

APPLICATION NO	PA/2008/1338
APPLICANT	Mr P Ellis
DEVELOPMENT	Planning permission to amend the size of an MOT station previously approved under application PA/2007/1383 and replace an existing garage with a workshop
LOCATION	Keadby Bridge Filling Station, Station Road, Gunness
PARISH	GUNNESS
WARD	Burringham and Gunness
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Gunness Parish Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:</p> <ul style="list-style-type: none"> (i) the design and external appearance should reflect or enhance the character, appearance and setting of the immediate area; (ii) the design and layout should respect and, where possible, retain or enhance the existing landform; (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing; (iv) amenity open space should be retained where possible; (v) no pollution of water, air or land should result. <p>Policy T2 (Access to Development) states that all development must be provided with a satisfactory access. In larger developments it should be served adequately by:</p>

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or
- (iii) additions or extensions to such services linked directly to the development; and
- (iv) the existing highway network.

Policy RD2 (Development in the Open Countryside) sets out criteria against which to determine proposals for development in the open countryside and strictly controls proposals, only permitting development which is essential to the efficient operation of agriculture or forestry; employment-related development appropriate to the open countryside; affordable housing to meet a proven local need; provision of outdoor sport, countryside recreation or local community facilities; re-use or adaptation of existing rural buildings; agricultural diversification; replacement, alteration or extension of existing dwellings; or essential for an appropriate level of roadside services.

Policies T1 (Location of Development) and ST3 (Development Limits) also apply.

CONSULTATIONS

Highways: No objections provided that the development is undertaken in accordance with the amended information received by the local planning authority on 11 December 2008.

Environment Agency: Advise conditions.

PARISH COUNCIL

Object on the following grounds:

- The intensification of the MOT and car servicing activity at the site would impact upon highway safety.
- The parking of cars within the site would impact upon pedestrian and highway safety.

PUBLICITY

Neighbouring properties have been notified and two letters of objection have been received from neighbouring businesses raising similar issues to those raised by Guinness Parish Council, together with the following issue:

- The location plan is incorrect – the red line includes a shared access which tankers use to access the petrol tank to the west of the site.

ASSESSMENT

The site contains a hand car wash, MOT test centre and car sales business located at the former petrol station in Gunness on the road junction of the A18 and B1450. The site is located next to Gunness Wharf and the Ironstone Wharf public house. Keadby Bridge is to the south-west of the site and is listed.

A previous application (PA/2007/1383) was approved by the Planning Committee on 7 November 2007 for the erection of a workshop to facilitate MOT testing and a prefabricated garage. This application is seeking to amend the size of the MOT station and to replace the garage with a workshop.

The proposed workshop would measure 4.25 metres by 8.5 metres with a maximum ridge height of 4.5 metres.

The main issues in determining this application are whether:

- **the intensification of the MOT and car servicing activity at the site would impact upon highway safety;**
- **the parking of cars within the site would impact upon pedestrian and highway safety; and**
- **the location plan is incorrect – the red line includes a shared access which tankers use to access the petrol tank to the west of the site.**

The council's Highway Development Team have commented on the proposed development and have no objections. The proposed development includes a slight enlargement of the MOT bay, which will not result in a marked increase in the number of vehicles being parked at the site. There is sufficient provision within the site for customer and staff parking, thereby reducing the potential for vehicles to be parked on the highway. The buildings will be sited towards the western boundary away from the public highway. Therefore the proposed amendments to the MOT bay and the construction of the workshop are not considered to be detrimental to highway or pedestrian safety.

Regarding the objections on the grounds of access and the location plan, this is a civil matter between the various parties; the ownership certificate has been signed and the red-edged site plan clearly shows the siting of the buildings to be on the land the applicant has signed the certificate for.

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 11 December 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.

Development shall proceed fully in accordance with the mitigation measures (for example, finished floor levels) set out in the approved flood risk assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

4.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy DS7 of the North Lincolnshire Local Plan adopted in 2003]

5.
All MOT testing shall take place within the workshop.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.
The workshop shall not be used outside of the hours of 7.30am to 6pm Monday to Saturday, and not at all on Sundays and Bank Holidays.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.
No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, and consent will only be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason

To prevent pollution of controlled waters and to comply with policy DS11 of the North Lincolnshire Local Plan.

8.
Piling or any other foundation designs using penetrative methods are not permitted unless the express written consent of the local planning authority is given, and consent will only be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to groundwater.

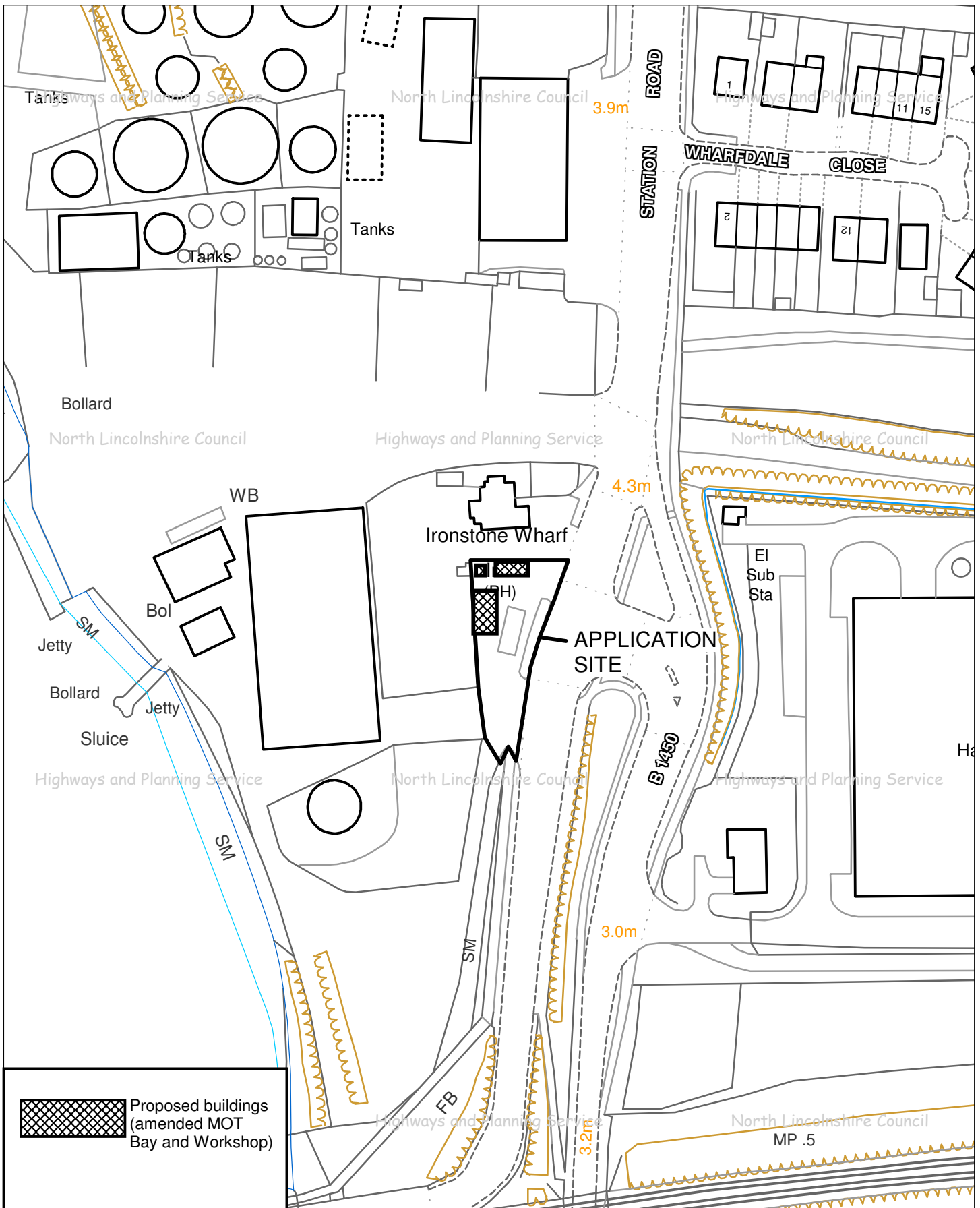
Reason

To protect groundwater quality in the vicinity of the site and to comply with policy DS11 of the North Lincolnshire Local Plan.

9.
No development shall commence until a scheme for surface water drainage has been submitted to and approved in writing by the local planning authority. The building shall not be brought into use until the scheme is fully implemented and the scheme shall be retained thereafter.

Reason

To protect groundwater quality in the vicinity of the site and to comply with policy DS11 of the North Lincolnshire Local Plan.



Drawing Title: 2008/1338

OS Grid Ref: SE84211081

Drawn by: SJ

Scale: 1:1250

Date: 02/01/2009



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



Highways and Planning Service

Service Director,
G Popple