

**APPLICATION NO** PA/2018/40  
**APPLICANT** Mr McGurran, McGurran Assets  
**DEVELOPMENT** Planning permission to erect three dwellings  
**LOCATION** Land adjacent to 3–5 West End, Winteringham, DN15 9NR  
**PARISH** Winteringham  
**WARD** Burton upon Stather and Winterton  
**CASE OFFICER** Mark Niland  
**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**  
**REASONS FOR REFERENCE TO COMMITTEE** Objection by Winteringham Parish Council

## **POLICIES**

**National Planning Policy Framework:** Section 12

**North Lincolnshire Local Plan:** DS1, DS7, DS11, DS14, HE2, HE5, T19

**North Lincolnshire Core Strategy:** CS1, CS2, CS3, CS6, CS7, CS8, CS19

## **CONSULTATIONS**

**Conservation Officer:** No comments received.

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

**Environmental Health:** No objections subject to a condition relating to land contamination.

**Tree Officer:** No objections.

## **PARISH COUNCIL**

Objects on the following grounds:

- loss of staff toilets
- no parking provision
- intensification of highway network
- safety of school children
- intensification of poor drainage capacity
- disruption during construction.

## **PUBLICITY**

The site has been advertised by means of a site notice and press advertisement.

Numerous objections have been received on grounds of an increase in congestion due to the lack of parking provision and the resultant impact upon highway safety. Concerns relating to the intensification of the existing drainage infrastructure, disruption during construction, impingement upon amenity and impacts upon local business are other concerns put forward.

A letter of support has been received stating that the housing would provide homes for younger families that are much needed in the area.

## **ASSESSMENT**

This application was deferred at the last meeting of the planning committee to enable members to visit the site prior to making a decision.

The site is located within the conservation area of Winteringham on West End, just west of the Bay Horse Inn. The site is set back from the road and is raised off West End by approximately 1.8 metres. The site, which is currently unused, forms the rear curtilage of 2 High Burgage which is currently the post office. To the west of the site is 3 and 5 West End, a listed building that has three storeys and a pitched roof. Opposite the proposal site is an existing butcher's.

There is a green area of land to the front, between the footway and the road, which is defined as land of amenity importance. Lastly, the site is located wholly within Flood Zone 1 in accordance with the SFRA 2011.

### **The assessment will cover the following issues:**

- **principle of development**
- **highways and parking**
- **historic environment**
- **amenity**
- **environmental issues**
- **land quality**
- **area of amenity importance**
- **flooding and drainage.**

### **Principle of development**

Policy CS1 is concerned with the overall spatial strategy for North Lincolnshire. It states that development within rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service

provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policy CS2 reinforces this by putting forward a sequential approach in relation to where development should be focused. It states that "...small-scale developments within the defined development limits of rural settlements to meet identified local needs" are acceptable.

Policy CS7 is concerned with the overall housing provision stating that there is a requirement for an additional 12,063 dwellings across the district between 2010 and 2026. The policy also discusses densities, stating that housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities. The recommended densities for rural settlements are 30-35 dwellings per hectare.

Policy CS8 is concerned with the overall spatial distribution of dwellings. It states that new housing within the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

The proposal is located within the centre of Winteringham which is ranked 24<sup>th</sup> in the overall hierarchy according to the Sustainable Settlement survey 2016. The settlement has five of the seven key facilities and is considered to be a 'Larger Rural Settlement'. The proposal is within the settlement boundary close to existing services and amenities and accords with the overall spatial strategy as well as representing a small-scale development thereby aligning to policies CS1 and CS2 of the Core Strategy. The proposal, whilst creating a dense development, is responsive to its site constraints and in keeping with the layout of the village centre. The development would also contribute to the viability of Winteringham by supporting existing services and, whilst there is no off-street parking provision, the site ranks overall as 9<sup>th</sup> for transport and access to employment, marking it out as a sustainable location.

It is considered that the proposal is in accordance with the above policies and is therefore acceptable in principle.

### **Highways and parking**

The proposal would not provide any vehicular access points as there is no provision for off-street parking. There are no parking restrictions on this part of West End other than the restriction of parking within 10 metres of a junction. There is a mix in terms of off-street parking, with some dwellings having provision and some reliant upon the street.

Policy T19 is concerned with parking and sets out recommended provisions in relation to development types. The policy states that for terraced properties and grouped dwellings there is a requirement of one assigned space per dwelling plus one unassigned space per two dwellings; this would mean that there is a requirement of four spaces off-street across the proposed scheme. The applicant does not make provision for any.

The Highways department has assessed the planning application and has no objection subject to a condition requiring a construction method statement to be submitted before development commences.

It is therefore considered, given Highways support of the proposal, that the omission of off-street parking from the scheme would not cause a risk to the safety of other highway users. The proposal, whilst contrary to policy T19 of the local plan, proposes to develop on a site that is located centrally within Winteringham and would provide support for existing bus services whilst amenities are within walking distance.

## **Historic environment**

Policy HE2 is concerned with development within a conservation area and states that all development proposals in, or which affect the setting of, conservation areas should preserve or enhance the character and appearance of the area and its setting.

Policy HE5 is concerned with development affecting listed buildings. It states that the council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. When applications for planning permission relating to a listed building or listed building consent are being assessed, the primary consideration will be the need to preserve or enhance the fabric and character of the building.

Policy CS6 is concerned with development affecting the historic environment. It states that The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance, including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.

All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

The applicant has submitted a robust Heritage Impact Assessment which explores the growth of Winteringham, street patterns, and architectural features and prevalent materials. The report concludes that properties vary significantly in style, form, scale and appearance, and puts forward two lists: one for reoccurring elements, the other for irregular elements that are found within the conservation area. The Heritage Impact Assessment, along with the Design and Access Statement, provide an in-depth contextual analysis of the historic environment.

The development will comprise a block of three two-storey properties, two of which have lowered eaves with cat-slide style dormers to allow for living above the eaves. The property further east is slightly higher and the eaves about the top of the window. The applicant proposes retaining walls in the same materials as those of plots 2 and 3. The proposed dwellings will comprise three bedrooms at first floor, with a family bathroom. The ground floor will comprise a living room/dining/kitchen area, with separate hall and cloakrooms.

The conservation area appraisal for Winteringham discusses the varied mix of architectural types in the area and the prevalent use of local limestone, brick and tiles for building materials. The applicant is proposing to use limestone on the main façade of plot 1 whilst the materials for plots 2 and 3 would be matching brickwork with the proposed retaining wall; the wall would be finished with buff stone coping and wrought iron railings.

It is therefore considered that the proposal is in keeping with other materials used across the conservation area whilst the built form is sympathetic to its historic environment. It must be noted that the rear elevation of the proposed dwellings lacks much of the interest that the principle façade includes, however this will have no bearing upon the street scene.

Notwithstanding the details on the plans, any permission will have a condition attached preventing development until these details have been agreed; given its sensitive location it is considered that windows, rainwater goods and a sample panel of external materials will be required as part of any submission.

### ***Impact upon the listed building***

The site abuts 3 and 5 West End which are listed buildings; one is a three-storey townhouse, the other is two storeys with a shop front. Both are made up of a light brown facing brick with timber sash windows, and sill and lintel decoration. The proposal will clearly affect the setting of these buildings, especially number 3. However, there is an existing garden wall that runs along the proposal site with the west end of the wall located approximately only 30 centimetres away from the listed building; the wall is higher than the door and dominates the main entrance to 3 West End.

The proposal would see the removal of this wall and built form at two storeys would be brought close to the listed building, but the removal of the wall would afford space to it, which it currently does not have. There is a proposed separation gap of approximately 2.9 metres; this separation is reinforced by the set-back of plots 2 and 3 from the footway. It is considered that the relationship accepts the hierarchy of the historic environment and works well within its constraints.

The conservation officer has not provided any comments in relation to the proposal. It is considered that, subject to retaining control of all external materials, including windows and rainwater goods, the scheme has the potential to align with policies HE2 and HE5 of the North Lincolnshire Local Plan, and CS6 of the Core Strategy.

### **Amenity**

Policy DS1 of the North Lincolnshire Local Plan is concerned with development standards. It states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The proposed scheme is proportionate in scale and massing and would not give rise to any unacceptable impacts in relation to overshadowing/overbearing impact. Furthermore, all openings are positioned in a way that would not give rise to any unacceptable levels of visual intrusion.

The applicant has provided private amenity space to the rear of the dwellings though the space afforded is limited. It is considered, however, given the scale of the dwellings and their proximity to the dwellings fronting High Burgage (who also have smaller amenity areas), that the scheme is in keeping.

### **Environmental issues**

Policy DS11 is concerned with polluting activities. It states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise, do not pose a danger by way of toxic release, result in land contamination, pose a threat to current

and future surface or underground water resources, or create adverse environmental conditions likely to affect nearby developments and adjacent areas.

The proposal is located within a central village location and is likely to create noise, dust and emissions during construction. It is therefore considered that a condition requiring the applicant to submit and agree a construction environmental plan is necessary as well as a restriction on construction hours. There is legislative mitigation in respect of the aforementioned issues, however the area is close to functioning business as well as a school to the north. The end use is not considered to impact upon the locality. It is therefore considered that the scheme would accord with policy DS11 of the North Lincolnshire Local Plan.

### **Land quality**

Policy DS7 of the North Lincolnshire Local Plan is concerned with land contamination. It states that, in the case of proposals for development on land known or strongly suspected as being contaminated, applicants will be required to demonstrate that the level of contamination can be overcome by remedial measures or improvements.

The council's Environmental Health team has been consulted and has stated that, given that the land 'appears to have been built up', a condition requiring a desk-top study, and remediation and verification measures, is required. However, the site does not have a planning history that would suggest a use that would give rise to contamination has ever taken place and therefore the condition proposed is considered to be unreasonable. A monitoring condition requiring any unforeseen contamination found during construction to be reported to the local planning authority (and works stopped) will therefore be attached to any permission.

It is therefore considered that the proposed development would be in accordance with policy DS7 of the local plan.

### **Areas of amenity importance**

There is a strip of green space that runs along the front of the site (between the footway and the road) and down West End. This area is allocated as an area of amenity importance. Policy LC11 of the local plan is therefore relevant and states that within important amenity areas, development will only be permitted where it would not adversely affect their open character, visual amenity or wildlife value, or compromise the gap between conflicting land uses.

The proposal does not affect this green corridor and it therefore complies with the above policy. However, the Design and Access Statement shows an indicative position for parking in the future. It is considered that the loss/erosion of the amenity corridor would be wholly unacceptable given its contribution to the conservation area.

### **Flooding and drainage**

Policy DS14 is concerned with foul sewage and surface water drainage. It states that the council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission or completing planning agreements to achieve the same outcome.

Given that the scheme relates to three dwellings, it is considered that surface water created by the development would be satisfactorily mitigated at building regulations stage, whilst any connection to the sewage infrastructure would have to be in accordance with the regulations of the sewerage undertaker. It is therefore considered that flooding and drainage would be mitigated outside of the planning system and therefore planning conditions are considered unnecessary.

**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: Proposed Plans & Elevs dwg. no. 575.02, Site Plans & Details dwg. no. 575.01, Biodiversity Management Plan.

Reason

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

3.

No development shall take place until a construction phase traffic management plan showing details of all associated traffic movements, including delivery vehicles and staff/construction movements, any abnormal load movements, contractor parking and welfare facilities, storage of materials and traffic management requirements on the adjacent highway, has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented, reviewed and updated as necessary throughout the construction period.

Reason

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

4.

Notwithstanding the approved plans, no development shall take place until a full schedule of all external facing materials has been submitted to and approved in writing by the local planning authority, including all bricks, joinery products, windows, roof coverings, rainwater goods and external finishes, and only the approved materials shall be used.

Reason

To retain the character of the listed building in accordance with policy HE5 of the North Lincolnshire Local Plan.

5.

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 by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

#### Reason

In the interests of land quality and in accordance with policy DS7 of the North Lincolnshire Local Plan.

6.

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

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction or site clearance 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

In the interests of residential amenity in line with policy DS1 of the North Lincolnshire Local Plan.

#### **Informative 1**

All the windows and doors should be of a traditional design and advice can be provided by the council's conservation officer, Eddie Rychlak, who can be contacted by telephoning 01724 297634 or emailing [eddie.rychlak@northlincs.gov.uk](mailto:eddie.rychlak@northlincs.gov.uk).

#### **Informative 2**

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

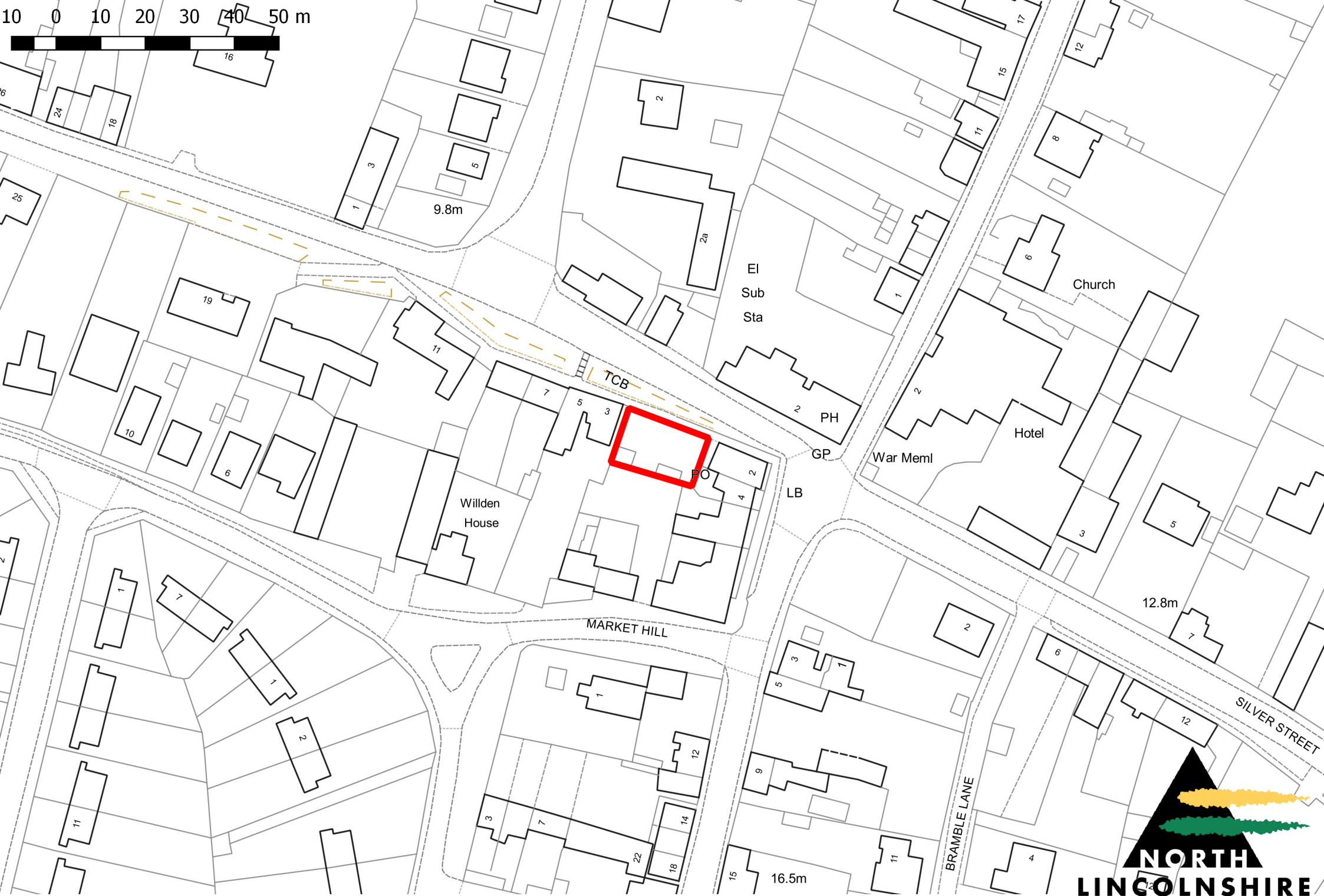
- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you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



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**PA/2018/40**

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# PA/2018/40 Site plan (not to scale)



Proposed Site Plan

scale 1:200

# PA/2018/40 Principal elevations (not to scale)

