

APPLICATION NO	PA/2021/891
APPLICANT	Mr G Clements
DEVELOPMENT	Planning permission to erect 9 dwellings with landscaping and access
LOCATION	Land rear of 9-11 Torksey Street, Kirton in Lindsey, DN21 4PW
PARISH	Kirton in Lindsey
WARD	Ridge
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Objection by Kirton in Lindsey Town Council

POLICIES

National Planning Policy Framework:

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision making)

Chapter 5 (Delivering a sufficient supply of homes)

Chapter 9 (Promoting sustainable transport)

Chapter 11 (Making effective use of land)

Chapter 12 (Achieving well-designed places)

Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)

Chapter 15 (Conserving and enhancing the natural environment)

Chapter 16 (Conserving and enhancing the historic environment)

North Lincolnshire Local Plan:

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy HE2 (Development in Conservation Areas)

Policy HE5 (Development affecting Listed Buildings)

Policy HE9 (Archaeological Excavation)

Policy DS1 (General Requirements)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS16 (Flood Risk)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6: (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS19 (Flood Risk)

CONSULTATIONS

Historic Environment Record (Conservation): Objects to the application because insufficient justification has been provided for the demolition of an important historic building in the Kirton conservation area.

Historic Environment Record (Archaeology): Initially recommended a holding objection until the results of the field evaluation are available to adequately assess the potential impact of the development on the archaeological significance.

Furthermore, the application should not be determined, except for a refusal, until this information is submitted and any appropriate mitigation measures agreed to avoid adverse impact or adequately mitigate the loss of heritage interest.

Additional information has been submitted, however the Archaeology officer is still not satisfied with the additional information submitted and therefore retains the holding objection.

Environmental Protection: No objections subject to conditions.

Drainage Team (Lead Local Flood Authority): Raises concerns that there are some anomalies with the site investigation report concerning infiltration rates used and a lack of evidence to suggest groundwater does not exist on the site.

Anglian Water Services Ltd: No objection.

Place, Planning and Housing: Has provided advice on all relevant policies related to this proposal. The development plan for Kirton in Lindsey consists of the Core Strategy and Housing and Employment Land Allocations DPD of the North Lincolnshire LDF and the Saved Policies of the North Lincolnshire Local Plan 2003.

Highways: No objection subject to conditions.

TOWN COUNCIL

Object to this application. 'Although the area indicated may benefit from some development, there are potential problems identified with this application. The line of sight from units 7–9 may harm the privacy of the bedrooms of numbers 8–10 Turner Street. The applicant should be able to prove whether this will not be an issue by submitting section drawings and undertaking some site redesign if necessary and they should therefore be required to do so.

The Town Council note the Lead Local Flood Authority (LLFA) have, in their consultation reply, noted how the application has failed to provide a flood risk assessment and principle drainage strategy and so consequently the proposal fails to comply with both local and national planning policies.

Kirton in Lindsey Town Council has concerns about highways, namely the safe egress of vehicles from the dwellings and preservation of safety for pedestrians, given that there will be several immediately adjacent driveways. Such density of additional housing will also add to congestion in an area of the town which has narrow lanes for roads. The Town Council notes the concerns raised by Highways indicating the need for a demolition traffic management plan prior to any development taking place, which is in line with Kirton in Lindsey Town Council's concerns over some difficulty which will be experienced by construction traffic serving a site in this location. The Town Council support the need for such a plan to be made available for approval.

Although the principle of suitable development at this site is supported, the current proposals draw concerns and unanswered questions given the potential for loss of privacy and insufficient information about flood risk and highway issues which the application would bring if approved.

Kirton in Lindsey Town Council, therefore, objects to this application concerning material considerations including the government policy, proposals in the Local Development Plan, overlooking, loss of privacy, loss of daylight, sunlight, overshadowing, access, traffic – highway safety, provision for the impact of parking and drainage, flood risk.'

PUBLICITY

Advertised by site and press notice. Nine responses have been received raising the following concerns:

- the design of the buildings
- the impact on buildings of townscape merit
- overlooking impact
- loss of light
- privacy
- increase in traffic

- parking issues
- public safety
- access to and from the development site
- poor visibility of vehicles exiting the development site
- impact on the conservation area.

ASSESSMENT

Constraints

- Conservation area
- Tree preservation order
- Area of archaeological interest
- Development boundary
- Buildings of townscape merit
- SFRA flood zone 1

Planning history

None.

Proposal and site description

The site is within the development boundary of Kirton, within the conservation area and near to several buildings of townscape merit alongside Torksey Street and Turner Street.

The site is an overgrown rear garden to former numbers 9, 11, 15 and 17 Torksey Street, along with the former curtilage of three disused abandoned terraced dwellings fronting Turner Street and adjacent to the junction with Torksey Street.

Planning permission is sought to erect nine dwellings with access, parking and landscaping, including associated demolition works. The proposal would consist of three terraced properties containing three dwellings (Units 1–3, 4–6 and 7–9). Each dwelling would have two bedrooms and off-street parking provision for up to two cars. Visitor parking would also be provided.

The dwellings would be finished in brick with pantile roofs to match existing buildings on the site.

The following documents have been submitted in support of the application:

- Manufacturer's Brochure
- Permeable Paving Installation Manufacturer Specification

- Heritage Lighting Column Manufacturer Specification
- Design and Access Statement
- Historic Building Survey and Archaeological Evaluation
- Phase 2 (ground investigation) Report
- Drainage Report
- Structural Inspection Report
- Archaeological DBA
- Structural Report
- Phase 2 Report
- Phase 1 Report.

Key issues

The main issues to consider in determining this application are:

- **the principle of the development;**
- **impact on scale and character of the surrounding area;**
- **impact on neighbouring amenities;**
- **highways, access, and parking;**
- **flood risk and drainage;**
- **landscaping and ecology.**

Principle of development

The application site is within the development boundary of Kirton in Lindsey.

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 saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing that seek to restrict housing outside of settlements should not be considered up-to-date if a five-year supply cannot be demonstrated. The presumption in favour of sustainable development means that permission should be granted unless any adverse

impacts would significantly and demonstrably outweigh the benefits of the application when assessed against the policies of the NPPF.

National Planning Policy Framework, Chapter 11 (Making effective use of land), under Paragraph 120, states that planning policies and decisions should ensure that substantial weight is given to the value of using suitable brownfield land within settlements for homes and other identified needs, and supports appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

It also promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example, converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

The design and access statement confirms that the application site is brownfield in nature as it is/was last used in a residential capacity. In this case, the residential reuse of the site would constitute sustainable development and is compatible with the residential uses of the surrounding area.

Policy CS2 (Delivering more Sustainable Development) states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted.

The adopted sequential approach focuses on the following:

- (a) Previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions
- (b) 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
- (c) Small-scale developments within the defined development limits of rural settlements to meet identified local needs.

In this case, Kirton in Lindsey is a market town, and the site is within the development boundary. Consequently, the development is consistent with the aims of policy CS2.

Policy CS3 (Development Limits) ensures that the countryside is protected from inappropriate development and that no uncontrolled expansion of settlements will take place. Since the site is within the development boundary of Kirton and housing development on the site is not restricted, the proposal meets the terms of policy CS3.

Notwithstanding the development plan policies set out above, the NPPF is a material consideration when determining planning applications. Paragraph 10 of the NPPF states, 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.' Paragraph 11(d) of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Where the local planning authority

cannot demonstrate a five-year supply of deliverable housing sites, relevant policies which were most important to determining the application should not be considered up-to-date.

A recent appeal decision dated 20 July 2022 (planning reference PA/2020/554) has been issued where the Inspector has concluded that the council does not currently have a five-year housing land supply of deliverable sites. The council's Five Year Housing Land Supply Position Statement is awaiting an update and as such any decisions made by the planning authority will take account of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. The current local policies which are most important for determining the application will carry reduced weight during this period.

The site is within the development boundary of Kirton in Lindsey where the principle of residential development is considered acceptable. The proposal generally accords with the relevant policies of the development plan. As such the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004 is engaged, which states that planning permission should be granted unless other material considerations indicate otherwise. The proposal is considered to represent sustainable development and the presumption in favour set out in paragraph 11 of the Framework is triggered. In determining the principle and sustainability of the proposed development, an assessment is required on the technical elements of the proposal which will be discussed below.

Layout, siting and design

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting;
- (d) establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractively, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 128 of the NPPF requires that 'design quality should be considered throughout the evolution and assessment of individual proposals'.

Policy DS1 of the local plan (General Requirements) expect a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed

development will be refused. All proposals will be considered against the criteria of quality of design, amenity impact, conservation, resources, utilities and services.

Core Strategy policy CS5 (Delivering Quality Design in North Lincolnshire) requires all new development in North Lincolnshire to be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design if it is appropriate for its location and is informed by its surrounding context. A design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

In considering scale and layout, the proposed development on the site of approximately 0.14 hectares would not result in over-development and would be reflective of the scale and form of residential properties nearby.

Regarding the impact of the proposal on the surrounding area, the dwellings proposed fronting Turner Street (units 1–3) and Torksey Street (units 4–6) would be prominent in the street, which has a mix of different dwelling types and designs, including two-storey terraced dwellings.

Having given due regard to the character of the site in the context of the surrounding area, it is judged that the relationship between the site and the existing built form, is not suitable because the site is infill housing development and would result in a higher-density residential scheme (i.e. the ratio of land area and number of dwellings) in a relatively low to medium density residential area, where the surrounding residential units have either large or modest gardens.

Also, this high-density residential scheme would result in a cramped development with dwelling units associated with small gardens.

Overall, the siting and layout of the site is not acceptable in the context of the character and appearance of the immediate area and would impact negatively on the character of the conservation area.

Impact on residential amenities

Policy DS1 (General Requirements) expects a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. It requires that all proposals be considered against the quality of the design and amenity, amongst other matters. Further to this, the NPPF advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Public consultation on the application has been undertaken by means of a site notice. The concerns raised following this exercise include the impact of the development on the amenity of surrounding properties through overlooking, and loss of light and privacy.

Having regard to the effect of the development on privacy levels, it is worth noting that Units 7–9 would face Units 1–3. The separation distance between Units 1–3 and Units 7–9 is approximately 10m. Where windows serving accommodation in a dwelling face another dwelling, the development must demonstrate that the separation distances would ensure that privacy levels are protected and reflect the highest possible standards of design. In this case, the separation distance of 10m is insufficient to protect the privacy of the properties.

The first-floor windows of Units 7–9 would overlook the amenity areas of Units 1–3 (private garden).

Regarding window-to-window, the separation distance of 10m between the first-floor windows of Units 1–3 and the first-floor windows of Units 7–9 are sufficient to protect residential amenity by ensuring the habitable rooms are protected.

Concerning Units 4–6, the dwellings would face the gable of Units 7–9 at a 90-degree angle and therefore the relationship between the dwellings is less likely to raise an issue of loss of privacy or overlooking and there would be no inter-visibility between rooms.

Generally the development would not accord with policy in terms of ensuring that the privacy/amenities of Units 1–3 are safeguarded as part of the proposed development. The design statement does not demonstrate how residential privacy would be maintained.

Having reviewed the details of the design, and the impact on residential amenities, the proposal would not meet the principles of policy DS1 or the NPPF in terms of the impact of the development on the privacy of surrounding properties.

Access and parking

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions as well as general highway safety.

All dwellings would be provided with off-street parking for up to two cars. Units 1–3 will have direct highway access off Turner Street and units 4–6 and 7–9 have access from Torksey Street. Highways have no objection to the grant of permission subject to conditions, which would be applied to any permission granted. The proposed access is therefore sufficient to serve the development.

Overall, it is considered, subject to conditions, that the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan and the National Planning Policy Framework.

Flood risk and drainage

Policy CS19 of the Core Strategy is concerned with flood risk and policy DS14 of the local plan is concerned with foul sewage and surface water drainage.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary for such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

When determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- (a) within the site, the most vulnerable development is in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- (b) the development is appropriately flood resistant and resilient;
- (c) it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments.

In this case, the site is located within SFRA flood zone 1.

The LLFA Drainage Team has been consulted and has indicated that there are some anomalies with the site investigation report concerning infiltration rates used and a lack of evidence to suggest groundwater does not exist on the site:

'Section 9.5 quotes two rates: 5.17×10^{-5} m/s and 1.52×10^{-4} m/s, but only one test result from SA 2 is shown in the report, the lowest rate being 1.07×10^{-4} m/s. This is equivalent to 385mm/hr which is the rate that the consultant has quoted and used in his calculations. Where has the 5.17×10^{-5} m/s come from and why was this lower value not used in the calculations? This value is equivalent to 186mm/hr which is only about half the value that the report has used.

Appendix B states trial holes down to 3.2 metres and groundwater encountered. No site investigation report has been submitted.

Crated storage within plots 1, 2 and 3 serving all other plots. The use of connected private surface water drainage systems which are reliant on one outfall/property owner is not permitted unless a robust adoption and maintenance plan is produced. The reliance on one owner to maintain a drainage system, that if not maintained can cause civil and legal disputes moving forward with several neighbouring properties. This is an approach that other local authorities are adopting. There is no reason why each property cannot have its own individual surface water drainage outfall. This is not a good solution unless it is a public sewer and adopted by the water company.'

The applicant has been made aware of the drainage officer's comments but has failed to address the concerns raised.

The proposal does not, therefore, meet the terms of policy CS19 of the Core Strategy and policy DS14 of the local plan.

Contaminated land

The NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. 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 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. Policy DS1 is also concerned with the protection of amenities.

Environmental Protection (Contaminated Land) have no objection to the development, subject to conditions. They have commented that this application for residential development is a sensitive end-use. In addition, historical mapping held by the department identifies several structures on site which may have the potential to introduce contaminants such as asbestos, heavy metals and PAHs, which are harmful to human health. It is the developer's responsibility to assess and address any potential contamination risks, however no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level.

If the council is mindful to determine the application without the information required under National Planning Policy guidance, then the department would recommend a condition, which will be applied to any permission granted. The proposal would accord with policy DS11 of the North Lincolnshire Local Plan.

Archaeology

Policy HE9 (Archaeological Excavation) states that where development proposals affect sites of known or suspected archaeological importance, an archaeological assessment will be required to be submitted prior to the determination of the application.

It states that planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.

Sites of known archaeological importance will be protected. When development affecting such sites is acceptable in principle, mitigation of damage must be ensured and the preservation of the remains in situ is a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before and during development.

Historic Environment Record (Archaeology) initially recommended a holding objection until the results of the field evaluation are available to adequately assess the potential impact of the development on the archaeological significance.

They have indicated that the application should not be determined, except for a refusal, until the above information has been submitted and any appropriate mitigation measures agreed to avoid adverse impact or adequately mitigate the loss of heritage interest.

Notwithstanding the submission of the requested information, the Archaeology officer is still concerned that the proposed development would destroy significant archaeology, including the potential for Roman building remains. The officer has commented that, given the significance, there should be agreement on appropriate mitigation measures with the developer before determining this application. This is to ensure that any substantial harm to archaeology will be offset by a programme of further archaeological excavations prior to any development taking place.

The applicant needs to take into account the time and costs of the archaeology, and Historic Environment Record (Archaeology) need to be satisfied that the applicant would have appropriate plans in place to undertake the archaeological work.

The next step is for the applicant to submit this evaluation report and Historic Environment Record (Archaeology) can provide a formal planning consultation response.

Historic Environment Record (Archaeology) have advised that the applicant should also provide a Written Scheme of Investigation for pre-construction archaeological excavation that their archaeological contractor can prepare for them. This WSI should be agreed upon and then submitted to consider in the determination of the application.

From the above, it is judged that inadequate information has been submitted to fully assess the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect the site. The proposal, therefore, does not comply with policy HE9 (Archaeological Excavation).

Conservation area

As indicated earlier, the site is within the conservation area and contains a building of townscape merit.

Chapter 16, Conserving and enhancing the historic environment of the NPPF, paragraph 206, states that local planning authorities should look for opportunities for new development within conservation areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on local planning authorities as respects conservation areas in the exercise of planning functions. In exercising this duty, with regard to any building or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Policy HE2: Development in Conservation Areas requires 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. The criteria that will apply in determining applications for development in conservation areas, among others, include design, harmony with the surroundings, building materials, and retaining important architectural and historical features.

Policy CS6: Historic Environment of the Core Strategy 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.

Kirton In Lindsey Conservation Area Supplementary Planning Guidance Adopted Document, under the section Buildings of Townscape Merit, indicates that Buildings of Townscape Merit are unlisted buildings which it is considered contribute positively to the character of the Kirton in Lindsey conservation area. They largely date from the 18th and 19th centuries, and a number of them are proposed for statutory listing. The buildings are generally unaltered or, with some restoration, could easily be reinstated to their original appearance.

The age and architectural interest of Buildings of Townscape Merit are considered to provide sufficient justification for them to be given special protection and the council will resist their demolition unless the applicant can prove that the buildings are beyond the point of economic repair.

Additionally, Buildings of Townscape Merit are an important part of the character of the conservation area, and the council will pay special attention to applications to alter or extend them.

The conservation officer has objected to the application, indicating that the 18th-century barn fronting Turner Street has been identified as a building of townscape merit within the Kirton conservation area.

The building contributes positively to the character of the Kirton in Lindsey Conservation Area and its proposed demolition will lead to a substantial loss of important historic building and negatively impact the character of the Kirton conservation area.

The conservation officer has commented that insufficient justification has been provided to justify the demolition of this important historic building in the Kirton conservation area.

The proposal would therefore not comply with policies HE2 and CS6.

Town council comments

Kirton in Lindsey Town Council objects to this application on drainage concerns, highway matters, the density of the area and potential amenity impact. These concerns have been considered and all issues addressed in this report.

Public comments

The public concerns about the design, impact on buildings of townscape merit, amenity impact, highway issues and impact on the conservation area have been addressed in this report.

Conclusion

In conclusion, the principle of the development is judged acceptable; however, there are significant objections from consultees and the matter is unlikely to be resolved soon. It is believed that the applicant would require sufficient time to resolve the issue and the application cannot remain pending indefinitely.

Regarding amenity impact, it is judged that the development would not accord with policy in terms of ensuring that privacy/amenity is safeguarded as part of the proposed development. The first-floor windows would overlook the amenity areas of the neighbouring properties. The proposal is therefore contrary to policies DS1 of the local plan and CS5 of the Core Strategy.

In terms of drainage, there are outstanding matters regarding anomalies with the site investigation report concerning infiltration rates used and the lack of evidence to suggest groundwater does not exist on the site. The applicant has been made aware of the drainage officer's comments but has failed to address the concerns raised. The proposal would therefore not meet the terms of policies CS19 of the Core Strategy and DS14 of the local plan.

On archaeology, inadequate information has been submitted for a comprehensive assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect the site. The proposal, therefore, does not comply with policy HE9 of the local plan.

Turning to the impact on the conservation area and the building of townscape merit within the site, the council will resist the demolition unless the applicant can prove that the building is beyond the point of economic repair. It is also judged that the building contributes positively to the character of the Kirton in Lindsey conservation area and the proposed demolishing of the building will lead to a substantial loss of important historic buildings of architectural interest and negatively impact the character of the Kirton conservation area. The proposal would therefore not comply with policies HE2 of the local plan and CS6 of the Core Strategy.

Generally, the proposal does not meet the requirements of the NPPF and Kirton in Lindsey Conservation Area Appraisal and the supplementary guidance. It is therefore recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

1.

The layout, siting and design of the development are not acceptable because they would not accord with policy in terms of ensuring that privacy/amenities are safeguarded as part of the proposed development. The separation distance of approximately 10m is insufficient to protect the privacy of Units 1–3 (private garden) from the first-floor windows of Units 7–9.

Further, the separation distance of approximately 10m between Units 1–3 (private garden) and Units 7–9 is insufficient to safeguard overlooking from window to window at first floor between Units 1–3 (private garden) and Units 7–9. The proposal is therefore contrary to policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy, as well as paragraph 130 of the National Planning Policy Framework.

2

The layout, siting and design of the development are not acceptable, given due regard to the character of the site and context of the area. The development would result in a higher-density residential scheme (i.e. the ratio of land area and number of dwellings), in an area of relatively low to medium density, where the surrounding residential units have either large or modest gardens, and would result in a cramped development with dwelling units associated with small gardens. The proposal is therefore contrary to policies DS1 of the North Lincolnshire Local Plan and CS5 of the Core Strategy, as well as paragraph 130 of the National Planning Policy Framework.

3.

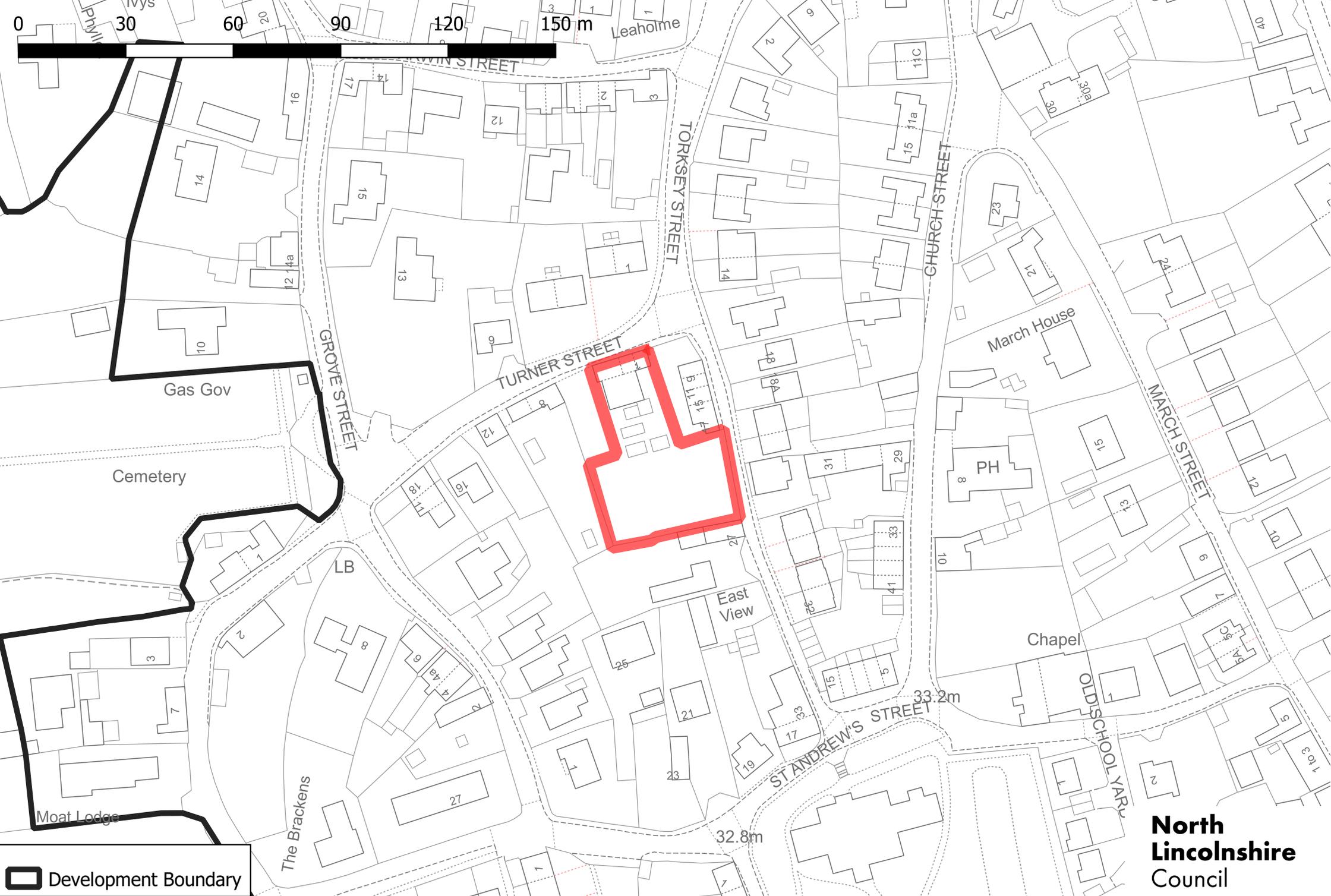
There are outstanding matters regarding anomalies with the site investigation report concerning infiltration rates used and the lack of evidence to suggest groundwater does not exist on the site. The applicant has been made aware of the drainage officer's comments but has failed to address the concerns raised. The proposal would not meet the terms of policies CS19 of the Core Strategy and DS14 of the North Lincolnshire Local Plan, as well as paragraph 167 of the National Planning Policy Framework.

4.

Inadequate information has been submitted for a comprehensive assessment of the nature, extent and significance of the archaeological remains present and the degree to which the proposed development is likely to affect the site. Therefore, the proposal does not comply with policy HE9 of the North Lincolnshire Local Plan, as well as paragraph 194 of the National Planning Policy Framework.

5.

Because of its demolition, the development would negatively impact the building of townscape merit within the site and the conservation area. The applicant has failed to demonstrate satisfactorily that the building is beyond the point of economic repair. It is also judged that it contributes positively to the character of the Kirton in Lindsey conservation area and its proposed demolition would lead to a substantial loss of important buildings of historic and architectural interest, and negatively impact the character of the Kirton in Lindsey conservation area. Therefore, the proposal does not comply with policies HE2 of the North Lincolnshire Local Plan and CS6 of the Core Strategy, as well as paragraphs 195 and 197 of the National Planning Policy Framework.



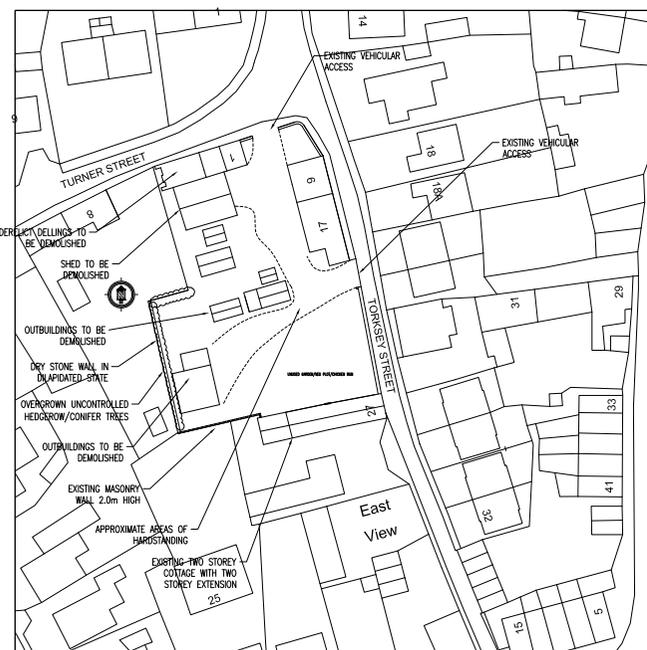
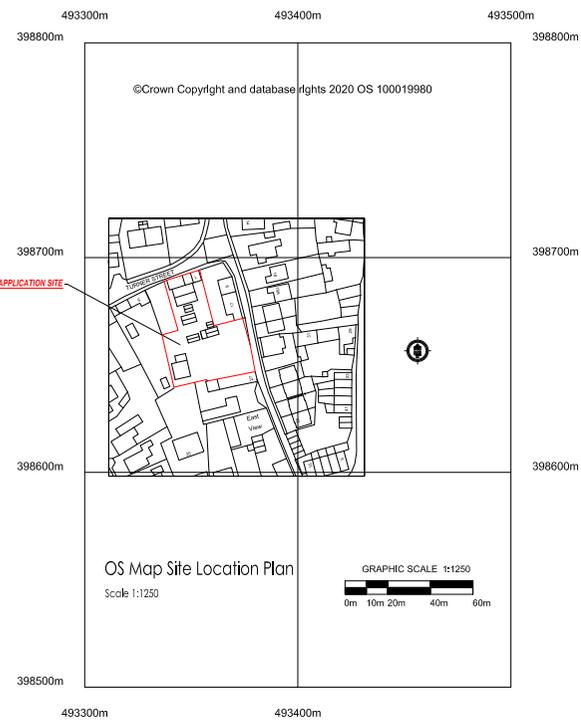
 Development Boundary

PA/2021/891

**North
Lincolnshire
Council**

PA/2021/891 Proposed layout (not to scale)

DO NOT SCALE



Existing Block Plan
Scale 1:500

SPECIFICATION & CONSTRUCTION NOTES:

GENERAL

1. These notes are intended to augment drawings and specifications. Where conflict of requirements exists the order of precedence shall be as shown in the specifications. Otherwise the strictest provision shall govern.
2. This drawing is to be read in conjunction with all other relevant Engineering and Architectural drawings.
3. Drawings not to be scaled. All dimensions to be checked on site by the Contractor. Any discrepancies to be notified to the Building Designer and further instructions obtained before work is commenced.
4. The structure is designed to be self-supporting and stable after the building is fully complete. It is the Contractor's sole responsibility to determine the erection procedure and sequence and ensure that the building and its components are safe during erection. This includes the addition of whatever temporary bracing, guys or tie-downs which may be necessary, such material remaining the property of the Contractor upon completion.
5. This drawing represents a detailed dimensional measurement survey of the physical dimensions of the existing property. This drawing does not and is not intended to express any opinion on the physical, superficial or structural condition of the premises depicted.
6. This drawing is to be read in conjunction with all other relevant drawings.

REV	DATE	BY	DESCRIPTION	CHK	APP
0	02.02.21	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

TAS Building Design

FF2/2A School Court
Wroby Street
Brigg
North Lincolnshire
DN20 8JW

t: +44(0)1852 659467
f: +44(0)1852 659467
e: tasbuildingdesign@hotmail.co.uk

CLIENT: MR G CLEMENTS

PROJECT: RESIDENTIAL DEVELOPMENT
TORKSEY STREET, KIRTON LINDESEY, DN21 4PW

TITLE: SITE LOCATION PLAN
&
BLOCK PLANS

SCALE & SIZE:	CHECKED:	APPROVED:
AS SHOWN @ A1	TAS	TAS

DWG FILE:	DESIGN/DRAWN:	DATE:
11809/Dwg/Arch	TAS/ts	APRIL 2017

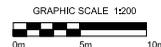
PROJECT No:	DRAWING No:	REV:
11809	A0001	—

ORIGINAL
IF
RED

© TAS BUILDING DESIGN



Block Plan - Proposed
Scale 1:200



- SPECIFICATION & CONSTRUCTION NOTES:
- GENERAL
1. These notes are intended to augment drawings and specifications. Where conflict of requirements exists the order of precedence shall be as shown in the specifications. Otherwise the strictest provision shall govern.
 2. This drawing is to be read in conjunction with all other relevant Engineering and Architectural drawings.
 3. Drawings not to be scaled. All dimensions to be checked on site by the Contractor. Any discrepancies to be notified to the Building Designer and further instructions obtained before work is commenced.
 4. The structure is designed to be self-supporting and stable after the building is fully complete. It is the Contractor's sole responsibility to determine the erection procedure and sequence and ensure that the building and its components are safe during erection. This includes the addition of whatever temporary bracing, guys or tie-downs which may be necessary, such material remaining the property of the Contractor upon completion.
 5. This drawing represents a detailed dimensional measurement survey of the physical dimensions of the existing property. This drawing does not and is not intended to express any opinion on the physical, superficial or structural condition of the premises depicted.
 6. This drawing is to be read in conjunction with all other relevant drawings.

0	02.02.21	TAS	Initial Issue	TAS	TAS
REV	DATE	BY	DESCRIPTION	CHK	APP
DRAWING STATUS: INITIAL ISSUE					
		FF2/2A School Court Wroby Street Brigg North Lincolnshire DN20 8JW t: +44(0)1652 659467 f: +44(0)1652 659467 e: tasbuildingdesign@hotmail.co.uk			
CLIENT: MR G CLEMENTS					
PROJECT: RESIDENTIAL DEVELOPMENT TORKSEY STREET, KIRTON LINDSEY, DN21 4PW					
TITLE: SITE PLAN					
SCALE: AS SHOWN	AS SHOWN	0 A1	CHECKED: TAS	APPROVED: TAS	
GD FILE: 11809/Dwg/Arch	DESIGN/DRAWN: TAS/ts		DATE: APRIL 2017		
PROJECT No: 11809	DRAWING No: A0002		REV: -		
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PLANNING RELATED EXTERNAL FACING MATERIALS AND ASSOCIATED NOTES:-

EXTERNAL WALLS
MIX OF SAWN OR BED NATURAL LIMESTONE OSA AND APPROVED RED CLAY MULTI BRICKS TO FLAT GAUGED ARCHES AND EAVES/VERGE DETAILING.

MORTAR
COMPRISING 1½ PARTS OPC/SAND, SAND SHALL COMPRISE 2 PART SOFT SAND AND 4 PARTS SHARP SAND INCORPORATING 5mm LIMESTONE/CHALK INCLUSIONS

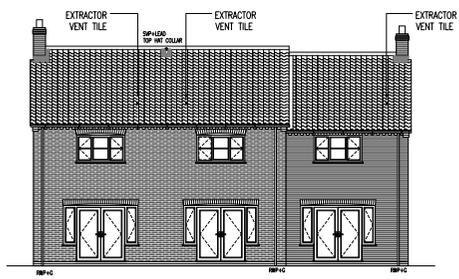
ROOF
COVERED WITH APPROVED BREATHABLE FELT SUCH AS PROCTOR ROOFSHIELD AND SANDTOFT OLD ENGLISH OSA NATURAL RED CLAY PANTILES ON 38x50mm TANGLED ROOFING LATTS ALL LAID IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS

WINDOWS / DOORS
ALL WINDOWS AND DOORS AND FRAMES TO BE MANUFACTURED FROM APPROVED HARDWOOD TO APPROVED PROFILES AND GLOSS PAINTED WITH TO BE DULUX HERITAGE CHINA WHITE OR SIMILAR APPROVED COLOUR

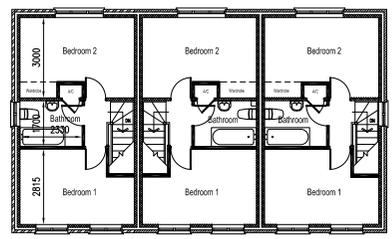
RAINWATER GOODS
BLACK HALF ROUND PVC GUTTER 115mm MIN DIA WITH MATCHING 65mm MIN DIA DOWNPIPES ALL BY OSMA W/AVN OSA. ALL RAINWATER SHALL BE DIRECTED TO APPROPRIATELY DESIGN SOAKAWAYS IN ACCORDANCE WITH BRE DIGEST 365



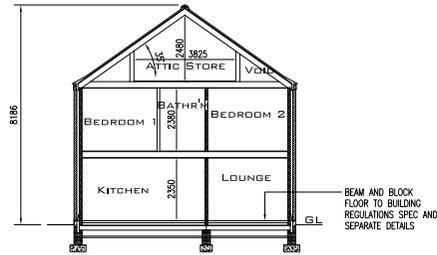
North Elevation
Scale 1:100



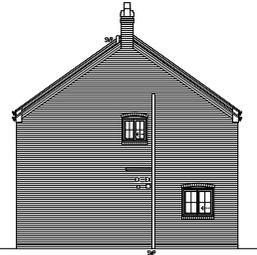
South Elevation
Scale 1:100



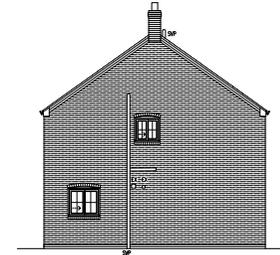
Proposed First Floor Plan
Scale 1:100



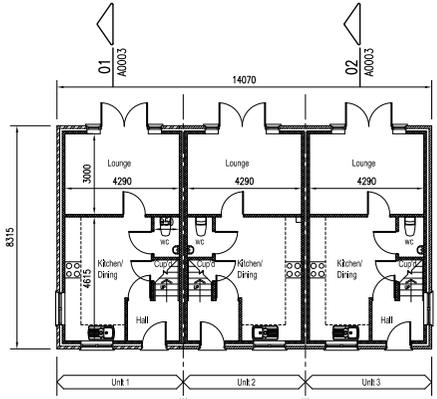
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Scale 1:100



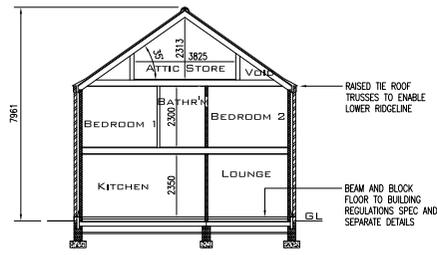
East Elevation
Scale 1:100



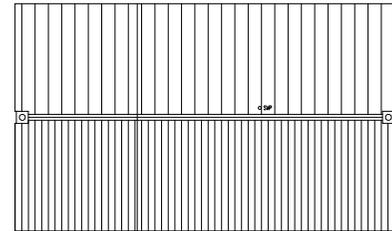
West Elevation
Scale 1:100



Proposed Ground Floor Plan
Scale 1:100



Section '1 - 1'
Scale 1:100



Proposed Roof Plan
Scale 1:100

REV	DATE	BY	DESCRIPTION	CHK	APP
0	02.02.21	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

TAS Building Design

FF2/2A School Court
Wrayby Street
Brigg
North Lincolnshire
DN20 8JW

t: +44(0)1652 659467
f: +44(0)1652 659467
e: tasbuildingdesign@hotmail.co.uk

CLIENT: MR G CLEMENTS

PROJECT: RESIDENTIAL DEVELOPMENT
TORKSEY STREET, KIRTON LINSEY

TITLE: PROPOSED TERRACED DWELLINGS
BLOCK 1
[UNITS 1 - 3]

SCALE & SIZE:	CHECKED:	APPROVED:
AS SHOWN @ A1	TAS	TAS
GD FILE: 11809/Dwg/Mch	DESIGN/DRAWN: TAS/ts	DATE: OCT 2017
PROJECT No: 11809	DRAWING No: A0003	REV: -



PA/2021/891 Plans and elevations (Units 4-6) (not to scale)

DO NOT SCALE

SPECIFICATION & CONSTRUCTION NOTES:

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PLANNING RELATED EXTERNAL FACING MATERIALS AND ASSOCIATED NOTES:-

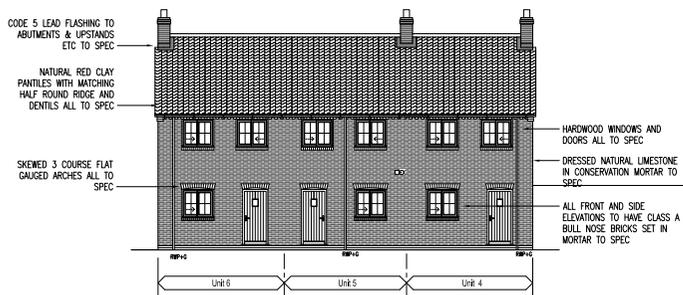
EXTERNAL WALLS
MIX OF SAWN OR BED NATURAL LIMESTONE OSA AND APPROVED RED CLAY MULTI BRICKS TO FLAT GAUGED ARCHES AND EAVES/VERGE DETAILING.

MORTAR
COMPRISING 1:3 PARTS OPC/SAND, SAND SHALL COMPRISE 2 PART SOFT SAND AND 4 PARTS SHARP SAND INCORPORATING 5mm LIMESTONE/CHALK INCLUSIONS

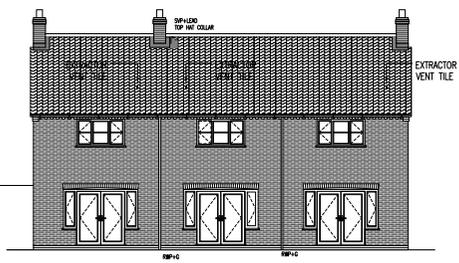
ROOF
COVERED WITH APPROVED BREATHABLE FELT SUCH AS PROCTOR ROOFSHIELD AND SAND/TOFT OLD ENGLISH OSA NATURAL RED CLAY PANTILES ON 38x50mm TANGILISED ROOFING LATTS ALL LAID IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS

WINDOWS / DOORS
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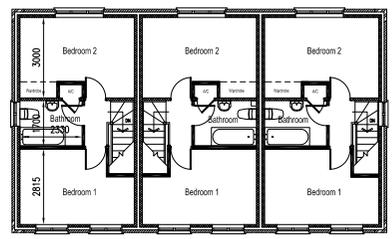
RAINWATER GOODS
BLACK HALF ROUND PVC GUTTER 115mm MIN DIA WITH MATCHING 65mm MIN DIA DOWN PIPES ALL BY OSMA WAIN OSA. ALL RAINWATER SHALL BE DIRECTED TO APPROPRIATELY DESIGN SOAKAWAYS IN ACCORDANCE WITH BRE DIGEST 365



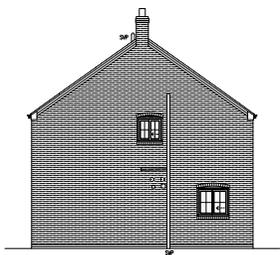
East Elevation
Scale 1:100



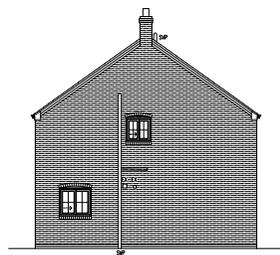
West Elevation
Scale 1:100



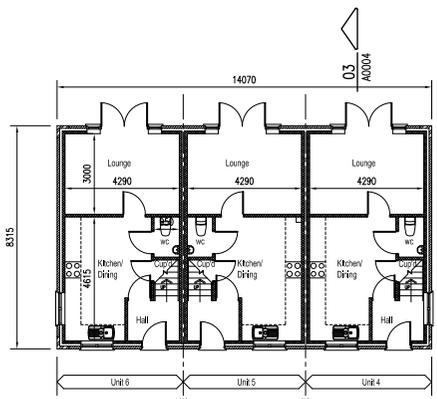
Proposed First Floor Plan
Scale 1:100



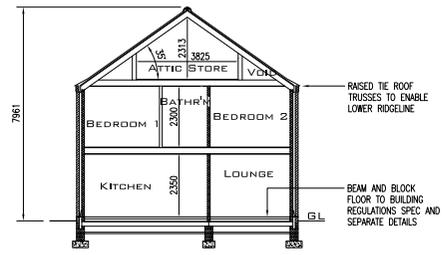
South Elevation
Scale 1:100



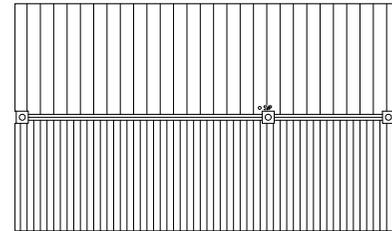
North Elevation
Scale 1:100



Proposed Ground Floor Plan
Scale 1:100



Section '3 - 3'
Scale 1:100



Proposed Roof Plan
Scale 1:100

REV	DATE	BY	DESCRIPTION	CHK	APP
0	02.02.21	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

TAS Building Design

FF2/2A School Court
Wrayby Street
Brigg
North Lincolnshire
DN20 8JW

t: +44(0)1652 659467
f: +44(0)1652 659467
e: tasbuildingdesign@hotmail.co.uk

CLIENT: **MR G CLEMENTS**

PROJECT: **RESIDENTIAL DEVELOPMENT
TORKSEY STREET, KIRTON LINSEY**

TITLE: **PROPOSED TERRACED DWELLINGS
BLOCK 2
[UNITS 4 - 6]**

SCALE	SIZE	AS SHOWN	CHECKED	TAS	APPROVED	TAS
AS SHOWN	A1		TAS		TAS	
DATE FILED	11809/Drg/Mrch	DESIGN/DRAWN	TAS/ts	DATE	OCT 2017	
PROJECT No:	11809	DRAWING No:	A0004	REV:	-	



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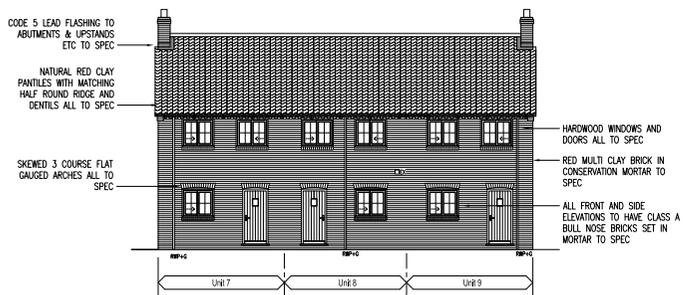
EXTERNAL WALLS
APPROVED RED CLAY MULTI BRICKS OSA ALONG WITH RED CLAY MULTI BRICKS TO FLAT GAUGED ARCHES AND EAVES/VERGE DETAILINGS.

MORTAR
COMPRISING 1:3 PARTS OPC/SAND, SAND SHALL COMPRISE 2 PART SOFT SAND AND 4 PARTS SHARP SAND INCORPORATING 5mm LIMESTONE/CHALK INCLUSIONS

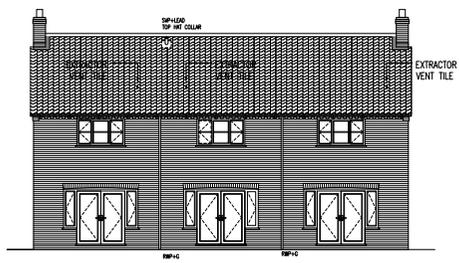
ROOF
COVERED WITH APPROVED BREATHABLE FELT SUCH AS PROCTOR ROOFSHIELD AND SANDTOFT OLD ENGLISH OSA NATURAL RED CLAY PANTILES ON 38x50mm TANGLED ROOFING LATTS ALL LAID IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS

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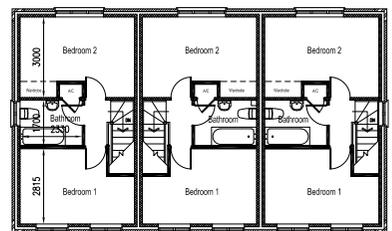
RAINWATER GOODS
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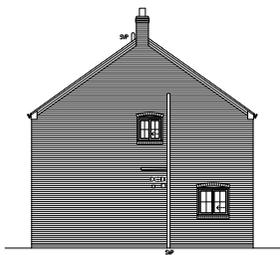
North Elevation
Scale 1:100



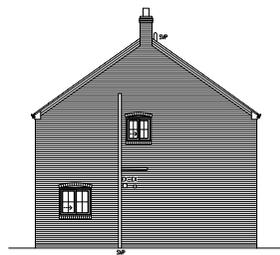
South Elevation
Scale 1:100



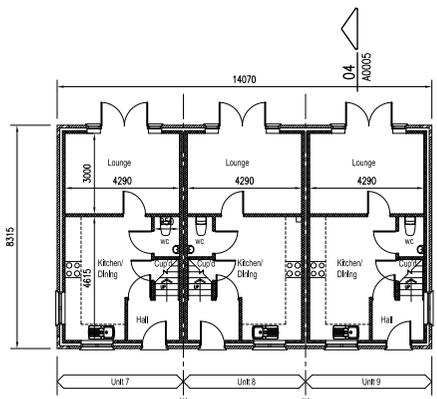
Proposed First Floor Plan
Scale 1:100



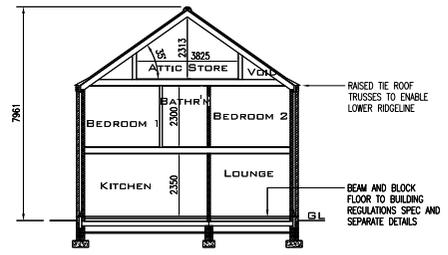
East Elevation
Scale 1:100



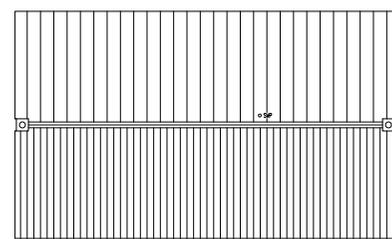
West Elevation
Scale 1:100



Proposed Ground Floor Plan
Scale 1:100



Section '4 - 4'
Scale 1:100



Proposed Roof Plan
Scale 1:100

REV	DATE	BY	DESCRIPTION	CHK	APP
0	02.02.21	TAS	Initial Issue	TAS	TAS

DRAWING STATUS: INITIAL ISSUE

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CLIENT: **MR G CLEMENTS**

PROJECT: **RESIDENTIAL DEVELOPMENT
TORKSEY STREET, KIRTON LINSEY**

TITLE: **PROPOSED TERRACED DWELLINGS
BLOCK 3
[UNITS 7 - 9]**

SCALE	SIZE	CHECKED	APPROVED
AS SHOWN	A1	TAS	TAS
DATE FILED	DESIGN/DRAWN	DATE	
11809/01g/mch	TAS/ts	OCT 2017	
PROJECT No:	DRAWING No:	REV:	
11809	A0005	-	

