

APPLICATION NO	PA/2007/1633
APPLICANT	Mr & Mrs K Button
DEVELOPMENT	Planning permission to erect 3 detached dwellings, a pair of semi-detached dwellings and convert part of an existing joinery workshop into 2 dwellings, together with an access road, garages and parking areas to cater for the development
LOCATION	Adjacent and to the rear of 43 West Street, Winterton
PARISH	WINTERTON
WARD	Burton Stather and Winterton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Winterton Town Council

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: Policy H5 (Housing Mix) says at paragraph A that plans, strategies, investment decisions and programmes should ensure the provision of homes for a mix of households that reflects the needs of the area including homes for families with children, single people, and older people to create sustainable communities.

North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) identifies Winterton as a medium growth settlement.

Policy ST3 (Development Limits) – the site is within the development boundary of Winterton.

Policy H1 (Housing Development Hierarchy) at paragraph (ii) says that a lower level of allocations is proposed (than in the Scunthorpe urban area, Brigg and Barton) in the medium growth settlements, compatible with their scale, character, location, facilities and existing environmental quality.

Policy H5 (New Housing Development) is a criteria-based policy that sets down standards and criteria that all new housing development should comply with or take account of.

Policy H8 (Housing Design and Housing Mix) sets down six criteria that deal with the physical requirements of new housing development in terms of its design and mix.

Policy H9 (Housing Density) sets guidelines for the density of housing to enable an effective and efficient use of a scarce resource (development land), and also says that the amenity of neighbouring dwellings with regard to privacy needs consideration.

Policy HE2 (Development in Conservation Areas) says that all development proposals which affect the setting of conservation areas should preserve or enhance the character

and appearance of the area and its setting. It goes on to set eight criteria which will be applied in determining applications for development in conservation areas.

Policy DS1 (General Requirements) says that a high standard of design is expected in all developments in both built-up areas and in the countryside and proposals for poorly designed development will be refused. The policy goes on to set a number of standards dealing with the quality of design, amenity, conservation, resources, utilities and services.

Policy HE9 (Archaeological Evaluation) – where development proposals affect sites of known or suspected archaeological importance an archaeological assessment needs to be submitted prior to the determination of a planning application.

The site is within the Winterton conservation area where the council has a duty to preserve or enhance the character and appearance of the conservation area.

CONSULTATIONS

Highways: Advise conditions (nos. 14-24).

English Heritage: Objected to the original plans and made the following comments on the amended plans:

‘This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.’

TOWN COUNCIL

The town council have made the following material comments/objections:

- West Street is extremely congested and parking is a problem. The development is therefore likely to increase danger to pedestrians.
- The development would be out of character with this area of Winterton.
- concerns regarding the environmental impact on the area, particularly impact on the trees
- adverse impact on the look of the conservation area and the setting of the church
- concerns regarding density of the development
- the noise of church bells may disturb occupiers of the dwellings
- increase in pollution

PUBLICITY

Neighbouring properties have been notified, and site and press notices posted. During consultations negotiations took place with the applicants with a view to submitting an amended scheme which more aligns itself with the conservation policies of the area.

Upon receipt, the amended details were advertised by site and press notices, and neighbouring properties were notified. Accordingly some objections have been reiterated

and certain objections removed, however the objections that have been received in total range through the following points:

- traffic – West Street has problems at peak flow times with congestion, not only due to the volume of traffic but also because of on-street parking
- drainage – there is evidence of existing drainage problems in Winterton
- the design of the development is not in keeping with the policies of the conservation area
- the development will result in an increase in traffic in an area where congestion already occurs which is close to the school and is likely to increase the danger to pedestrians, particularly children, walking and cycling to local schools and services
- overlooking of a neighbouring garden area will result
- overlooking between proposed units
- lack of private space/garden area to properties
- over-development of the site
- adverse impact on trees

ASSESSMENT

The application site is currently occupied by a joinery workshop and timber merchant's, and includes land which is currently garden land to the dwelling associated with the funeral parlour business to the immediate west of the site. There are residential properties to the south and west of the site, a grade I listed church to the east and dwellings and a school to the north.

The original application proposed the demolition of the workshops on the site and the erection of five dwellings within a cul-de-sac. The proposed houses were modern in design and the development was considered to be unacceptable in respect of its impact on the conservation area.

Two amended schemes have been submitted further to negotiations with the applicants to ensure that this development is more in keeping and in line with policies for the conservation area. These amendments include the inclusion of two further units (including conversion of an existing workshop to two dwellings) and re-design of the road layout, dwelling layout and design. The most recent set of plans shows a minor amendment to the road layout to increase the width of the access to comply with the highway authority's requirement. The amended details have been notified not only to neighbours of the site and the town council but also to all consultees.

The council's archaeologist, following archaeological work being carried out by the applicants' appointed contractor, has confirmed that whilst some archaeological features were recorded on site they were not deemed significant enough to merit in situ preservation. The standard condition regarding archaeological monitoring and recording is proposed.

With regard to the trees, a tree survey has been submitted and assessed by the council's Environment Team. It is considered that, due to the conversion of the existing workshop building, there will be no impact on the protected trees.

Despite the concerns of residents and the town council, from a technical perspective, during consultations no evidence has been submitted to support the views that there will be highway problems, drainage problems or increased incidences of flooding as a result of this development. This aspect has been assessed individually by walking the site and the neighbourhood. Similarly, it is not considered that the site will be over-developed.

With regard to overlooking between units, lack of private space and potential disturbance from bell ringing, it is considered that as this is a new development there will be no loss of amenity to existing residents and potential occupiers of the dwellings will be aware of these issues before occupying one of the properties.

Therefore the major determining issue in this case is whether or not, by virtue of the amendments that have been made to the design and layout of this proposal, the interests of the conservation area's character, historical value and setting will be harmed.

The remaining consultation response from the council's own Environment Team in respect of conservation issues states that apart from the access road, the new development preserves and enhances the character of the conservation area. 'It is considered that the buildings have been well designed to sit within the historic core and have been designed of a form, scale with architectural features associated with historic features in the conservation area.

'Where the application could be improved would be to have a narrower access road. The Winterton supplementary planning guidance has stated that modern cul de sacs have a negative impact on the area character. One part of this is that modern roads layouts are different from historic ones and have a modernising effect. However because of highway legislation this is not possible, but the effect could be mitigated with the use of traditional stone sets as a surface creating a more historic appearance.'

The use of traditional building materials and window styles is important and a condition is proposed to ensure appropriate materials are used throughout.

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 approved plans listed in the letter dated 23 October 2009 received on 26 October 2009 titled 'Proposed development of land adjoining no. 43 West Street, Winterton for Mr and Mrs K Button. Application for Planning Permission and Listed Building or Conservation Area Consent. Application numbers PA/2007/1633 and PA/2007/1634'.

Reason

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

3.

The development shall be laid out as shown on amended drawing numbers GA(--)
001.1 Rev 6 and 001.2 Rev 6.

Reason

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

4.

The development shall be carried out in accordance with the amended details received by the local planning authority on 23 January 2009.

Reason

To define the terms of the permission and to help ensure the development is in keeping with its surroundings in accordance with policy HE2 of the North Lincolnshire Local Plan.

5.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Sites and Monuments Record Office 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.

6.

No development shall take place until plans have been submitted to and approved in writing by the local planning authority of the proposed garages serving units 1 and 7.

Reason

To define the terms of the permission and to help ensure the development is in keeping with its surroundings in accordance with policy HE2 of the North Lincolnshire Local Plan.

7.

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 any of the dwellings is occupied, and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

8.

No development shall take place until samples of the external facing materials to be used and surface treatment for the access road 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.

No development shall take place until detailed drawings have been submitted to and approved in writing by the local planning authority of all windows and doors in the proposed development. Once agreed the windows shall be constructed from timber fully in accordance with the agreed details and shall thereafter be retained as such.

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.

10.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

11.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

12.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking or re-enacting that order with or without modification) no development under Schedule 2 Part 1, Classes A, B, C, D, E, F, G, H or Schedule 2, Part 2, Class A shall be permitted within the curtilage of the dwellings hereby permitted.

Reason

To maintain the character of the development in accordance with policies DS1 and HE2 of the North Lincolnshire Local Plan.

13.

At no time shall the wall forming the eastern boundary of the site, including the eastern elevation of the proposed converted building (forming units 4 and 5), be willfully damaged, destroyed or altered, or other works carried out to it, without the prior written agreement of the local planning authority.

Reason

To protect the historic fabric of the conservation area in accordance with policy HE2 of the North Lincolnshire Local Plan.

14.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

15.

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.

16.

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.

17.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

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

18.

No development shall begin until details of the private driveway, including drainage and lighting arrangements, have been submitted to and approved in writing by the local planning

authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

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

19.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason:

To prevent material being deposited on the highway and creating unsafe road conditions.

20.

No development shall take place until details of the drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway, have been submitted to and approved in writing by the local planning authority.

Reason

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

21.

No dwelling on the site shall be occupied until the access road has been completed to at least base course level and adequately lit from the junction with the adjacent highway up to the access to the dwelling.

Reason

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

22.

No other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

23.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway to the access to the dwelling.

Reason

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

24.

No works shall be commenced on the penultimate dwelling on the site until the access road has been completed.

Reason

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



Drawing Title: 2007/1633

OS Grid Ref: SE92831856

Drawn by: KC

Scale: 1:1250

Date: 26/01/2010



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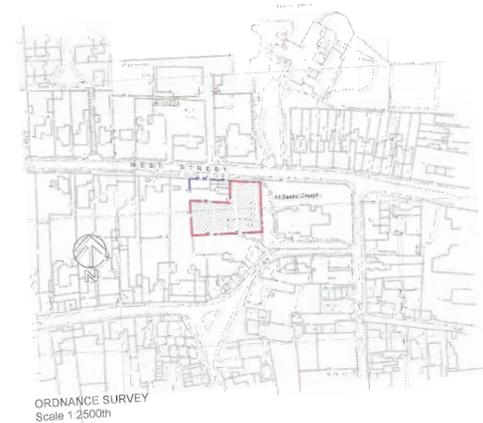
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Highways and Planning Service

Service Director,
G Popple

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Building to be converted

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AMENDED PLAN

Proposed Development of land adjoining 43 West Street, Winterton, North Lincolnshire, for Mr K Button.

General Arrangement - Layout of House Types

Drawn: DJK Date: Jan 2009
 Checked: WJE Date: 1:200th

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DEVELOPMENT CONTROL SECTION
 23 JAN 2009
 DAVID LEBWELL

SITE LOCATION
 Scale 500th