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| APPLICATION NO | PA/2018/2545 |
| APPLICANT | Mr & Mrs Keith Richardson |
| DEVELOPMENT | Planning permission to erect a detached three-bedroomed house including new road crossing and off-road parking, and part use of existing garage block |
| LOCATION | Land adjacent to 138 Earlsgate, Winterton, DN15 9XD |
| PARISH | Winterton |
| WARD | Burton upon Stather and Winterton |
| CASE OFFICER | Mark Niland |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Winterton Town Council |

POLICIES

National Planning Policy Framework: Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

North Lincolnshire Local Plan: DS1, DS7, DS14, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS19

CONSULTATIONS

Highways: No objections subject to conditions.

Environmental Health: No objections subject to conditions.

TOWN COUNCIL

Objects to the planning application for a number of reasons. The application states it will use existing drainage when it should have its own drainage that goes directly into the main drain. It will drastically reduce visibility at a busy junction and concerns are raised over construction vehicles accessing the site during the build and reversing onto a busy junction.

PUBLICITY

The application has been publicised by site notice.

Objections have been received which centre on issues relating to highway safety, residential amenity and character impacts of the proposal. These objections have been considered as part of the assessment.

ASSESSMENT

Site characteristics

The proposal relates to the rear garden of 138 Earlsgate, Winterton which is located within the settlement boundary as identified by the Housing and Employment Land Allocations DPD 2016. It relates to a corner plot and the applicant proposes to demolish outbuildings and create an access onto Top Road.

The assessment will therefore focus on the following issues:

- **principle of development**
- **flood risk**
- **amenity**
- **highways**
- **land contamination.**

Principle of development

Policy CS1 of the Core Strategy is concerned with the overarching spatial strategy for North Lincolnshire. It states that North Lincolnshire's market towns will continue to provide important services for the area's rural communities and support the higher level services provided by Scunthorpe. Levels of growth and development will be more limited reflecting their position in the settlement hierarchy. All growth will take account of existing infrastructure, environmental constraints and ensure that the distinctive character of the town is protected.

An appropriate level and range of new housing development will be provided to support the market towns as sustainable communities. During the plan period, the market towns will provide over 2,171 new dwellings.

Policy CS2 of the Core Strategy sets out a sequential approach for development on different land types. It states that previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities, then appropriate small-scale greenfield extensions to meet identified local needs is the second in priority for development.

The proposal to erect a dwelling within the market town of Winterton is in accordance with the aforementioned planning policies, being within both the settlement boundary of Winterton as well as representing an infill plot, and is therefore considered acceptable in principle.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst policy DS14 of the North Lincolnshire Local Plan is concerned with foul sewage and surface water drainage. The application site is located within flood zone 1 and therefore is a preferred place for development in terms of flood risk.

The council's drainage team have been consulted and have not made comment. Surface water drainage, however, would also form part of mitigation at building regulations stage. Furthermore, an agreement with the sewerage undertaker would also need to be in place in order to access the existing infrastructure and is therefore mitigated by legislative requirements, whilst approved document H would mitigate any connective workings to the said infrastructure. It is therefore considered that the proposal is in accordance with policies CS19 of the Core Strategy and DS14 of the North Lincolnshire Local Plan.

Amenity/appearance

Policy DS1 is partly concerned with impacts upon residential amenity. 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." Policy CS5 of the Core Strategy is concerned with delivering quality design. Both policies are considered relevant.

The site is abutted by both the host property (138 Earls Gate) as well as a dwelling on Top Road. The applicant has sited the dwelling in a location that would not overbear on either of the neighbouring properties by virtue of its orientation and separation distance, and all openings are in a position that would not give rise to an unacceptable level of visual intrusion.

In terms of appearance, the scale and built form of the proposal would be in keeping with other dwellings along Earls Gate and the applicant has carefully chosen a palette of materials that would be sympathetic; these will be secured by condition.

The proposal is therefore considered to be in accordance with policy DS1 of the North Lincolnshire Local Plan and policy CS5 of the North Lincolnshire Core Strategy.

Land quality

Policy DS7 is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination.

The council's Environmental Health team have been consulted and have stated that a condition monitoring any unforeseen land contamination found during construction would represent suitable mitigation; this will be secured by condition.

It is therefore considered that the proposal is in accordance with policy DS7.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 is

concerned with parking provision as well as general highway safety; both policies are considered relevant.

Highways have considered the application and have no objections subject to the imposition of conditions relating to the access, negotiation and egress of the site, in the interests of highway safety. These conditions will duly be attached.

It is therefore considered that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Summary

The proposal is considered to align with the overarching spatial strategy and is considered acceptable in principle. Furthermore, all technical issues are mitigated by conditions.

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: KR/18/01; KR18/02A; KR1803A.

Reason

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

3.
The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 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 off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

5.

The external materials of the proposal shall match those made explicit within the application form and design and access statement.

Reason

In the interests of visual amenity and to accord with policy CS5 of the North Lincolnshire Core Strategy.

6.

The finished floor levels of the proposed dwelling shall match those of 138 Earls Gate unless otherwise agreed in writing with the local planning authority.

Reason

To protect the amenity rights of adjoining neighbours in accordance with policy DS1 of the North Lincolnshire Local Plan.

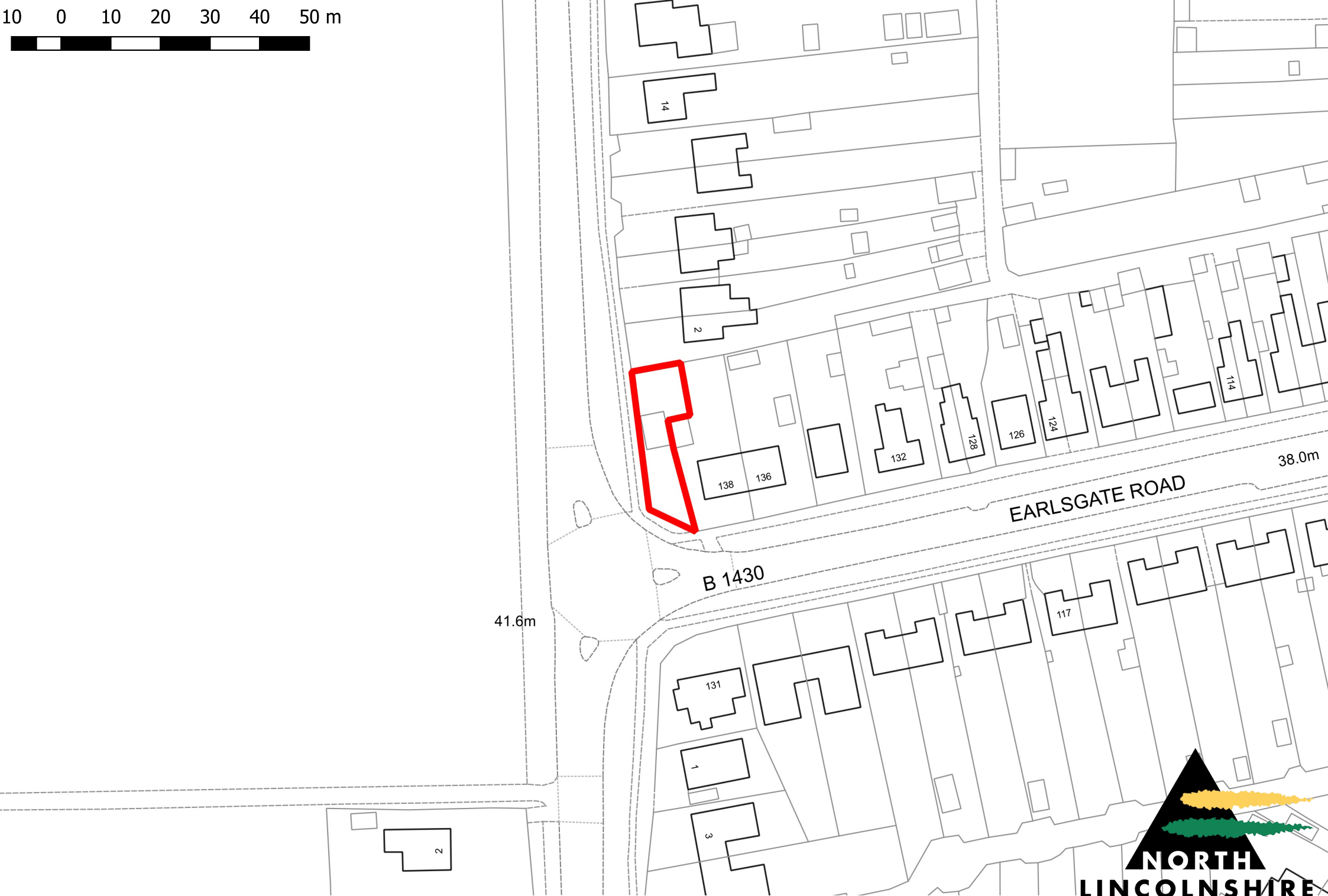
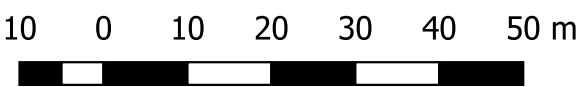
Informative 1

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.



PA/2018/2545



PA/2018/2545 Site layout (not to scale)

DEVELOPMENT CONTROL SECTION
 28 DEC 2018
 DATE RECEIVED
 Referred To

MR & MRS. K. RICHARDSON
 LAND ADJACENT TO 138 EARLSGATE
 WINTERTON
 SCUNTHORPE
 DN15 9XD 78 80

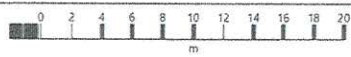


- ① Garage to used for new dwelling.
- ② Garage retained by 138 Earlsgate +

1.6m

"PROPOSED BLOCK PLAN"

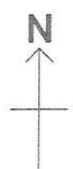
DRG. NO. KR/18/02A



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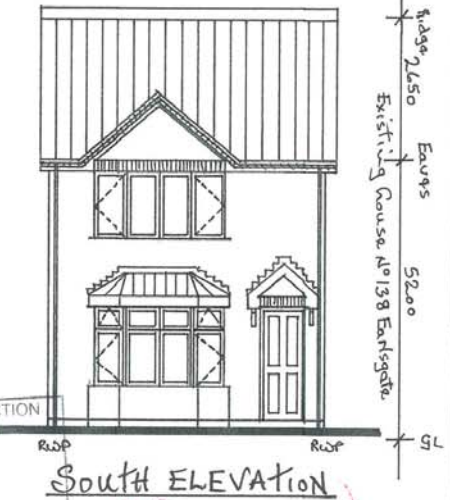
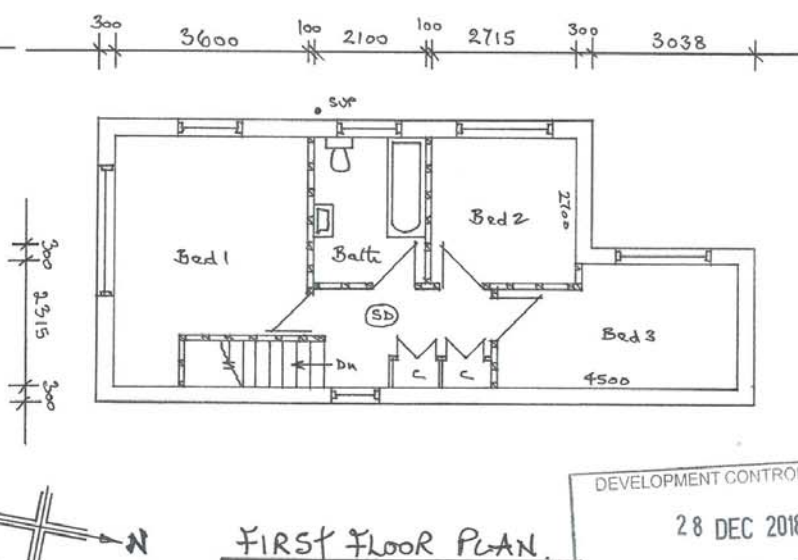
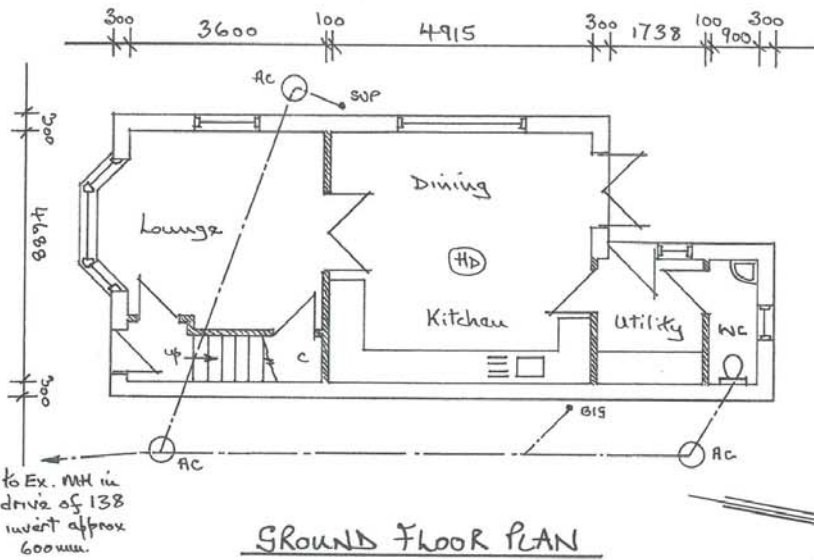
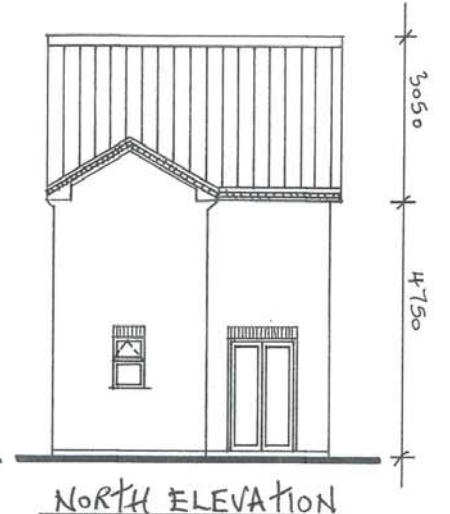


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PA/2018/2545 Proposed elevations and floor plans (not to scale)



DEVELOPMENT CONTROL SECTION
28 DEC 2018
DATE RECEIVED
Referred to

MR & MRS. K. RICHARDSON
LAND ADJACENT TO 138 EARLSGATE
WINTERTON
SCUNTHORPE DN15 9XD

PROPOSED DETACHED
DWELLING HOUSE

DRAWN BY:
JEM MANAGEMENT SERVICES
45 OSWALD ROAD
SCUNTHORPE 01724 282386

DATE: DECEMBER 2018
SCALE: 1/100 @ A3

DRG. NO. KR/18/03
REV.