

APPLICATION NO	PA/2011/1537
APPLICANT	Mrs P Grant
DEVELOPMENT	Planning permission to erect a detached house and detached domestic garage and alterations to the access
LOCATION	Land adjoining 22 Silver Street, Winteringham
PARISH	WINTERINGHAM
WARD	Burton Stather and Winterton
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Winteringham Parish Council

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy HE2 (Development in Conservation Areas) – all development proposals in, or which affect the setting of conservation areas should preserve or enhance the character and appearance of the area and its setting. Proposals need to comply with a number of defined design principles.

Policy HE5 (Development Affecting Listed Buildings) – the site is within the setting of a grade II listed building where a high standard of design is expected.

Policy H8 (Housing Design and Housing Mix) – new residential development will be permitted provided that it respects and reflects the form, scale, massing, design, detailing and materials of the local environment.

Policy T2 (Access to Development) – all new development must have a satisfactory access.

Policy DS1 (General Requirements) – provides general design guidance for all new development.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) – the spatial strategy will support thriving rural communities. Rural settlements will be supported as thriving sustainable communities with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS2 (Delivering More Sustainable Development) – development should be focussed on...small-scale developments within the defined development limits of rural settlements to meet identified local needs. All future development in North Lincolnshire will be required to contribute towards achieving sustainable development. Proposals will need to comply with a number of defined sustainable development principles.

Policy CS3 (Development Limits) – development limits will be applied to rural settlements. The proposed dwelling lies within the development limit of Winteringham.

Policy CS5 (Delivering Quality Design in North Lincolnshire) – this policy provides general design guidance for all new development.

Policy CS7 (Overall Housing Provision) – provides general guidance in relation to new housing development. In Winteringham a density of 30 to 35 dwellings per hectare should be achieved.

CONSULTATIONS

Highways: No objections subject to conditions 3 and 4.

PARISH COUNCIL

Object to the proposal on the grounds that the councillors doubt that the dwelling will be within the building line, there would be only one entrance serving the three dwellings and the plans show wooden fencing but all other buildings in the area have stone walls.

PUBLICITY

Neighbouring properties have been notified by letter, and site and press notices have been posted. Letters of objection have been received citing the following concerns:

- Is the proposed dwelling located within the development boundary for Winteringham?
- The look of the street would be better if the position of the new build was in line with other houses along Silver Street that are set back from the road.
- The proposed garage on the frontage would not be in keeping with the street scene in this part of the conservation area.
- The proposed garage will block light to 27 Silver Street to the north due to it being situated on top of the existing bund.
- The proposed garage should be constructed of stone to be in keeping with Walnut Cottage to the west.
- The site, when it was a farmyard, was enclosed by a brick wall and the proposed modern timber fencing would be out of keeping with the character and appearance of the conservation area.
- There will be just one entrance off of Silver Street serving three dwellings.

ASSESSMENT

The application site is a vacant plot of land to the west of 22 Silver Street, Winteringham. The site is disused at present and was previously agricultural land that was used in connection with a grain store, which sat to the rear of the site. The land is raised above the level of Silver Street to the north and there is earth and grass bunding across part of the frontage. The site at present is scrubland with an area of hard-standing to the rear, and bricks and rubble from the former agricultural buildings that it housed. There are two-storey dwellings to the north, east and west of the application site and open fields to the rear (south). The adjacent dwelling to the north-west, Walnut Cottage, is a grade II listed building.

There was a previous planning application on the site (PA/2010/1031) to erect a detached dwelling, which was withdrawn due to concerns over the design of the dwelling and its location outside the development boundary for Winteringham. This application seeks planning permission for a much smaller dwelling, of a different design, which is located within the development boundary.

The main issues in the determination of this planning application are whether the proposed dwelling will be located within the development boundary for Winteringham and whether the proposed development would be in keeping with the character and appearance of the area.

Doubts have been raised by neighbours as to whether the proposed dwelling is located within the development boundary, as it is set further back than the adjacent properties. However the dwelling is located within the development boundary for Winteringham with only the end of the proposed rear garden falling outside of the boundary. The garden has been designed so that its rear boundary is in line with that of the adjacent residential properties and is located on brownfield land, which was previously a large grain store; this area is hard standing at present. For these reasons the small area of rear garden that will be located outside the development boundary will have no adverse impact on the character and appearance of the open countryside; the rear boundary will follow on from the existing rear boundary of 22 Silver Street to the west and will not encroach into the agricultural field to the rear.

Winteringham Parish Council have concerns that the dwelling would be outside the building line for Silver Street. The proposed dwelling is set slightly further back than other properties that are set back off Silver Street. However the distance that it is set back from the adjacent property to the west is not excessive and would not have a detrimental impact on the street scene, especially considering the distance that the properties are set back from the road. The council's conservation officer has been consulted on the application and has confirmed that the siting of the dwelling will have no adverse effect on the character of the conservation area as the rear building line on Silver Street is haphazard in some locations.

The garage is positioned on the street frontage to reduce the impact on the setting of the listed building to the west and is characteristic of this part of the conservation area, which contains a lot of buildings built on the street frontage. The garage doors do not face the street; they face south, into the site. The front elevation of the garage will be constructed of stone and the other elevations will be brick. The proposed garage, as viewed from the street, will consist of a simple stone gable with brick quoins and a hipped, clay pantile roof. The roof of the garage has been hipped to complement the grade II listed building to the west. Both the design of the garage and the materials to be used in its construction are in

keeping with the immediate area. The council's conservation officer has raised no objection to the design of the garage subject to a condition requiring samples of building materials to be agreed by the local planning authority. He also confirms that there are examples of traditional outbuildings on the street frontage along Silver Street and that this reflects the historic character of the conservation area.

The proposed garage has an eaves height of 2.5 metres and a ridge height of 4.6 metres and the roof is hipped and slopes away from Storm Cottage to the north. There is a distance of approximately 12.5 metres between the garage and Storm Cottage, across Silver Street. Even when considering the fact that the garage will be sited atop the existing bunding at a height of 1.9 metres above the level of the road, it will only have a ridge height of 6.5 metres when measured from the road; this is about the height of a modest bungalow. Due to the distance between the garage and the dwelling to the north, the modest height of the garage and its sloping roof, there would be no unacceptable loss of light or overshadowing of Storm Cottage.

The council's conservation officer has raised no objections to the proposed development in principle. However he has raised a concern regarding the type of boundary treatment that has been suggested by the applicant. The advice of the conservation officer is that it would be more appropriate for the site to be enclosed by a stone or brick wall and that modern timber fencing would be inappropriate, particularly along the side boundaries of the site that are easily viewable from the road. It may be possible to incorporate post-and-rail fencing or some other boundary treatment to the rear of the site. For this reason a condition has been recommended that requires the applicant to submit and agree further details of boundary treatments to be used on site before works commence. This will allow the council's conservation officer to provide advice to the applicant with regard to design and materials and will ensure that the development will not have an adverse impact on the character and appearance of the conservation area.

With regard to access to the site, it should be noted that although both Walnut Cottage and 22 Silver Street to the west use the existing, former farmyard access at present, they have no right to do so and do not own any part of the application site. The occupiers of both properties have right of access over a 3.6 metre wide strip of land along the eastern boundary of these properties. Notice has been served on the occupiers of these properties, informing them of this application and that as a result they will no longer be able to use the existing access, which will serve the proposed dwelling only. The council's highways department has been involved in discussions regarding the access to the site and has confirmed that there is no objection to the proposed access arrangements. The strip of land that runs along the eastern boundary of the properties to the west, between these properties and the application site, will need to be improved in order to form an acceptable access. This will be the subject of a separate planning application and the council's highways department considers that there will be no highway safety issues with the properties to the west being served by a separate access adjacent to the access serving the proposed dwelling.

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: G.11/72/1, G.11/72/2, G.11/72/3.

Reason

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

3.

The roof materials shall be clay pantiles and shall be retained as such at all times.

Reason

To protect the character and appearance of the conservation area in accordance with policy HE2 of the North Lincolnshire Local Plan.

4.

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.

5.

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.

6.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

7.

Notwithstanding the details submitted, no development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To ensue a satisfactory impact on the conservation area and to provide an appropriate level of screening in accordance with policies H8, DS1 and HE2 of the North Lincolnshire Local Plan.

8.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

Notwithstanding the details submitted, all windows and external doors shall be constructed from timber at all times and no development shall commence on site until detailed drawings of the windows and doors at a scale of 1:10 have been submitted to and approved in writing by the local planning authority. Only the approved windows and doors shall be installed and these shall be retained thereafter.

Reason

In order to preserve the character of the conservation area in accordance with policy HE2 of the North Lincolnshire Local Plan.

10.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories

- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

12.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

Reasons for approval

The proposal accords with policies HE2, HE5, H8, T2 and DS1 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3 and CS7 of the North Lincolnshire Core Strategy and will have no adverse impact on the character and appearance of the conservation area, the setting of the adjacent listed building or the amenity of neighbouring properties.



Application site showing approximate position of proposed dwelling

 **NLLP development boundary**
 **Conservation Area**
 **Listed Buildings**

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