

<b>APPLICATION NO</b>	<b>PA/2008/0364</b>
<b>APPLICANT</b>	Keigar Homes Ltd
<b>DEVELOPMENT</b>	Planning permission to erect 14 houses with associated garaging, parking and access road
<b>LOCATION</b>	Land at and to the rear of 59 West Street, Winterton
<b>PARISH</b>	<b>WINTERTON</b>
<b>WARD</b>	Burton Stather and Winterton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Winterton Town Council
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> 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.</p> <p><b>North Lincolnshire Local Plan:</b> Policy ST2 (Settlement Hierarchy) defines Winterton as a medium growth settlement. Policy ST3 (Development Limits) – the site is within the development boundary of Winterton.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Policy H9 (Housing Density) sets guidelines for the density of housing to enable an effective and efficient use</p>

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.

**Environment Agency:** No objection.

**English Heritage:** No objection but refer to local and national policy guidance in considering the application merits.

**Anglian Water:** No objection.

## **TOWN COUNCIL**

Make the following comments and objections.

'The council would object to the planning application as it stands. Environmentally, it will restrict vistas for most of the adjoining properties, which are bungalows, and the council are convinced that if anything is built in this area they should be bungalows and this would also reduce the amount of new traffic in and out of the site – which is a concern.'

'The builders state that the adjacent park will not be a problem, but it was a problem to the residents who used to live there, as there is a certain amount of noise which comes from the park both from equipment and the young people who use it, often well into the night. There is a right of way through the park, which is used by revellers who leave the pubs. The council are concerned potential buyers will not be told of this, and the park is a much used facility in the town and has been there for fifty to sixty years. The land for the park was purchased with the proviso that it always stays open space or a children's play area.

'The council are concerned about another access coming out onto an already busy road, quite near the corner. We also do not want residents on West Street where the access/exit emerges to be affected as they have enjoyed on-road parking for some years as they have nowhere else to put their cars. School buses and coaches to Rangers come down this road, children walk over this exit/access to most of the schools in the town which the council feel could cause added dangers to children going to school. There are also several businesses along this road that generate parking on the road.

'A lot of developments are being allowed which are too dense in houses, the council do not feel this is good for the environment or for the people who live in it, as it can cause conflict if people are living on top of one another.

'The infrastructure, like schools, roads and sewers, drainage etc are the same as they were 100 years ago and the council do have concerns that these things do not appear to be taken into consideration when new developments are built, can they take the extra amount of people, cars, sewage and water? There are already problems with the sewers in several areas of Winterton.'

The letter also mentions policy in the development plan relating to housing density which says that if this development is allowed the density on this site will be increased by 50%. They also say that they are told that this site is a sensitive ground water area which may have the potential to flood and also that if built the privacy of a number of neighbouring properties will be compromised.

The final comment the town council makes is that the builders, if this development is allowed, should consider using slate tiles which it is felt would be more in keeping with the area.

## PUBLICITY

Receipt of the application has been advertised both in the press and by the posting of site notices, and neighbouring properties have been consulted. During consultations negotiations took place with the applicants with a view to receiving an amended scheme which more aligns itself with the conservation policies of the area and also improves the street scene of the development to West Street.

In addition, minor amendments were made to the design of the properties to include chimneys, individual features that are replicated from those found in the conservation area buildings and also removing two houses and replacing them with bungalows to remove an adverse impact on neighbouring property.

Upon receipt of these amended details they were advertised by site and press notices, and neighbouring properties were consulted. Accordingly some objections have been reiterated and certain objections removed, however the objections that have been received in total range through the following points:

- environmental damage – the development will damage existing hedgerows and trees and take away pleasant views of the church
- design – some single-storey units should be included
- traffic – West Street has problems at peak flow times with congestion not only by the volume of traffic but also by the incidence of on-street car 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
- more development in Winterton will put more pressure on the drains and increase the risk of flooding
- to develop this open area will result in the loss of a green space within 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 neighbouring property will result
- infrastructure in Winterton is inadequate to cope with further development and there are an inadequate number of local services to cater for more development
- the access proposed from West Street needs to be improved if this development is allowed to ensure that no extra traffic problems are created as a result

## **ASSESSMENT**

Earlier in this report it has been mentioned that an amended scheme has 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. The amended details have been notified not only to neighbours of the site and the town council but also to all consultees.

In that regard it is confirmed that the development for 14 dwellings is below the threshold for education commuted sums, affordable housing and also for the provision of public open space as a result of or as being required by this development. The council's archaeologist, following archaeological work being carried out by the applicants' appointed contractor, has confirmed that nothing of importance was found and therefore no requirement is placed on this development in respect of archaeology or further investigation works.

The council's conservation officer is concerned about impact on the character of the Winterton conservation area, contrary to the requirements of policy HE2 of the North Lincolnshire Local Plan and contrary to the provisions of other policies in that plan which refer to character, for example DS1.

The council's own supplementary planning guidance for the Winterton conservation area (adopted in 2005) has been taken into consideration, together with policy HE2 of the local plan. In these two documents there are clear statements that confirm that the Winterton conservation area has a distinct character and appearance which have been and remain in danger of being eroded by contemporary housing designs and cul-de-sac (in depth) development.

Additionally, and in conclusion, approval of this form of in-depth development would establish a new pattern or grain for this part of the conservation area which may then be replicated elsewhere. This would be contrary to the

council's stated aims of conserving the character and appearance of the area.

Not wishing to minimise the concerns of the residents or the town council, but from the 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, nor will overlooking be an issue. This aspect has been assessed individually by walking the site and the neighbourhood. **Therefore the remaining major determining issue 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 compromised to such an extent that will exhibit harm upon it.**

The applicants have made significant amendments to the original submission. The proposal now incorporates many of the design trends and features exhibited in the conservation area such as windows with vertical emphasis, chimneys and the use of materials throughout the development that harmonise with those found elsewhere in the Winterton conservation area. Many of the trees and hedgerows on the boundaries of the site are to be retained. Two of the properties – those on plots 9 and 10 – have been changed from houses to bungalows in order to minimise their impact on the bungalows which already exist to the west of the application site that front onto Northlands Road South. The most significant and pivotal change is to the site's frontage onto West Street where it is now proposed to build a block of three properties which the applicants have termed 'estate cottages' designed using sliding sash windows, reclaimed stone, clay pantiles and brickwork, with wrought-iron gates and a stone wall facing onto West Street which replicates that found to the east of the application site on the West Street frontage, all in an effort to accord with policies in the supplementary guidance mentioned beforehand.

The site's location to the western end of the conservation area is an important one to debate. To the west of the application site are a number of modern properties facing onto Northlands Road South which offer no intrinsic benefit to the conservation area. This is why these specific properties are excluded from the conservation area.

To the east of the application site is a playground and park area which has access both to High Street and West Street and runs in a north-south direction. This development has no impact upon that playground/park; from numerous site visits it has been concluded that the playground effectively forms the western end of that part of the conservation area, within this central area bounded to the south by High Street and the north by West Street of one of the older parts of Winterton. It has been concluded, therefore, that because of the significant amendments made to the original scheme by the developers, to approve this development in its amended form will cause no significant harm either to the conservation area, its policies, both in the local plan or supplementary planning guidance, or the setting of the conservation area, nor will it set a precedent for in-depth development elsewhere. The application site, in its present form, gives all the appearance of a large area of backland which has probably been in private use as garden area for some considerable number of years. It does not exhibit the historical quality and character of those yards and backlands to the properties that face onto West Street and High Street further to east of the playground/park area.

Because of the amendments that have been made to the layout, design and housing mix following negotiations it has been concluded that this development is acceptable within the Winterton conservation area. Because of the aforementioned changes no harm will be done to the conservation area, its character or its setting and no precedent will be set which will place the council in a difficult position when considering other applications in similar locations within Winterton and more generally in North Lincolnshire.

**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 shall be carried out in accordance with the amended details received by the local planning authority on 23 July 2008.

**Reason**

To define the terms of the permission and to help ensure the development is in keeping with its surroundings in accordance with policy DS5 of the North Lincolnshire Local Plan.

3.

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.

4.

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.

5.

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.

6.

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.

7.

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.

8.

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.

9.

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.

10.

No development, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, shall take place within any service strip adjacent to any shared surface road, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the local planning authority prior to planting.

**Reason**

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

11.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external

facing materials for the development 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.

12.

The scheme of landscaping and tree planting shown on drawing no. WT/125/2/03 shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the Local Planning Authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the Local Planning Authority have given written consent to any variation.

**Reason**

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



Drawing Title: 2008/0364

OS Grid Ref: SE92571857

Drawn by: KC

Scale: 1:1250

Date: 19/11/2008



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**Highways and Planning Service**

Service Director,  
G Popple



# Playground

# **SUPERSEDED**

KEIGAR HOMES LTD

SUITE 8, CONCORDE HOUSE  
KIRKHAMPTON  
ULCEBY  
NORTH LINCOLNSHIRE  
DN39 6YP

The logo consists of the word "KEIGAR" stacked above the word "HOMES", both in white serif capital letters, all contained within a white stylized house outline.

DEVELOPMENT CONTROL SECTION

## Site Layout

Project Title:	Residential Development at land off West St., Winterton, North Lincs		
Drawing Title:	Site Layout		
Drawn by:	MdS	Date:	12.02.08
Drawing No:	WT/125/2/03		
	Revision:		

