

|                                           |                                                                                                        |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <b>APPLICATION NO</b>                     | <b>PA/2015/1391</b>                                                                                    |
| <b>APPLICANT</b>                          | Richtoy Motor Sport                                                                                    |
| <b>DEVELOPMENT</b>                        | Planning permission to change the use of land to private car park and to erect boundary wall and fence |
| <b>LOCATION</b>                           | Land rear of Tesco, Queen Street, Winterton                                                            |
| <b>PARISH</b>                             | <b>Winterton</b>                                                                                       |
| <b>WARD</b>                               | Burton upon Stather and Winterton                                                                      |
| <b>CASE OFFICER</b>                       | Andrew Law                                                                                             |
| <b>SUMMARY RECOMMENDATION</b>             | <b>Grant permission subject to conditions</b>                                                          |
| <b>REASONS FOR REFERENCE TO COMMITTEE</b> | Member 'call in' (Councillor Elaine Marper – significant public interest)                              |

## **POLICIES**

**National Planning Policy Framework:** Paragraph 19 – The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.

Paragraph 56 – The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 132 – When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 134 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 138 – Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance.

## **North Lincolnshire Local Plan:**

Policy DS1 – General Requirements

Policy HE2 – Development in Conservation Areas

Policy T2 – Access to Development

Policy T19 – Car Parking Provision and Standards

**North Lincolnshire Core Strategy:**

Policy CS1 – Spatial Strategy for North Lincolnshire

Policy CS2 – Delivering More Sustainable Development

Policy CS5 – Delivering Quality Design in North Lincolnshire

Policy CS6 – Historic Environment

**CONSULTATIONS**

**Highways:** No objection subject to conditions.

**Environmental Health:** No objection subject to conditions.

**Conservation:** No objection subject to conditions.

**TOWN COUNCIL**

Supports the application.

**PUBLICITY**

Neighbouring properties have been notified by letter, and site and press notices posted.

Letters of objection have been received, predominantly from residents of Queen Street, on the grounds that the proposal would impact on highway safety along Queen Street which is a narrow and busy street which suffers from congestion as a result of on-street parking, particularly at school picking up and dropping off times. Concerns were also raised with regard to potential pollution as a result of noise, light and fumes.

Letters of support have been received, predominantly from residents of South Street, on the grounds that the proposed car park will help alleviate existing problems of on-street parking and congestion along South Street.

**ASSESSMENT**

The application site is a piece of land sited to the rear of the former Cross Keys public house, now Tesco Express, off Queen Street in Winterton. The site is located within the development boundary of the settlement and is also within the defined Conservation Area for Winterton. The site is grassed and is currently unused, having previously been used as garden area serving the Cross Keys public house. The surrounding area is predominantly residential in nature, with some commercial properties to the south. The application site sits approximately 1 metre higher than Queen Street, with a brick retaining wall along the street frontage. There is no formal access to the site at present. There is a small sub-station building to the front (east) of the site and a public toilet block immediately adjacent to the south.

This application seeks planning permission to change the use of the site to a private car park and to new boundary wall and fencing. This will incorporate a new vehicular access onto Queen Street. The proposed car park will provide 25 off-street parking spaces to be used by the nearby Richtoy Motorsport; it will provide staff and customer parking with the intention of reducing on-street parking and congestion in the area, particularly along South Street.

**The main issues to consider in the determination of this planning application are whether the proposed development will have an unacceptable impact on the character and appearance of the conservation area, highway safety or residential amenity.**

### **Principle**

The most relevant development plan policies in the determination of this application are policies T19 and HE2 of the North Lincolnshire Local Plan and policy CS6 of the Core Strategy.

Policy T19 sets out the council's approach to car parking provision and standards. This policy states that provision will be made for car parking where it would meet the operational need of businesses; be essential to the viability of a new development; improve the environment or safety of streets; meet the needs of people with disabilities; or be needed by visitors to the countryside.

In this instance the car park is proposed to meet the operational needs of an existing local business and it is proposed to improve the environment and safety of streets in the area. Therefore it is considered that the proposed development complies with policy T19.

Policy HE2 of the North Lincolnshire Local Plan relates to development within conservation areas and requires all developments in these areas to preserve or enhance the character and appearance of the area and its setting. Policy CS6 of the Core Strategy for North Lincolnshire sets out the approach to development proposals which affect heritage assets, including conservation areas. This policy requires all new development to respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

Compliance with policies HE2 of the local plan and CS6 of the Core Strategy is dependent on the impact of the development on the character and setting of Winterton conservation area; this issue is assessed below.

Policy DS1 of the local plan is also relevant and sets out a list of criteria against which all development proposals will be assessed; these criteria include design, amenity and highway safety.

### **Impact on conservation area**

The proposed development is a change of use of the site, which is currently overgrown and disused. The only physical work involved in the development is the erection of new boundary walls and fencing, the re-surfacing of the site and the construction of a new access point.

A Heritage Assessment has been submitted as part of the planning application. This document outlines the key features and characteristics of the conservation area and makes

an assessment of the impact of the proposed development on this area. The Heritage Assessment concludes that the proposal does not result in any significant development and thus does not impact on the character or setting of the conservation area. The proposals are proposed to see an empty site brought into use and general enhancements will be made through maintenance and improvements to the existing site, which is otherwise likely to fall into disrepair.

The council's Conservation Officer has been consulted on the application and has confirmed that the application site is located in a more secluded part of the conservation area. The Conservation Officer has also confirmed that the new boundary treatments have been well designed and will restrict views of the car park. Subject to a condition securing appropriate materials, there is no objection to the proposed development.

For the reasons outlined above it is considered that the proposed development will not have a significant impact on the character or appearance of the conservations area.

### **Highway safety**

Numerous letters of objection have been received from residents of Queen Street raising concerns relating to the narrow nature of the road and the amount of traffic and on-street parking on the road, particularly at school opening and leaving times.

The road is narrow and is subject to parking restrictions for much of its length. Like many roads located close to schools, Queen Street is subject to significantly increased traffic and congestion at dropping off and picking up times, but is much quieter outside of these times.

The proposed development will result in a new car park with 25 spaces accessed directly off Queen Street and as such will result in an increase in traffic along the road during the day. The council's Highways department has been consulted on the application and has raised no objection to the development on highway safety grounds subject to conditions securing the construction of the new access and parking facilities prior to the site being used for the parking of cars. The Highways department have raised no concerns with regard to the level of traffic likely to be generated by the proposed use or the appropriateness of the access. On this basis it is considered that, whilst the development will result in additional traffic along Queen Street, there will be no unacceptable impact on highway safety in the area.

It should also be noted that the proposed car park is intended to alleviate existing issues with on-street parking and congestion problems on South Street and King Street by removing parked cars associated with Richtoy Motorsport and allowing them to be parked off the highway.

### **Amenity**

The proposed use as a car park is not a particularly intrusive use and is unlikely to have a significant impact on the amenity of neighbouring properties. It is proposed that the site will be illuminated for security reasons; however this is to be low-level bollard lights linked to movement sensors and as such will not result in light pollution to neighbouring properties. The council's Environmental Health department has been consulted and has raised no objection to the development subject to conditions which will prevent any additional lighting from being installed without consent and which secure suitable construction hours for a

residential area. Subject to these conditions it is considered that the proposed development will not result in an unacceptable loss of residential amenity in the locality.

## **Conclusion**

The proposed car park will support a successful local business and will help to alleviate problems of on-street parking in the wider area. Furthermore, it is considered that the proposal will not have an unacceptable impact on the conservation area, highway safety or residential amenity. For these reasons it is considered that the proposed development is acceptable 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: 433.01 and 433.02.

Reason

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

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.

Construction operations shall be limited to the following days and hours:

- 7am to 7pm Monday to Friday
- 7am to 1pm on Saturdays.

No operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

For the protection of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The external lighting shall be installed, maintained and operated and thereafter retained in accordance with the information supplied with the application, document referenced 433WINT and dated October 2015. Any deviation from the agreed lighting scheme shall require approval in writing by the local planning authority.

Reason

For the protection of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

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 off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

7.

No development shall take place until details of:

- (i) the method of constructing the new vehicular access, including reduction of existing banking and walls to provide adequate visibility splays;
- (ii) the specific design and location of cycle parking facilities; and
- (iii) the method of constructing the parking area, including the provision of sustainable urban drainage methods;

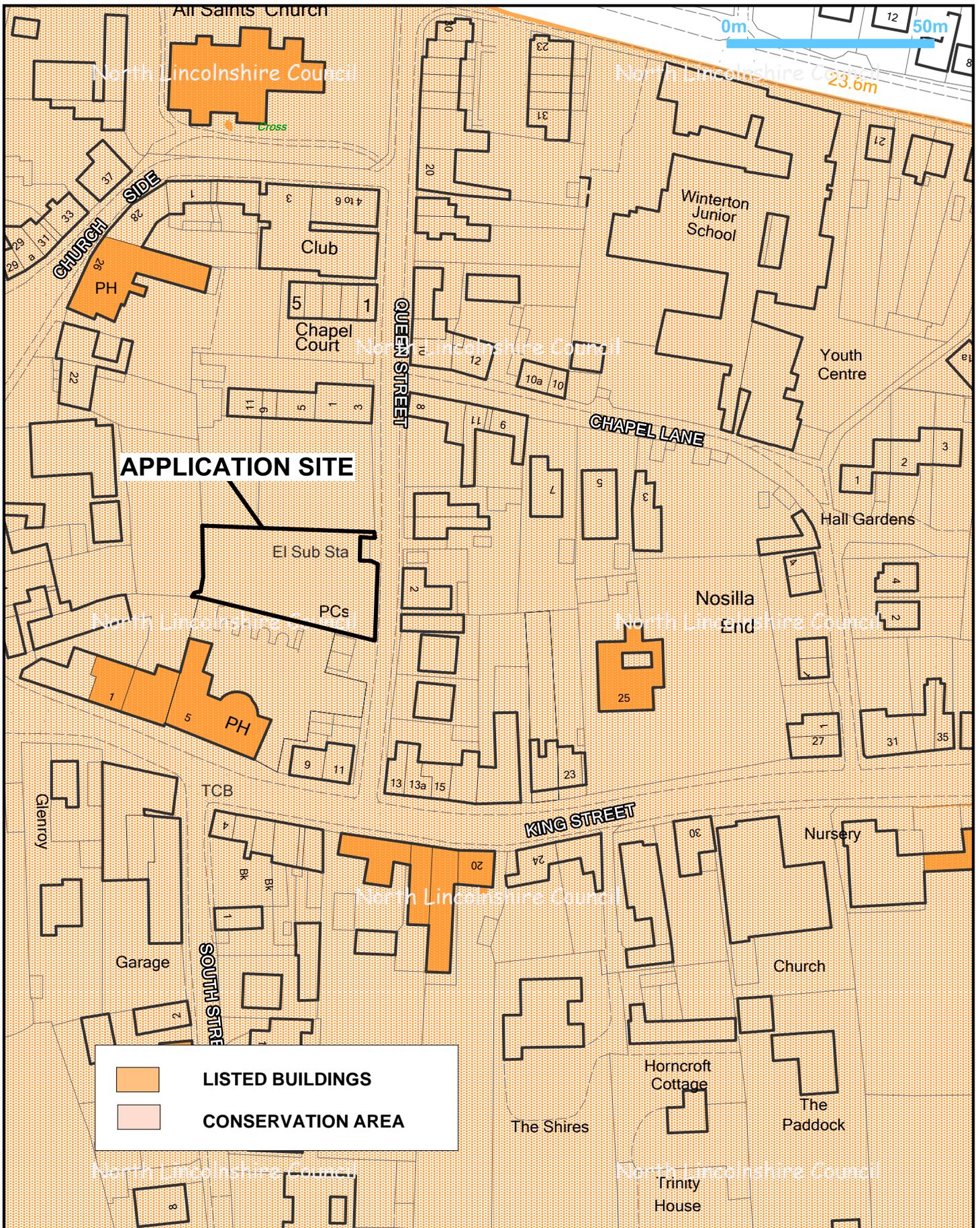
have been submitted to and approved in writing by the local planning authority. The proposed car parking facility shall not be brought into use until the vehicle access to it and the vehicle and cycle parking facilities serving it have been completed in accordance with the approved details and once provided these facilities shall be retained.

Reason

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

**Informative**

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/2015/1391

Drawn by: Sue Barden

Date: 21/01/2016

Scale @A4 1:1250



© Crown copyright and database rights 2016  
Ordnance Survey 0100023560



Director of Places  
Peter Williams  
BSc,DMS,CEng,MEI,MCMI,AMIMechE

