

<b>APPLICATION NO</b>	<b>PA/2008/0911</b>
<b>APPLICANT</b>	CJ's Food To Takeaway
<b>DEVELOPMENT</b>	Planning permission to retain an LPG Tank
<b>LOCATION</b>	19 Doncaster Road, Gunness
<b>PARISH</b>	<b>GUNNESS</b>
<b>WARD</b>	Burringham and Gunness
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Waltham)
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.</p> <p><b>North Lincolnshire Local Plan:</b> Policy DS1 provides general design guidance for all new development. Policy DS6 provides general guidance in relation to temporary buildings. Policy DS10 relates to the storage of highly flammable substances.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> No reply received.
<b>PARISH COUNCIL</b>	No reply received.
<b>PUBLICITY</b>	<p>Advertised by site notice and neighbouring properties notified. Two letters of objection have been received raising the following material planning issues:</p> <ul style="list-style-type: none"> <li>• previous temporary permissions have been given</li> <li>• loss of amenity</li> </ul>
<b>ASSESSMENT</b>	<p>This proposal is to retain an existing LPG tank. The site is a hot food takeaway with car parking to the front. The LPG tank is located 3 metres from the shop frontage. It is surrounded by a timber fence and steel safety posts.</p> <p><b>The main issues associated with this case are whether the LPG tank is acceptable in planning policy terms and, if so, whether the impact on neighbours, the amenity of the locality and the safety of the LPG tank are also acceptable.</b></p>

The LPG tank is currently unauthorised. It has been subject to two previous temporary permissions which were both limited to six months in order to allow time for the property to be connected to the mains supply. The latter permission (2007/0960) expired on 1 April 2008. The applicant wishes to retain the LPG tank for a further year. The reason for this is to allow the applicant time to raise the finance required to connect the site to the mains gas supply.

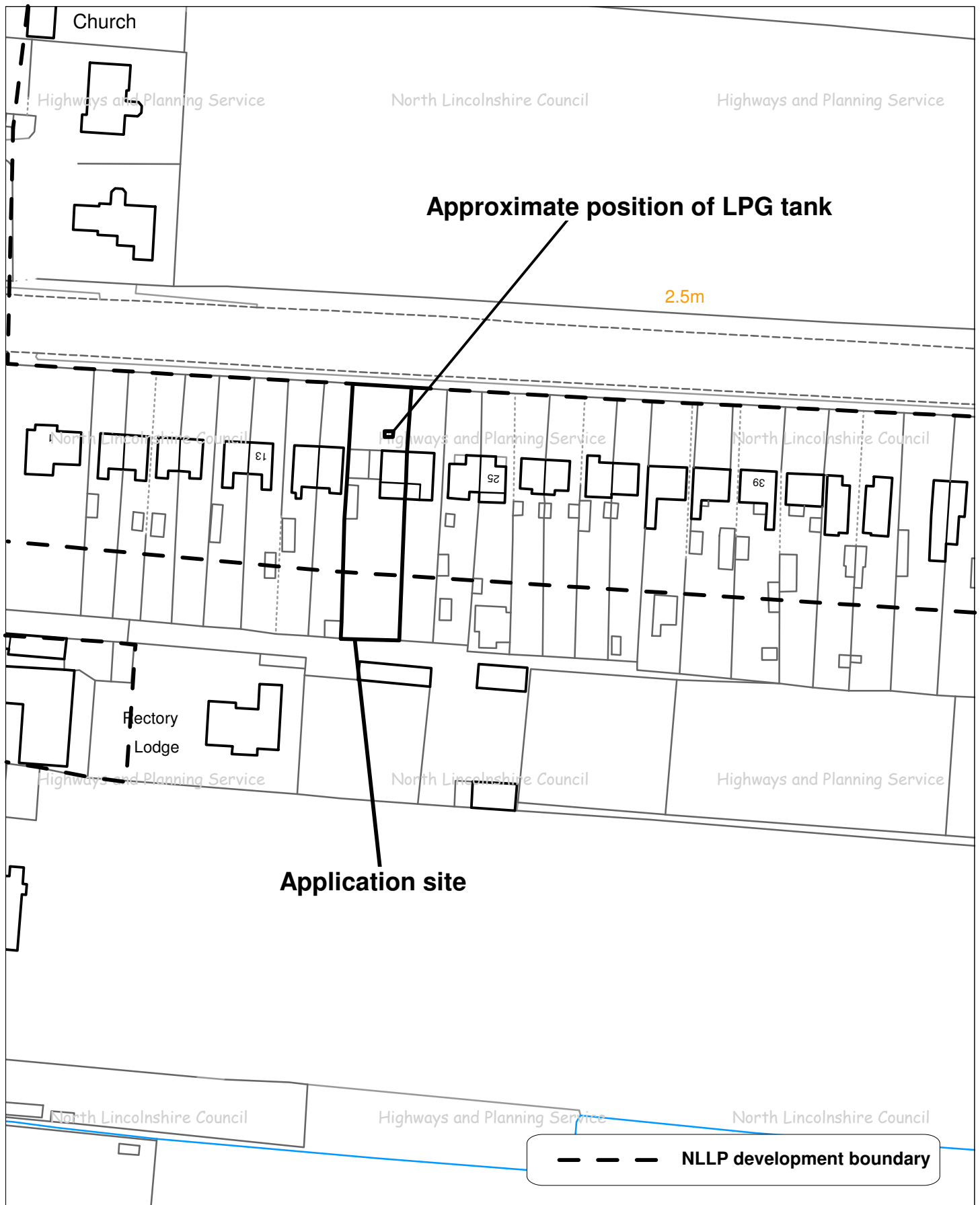
The LPG tank and associated fencing and barrier are visible in the street scene and from adjoining properties. Policy DS6 permits temporary buildings providing that the building is not highly visible to the general public or detrimental to the amenity of the area. In this particular case, due to the siting of the LPG tank on the site frontage and the fence and steel posts that surround the tank, it is highly visible within the street scene. It is further considered that the structure is out of character with the area and has a detrimental impact on the visual amenity of the locality and should not be retained any longer than necessary. The proposal is therefore contrary to policy DS6 of the North Lincolnshire Local Plan.

The LPG tank is visible from the neighbour's property located to the east of the application site. It is visible from their habitable window which is located close to the boundary of the site. There is a loss of visual amenity from this window as the neighbour does look out onto the LPG tank and fence. The proposal is therefore contrary to policies DS1 and DS6.

The LPG tank has been on the site since February 2006. The applicant has had two and a half years to raise the finance to allow the business to be connected to the mains. The Local Planning Authority considers that the applicant has had adequate time to make alternative fuel arrangements in order for the LPG tank to be removed. The LPG tank contains flammable fuel and is located on the site frontage within the car park where potentially accidents could occur. It is considered that, due to the visual harm the retention of the LPG tank has on the amenity of the locality and on neighbours, another temporary permission should not be granted.

**RECOMMENDATION****Refuse permission for the following reasons:**

The LPG tank and associated development is out of character with the area and has a detrimental impact on the visual amenity of the locality and the visual amenity of the neighbour located directly to the east of the application site. The proposal is therefore contrary to policies DS1 and DS6 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**

Service Director,  
G Popple

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