

APPLICATION NO PA/2011/1226

APPLICANT Mr G Allison

DEVELOPMENT Planning permission to replace an extant planning permission (PA/2008/1032 dated 08/10/2008) to erect a detached dwelling

LOCATION Land rear of 8 Silver Street, Winteringham

PARISH **WINTERINGHAM**

WARD Burton Stather and Winterton

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Member 'call in' (Councillor Marper – significant public interest)

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.

Policy T2 (Access to Development) requires all new developments to have a satisfactory access.

Policy HE2 (Development in Conservation Areas) – the site is in the conservation area where the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

North Lincolnshire Core Strategy: Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS5 (Delivering Quality Design in North Lincolnshire) and CS7 (Overall Housing Provision) apply.

CONSULTATIONS

Highways: No objections.

Environment Agency: No objections subject to a condition (6).

PARISH COUNCIL

Object and wish all their original objections to PA/2008/1032 to stand as follows:

- a two-storey dwelling would dominate listed properties on Silver Street
- the site is a garden area, not a vacant building plot
- there are no details of facilities for waste storage and collection

- lack of consultation with neighbours
- could result in possible over-capacity of existing sewerage option
- concerns about water supply
- would create surface water disposal problems
- contaminated grounds
- impact on nearby trees – no survey submitted

PUBLICITY

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

- incorrect plans submitted with the application which do not show accurately how the proposed dwelling has a pronounced effect on the adjacent dwelling when applying SPG guidance 45 degree angle ruling
- loss of daylight and privacy to adjacent dwelling
- breach of planning conditions by removal of beech trees along the southern boundary of the application site
- would create surface water run-off problems

ASSESSMENT

Planning permission is being sought to replace extant planning permission (PA/2008/1032) to erect a detached dwelling on land to the rear of 8 Silver Street. That permission expired on 8 October 2011 but this application was validated on 7 October 2011. The reason the applicant wishes to extend the life of the application is due to the fact the land has only recently been purchased from the original applicant and land owner which has not allowed sufficient time to comply with pre-commencement planning conditions attached to PA/2008/1032.

The main issue which needs to be addressed in determining this application is whether there has been any material change in circumstances since the previous application was approved in 2008.

The parish council have requested that all their objections to the original application stand. However, the principle of development on this site was established by PA/2008/1032 and the related report to Planning Committee adequately assessed all their objections and were found to lack any substance. Similarly, the concerns received from local residents are the same as raised and assessed previously except for the issue relating to the breach of a planning condition imposed on PA/2008/1032 concerning the removal of trees. The complaint regarding the removal of some beech trees along the southern site boundary has been investigated by the Enforcement team and found to be correct. As a redemption measure the applicant has been advised that he will need to carry out a satisfactory

replacement of trees along the southern site boundary in order to comply with the landscape conditions.

It is proposed that any new planning permission granted would contain the same conditions as previously imposed, with the exception of the one requiring the identification of a suitable area for the storage and collection of bins. Sufficient details have been received for this condition to be discharged. In addition, a neighbouring property has mentioned concerns about surface water run-off having a possible adverse effect on his building and as such an appropriate condition has been suggested. Otherwise there has been no change in circumstances since the previous application was granted planning permission.

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: 2008/A1/DT/201 Rev A, 2008/A1/DT/202 Rev A and 2008/A1/DT/203 Rev A.

Reason

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

3.
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.

4.
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.

5.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 or E, or Schedule 2, Part 2, Class A shall be permitted within the curtilage of the dwelling hereby permitted other than those expressly authorised by this permission.

Reason

To maintain the character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority:

- (i) a preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site;
- (ii) a site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- (iii) the site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- (iv) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

In the absence of a desk-top study the risks posed to controlled waters are unknown. This precautionary approach is advocated by Planning Policy Statement 23.

7.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of the programme of archaeological work in accordance with the document 'Specification for an Archaeological Watching Brief, Land at rear of 8 Silver Street, Winterringham, North Lincolnshire' prepared by Neville Hall dated May 2011, that has been submitted to, and approved in writing by, the local planning authority, including:

- (i) 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;
- (ii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works;
- (iii) 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 is of archaeological interest.

8.

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 is of archaeological interest.

9.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire 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

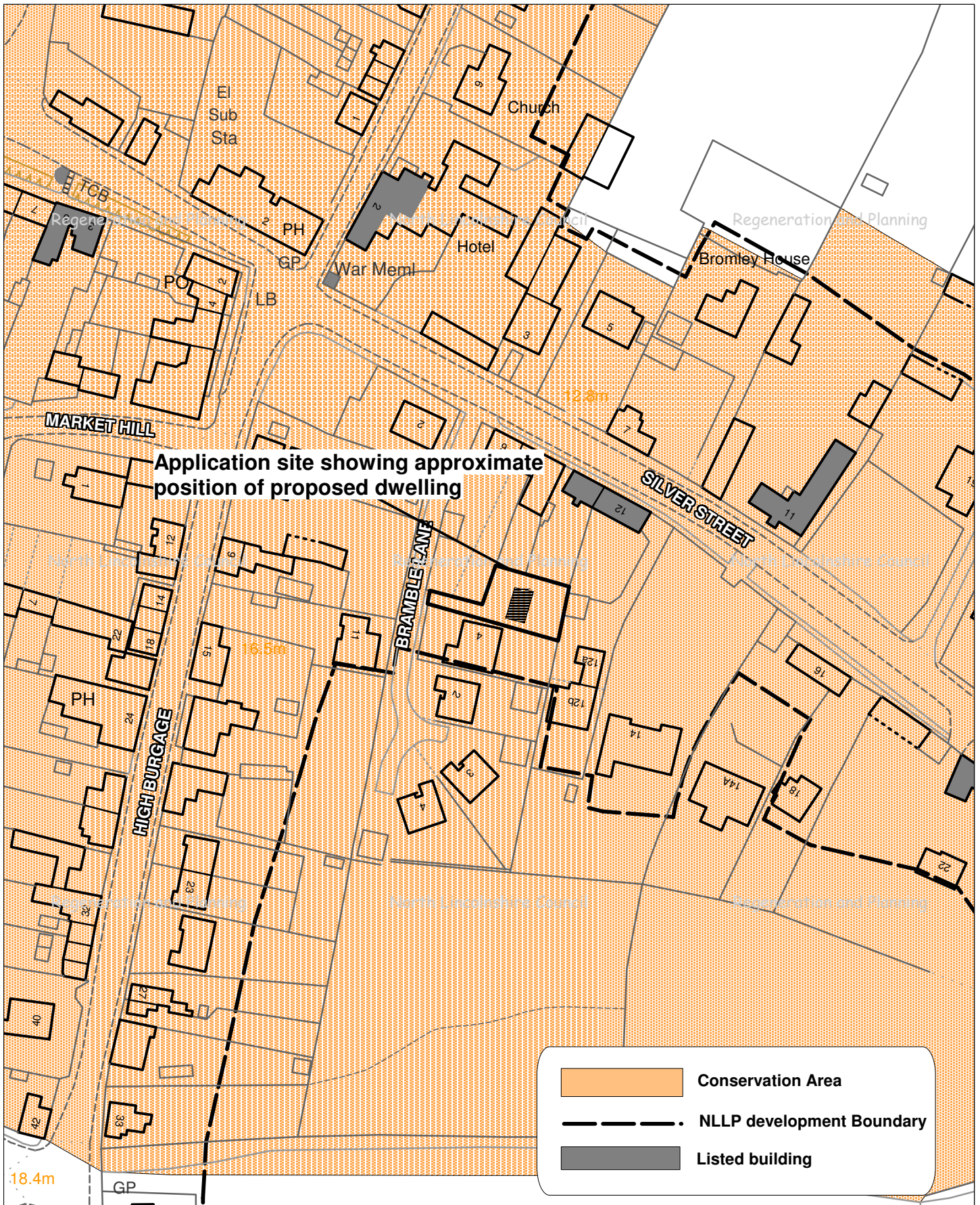
To comply with policy HE9 of the North Lincolnshire Local Plan because the site is of archaeological interest.

10.




No development shall take place until details of a soakaway system have been submitted to and agreed in writing by the local planning authority and all surface water run-off from the development shall be discharged to the agreed system.

Reason

To prevent pollution of the water environment and to comply with policy DS13 of the North Lincolnshire Local Plan.



Application site showing approximate position of proposed dwelling

	Conservation Area
	NLLP development Boundary
	Listed building

Drawing Title: 2011/1226

OS Grid Ref: SE93222208

Drawn by: KC

Scale: 1:1250

Date: 28/11/2011



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Regeneration and Planning

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