

<b>APPLICATION NO</b>	<b>PA/2018/1931</b>
<b>APPLICANT</b>	Mr Paul Dye
<b>DEVELOPMENT</b>	Planning permission for alterations to window/door arrangements on the existing garage to facilitate conversion to habitable accommodation, replacement windows/door to the main dwelling and alterations to boundary wall and access
<b>LOCATION</b>	The Old Parsonage, 41 King Street, Winterton, DN15 9TP
<b>PARISH</b>	Winterton
<b>WARD</b>	Burton upon Stather and Winterton
<b>CASE OFFICER</b>	Andrew Willerton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Winterton Town Council
<b>POLICIES</b>	

**National Planning Policy Framework:** Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Framework must be taken into account and is a material consideration in planning decisions.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 127 states that decisions should ensure developments: function well and add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible which promote health and wellbeing with a high standard of amenity for existing and future users.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Paragraph 179 states that where a site is affected by contamination, responsibility for securing safe development rests with the developer and/or landowner.

Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

Paragraph 189 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 192 states that in determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states that 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.

Paragraph 194 states that any harm to, or total loss of, their significance of a designated heritage asset should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Paragraph 196 states that 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, where appropriate, securing its optimum viable use.

### **North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

### **Housing and Employment Land Allocations DPD:**

Inset Map for Winterton

PS1 (Presumption in Favour of Sustainable Development)

### **North Lincolnshire Local Plan:**

HE2 (Development in Conservation Areas)

DS1 (General Requirements)

DS5 (Residential Extensions)

### **CONSULTATIONS**

**Highways:** Advises an informative.

**Drainage:** No comments received.

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

**Environmental Health:** Advises a condition to address unexpected land contamination.

### **TOWN COUNCIL**

Objects to the proposal because the application has been made under a householder application for an extension but the proposal is for the conversion of a garage into a dwelling and all planning regulations for the development of a new dwelling should apply.

## **PUBLICITY**

The application has been advertised by site notice and within the local press for a period of not less than 21 days prior to the writing of this report. No comments have been received.

## **ASSESSMENT**

The application site is The Old Parsonage, 41 King Street, Winterton. The Old Parsonage forms a large, two-storey, detached, 1930s dwelling on the corner of King Street and Hart Lane within Winterton. The property has a detached garage block to the north-east corner of the site with road access drives from the south-west off King Street. The property is bound by a variety of treatments and is relatively well screened by vegetation. Planning permission is sought for alterations to window/door arrangements to the existing garage to facilitate conversion to habitable accommodation, replacement of windows/doors to the main dwelling and alterations to boundary wall and access.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

**The main issues for consideration with regard to the determination of this application are whether the proposed works would result in harm to the character and appearance of the conservation area, or significant harm to residential amenity.**

The Old Parsonage on King Street forms the application site which is sited at the heart of Winterton and is within the HELA DPD defined development limit for the settlement. The Old Parsonage is not listed nor is it a building of townscape merit. It is, however, within the Winterton conservation area that is also subject to an article 4 direction. The proposal forms three parts: the alterations to the existing garage; the replacement of windows to the main dwelling; and alterations to the existing boundary wall and access, which will each be considered in turn by this report. The principle of these developments in such a location is considered to be acceptable.

The first element of the proposal seeks planning permission to alter the external appearance of the detached garage to the north-east corner of the site which includes the insertion of windows. The alterations to the existing elevations are proposed to facilitate use of the garage as habitable accommodation. The level of accommodation within the building forms an open plan lounge/kitchen area at ground floor with first floor bedroom and bathroom which would effectively form an annexe. Winterton Town Council objects to the proposal as it considers the building effectively forms a dwelling and should be assessed as such and the proposal does therefore not constitute 'householder development'. It is accepted that the level of accommodation on offer within the existing garage could function independently from the main dwelling. Planning permission is, however, not required for the formation of the annexe, only the elevational alterations, as the proposal must be considered as applied for. If the garage were to be used as an independent dwelling it would require planning permission to change its use as it involves the formation of a new

residential unit and would be assessed as applied for at that time. As the proposal seeks elevational alterations to form additional habitable accommodation to form an annexe it is considered reasonable to impose a condition to require the building to be used for purposes ancillary to The Old Parsonage only.

The elevational alterations proposed involve the removal of garage doors, removal of windows and insertion of new windows, including those within the roof slope. Where openings are to be removed they are to be blocked up and finished with render which will match the existing garage structure. The proposed first floor windows overlook Hart Lane or the front driveway and parking area associated with the neighbouring property to the north. The proposed alterations are acceptable in terms of their design and are not considered to significantly harm residential amenity.

The second element of the proposal is the replacement of existing uPVC windows to the main dwelling, The Old Parsonage. The Old Parsonage is a large townhouse constructed in the early 20<sup>th</sup> century. It has been classed within the Winterton Conservation Area Appraisal as a building of neutral effect. The conservation officer considers the property to be an attractive building in an elevated position on King Street and the appearance and style of the existing windows impacts on the character of the building and the surrounding conservation area. The conservation officer has no objection to the replacement of the existing plastic windows with uPVC and notes that many other properties within the locality have plastic windows. However, the officer does consider that the conservation area could be enhanced through the installation of heritage style uPVC windows. It is therefore recommended that conditions be imposed to secure further details regarding the windows to be installed to ensure that they are appropriate with regard to the site's historic context.

The final element of the proposal seeks permission for alterations to the existing boundary wall of the site and access on King Street. Presently the boundary forms a mixture of rendered blockwork, facing bricks and fencing with a gated access to the western corner. It is proposed to build up the wall to the height of the existing fence with render finish which will be in keeping with the boundary wall of the adjacent property to the west. It is also proposed to create a new entrance gateway to the property by siting the gate further to the north within the site by 6 metres. This alteration will allow vehicles to be off the public highway whilst opening/closing the gate. No objections have been received in relation to this element of the proposal which is considered to improve both the aesthetics of the existing boundary treatment and highway safety.

**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: 18/23/06/SK1, 18/23/05, 18/23/04, 18/23/02, 18/23/03 and 18/23/07.

**Reason**

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

3.

The boundary wall, including any foundations, shall not be constructed within the limits of the adopted highway.

Reason

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

4.

No windows shall be installed until detailed drawings, including cross-sections, at a scale of 1:20, of the proposed windows have been submitted to and agreed in writing by the local planning authority. The drawings shall include details of the colour and material specification for all windows. The development shall be undertaken in accordance with the agreed details and shall thereafter be retained.

Reason

To preserve and enhance the character and appearance of the conservation area, in the interests of visual amenity, in accordance with policies DS1, DS5 and HE2 of the North Lincolnshire Local Plan, and CS5 and CS6 of the North Lincolnshire Core Strategy.

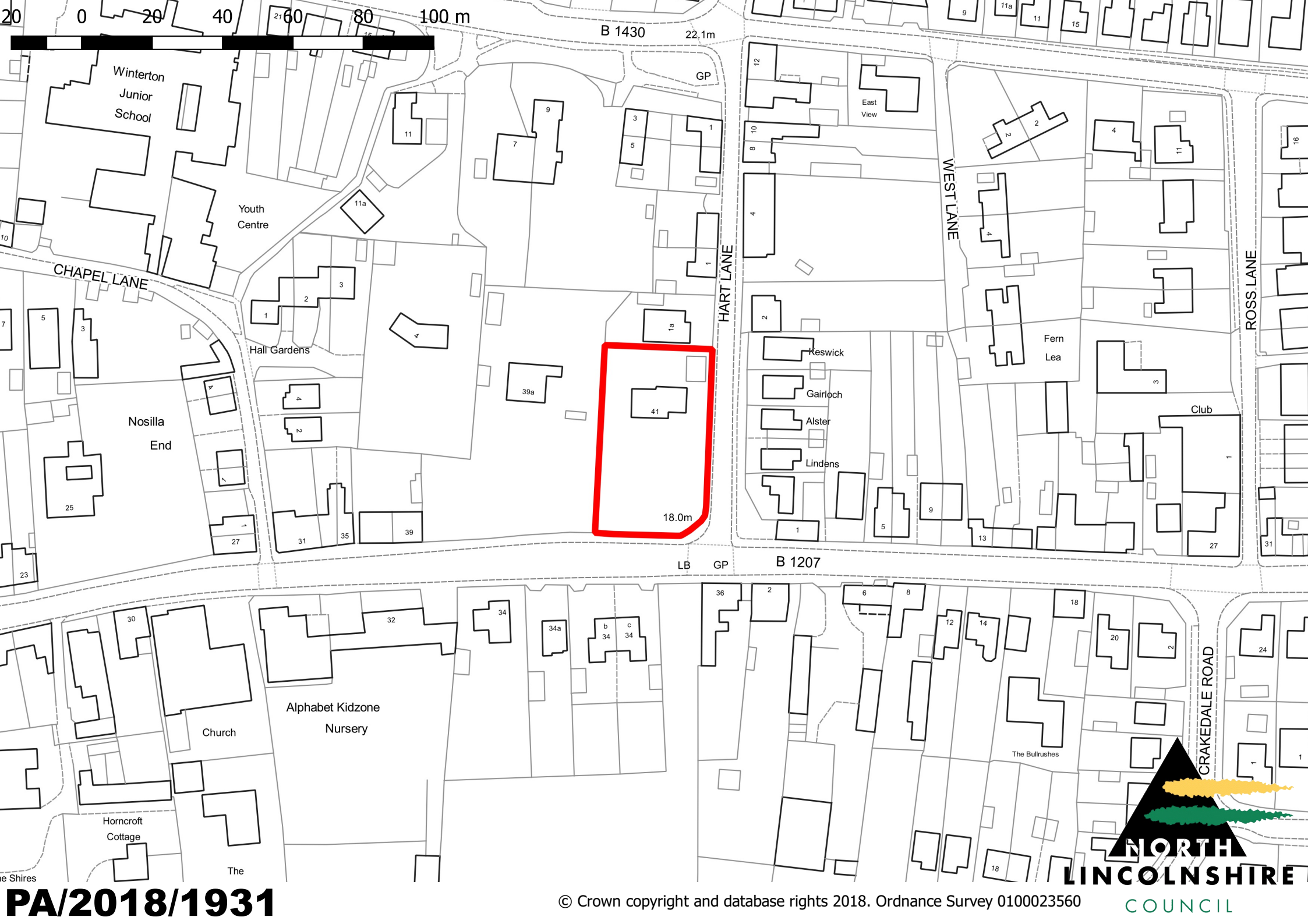
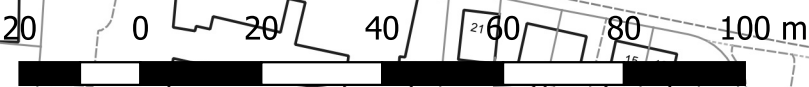
#### **Informative 1**

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 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.



18.0m

B 1430 22.1m

B 1207

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