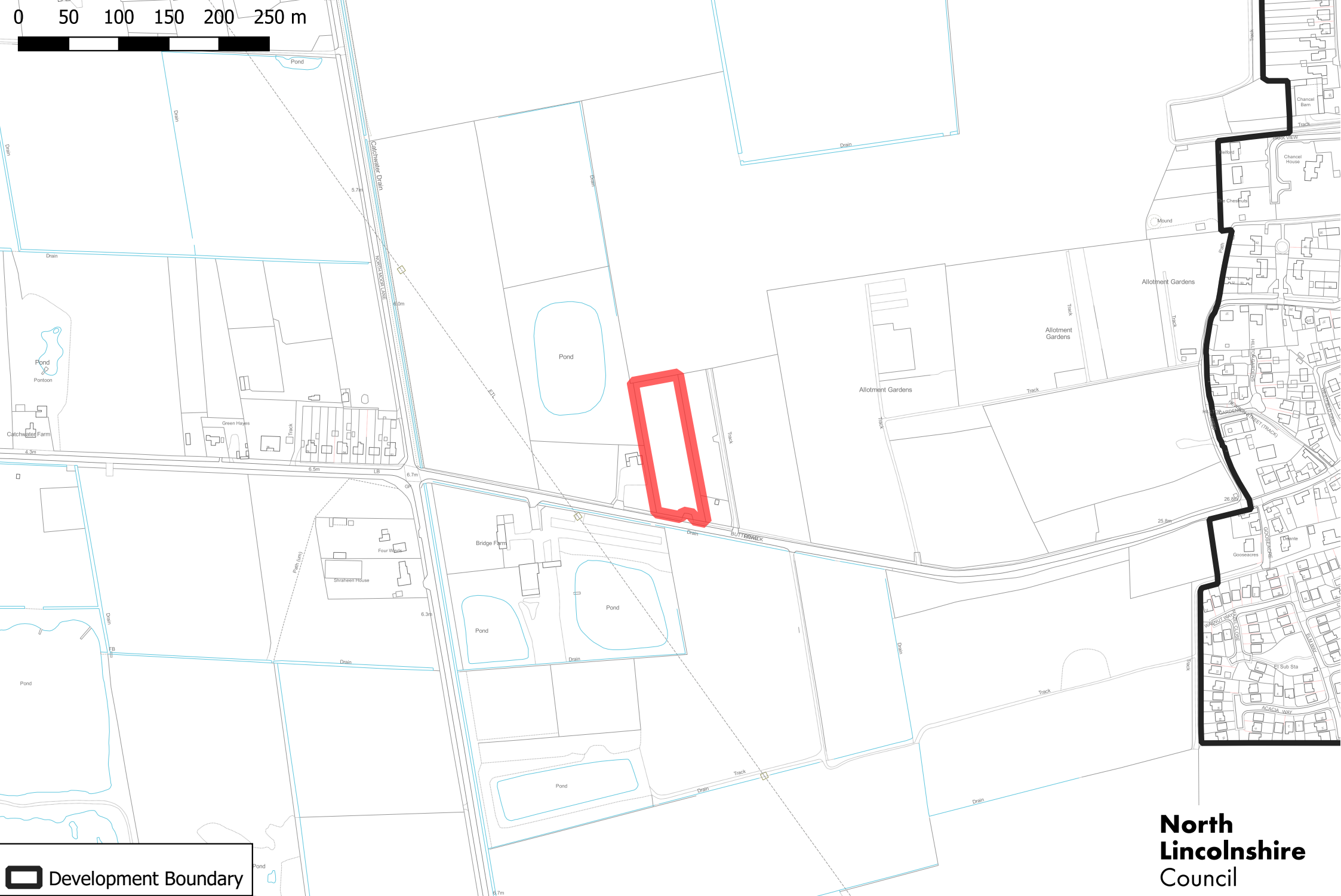
Informative 2

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 3

LLFA Drainage suggest you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.

0 50 100 150 200 250 m



 Development Boundary

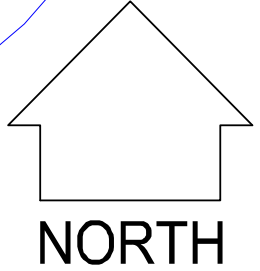
**North
Lincolnshire
Council**

PA/2022/1626

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PA/2022/1626 Proposed layout (not to scale)

Site - Priesthows Lodge,
Butterwick Road,
Messingham DN17 3PL
Area 0.643 Hectares



Site boundary powder coated green metal palisade fencing to perimeter

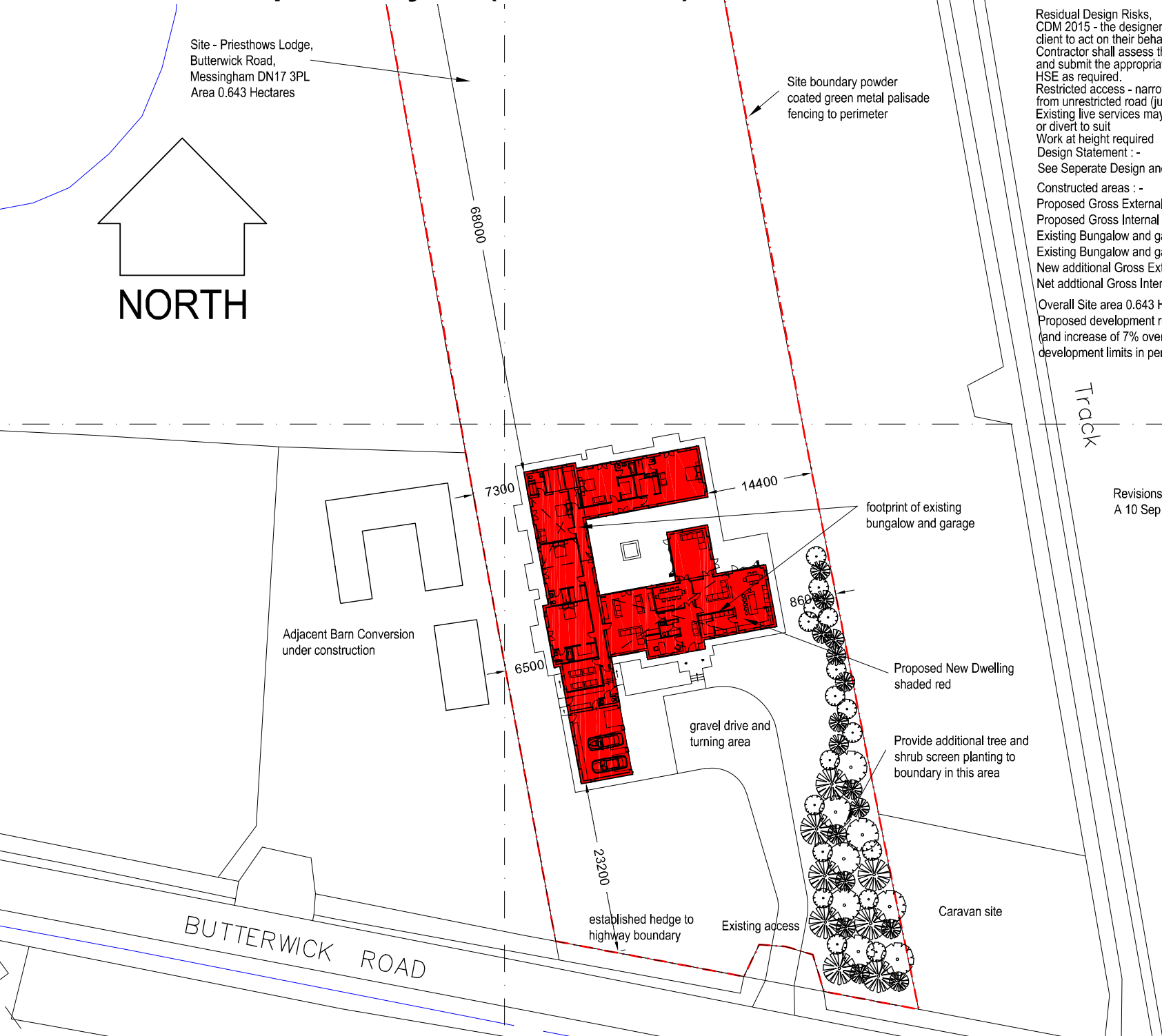
Residual Design Risks,
CDM 2015 - the designer has NOT been appointed by the client to act on their behalf under CDM 2015 (Principal) Contractor shall assess the works and the proposed duration and submit the appropriate notification (Form F10) to the HSE as required.
Restricted access - narrow unmade access route onto site from unrestricted road (just outside 40mph limit signs)
Existing live services may be present, locate protect isolate or divert to suit
Work at height required
Design Statement :-
See Seperate Design and Access Statement Document

Constructed areas :-

Proposed Gross External Area	678.2 sq m
Proposed Gross Internal Area	610.8 sq m
Existing Bungalow and garage Gross External Area	224.0 sq m
Existing Bungalow and garage Gross Internal Area	207.3 sq m
New additional Gross External Area	454.2 sq m
Net additional Gross Internal Area	403.5 sq m

Overall Site area 0.643 Hectares
Proposed development represents a density of 10.5% of site area (and increase of 7% over the existing and well within the 50% site development limits in permitted development guidance)

Revisions :-
A 10 Sep 2022 Site boundary amended for Planners



39, Hawthorn Road, Lincoln, LN2 4QX
John Haynes
 Architectural Design
 Project: Proposed Dwelling, Priesthows Lodge, Butterwick Road, Messingham DN17 3PL
 Drawing: Block Plan as Proposed
 Client: Pr & Mrs A. Thomas
 Drawing No: 880-A3-002A
 Scale: 1:500 @A3
 Date: August 2022

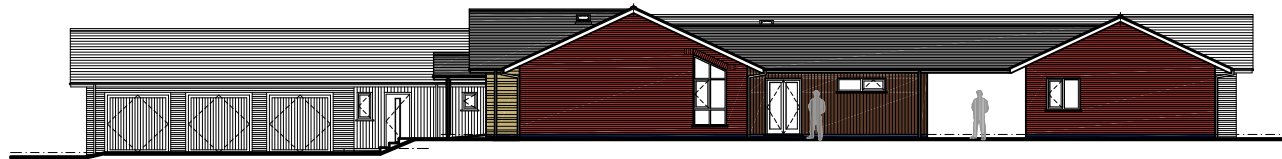


PA/2022/1626 Proposed elevations (not to scale)



Front (South) Elevation 1:200

photovoltaics to south facing roof
 ramped approach
 feature window
 feature stone gable
 stepped approach



Side (East) Elevation 1:200

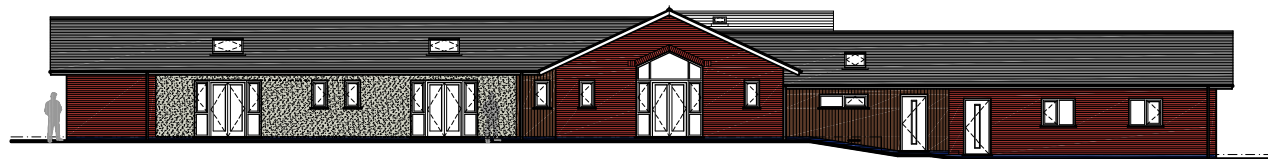
feature window
 access to courtyard area



Rear (North) Elevation 1:200

bifold doors

Proposed Materials :-
 Roof - Redland interlocking Cambrian resin slate (colour slate grey) or similar suitable for 25 degree pitch complete with integral low profile solar photovoltaic panels and Velux low profile rooflights and sunpipes as shown. Angled ridge tiles
 Eaves and rainwater goods - half round black upvc gutters to round black upvc downpipes on 600mm projection deep overhanging eaves, self coloured upvc fascia and soffits, 600mm overhanging verges and barge boards on gable ladders
 Walls - Mass of building broken up as shown by mixture of red rustic facing brickwork / off white lightly textured self coloured high performance render / natural cedar vertical boarding with feature front elevation gable of Goldholme natural sawn on bed limestone (150 / 125 / 100 / 75 random coursing) all in lime mortar and all over dark blue smooth faced engineering brickwork splash courses
 Windows - self coloured upvc double / triple glazed solar control glass as appropriate
 Doors - self coloured composite / upvc double / triple glazed personnel doors, powder coated aluminium bifold patio doors, self finished self coloured up and over garage doors
 Externally - provide perimeter pathways and patio areas as shown, materials and finishes to clients choice, driveway to be predominantly self draining gravel on hardcore with 6m wide apron in front of garage doors of permeable block paving as accessible surface (stepped and ramped access to level threshold to principal entrance door)
 Site fences dark green metal palisade fencing to perimeter to remain, galvanised metal gates replaced with feature gates to clients choice.
 Boundary hedge to Butterwick Road to remain, landscaping to south-east corner of site enhanced as shelter belt



Side (West) Elevation 1:200

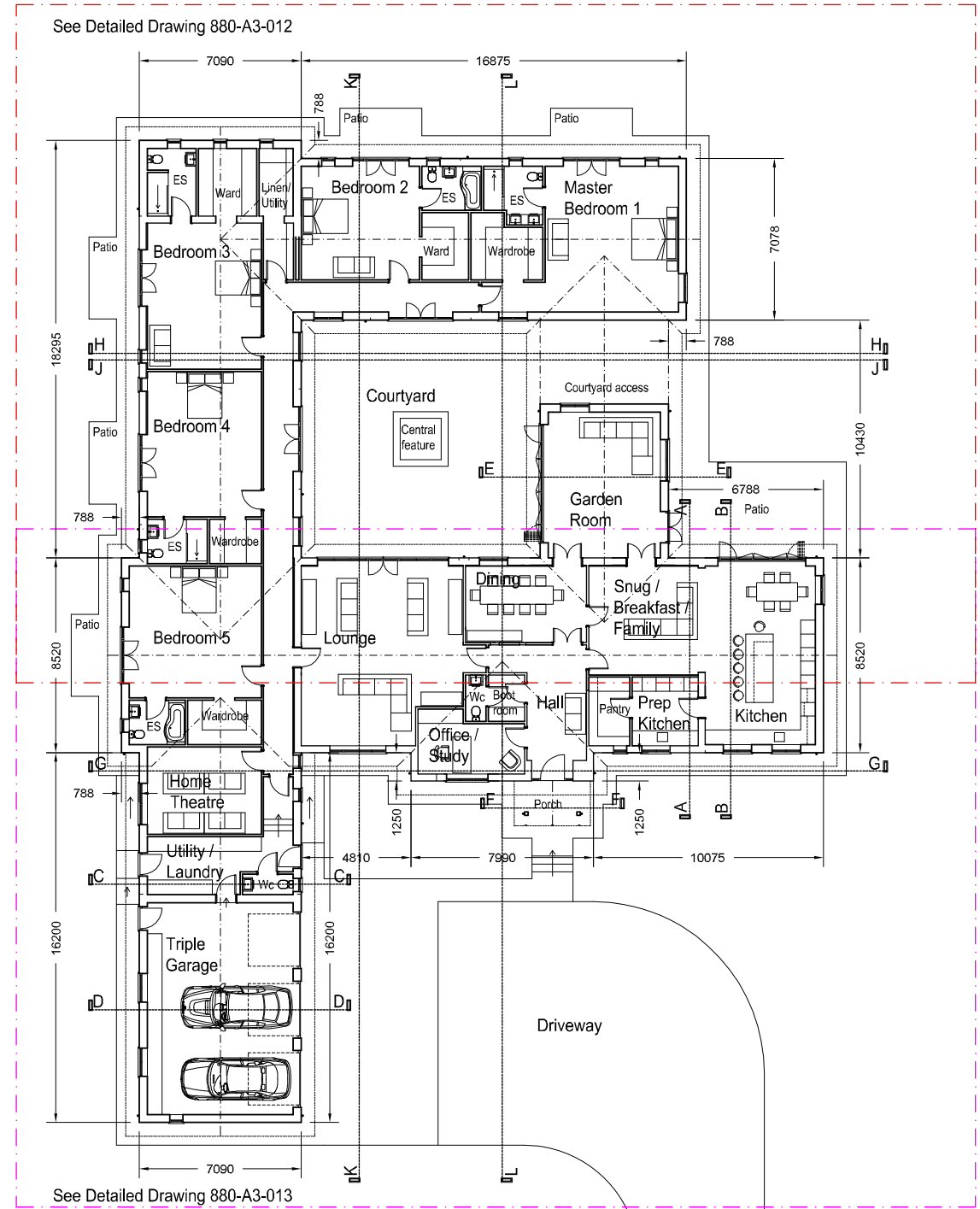
feature window

General Arrangement Elevations as Proposed 1:200

Project: Proposed Dwelling, Priesthows Lodge, Butterwick Road, Messingham DN21 3PL
 Drawing: Elevations General Arrangement Plan
 Client: Mr & Mrs A. Thomas
 Drawing No: 880-A3-011
 Scale: 1:200 @A3
 Date: August 2022
 Architect: John Haynes
 32, Hawthorn Road, Lincoln, LN2 4QX
 www.john-haynes-design.co.uk

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56

PA/2022/1626 Proposed floor plan (not to scale)



Ground Floor General Arrangement Plan as Proposed 1:200

Project: Proposed Dwelling, Priesthows Lodge, Butterwick Road, Messingham DN21 3PL
 Drawing: Ground Floor General Arrangement Plan
 Client: Mr & Mrs A. Thomas
 Drawing No: 880-A3-008
 Scale: 1:200 @A3
 Date: August 2022
 Architect: John Haynes
 Architectural Design
 39, Hawthorn Road, Lincoln LN2 4OX
 www.johnhaynes-design.co.uk

