

**APPLICATION NO** PA/2014/1435

**APPLICANT** North Lincolnshire Council

**DEVELOPMENT** Outline planning permission for 11 dwellings and access road

**LOCATION** Land at the end of Mill House Lane, Winterton

**PARISH** **WINTERTON**

**WARD** Burton Stather and Winterton

**CASE OFFICER** Ann Scott

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Application by North Lincolnshire Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 56 (Requiring good design) and paragraph 9 in relation to pursuing sustainable development.

**North Lincolnshire Local Plan:** Policies ST2 (Settlement Hierarchy), ST3 (Development Limits), DS1 (General Requirements), DS2 (Planning Benefits), DS3 (Planning Out Crime), H1 (Housing Development Hierarchy) and H5 (New Housing Development).

**North Lincolnshire Core Strategy:** Policies CS1 (Spatial Strategy for North Lincolnshire), CS2 (Delivering More Sustainable Development), CS3 (Development Limits), CS5 (Delivering Quality Design in North Lincolnshire) and CS9 (Affordable Housing).

## **CONSULTATIONS**

**Highways:** No objections but advise conditions relating to the improvement of the proposed access.

**Public Open Space Coordinator:** Requires an off-site contribution to improvements to existing recreational facilities in Winterton.

**Strategic Housing:** The application appears to meet policy CS9 of the core strategy in that it does now include two affordable units (plots 1 and 2). Strategic Housing therefore has no objections. The council's policy CS9 requires new residential developments to have 20% affordable housing, which is accessible to those unable to compete in the general housing market and up to 70% of this should be provided at social rent levels to meet local needs.

**Drainage Team:** A sustainable method of drainage scheme should be provided for this development.

**Humberside Fire Service:** Adequate access for fire-fighting is required for all buildings or extensions to buildings. Adequate water supplies for fire-fighting appropriate to the proposed risk should be considered. If public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities.

**Anglian Water:** The surface water strategy submitted with the application is not relevant to Anglian Water and therefore is outside our jurisdiction. We request that the agreed strategy for surface water is conditioned in the planning approval.

## **PARISH COUNCIL**

No comments received.

## **PUBLICITY**

The application was publicised by means of direct neighbour notification which expired on 9 February 2015. Comments received from a neighbouring property relate to the proposed new dwellings overlooking existing property.

Further comments on the proposal from other neighbours relate to the proposed affordable housing; one neighbour does not wish to see the site used wholly for affordable housing and objects if this is the case.

Another neighbour comments that their fence should remain in situ along the boundary. In addition the comments received are that the proposed dwellings should be bungalows and not houses, car parking should be provided on this site to alleviate parking problems on Newport Drive, and the footpath link to Newport Drive should be reinstated.

## **ASSESSMENT**

### **Proposal/site description**

Outline planning permission is sought for 11 dwellings and an access road on land at the end of Mill House Lane, Winterton. The application proposes layout and access only with all other matters to be reserved for a later stage in terms of appearance, scale and landscaping. The plans for the layout of the development have been amended to revise the layout to incorporate two smaller housing units (a pair of semi-detached dwellings).

The layout proposes nine detached dwellings and two semi-detached dwellings. The site is situated within the development limit for Winterton, a market town as defined in the North Lincolnshire Core Strategy. The site is in flood zone one which is an area where development is at the lowest risk of flooding in the North Lincolnshire Strategic Flood Risk Assessment.

**The key issues are: planning policy, highway safety, residential amenity, visual impact, affordable housing, open space and drainage.**

### **Highway safety**

There are no objections from the council's Highway Control Officer, who suggests conditions relating to access.

## **Residential/visual amenity**

The site is situated on the north side of Mill House Lane and forms an area of land which is presently unused and is grassed. The land is unallocated and lies adjacent to the school playing field for Winterton School. Mill House Lane is a residential street which comprises mainly detached dwellings built approximately in the 1970s. The proposed layout of the site will respect and enhance the existing character of the area by completing the estate. The existing land is not in a particularly good state from a visual point of view but is grassed and open and not in an attractive state.

The proposed dwellings will be laid out in a manner which will respect the character and appearance of the surrounding area. The properties are evenly spaced and are similar in size to the existing dwellings situated on Mill House Lane, with the exception of the two smaller semi-detached properties. The external appearance is reserved for a later application but the layout at present appears to be reflective of the character of the locality.

Comments received from neighbours refer to the provision of bungalows on the site and not houses. In addition a neighbour wishes to see a car park provided on the site with the footpath link to Newport Drive reinstated. It is not appropriate to provide parking on this site to alleviate a problem on the surrounding area as this will lead to an increase in the number of vehicles using Mill House Lane to the detriment of the existing amenities of surrounding properties over and above the increase in the level of vehicles accessing the proposed new housing. The site is to go on sale on the open market and it would be unreasonable to require a developer to provide a car park within the site for an adjacent street which has no vehicular link to that street.

It is considered that the site can accommodate two-storey dwellings, which is in keeping with the character and appearance of the area. The details are reserved for a later application; this application incorporates the siting of the dwellings and the means of access only. The present layout does not adversely affect the amenity of surrounding properties and makes the best use of the site in terms of residential amenity.

## **Affordable housing**

The proposal will trigger the requirement for affordable housing. In this instance this is intended to be provided on site. In market towns new residential development for five or more houses must include an element of affordable housing which is accessible to those unable to compete in the general housing market. The relevant policy seeks to achieve 20% of affordable housing in market towns. Two affordable dwellings are now included on the layout plan and affordable housing can be secured by a planning condition. The proposal therefore complies with policy CS9 of the Core Strategy.

## **Open space**

Policy H10 of the North Lincolnshire Local Plan relates to public open space provision in new housing development. New housing developments on windfall sites of 0.5 hectares or more will be required to provide recreational open space on a scale and in a form appropriate to serve the needs of residents. Off-site provision may be made by commuted payments. A memorandum of understanding has been requested from the agent in order to secure the required commuted sum provision of £6,180.37. As this is a council application it is not possible for this amount to be provided by a Section 106 agreement. The land is likely

to be sold on the open market and therefore the commuted sum would have to be stipulated as a requirement of the transfer document upon the sale of the land.

## **Drainage**

The proposed development should incorporate a full detailed drainage proposal at reserved matters stage. The drainage team has no objections to the proposal and recommends a sustainable drainage system for the proposed development.

## **Conclusions**

The proposal is considered to be acceptable in principle, complies with the relevant planning policies and national planning guidance, and does not have an adverse impact on the locality. The application is recommended for approval subject to conditions.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.  
Approval of the details of the scale and appearance of the building(s), and the landscaping of the site (hereinafter called 'the reserved matters'), shall be obtained from the local planning authority in writing before any development is commenced.

### **Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.  
Plans and particulars of the reserved matters referred to in condition 1 above, relating to the scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

### **Reason**

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

3.  
Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

### **Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.  
The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

### **Reason**

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5.

The development hereby permitted shall be carried out in accordance with the following approved plans: AL(0)102/A.

Reason

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

6.

No dwelling shall be occupied until the details of the arrangements for the provision of affordable housing as part of the development have been submitted to and approved in writing by the local planning authority, and such details shall include:

- (a) the type and nature of the affordable housing provision to be made which is required to be at a level up to 20% of the total number of dwellings on the site (or in any single phase of the development);
- (b) the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (c) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.

Reason

To comply with policy CS9 of the North Lincolnshire Core Strategy.

7.

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.

8.

No development shall take place until details of:

- (i) the location and layout of the vehicular access; and
- (ii) the number, location and layout of the vehicle parking space(s) within the curtilage of the site;

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.

9.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use.

Reason

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

10.

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.

11.

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.

12.

No development shall begin until details of the private driveway, including construction, drainage, lighting and where appropriate signage/street naming arrangements, have been agreed in writing with the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway shall be retained.

Reason

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

13.

No development shall begin until details of:

- (i) the layout, drainage, construction, services and lighting of the proposed access road, including the junction with the adjacent highway; and
- (ii) the number and location of vehicle parking space(s) on the site;

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.

14.

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.

15.

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.

16.

No dwelling on the site shall be occupied until the footway has been constructed up to base course level from the junction with the adjacent highway 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.

17.

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.

18.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no development 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.

19.

No development shall take place until a sustainable drainage system for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

20.

No development shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted (before the change of use takes place/the building/dwelling(s) is/are occupied/in accordance with a programme to be submitted to and agreed in writing by the local planning authority before development is commenced), and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

### **Informative 1**

Whilst the proposal is acceptable in principle, the residential access road does not comply with design guides. A complied layout provided at reserved matters stage would be required. Contact Highways on 01724 297456.

### **Informative 2**

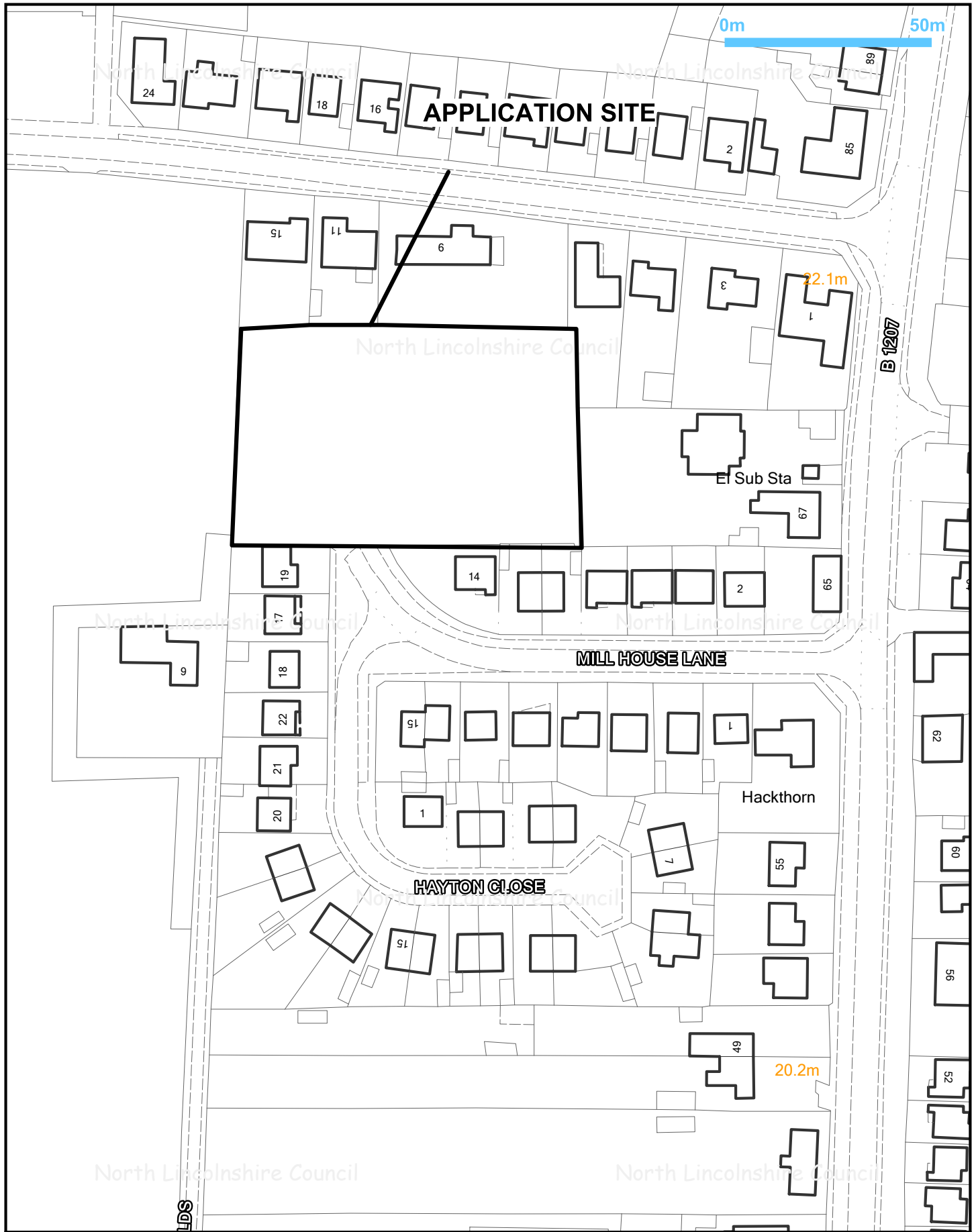
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:



- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

### **Informative 3**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.





Title: PA/2014/1435		
Drawn by: Sue Barden	Date: 24/03/2015	Scale 1:1250
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		Director of Places Peter Williams BSc,DMS,CEng,MEI,MCMI,AMIMechE

PA/2014/1435 Proposed Layout Not to scale

