

<b>APPLICATION NO</b>	<b>PA/2008/0404</b>
<b>APPLICANT</b>	Keith Ready & Co
<b>DEVELOPMENT</b>	Planning permission to erect four link dwellings
<b>LOCATION</b>	Rear of 3 to 4 Market Place, Barton-upon-Humber
<b>PARISH</b>	<b>BARTON-UPON-HUMBER</b>
<b>WARD</b>	Barton-upon-Humber
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Sidell)  Applicant request to address the committee
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> Policy P1 (Strategic Patterns of Development) encourages brownfield and urban area development.</p> <p>Policy H2 advocates the sequential approach in using previously developed land first within urban areas.</p> <p><b>North Lincolnshire Local Plan:</b> Policy ST2 (Settlement Hierarchy) identifies Barton as a principal growth settlement.</p> <p>Policy ST3 (Development Limits) shows the site as being within the development boundary of Barton.</p> <p>Policy H5 (New Housing Development) sets out criteria to control new housing development and ensure consistency in design and layout</p> <p>Policies H3 (Previously Used Land), H8 (Housing Mix and Design) and DS1 (General Requirements) also apply.</p> <p>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.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> No objections.
<b>TOWN COUNCIL</b>	No objections.
<b>PUBLICITY</b>	Neighbouring properties have been notified, and site and press notices posted. Fifteen letters of objection have

been received raising the following issues, together with some non-material planning considerations:

- inadequate and dangerous access
- ownership certificate is incorrect – part of the land is public highway
- a commercial area not suitable for residential development
- no different from the previous application which was refused
- over-development of the site
- inadequate parking facilities
- overlooking and loss of privacy for some residential properties in Priestgate
- inadequate provision for dustbins

## **ASSESSMENT**

This application is a resubmission of PA/2007/0687 which was refused permission by the Planning Committee in July 2007 on the grounds that its backland location is not in keeping with its conservation area and central commercial area setting, inadequate off-street parking provision and inappropriate pedestrian access to the proposed dwellings. It is the first of two applications relating to this site; the other, which appears later on the agenda, concerns a bin storage facility.

**The main issue which needs to be considered in determining this proposal is whether the concerns associated with the previous refusal have now been adequately addressed.**

The committee previously considered that this proposal was backland development, inappropriate and out of keeping with its conservation area and commercial core of the town setting. However, this view is difficult to substantiate. The principle of new build in this location is welcome because it has the benefit of providing quality development on a pocket of open land within the conservation area which may otherwise remain vacant. One of the aims of this scheme is to provide well-proportioned two-bedroom starter dwellings for young families and professionals. It is also in line with recent Government papers and circulars which advocate encouraging people to remain in and move back into

towns and cities, both for the benefit of the urban areas (making them more vibrant) and relieving pressure for development in the countryside.

No parking spaces are provided for the development but this is acceptable in this town centre location where it is generally recognised that such requirements can be satisfied by on-street or within town centre car parks nearby. It is considered that an increase in parking may affect vehicle movement and safety issues. It could also be argued that the abundance of open parking spaces is not an appropriate feature in the conservation area.

The previous application showed pedestrian access to the new dwellings from land to the east which was not included within the application site. This has now been rectified whereby pedestrian access is gained from The Butchery which is an adopted highway (to the west).

It has been suggested that access/egress into the site from Market Place is too narrow and also concerns on highway safety of additional vehicles passing through Market Place but Highways have not identified these as issues.

It is claimed that the ownership certificate submitted with the application is incorrect and that part of the land is adopted highway but the plan produced by Highways in relation to the previous application shows that this is not the case. In addition, the applicant submitted a plan from the title deeds confirming ownership of all the land within the application site.

Concern has been expressed about overlooking and loss of privacy to the rear of some properties on the south side of Priestgate. However, this view is unfounded because the most northerly dwelling only has one ground floor door and two dummy windows along its north-facing elevation.

With regard to the objection that the proposal constitutes an over-development of the site, this cannot be substantiated. The site is within the urban area of Barton where housing policy requires a density of not less than 30 dwellings per hectare which in this case has been slightly underachieved.

The council's Sites and Monuments Record Officer has indicated the need for a watching brief on archaeology grounds should permission be granted. In addition, and in view of the site's location near to town centre

entertainment venues and eating establishments, the Environment Protection team have requested a noise impact assessment prior to development commencing.

The objection concerning the inadequate provisions for dustbins is the subject of the second application on the agenda (PA/2008/0530).

In summary, this is considered a well designed scheme which complies with design considerations, sits well within the street scene, is sympathetic to the character of the Barton conservation area and should be supported.

## **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.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant at least 14 days prior to the proposed commencement date, and approved 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.

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 development shall take place until detailed drawings of the windows and doors, at a scale of 1:10, have been submitted to and approved in writing by the Local Planning Authority.

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.

5.

No development shall take place until a comprehensive noise assessment, which takes into account all existing noise sources that have the potential to impact on the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The report should identify what appropriate noise attenuation measures are to be put in place in order to ensure that future residents of the proposed development will be protected from any undue noise disturbance.

Reason

To ensure that the living conditions of the occupiers of the proposed dwelling are adequately protected in accordance with policy DS1 of the North Lincolnshire Local Plan.



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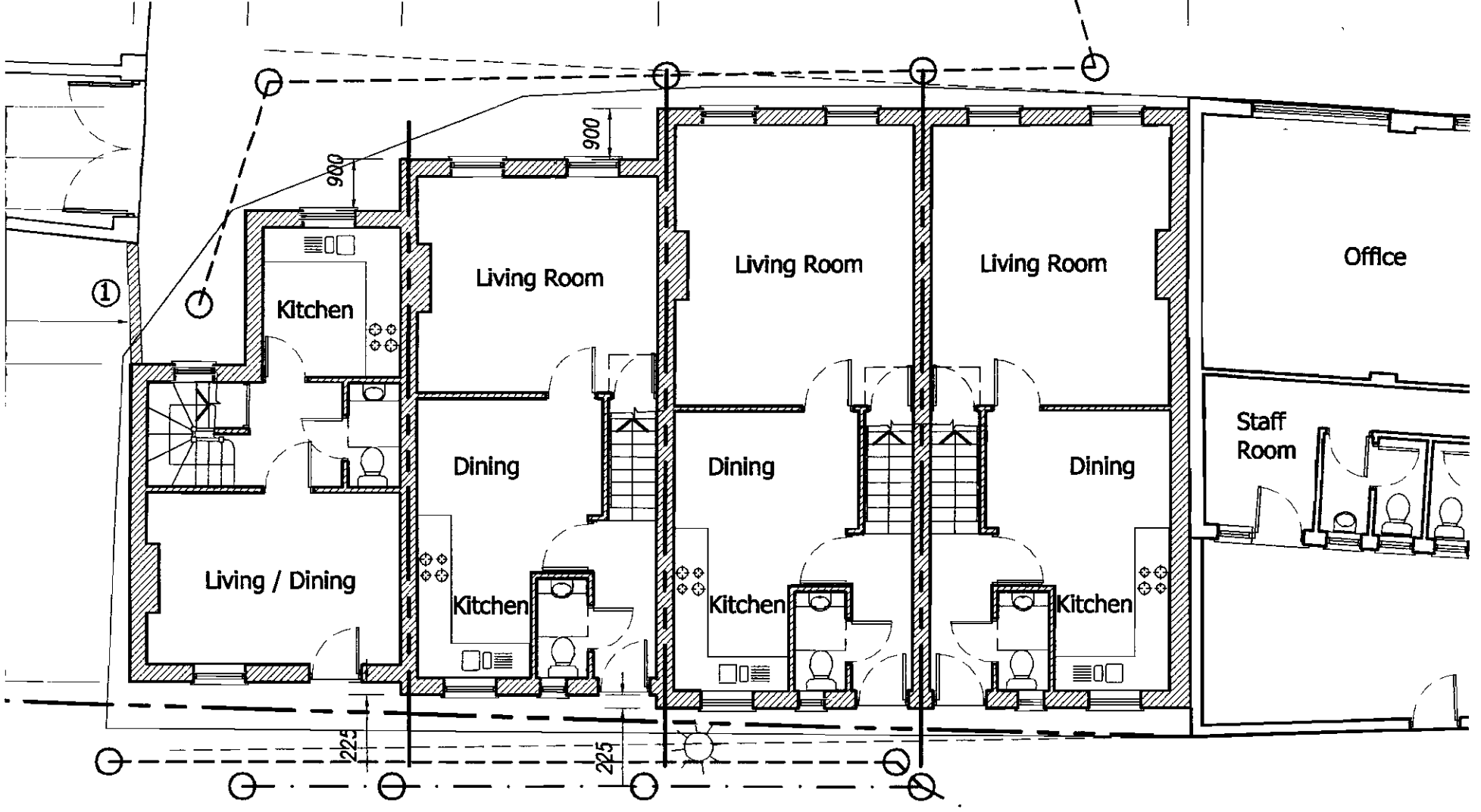
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**Highways and Planning Service**

Head of Service,  
G Pople

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# THE BUTCHERY

