

**APPLICATION NO** PA/2013/1592

**APPLICANT** Keigar Homes Ltd

**DEVELOPMENT** Planning permission to erect a dwelling

**LOCATION** Land off Westwinds Gardens, Winterton

**PARISH** **WINTERTON**

**WARD** Burton Stather and Winterton

**CASE OFFICER** Andrew Law

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Objection by Winterton Town Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

**North Lincolnshire Local Plan:** Policy H8 (Housing Design and Housing Mix)

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)

## CONSULTATIONS

**Highways:** No objection subject to conditions

**Archaeology:** The proposal does not affect any known heritage assets.

**Trees:** No objection.

**Environmental Protection:** Request a condition restricting hours of construction.

## TOWN COUNCIL

Object on the grounds that there are existing problems with poor drainage in the area.

## PUBLICITY

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

- loss of light to neighbouring properties
- overlooking of neighbouring properties
- no turning point for waste disposal lorries
- inadequate drainage in the area, which already suffers from drainage problems
- out of keeping with neighbouring properties which are attached
- the proposed dwelling will damage a tree located adjacent to the site.

## ASSESSMENT

The application site is a plot of land formerly part of the rear garden of 23 Low Street, Winterton. The site is located within the development boundary and the conservation area of the town. The surrounding area is residential in nature and the site is bounded by a relatively modern residential development to the west and by residential gardens to the east. Planning permission has recently been granted for the erection of two dwellings on the piece of land immediately to the north of the site and there is a drain which runs to the rear (south). Surrounding properties are two-storey in height and there is a mix of detached and attached properties in the area. This application seeks planning permission to erect a detached two-storey dwelling on the site.

**The main issues in the determination of this application are whether the proposed dwelling would have an unacceptable impact on the amenity of neighbouring properties and whether the local drainage system is capable of serving an additional dwelling.**

The proposed dwelling sits to the rear of residential properties on Westwinds Gardens to the west. The dwelling is set centrally within the plot and as such there is sufficient distance between the dwelling and properties to the west to prevent it from being an over-dominant feature to the rear of these properties. This is further mitigated by the fact that there is a detached garage between the dwelling and 20 Westwinds Gardens, the nearest residential

property. Due to the distance to neighbouring properties the proposed dwelling will not result in unacceptable loss of light. Furthermore, the only first-floor window in the western elevation of the new dwelling is an obscure glazed en suite window. First floor habitable room windows all face to the front and rear and as such the dwelling will not result in unacceptable loss of privacy to neighbouring properties. On this basis the proposed development will not have a harmful impact on the amenity of neighbouring properties.

Several objections have been received on the grounds that there are existing problems with the drainage system in the area and that the proposed dwelling would exacerbate this problem. It is proposed to connect the dwelling to the mains sewer for both foul and surface water. The relevant drainage bodies have been consulted on the application and no objection has been received, nor has any drainage problem been identified by them. It should also be noted that the two dwellings recently approved to the north (PA/2013/0883) are also planned to be connected to the mains sewer and that no drainage problem was identified when this previous application was determined. Therefore it is considered that the erection of one additional dwelling in this location would not result in drainage problems for the local area.

Whilst the most immediate dwellings to the west are attached dwellings, built in two terraces, and the proposed dwelling is detached, the design of the dwelling and use of materials is very similar. Furthermore, there are examples of detached dwellings in the wider area. Therefore it is considered that the proposed dwelling would not be out of keeping with the surrounding area and would not be detrimental to the character or appearance of the conservation area.

The council's tree officer has been consulted on the application and, following additional information being submitted by the applicant in relation to tree protection, has confirmed that he has no objection to the proposed development. A condition has been recommended requiring the applicants to carry out work in accordance with the submitted tree protection plan and subject to this condition it is considered that trees will be adequately protected.

The council's Highways department has been consulted on the application and has raised no concerns or objections subject to several conditions.

**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: WW/160/01, WW/160/02, W.sr/OP/10/106 and ARB-26-02-2014.

Reason

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

3.

No development 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 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.

Reason

In the interests of highway safety and to comply with policy T19 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 space(s) serving it have been completed and, once provided, the parking space(s) shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The proposed dwelling shall not be occupied until the private driveway has been constructed, in accordance with the approved details, up to the junction of the vehicular access serving it.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

Construction operations shall be limited to the following hours:

- 7am to 7pm Monday to Friday; and

- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or bank/public holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

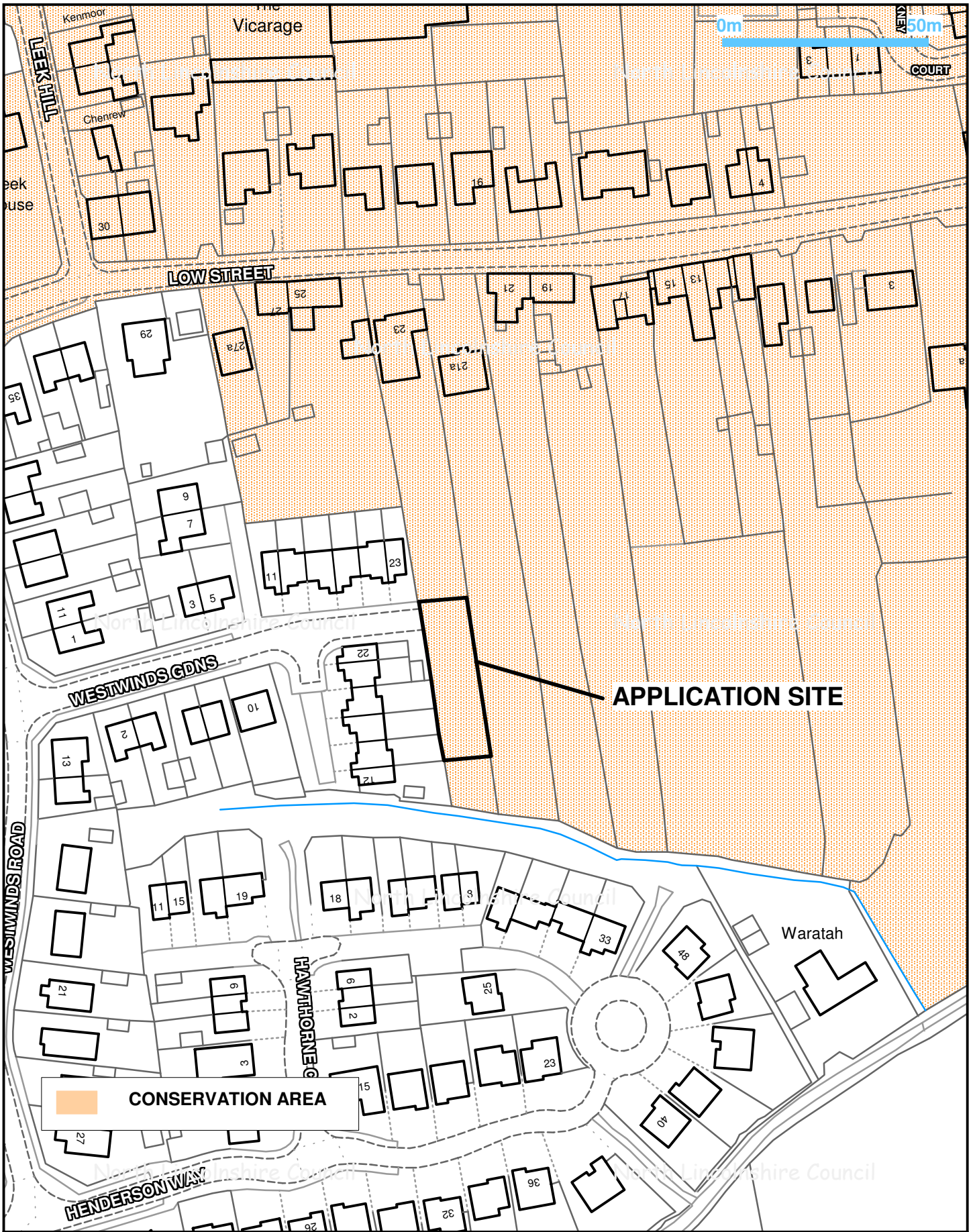
Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To protect residential amenity.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.



Title: PA/2013/1592

Drawn by: Sue Barden

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**Director of Places**  
**Peter Williams**  
BSc,DMS,CEng,MEI,MCMI,AMIMechE



ex hedge retained.

existing road / paths to be extended to form new private access road approved under PA/2013/0883

connect new plot drainage to new sewers in road which are to be connected to existing Anglian Water sewers

ex tree

ex hedge retained.

ex trees to be removed.

new boundary fence 1.8m high close boarded timber fence.

ex trees

ex trees to be removed.

ex tree removed.

new boundary fence 1.8m high close boarded timber fence.