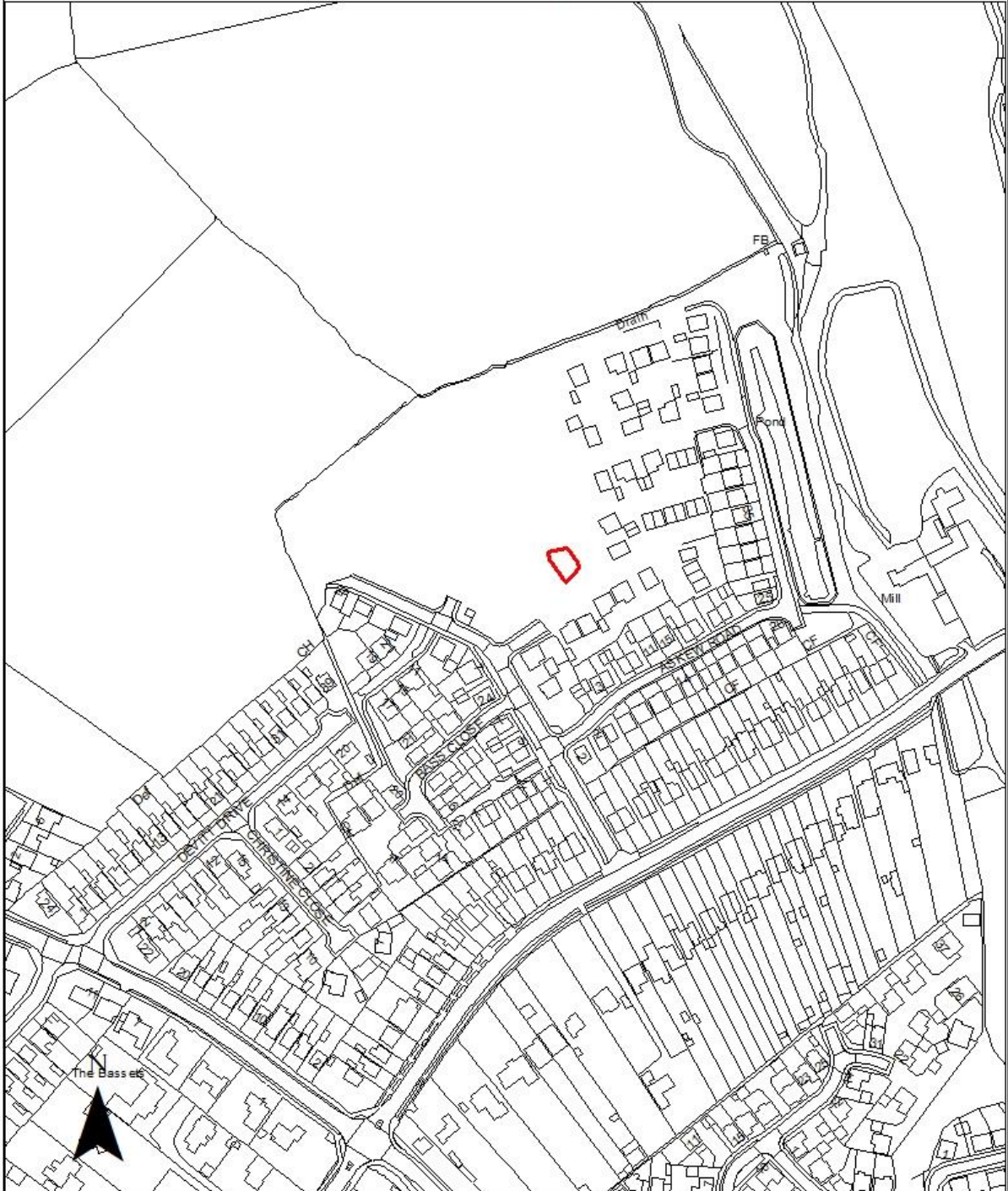




Planning Report for 2019/0880

Planning Reference: 2019/0880
Land North of Papplewick Lane
Linby

1:2,500



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Date: 28/01/2020



Report to Planning Committee

Application Number: 2019/0880

Location: Land North of Papplewick Lane Linby

Proposal: Substitution of house type to plot no. 63

Applicant: Bellway Homes Limited (East Midlands)

Case Officer: Cristina Dinescu

This application has been referred to Planning Committee to accord with the Constitution as a deed of variation amending an existing Section 106 Agreement is required.

1.0 Site Description

- 1.1 The application site relates to Plot 63 which forms part of a large scale major residential development located to the North of Papplewick Lane, which falls within the previously approved 'Land North of Papplewick Lane' development (Planning Reference 2013/1406 – outline, and Planning Reference 2017/0201 – reserved matters) currently under construction.

2.0 Relevant Planning History

- 2.1 2013/1406 – Outline planning permission was granted for demolition of two properties on Papplewick Lane to provide access for a residential development, education provision, public open space and attenuation ponds with access defined and all other matter reserved.
- 2.2 2017/0201 – Reserved Matters approval was granted in relation to appearance, landscaping, layout and scale.
- 2.3 2017/1552 – Planning permission was granted for a detached electricity substation.
- 2.4 2018/1050 – Planning permission was granted for 5 no. plot substitutions to planning permission 2017/0201.

3.0 Proposed Development

- 3.1 Planning permission is sought to substitute the dwelling approved under planning permission 2017/0201 in respect of Plot 63.

- 3.2 The amendments are comprised of:
- smaller open porch;
 - 3 section window replacing a bay window on the front elevation (south);
 - no accommodation in the roof including lower eaves and ridge height and no dormers;
 - smaller central window at first on the front elevation (south);
 - one small window at first floor on the side elevation (east);
 - two additional windows at first floor on the rear elevation (north);
 - three roof lights instead of two on the roof of the single storey element;
 - bi-fold patio doors instead of double door and window at ground floor on the rear elevation (north).
- 3.3 Off-street parking arrangement would remain unchanged – detached double garage and driveway.

4.0 Consultations

- 4.1 Linby Parish Council – No comments received.
- 4.2 The Highways Authority – No objections.
- 4.3 A site notice was posted near the application site – No objections or representations were received as a result.

5.0 Planning Considerations

- 5.1 The principle of the development has already been established through outline approval (2013/1406) and reserved matters approval (2017/0201). This new application relates to Plot 63 of the 237 dwellings approved under the previous permission. This new application effectively amends the house type of Plot 63 from that previously granted.
- 5.2 The main consideration therefore in the determination of this application is the impact of the substitution house type and the layout of this plot on the approved layout together with any potential impact of the dwelling onto neighbouring plots and within the streetscene.
- 5.3 It is considered that the proposed substitution house type to this plot would not impact on key views and vistas within the development and there are no parking or highway safety implications arising. I therefore consider the substitution house type and amended layout would have no adverse impact on the overall streetscene.
- 5.4 It is also considered this proposal would result in an acceptable relationship with the adjacent plots in terms of overbearing, overlooking and overshadowing impacts.
- 5.5 For the reasons set out above, the proposed development accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy LPD 32 of the Local Planning Document.

6.0 Planning Obligations

- 6.1 The application site falls within the wider 'Land North of Papplewick Lane' development which is subject to a Section 106 agreement. The triggers for the obligations are dependent on completion of a specified number of dwellings on the approved development. The proposed development would not alter the number of dwellings; however, the original Section 106 agreement would need to be varied to account for the minor changes highlighted above as the grant of this application would result in a new planning permission being issued for 1 dwelling.

7.0 Recommendation:

- 7.1 **Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2013/1406 with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Junction Mitigation Measures, Public Transport, Travel Plan Monitoring, Educational and Library Facilities, Primary Healthcare, Affordable Housing, Open Space, an Ecology Park; and subject to the following conditions:**

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's PC-0320-200 rev B and BUC/TA/2018//02, received on 17th September 2019. The development shall thereafter be undertaken in accordance with these plans/details.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.

Reasons for Decision

The proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impact on highway safety. The proposed development therefore accords with Policy LPD 32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework 2019.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.