

**APPLICATION NO** PA/2023/1719

**APPLICANT** Modernistiq (Harrogate) Ltd

**DEVELOPMENT** Planning permission to vary condition 1 of PA/2020/1413 (reserved matters) namely to amend the red line boundary and remove two visitor spaces

**LOCATION** Garage, 123 Westgate Road, Westgate, Belton, DN9 1PY

**PARISH** BELTON

**WARD** Axholme South

**CASE OFFICER** Matthew Gillyon

**SUMMARY RECOMMENDATION** **Approve with conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Belton Parish Council

**POLICIES**

**National Planning Policy Framework:**

- 11 Making effective use of land
- 12 Achieving well-designed and beautiful places

**North Lincolnshire Local Plan:**

- H5 New housing development
- RD2 Development in the open countryside
- T2 Access to the development
- T19 Car parking provision and standards
- LC14 Area of special historic landscape interest
- DS1 General requirements
- DS16 Flood risk

**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

CS19 Flood risk

### **Housing and Employment Land Allocations Development Plan:**

PS1 Presumption in favour of sustainable development

Settlement Inset Map 8 – Belton, Westgate and Carrhouse

**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 late 2024.

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:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

RD1 Supporting sustainable development in the countryside

DQE5 Managing flood risk

DM1 General requirement

### **CONSULTATIONS**

**Highways:** No objections to the amendment of the red line boundary or the removal of the two visitor spaces. However, they will need to amend the Section 38 drawing for this development to reflect this.

**LLFA Drainage:** No objections to or comments on this application but the developer needs to be mindful that we have a current holding objection to the proposed surface water drainage design to discharge conditions for PA/2022/364.

### **PARISH COUNCIL**

Objects to this application to vary the condition of planning application PA/2020/1413. The councillors wish to point out that the parking was needed for the original application and there is no justification to the removal of parking spaces. Parking is already taking place on the road outside the site on a road that is already very busy.

### **PUBLICITY**

A site notice has been displayed – no comments have been received.

## ASSESSMENT

### Planning history

- PA/2017/1975: Outline planning permission to erect up to 23 dwellings with appearance, landscaping, layout and scale reserved for subsequent approval – refused 14/12/2018 , appeal allowed 11/03/2020
- PA/2020/1413: Application for approval of reserved matters following outline planning permission PA/2017/1975 dated 11/03/2020 for the erection of up to 23 dwellings, namely appearance, landscaping, layout and scale – approved with conditions 28/01/2021
- PA/2020/2028: Application for the modification of planning obligations attached to PA/2017/1975 – approved 23/11/2021
- PA/2021/1130: Application for a non-material amendment to PA/2020/1413 namely to increase eaves and ridge heights of house type 3 by 310mm and change plots 4 and 7 from house type 2 to house type 3 – approved with conditions 29/07/2021
- PA/2022/364: Planning permission to make alterations to existing building to form a four-bedroom dwelling, including part demolition – approved with conditions 05/05/2022

### Site constraints

Outside the development boundary of Belton, Westgate and Carrhouse

LC14 Area of Special Historic Landscape Interest

SFRA Flood Zone 1

### The site and proposal

Following an appeal, the site was granted outline planning permission for 23 dwellings under application PA/2017/1975; this granted outline permission and defined the red line boundary for the development which was set around the garage on Westgate Road. Subsequently, a reserved matters application (PA/2020/1413) was approved which finalised the layout of the site and included five visitor car parking spaces: three at the back of the site and two at the top of the site adjacent to the garage on Westgate Road. This application is to vary condition 1 of the approval of reserved matters and looks to amend the red line boundary of the development and remove the two visitor spaces at the top of the site in order to accommodate the redevelopment of the garage on Westgate Road.

**The main issue in determining this application is whether the variation of condition 1 of PA/2020/1413 is acceptable.**

Condition 1 reads:

The development hereby permitted shall be carried out in accordance with the following approved plans: 3172-DEN-X-XX-DR-A-1002; 3172-DEN-X-XX-DR-A-1003; CE-WR-1762-DW01-V1.2; 3172-DEN-X-XX-DR-A-2010; 3172-DEN-X-XX-DR-A-2001; 3172-DEN-X-XX-

DR-A-2002; 3172-DEN-X-XX-DR-A-2004; 3172-DEN-X-XX-DR-A-2003; 3172-DEN-X-XX-DR-A-2005; 3172-DEN-X-XX-DR-A-2006; 3172-DEN-X-XX-DR-A-2007; 3172-DEN-X-XX-DR-A-2008; 3172-DEN-X-XX-DR-A-1000; 3172-DEN-X-XX-DR-A-4000; 3172-DEN-X-XX-DR-A-2009.

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

The applicant seeks to vary condition 1 to alter the red line boundary and remove the two visitors' spaces at the top of the development. The red line boundary and visitor parking spaces are proposed to be altered to allow for the dwelling approved under PA/2022/364 to utilise this land for an access point, a detached garage and associated boundary treatment.

The highways team has commented that they have no objections to the amendment of the boundary or the removal of the two visitor spaces, but that they will need to amend the Section 38 drawing for this development to reflect the change. The Section 38 agreement has been submitted and approved which removes the legal obligation to provide these two visitor parking spaces. It is considered that the applicant has addressed the legal requirement to provide these spaces as informed by the highways team. The site will still provide three visitor spaces on the site, and there is on-street parking along Horseshoe Close for anyone visiting the development.

The concerns raised by the parish council are acknowledged – that parking was agreed under the original plans and there is no justification to remove the parking spaces, noting that parking is already taking place on Westgate Road. The legal requirement to provide these two visitor parking spaces has now been agreed, with the highways team having no objection to their removal and amendment of the red line boundary. Whilst displaying the site notice for the application it was noted that vehicles were parked along Horseshoe Close, with no observed excess on-street parking along Westgate Road; this would have been flagged when the highways team commented on the application. The proposal will remove two of the five visitor car parking spaces previously approved but it is considered that their removal will have limited impact on amenity, three spaces still being provided along with available on-street parking along Horseshoe Close.

The LLFA Drainage team has also confirmed that they have no objection to the proposal, the comment regarding the surface water drainage design for the dwelling being a separate planning matter that would not be considered by this application.

The site notice was displayed on Westgate Road and Horseshoe Close with no comments received regarding the removal of the visitor spaces and amendment to the red line boundary.

In conclusion, the variation of condition for the amendment to the red line boundary and removal of two visitor spaces is considered to be acceptable. The application is therefore recommended for approval.

**RECOMMENDATION      Grant approval subject to the following condition:**

1.  
The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Site Plan Drawing No. 1103 Oct 2023.

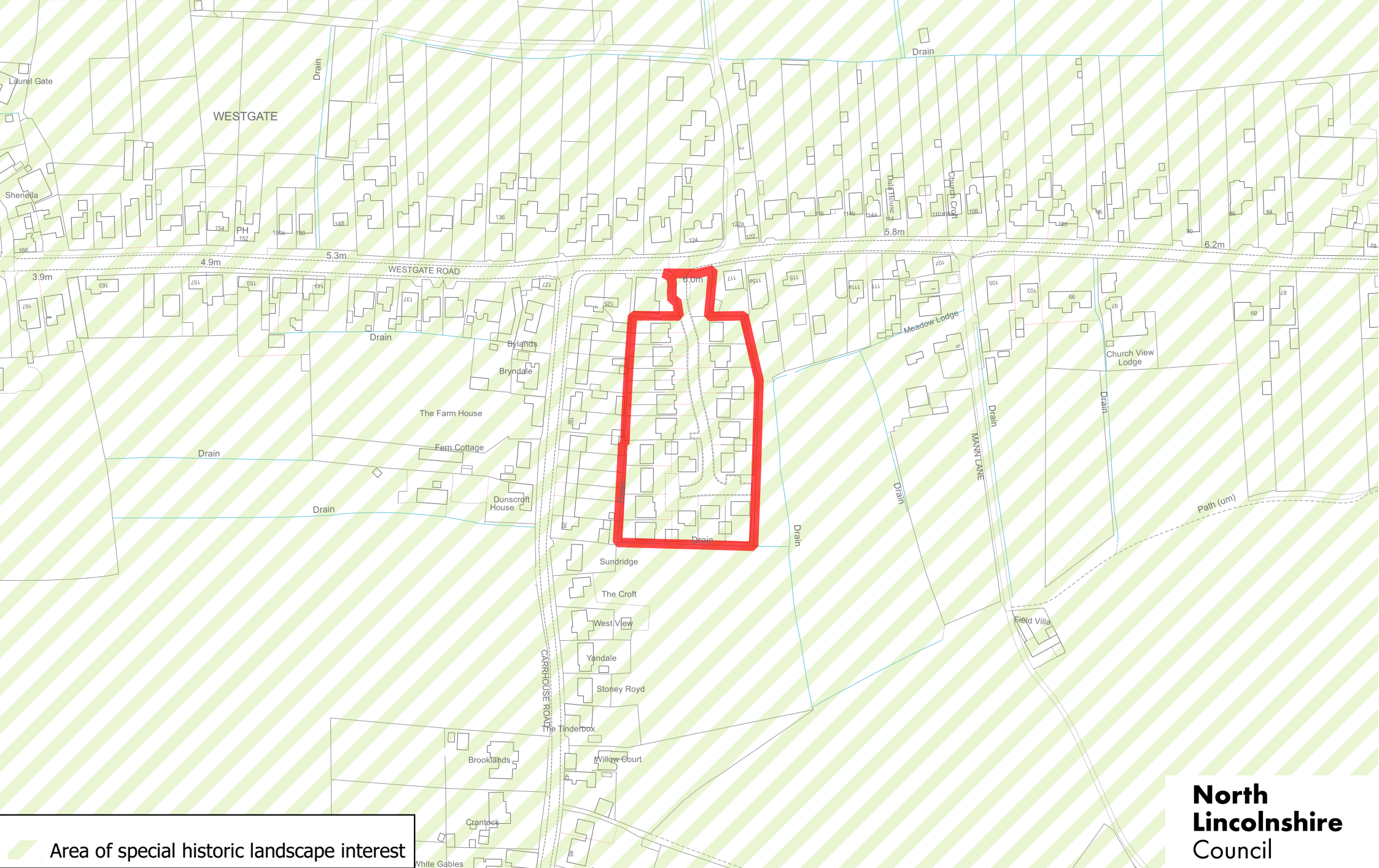
**Reason**

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.

0 50 100 150 200 250 m



Area of special historic landscape interest

**North  
Lincolnshire  
Council**

**PA/2023/1719**

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# PA/2023/1719 Proposed layout (not to scale)



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**Northpoint:**

Rev	Date	Amendment	By	CHK

**Notes:**



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**Project:**  
 Proposed Dwelling  
 Westgate Road, Belton

**Client:**  
 Modernistiq (Harrrogate) Ltd

**Title:**  
 Proposed Site Plan

Date	Scale	Size	Drawn	Checked
Oct 2023	1/250	A1	ADP	


Project No	Draw No	Rev	Status
3172	1103	-	Planning

**AMENDED**

C:\Users\den\OneDrive - Den Architecture Ltd\Documents\PA/2023/1719 Westgate Road, Belton\03\_00  
 Proposed Residential Development, Westgate Road, Belton

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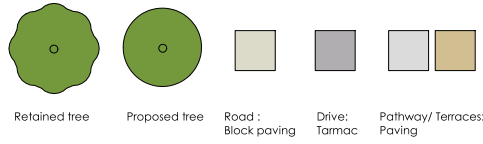
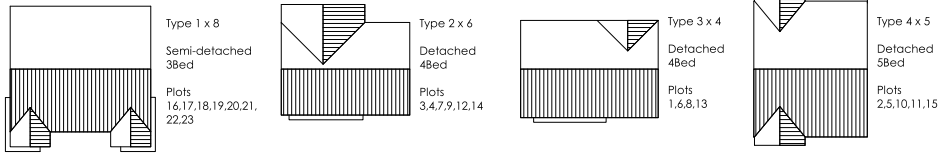
Northpoint:



Rev	Date	Amendments	By	Chkd
A	10/09/20	Road extended to site boundary to provide maintenance access to adjacent field	LD	ADP
B	22/09/20	Plot 1 position updated	LD	ADP



Road extended to site boundary to provide maintenance access to adjacent field



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Client:  
**Modernistq (Harrgate) Ltd**

Dwg Title:  
**Proposed Site Plan**

Date: July 20	Scale: 1 : 200	Drawn: LD	Checked: ADP
Project No: 3172	Site: A1	Status: Planning	
Drawing Number: 3172-DEN-X-XX-DR-A-1002			Revision: B

For landscape:  
 Refer to the Detailed Landscape  
 scheme by Crestwood Environmental Ltd