

DELEGATED ASSESSMENT

Application no: PA/2025/680

Proposal: Planning permission to vary condition 1 of PA/2023/56 (Approval of reserved matters dated 27/09/2023 namely to undertake external alterations to all plots and changes to the approved landscaping scheme)

Location: Land to South of King Edward Street, Belton

Applicant: Mr Waqar Ahmad, Grosvenor (House Builders) Ltd

Officer: Scott Jackson

POLICIES

Local Plan:

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

Policy HE9 (Archaeology)

Policy H5 (New Housing Development)

Policy H8 (Housing Design and Housing Mix)

Policy H10 (Public Open Space Provision in New Housing Development)

Policy LC5 (Species Protection)

Policy LC6 (Habitat Creation)

Policy LC11 (Areas of Amenity Importance)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS5 (Delivering Quality design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS17 (Biodiversity)

Policy CS19 (Flood risk)

NPPF: Sections 5, 12, 14 and 16

CONSULTATIONS

Highways: Highways have no objections to varying condition 1 as the proposal is to revise the planting and landscaping details

LLFA Drainage: We, the Lead Local Flood Authority (LLFA) acting on behalf of North Lincolnshire Council have reviewed the application to vary condition 1 of PA/2023/56 (Approval of Reserved Matters dated 27/09/2023 namely to undertake external alterations to all Plots and changes to the approved landscaping scheme and are supportive of the variation of this condition.

Additional comments received on 06/10/25: The proposed changes to the development will have had an adverse impact on impermeable areas. As such there will need to be alterations made to any drainage proposals which are still in place under conditions 17 and 18.

The LLFA has no concerns regarding these changes at present.

Trees: No further comments to make regarding the changes to the approved landscape scheme, it remains acceptable.

Isle of Axholme and North Nottinghamshire Water Level Management Board: No objection, comments made in relation to Board maintained assets, the circumstances under which consent is required, suitability of soakaways, surface water disposal and maintenance.

Ecology: The LC11 buffer has been reinstated from the initial planning permission, and details have been provided regarding the management company to be used to manage the LC11 buffer. With the awareness of Condition 23 attached to the outline permission (PA/2021/30) preventing additional development into the LC11 buffer, I will accept this information to resolve my concern regarding the LC11 buffer.

I would remind the applicant that Biodiversity Net Gain must be secured for 30 years on-site and may be subject to monitoring visits by the LPA over the next 30 years to ensure correct delivery of the interventions to provide the required >10% uplift. I would also like to remind the applicant of the pre-commencement condition regarding Japanese Knotweed eradication that has not yet been discharged, despite the development commencing.

This needs to be resolved suitably to prevent the spreading of a highly invasive, non-native species before the dwellings become occupied and the issue gets inherited by the future homeowners.

PARISH/TOWN COUNCIL: No response received.

PUBLICITY: Site notices were displayed; 9 letters of objection have been received (5 from the same objector) raising the following issues:

- There is going to be considerable light and noise pollution from the houses and this could impact wildlife
- The existing trees need to be protected along the eastern side of the boundary
- There are 2 balconies on plot 2 and this results in overlooking
- The houses are overbearing and the objector's garden is overlooked
- The distances of plots 1 and 2 from the eastern boundary are questioned
- The houses have been constructed closer to the eastern boundary
- Soil has been removed from the eastern boundary and needs to be reinstated
- The site is covered by Thistle, Ragwort and Japanese Knotweed
- Object to the planting plans for the buffer zone
- The garden sizes to each plot has been increased
- The land within the buffer zone has had soil removed
- By removing the buffer zone it allows for domestic expansion of the gardens into this area
- Significant reduction in the size of the buffer zone and this area should be the same size as been approved
- There is no assurance the LC11 land will be incorporated into the gardens of the plots over time
- No details around the proposed pond and its function and how it will be maintained
- The drainage has not been installed at the correct time
- The construction period has been ongoing for a long period of time
- Impact on existing trees
- The drawings are at different scale so it is difficult to gauge the distances of the dwellings from the boundaries

Planning History

PA/2014/0517 Outline planning permission for residential development of five building plots. Refused 03/10/2014

PA/2015/0200	Outline planning permission for the erection of four dwellings with appearance and scale reserved for subsequent approval Approved with Conditions 08/06/2016
2/1986/0700	Erection of a residential nursing home for the elderly. Refused 16/03/1987
2/1987/0380	Erection of a residential home and a 15 bungalow sheltered housing scheme. Approved 26/10/1987
PA/2021/1136	Outline planning application to erect 5 dwellings with all matters reserved. Approve with Conditions 13/01/2022
PA/2002/1325	Planning permission to erect 10 detached 4-bedroom houses and garages and 4 detached 4-bedroom houses with garages being a substitution of house types approved under planning permission 2/0025/94 dated 02/10/1996 Refused 01/12/2004
2/1994/0025	Erection of 16 houses and 4 bungalows. Approved with Conditions 02/10/1996
PA/2023/56	Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline application PA/2021/1136 dated 18/06/2021 for five dwellings Approved with Conditions 27/09/20

MATERIAL CONSIDERATIONS: The main issue in the determination of this planning application is whether the variation to the plans condition on the reserved matters submission (PA/2023/56) is acceptable.

Background

This is a variation of a condition to a reserved matters submission (PA/2023/56 granted 27/9/23) which is linked to the outline planning application PA/2021/1136 for five dwellings on the site (granted on 13/1/22). It is worth noting that development has commenced on the site (with two dwellings already under construction and up to ridge line at the time of the case officers site visit) and the applicant has submitted a discharge of conditions in relation to the conditions on the outline planning permission; however some conditions have not been formally discharged at this point (for example those relating to eradicate Japanese Knotweed and the submission of a Biodiversity Management Plan).

Variation of condition

This is a variation of condition application which seeks to vary condition 1 of reserved matters submission PA/2023/56 namely to undertake external alterations to all plots and make changes to the approved landscaping scheme. Therefore, these matters will form the basis of this assessment.

Condition 1 (Plans condition)

The plans show that revisions are proposed to each of the plots as follows:

Plot 1- Lowering of the ridge height by 0.2m and increase in the height of the flat roof column feature by a height of 0.4m, removal of both chimneys, re-siting of dwelling 0.5m to the east.

Plot 2- Removal of chimney stack to the side, reduction in ridge height by 0.7m and re-siting of dwelling 0.5m to the east.

Plot 3- Removal of chimney to side of dwelling, reduction in height of central pillar entrance feature, increase in height of feature window in front elevation, balustrade to first floor terrace area to rear. Repositioning of dwelling 0.6m further to the south.

Plot 4- Removal of chimney from both gables to either side of the dwelling, reduction in ridge height of dwelling by 0.2m.

Plot 5- Removal of chimney from side elevation, increase in the width of the stone column features to the front elevation (3 in total), reduction in ridge height of 0.2m.

It is noted there are changes to the ridge height to a number of the dwellings, this is not considered to be significant in the context of the overall development as the reductions are marginal (i.e. between 0.2-0.7m) to 5 large, detached dwellings. The most significant reduction in the ridge height is to plot 2, however the plans show the 2 projecting gable features will continue to abut the ridge line, so there is no visible difference in its design and appearance (when viewed from within the cul-de-sac).

The most notable change is the re-siting of plots 1 and 2 closer to the eastern boundary, this has resulted in potential for greater impact on the trees, reduction in garden space and for potential overlooking. However, the plans also show the separation distance from the nearest points of the rear elevations of plot 1 to the eastern boundary is 13m and from plot 2 it is 11.3m, this is considered sufficient in respect of clearance from the existing line of trees in the garden of Coverdale that mark the eastern boundary. In addition, the plans show that plot 1 will be served by more than 100m² of garden to the area whilst plot 2 will have in excess of 400m²; this is considered sufficient to meet the needs of the future occupants of these dwellings.

In addition, the amended plans show the retention of the LC11 buffer around the outer perimeter of the gardens, which will be delineated by a picket fence with a gated access from each of the respective rear gardens for access and maintenance purposes. The reinstatement of this buffer will allow sufficient protection to the existing trees along the eastern boundary of the site (where the buffer is at its narrowest point), to ensure there is clear demarcation between the gardens and the LC11 buffer and this will also ensure the delivery of a landscaping scheme with tree and shrub planting within the LC11 buffer.

The plans still show the erection of 5 large, detached dwellings positioned in a cul-de-sac arrangement with all dwellings accessed via a private drive from King Edward Street to the north. All the dwellings are detached and the majority, with the exception of plot 2 have 3 dedicated off-street parking spaces to the front (or space for further provision if required) and garden space to the rear with the principal elevations of each dwelling having an outlook onto the cul-de-sac to the front. The plans also show there is sufficient separation distance from the rear elevations of all dwellings to neighbouring properties to avoid overlooking from the rear elevations of

the proposed dwellings. In addition, the separation distances from the plots to the nearest residential property to the north is 30m and 44m, to the west it is a distance of 27m, to the south it is 25m and to the south west it is 23m; these distances are considered sufficient to mitigate the potential for overlooking and for the dwellings and balcony areas to be overlooked.

The applicant has also confirmed the proposed external materials of construction; these are shown to be a uniform pallet of materials across the development site and consist of a Vandersanden Alexia brick (red-multi colour) and a Marquis Natural Slate in Black roof tile, together with black coloured aluminium doors and windows, this is consistent with the materials submitted with the previous reserved matters and will ensure visual assimilation into the street scene.

Landscaping

Landscaping relates to the improvement or protection of the amenities of the site and area, and the surrounding area; this could include planting trees or hedges as screening.

In relation to the specific development proposals the plans have been revised to show a comprehensive planting scheme for the whole site, this includes the provision of tree planting to the front of each dwelling and for tree planting and a wildflower mix within the LC11 buffer which is located around the edge of the development site, this will ensure a softened, green edge around the periphery of the site. In addition, it is considered the scheme of planting proposed within the LC11 buffer zone (which is delineated by a post and rail fence) would achieve biodiversity enhancement consistent with the previous reserved matters approved under PA/2023/56.

Having considered the revised landscaping scheme, which reinstates the LC11 buffer around the edges of the site the Council's Ecologist has removed their previous objection and are satisfied with the details provided around the management of the buffer which is to be undertaken by a management company. The Ecologist has raised no objection the planting scheme proposed within the LC11 buffer but has raised a matter in respect of biodiversity enhancement and the responsibilities of such for a period of 30 years. However, with that in mind, it is worth noting there were no conditions imposed on the outline planning permission which required that biodiversity enhancement/maintenance be secured for 30 years as the original planning permission (i.e. the outline planning permission) pre-dated when BNG came into force in 2024. There was however a condition imposed on the outline planning permission which did secure biodiversity net gain of 1% which would need to be formally discharged.

It is also proposed to introduce a small landscaping strip to either side of the site access together with a small, planted area in the section of the site where the access road interfaces with plots 1 and 5, these areas, together with the respective sections of LC11 buffer which border the rear boundary of each property are the responsibility of all home owners for ongoing maintenance once they are established (i.e. after the first 5 years where the initial maintenance will be undertaken by a management company).

Even with the houses being repositioned closer to the eastern boundary (as set out in the previous section of this report) it is the opinion of the local planning authority the landscape plan submitted with the planning application clearly shows the dwellings are located a sufficient distance from existing trees to ensure they will not be affected by the built aspects of the development proposals, and the landscaping scheme will allow the development to be absorbed into the locality. Furthermore, the plans show the existing trees will be retained along the edges of the site and in conclusion it is considered the proposed landscaping scheme is acceptable and aligns with the relevant paragraphs in the NPPF, policies CS5 of the Core Strategy and policies H5, LC7, LC11 and LC12 of the North Lincolnshire Local Plan.

Other matters

The site has been identified as containing Japanese Knotweed, this is a plant which is a perennial plant which requires a strict and determined regime for its clearance. The Council's Ecologist recommended a condition which was imposed on the outline planning permission (PA/2021/1136) and which requires the complete eradication of this plant from the site prior to any development taking place; this will ensure the development site is then appropriate for residential development to take place.

Planning balance and conclusion

Overall, the proposed variation of the reserved matters scheme, pursuant to reserved matters PA/2023/56, is considered to be acceptable. The application is therefore recommended for approval.

RECOMMENDATION: Grant permission with conditions.