

**APPLICATION NO** PA/2010/0291  
**APPLICANT** Miss S Chittenden  
**DEVELOPMENT** Planning permission to erect a 1.8 metre front boundary wall  
**LOCATION** Kinder House, King Street, Winterton  
**PARISH** WINTERTON  
**WARD** Burton Stather and Winterton

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

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

## **POLICIES**

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

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) sets out the standards of design for all new developments.

The site is in the conservation area (policy HE2) where the local planning authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

## **CONSULTATIONS**

**Highways:** No objections subject to a condition (no. 4).

## **TOWN COUNCIL**

Object to the application on the following grounds:

- safety for the children
- adverse effect on access to adjacent property

## **PUBLICITY**

Neighbouring properties have been notified, and site and press notices posted. Five letters have been received in which the following additional issues have been raised together with some non-material planning considerations:

- Visibility would be restricted for vehicles leaving adjacent properties and the private chapel car park which would be a danger to children entering and leaving the nursery.
- The raised height of the front boundary wall would reduce the amount of daylight to the nursery.

- The design, height and finish of the wall would have an adverse impact on the conservation area.

## **ASSESSMENT**

Planning permission is being sought to erect a 1.8 metre high front boundary wall to the Kinder nursery on the south side of King Street. The current boundary consists of a 1 metre ply-clad breeze-brick wall with a central gate pedestrian access. The aim is to improve security and safeguard the children in line with Ofsted requirements with whom the nursery is registered. They now insist that the outer boundary walls of such premises are of sufficient height to protect the wellbeing of nursery children, more so as it adjoins the outdoor play area.

**The main issues which need to be addressed in determining the application are whether the proposed wall would compromise highway safety and whether its design would be in keeping with its surrounds and the conservation area.**

Notwithstanding the concerns of owners of adjacent properties, Highways are satisfied that adequate vehicular visibility splays have been created to ensure safe access onto King Street. Providing that no part of the wall is constructed within the limits of the highway there is no objection to the height of the wall.

There are a variety of front boundary treatments to properties along King Street including railings, walls and hedges at different heights. However, in this case the key impact on the conservation area is the choice of materials used and a reclaimed brick as proposed is acceptable subject to a sample of the brick being provided. The design/materials should be an improvement on the existing wall and enhance the appearance of the conservation area.

The claim that the height of the wall would reduce the amount of daylight to the nursery building is difficult to substantiate since its front elevation is set back approximately 4 metres from the boundary wall. In any event the lighting of the nursery is a matter for the operator and can always be improved with artificial lighting.

## **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: Plann/1-08.

Reason

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

3.

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

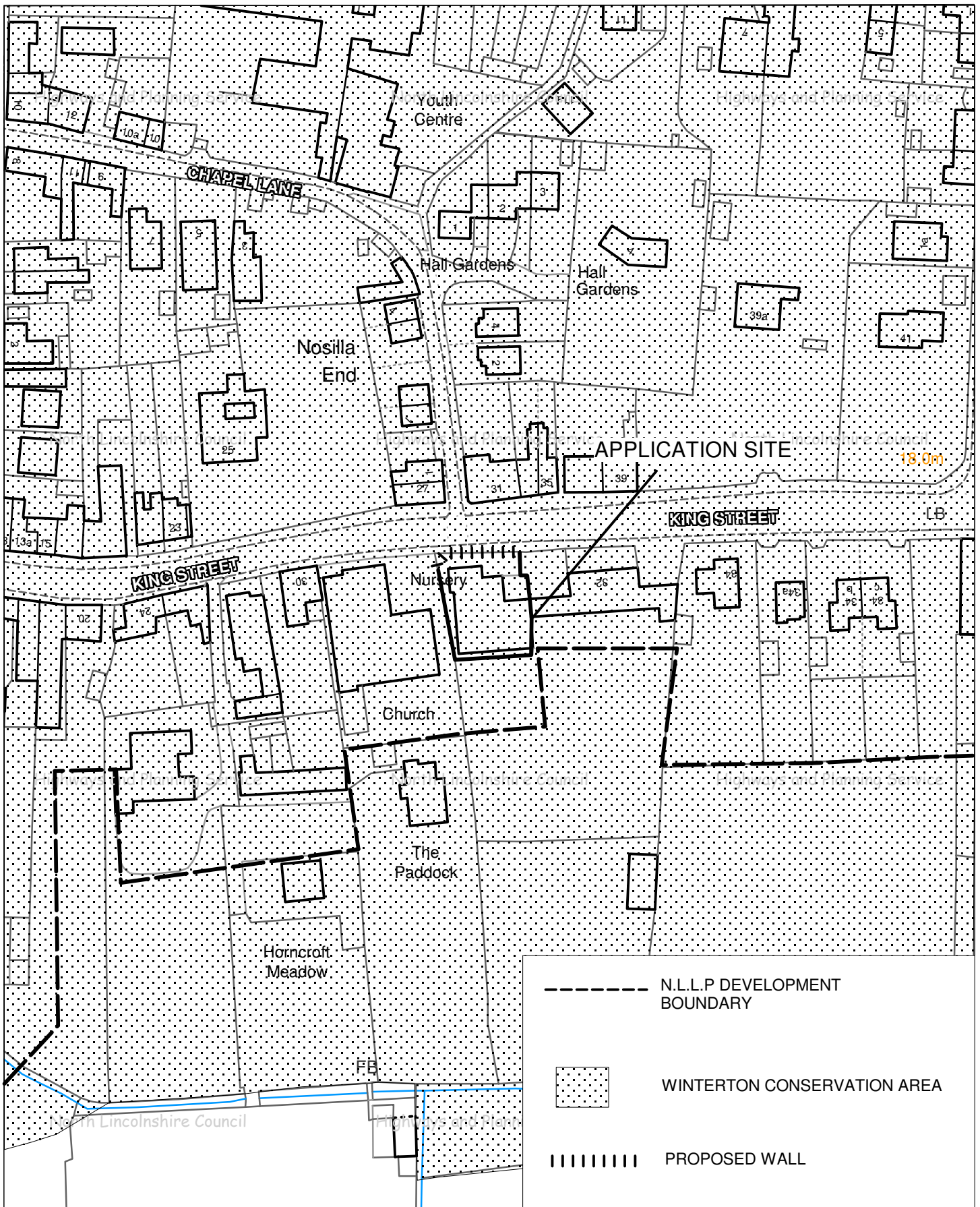
To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.



4.

No part of the wall shall be constructed within the limits of the highway.

Reason

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



- - - - - N.L.L.P DEVELOPMENT BOUNDARY  
 WINTERTON CONSERVATION AREA  
 PROPOSED WALL

Drawing Title: PA/2010/0291

OS Grid Ref: SE92991840

Drawn by: SJB

Scale: 1:1250

Date: 13/05/2010



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2010



**Highways and Planning Service**

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