



<b>DM.06 11/12</b>
<b>Development Management Committee</b>
<b>27<sup>th</sup> July 2011</b>

**Subject: Planning applications for determination**

Report by:	Rachel North (Director of Strategy and Regeneration)
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Purpose / Summary:	The report contains details of planning applications that require determination by the committee together with appropriate appendices.

**RECOMMENDATION(S):**  
**Each application has a recommendation within the report**

## IMPLICATIONS

**Legal:** Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Financial :** None arising from this report.

**Staffing :** None arising from this report.

**Equality and Diversity including Human Rights :** Each planning application has been assessed to consider Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

**Risk Assessment :** None arising from this report.

**Climate Related Risks and Opportunities :** None arising from this report.

### **Title and Location of any Background Papers used in the preparation of this report:**

Various planning applications available on-line at

<http://planning.west-lindsey.gov.uk/planning/>

West Lindsey Local Plan policies available at:-

[http://www.west-lindsey.gov.uk/localplan/plan\\_index.htm](http://www.west-lindsey.gov.uk/localplan/plan_index.htm)

### **Call in and Urgency:**

**Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?**

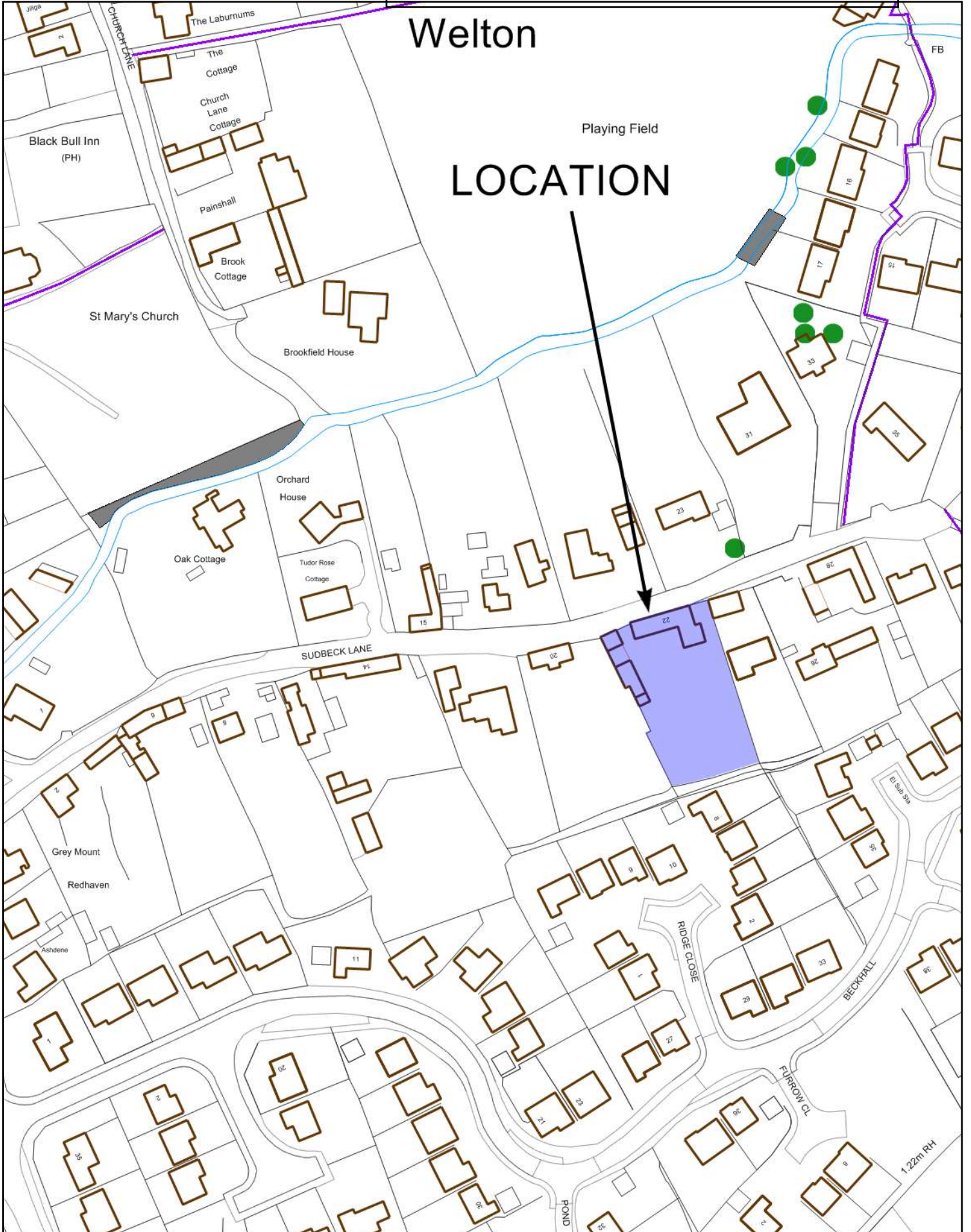
Yes

No

**Key Decision:**

Yes

No



# ITEM 1

## Officers Report

### Planning Application No: 126820

**PROPOSAL:** Planning application for proposed conversion of existing barns into residential accommodation including link to existing house, new drive access and single detached garage.

**LOCATION:** Greystones 22 Sudbeck Lane Welton Lincoln, Lincolnshire LN2 3JF

**WARD:** Welton

**WARD MEMBER(S):** Cllr M Parish, Cllr D M Rodgers

**APPLICANT NAME:** Dr D O'Brien

**TARGET DECISION DATE:** 22/03/2011

**DEVELOPMENT TYPE:** Householder Development

**CASE OFFICER:** Helen Marriott

**RECOMMENDED DECISION:** That the Development Services Manager be delegated powers to resolve the outstanding matters relating to bats and that the application be granted planning permission upon the resolution of that issue subject to the conditions contained within this report and any further condition that may be required relating to bat protection measures.

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### Introduction

This application has been reported to Planning Committee previously on three separate occasions; 20<sup>th</sup> May, 1<sup>st</sup> June and 29<sup>th</sup> June 2011. As detailed below, the plans have been amended since the most recent meeting on 29<sup>th</sup> June.

### Description:

The application site contains a 19<sup>th</sup> Century detached dwelling with outbuildings, located within the settlement of Welton in a predominantly residential area. The buildings are located immediately adjacent the south side of Sudbeck Lane. The external surfaces of the existing house and outbuilding predominantly comprise of stone and a red clay pantile roof.

The site slopes gently up from the road and there is a large garden area with mature landscaping to the rear. Sudbeck Lane is a narrow gently winding no through road with grassy verges and mature trees. The site is located within Welton Conservation Area.

The application seeks planning permission for the conversion of the detached outbuilding used for domestic storage purposes located to the west of the main dwelling into ancillary residential accommodation by connecting it to the

main dwelling with the construction of a link extension. The link extension would measure 5 metres by 4.1 metres and 2.8 metres high.

The link extension would be positioned on the location of the existing driveway access located to the west of the house which leads to a gravelled area containing off street parking for at least 3 cars. As such, the proposal also includes a new driveway access and double detached garage. The new driveway access would be located to east of the dwelling and lead to the new garage located in the rear garden area. It would contain off street car parking spaces for in excess of at least 4 cars.

Further amended plans were submitted on 8 July 2011 amending the position and dimensions of the proposed garage. It has been moved away from the south boundary of the site to the north boundary behind the existing outbuildings. A new block paved driveway would wrap around the rear of the dwelling. The amended garage would measure 6.2 metres by 6.7 metres by 4.3 metres high.

### **Relevant history:**

118528 - Application for conservation area consent to demolish outbuilding – Refused August 2006

### **Representations:**

**NB. Members should note that many of these comments relate to now superseded plans. Any comments relating to the amended plans, which are not reported below and raise issues not considered in the report will be reported verbally to Members at the meeting.**

**Chairman/Ward member(s):** Councillor Parish originally requested that the application be referred to the Planning Committee for the following reasons:-

“To ensure that Members have the opportunity to look at the issues of access along an old and very narrow lane.”

**Parish/Town Council/Meeting:** Object to the application on grounds that:

- the proposal is not sympathetic to the original building and Conservation Area;
- the proposal raises highway safety issues;
- it results in urbanisation of village.

**Local residents (IDOX checked):** Five letters of objection have been received. Main issues raised in the objection letters relate to:

- The design of the link extension is not in keeping with the Conservation Area due to its unsympathetic design, flat roof, materials, large expanse of glass;
- Inadequate off street parking provision and lack of off street turning area;

- New access poses highway safety risks due to narrowness of the lane and lack of footway;
- Trees would require removal;
- The proposed garage would spoil the front aspect from Sudbeck Lane and restrict light into the adjacent property;
- A foul drain is located across the proposed driveway.

**LCC Archaeology:** No objection as the materials used to create the link are sympathetic to the building's original form and function and the proposal would not adversely affect the historic character of the existing buildings.

**WLDC Heritage Environment:** The proposal would achieve a sustainable future for the outbuildings and secure their positive contribution to the street scene and character of the Conservation Area. No objection subject to conditions relating to materials.

### **Relevant Planning Policies:**

#### **Development Plan**

- East Midlands Regional Plan 2009
- West Lindsey Local Plan First Review 2006

STRAT 1 Development Requiring Planning Permission

<http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

RES 11 Extensions to Dwellings Located Within Settlements

<http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 13 Family Annexes

<http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm>

#### **Other policy**

- PPS5 Planning for the Historic Environment (2010)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1514132.pdf>
- PPS9 Biodiversity and Geological Conservation (2005)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147408.pdf>

### **Main issues**

- Visual Amenity including impact on the setting of the Conservation Area and nearby Listed Building
- Residential Amenity

- Highway Safety
- Impact on Protected Species

### **Assessment:**

#### **Impact on Visual Amenity including the setting of the Conservation Area**

Policies STRAT1 and RES 11 of the Local Plan require development to have regard to the character of the area and extensions to dwellings should be well designed in relation to the size, shape and materials of the building to be extended and should be subordinate to the existing property. Policy RES 13 states that planning permission will be granted for the creation of additional self contained living accommodation by extending an existing dwelling or by converting outbuildings which are incidental to a dwelling providing such accommodation remains incidental to and within the curtilage of the original dwelling.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering applications for planning permission affecting Conservation Areas, the local planning authority should have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. PPS5 states that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. Policy STRAT1 states that development must have satisfactory regard to the impact on the character, appearance and setting of historic assets including Conservation Areas.

The existing outbuildings are located within the curtilage of the main house and contribute positively to the character of Sudbeck Lane. Demolition of part of the same outbuilding was refused conservation area consent in 2006 as they were considered important to Welton Conservation Area.

The Heritage Environment Officer raises no objection to the proposal subject to a condition relating to materials. The new link extension is designed to be subservient to the outbuilding and house and contains a lightweight glazed structure. Its footprint has been set back from the main building frontage and its scale is lower in height than the structures it links to. Proposed materials would comprise stone, glazing and an aluminium roof. These materials are sympathetic to the building's original form and function (they are simple in form, free from embellishment and not over dominant) and the use of more modern materials provide a contrast between the more traditional materials used. As such, it is read as an element that ties the two existing buildings together but still distinguishes their original detachment and therefore preserves the character and appearance of the Conservation Area.

The creation of the new access would involve the removal of a small section of a 1 metre high stone wall and a 2 metre high close boarded fence above. Three trees would require removal however, none of these trees are considered to be significant or important to the street scene given their size and/or set back from the road meaning that they are screened by existing

buildings. The rear garden area of the application property contains numerous trees which screen the site to the south which would be unaffected by the proposal. The proposed garage is located to the rear of the main dwelling and would not be highly visible in the street scene.

Overall, the proposal would benefit the character and appearance of the Conservation Area as it secures a sustainable future for the outbuildings. The proposal would not be overly dominant or incongruous in the street scene and would not cause unacceptable harm to visual amenity or detract from the character and appearance of the Conservation Area in accordance with the aims of PPS5 and Policies STRAT 1, RES 11 and RES 13 of the Local Plan.

### **Residential Amenity**

Policies STRAT1 and RES 11 require development to reflect the need to safeguard and improve the quality of life for residents.

Access would be between the side of Greystones and the side of the double garage located in the front garden area of No. 24. The amended garage would be located adjacent to the site's western boundary with No. 20 in the approximate position of an existing garage. No. 20 has a relatively large garden area which contains a curtilage building close to the boundary with No. 24. A 2 metre high (approx.) timber fence/wall is located along the boundary between the two properties. It is not considered that the amended scale or position of the proposed garage would give rise to loss of light or any overbearing or overshadowing impact upon the occupiers of No. 20.

The side of the outbuilding also forms the sites north boundary with No. 20. This elevation contains a small window which should be incorporated into the design of the conversion. A condition would be imposed removing permitted development rights for the insertion of any additional windows on this elevation in the future to ensure no loss of privacy or overlooking impact in the future.

Overall, the proposal would not result in any adverse impact upon living conditions by virtue of overlooking, loss of privacy or over dominance subject to conditions in accordance with Policies RES 11 and STRAT 1 of the Local Plan.

### **Highway Safety**

Policies STRAT1 and RES11 require new development to have satisfactory regard to the provision of adequate parking and access to and from the site. No increase in traffic movements are anticipated as a direct result of this application which provides additional living space in association with an existing dwelling.

In this instance, the proposal would retain more than 4 off street car parking spaces. The proposed garage in its revised position would retain an off street turning area to enable vehicles to both exit and enter onto the highway in forward gear.. The County Highways Officer raises no objection to this arrangement subject to conditions requiring further details relating to access



construction and the closure of the existing access once the new access and construction works are complete.

Overall, the proposal would not result in any adverse impact upon highway safety in accordance with Policies RES 11 and STRAT 1 of the Local Plan.

### **Impact on Protected Species**

PPS9 and Policy STRAT 1 refer to the maintenance of the ecological value of sites. The outbuildings do have the potential to be used by bats. As such, an ecological survey of the building is recommended and is currently being undertaken. Planning permission is subject to the results of the bat survey finding no evidence of bats or a condition requiring that any mitigation measures set out in the bat survey be implemented.

### **Other**

The objection received in relation to the impact on the foul drain located across the proposed driveway is not a material planning consideration and would need to be dealt with under separate procedures.

### **Conclusion**

The proposal would benefit the character and appearance of the Conservation Area as it secures a sustainable future for the outbuildings. The proposed extension and garage would not be overly dominant or incongruous in the street scene and would not cause unacceptable harm to visual amenity. Overall, the proposal would be in keeping with the overall character of the area and preserve the character and appearance of the Conservation Area. Subject to conditions, the proposal would not have an unacceptable detrimental impact on residential amenity, highway safety or protected species. The proposal is therefore considered to comply with the objectives of PPS5, PPS9 and Policies STRAT 1 Development Requiring Planning Permission, RES 11 Extensions to Dwellings Located Within Settlements and RES 13 Family Annexes of the West Lindsey Local Plan First Review 2006.

### **Recommendation**

**That the Development Services Manager be delegated powers to resolve the outstanding matters relating to bats and that the application be granted planning permission upon the resolution of that issue subject to the following conditions contained within this report and any further condition that may be required relating to bat mitigation measures.**

### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development is commenced:**

2. No part of the development shall take place until the following have been submitted to and agreed in writing by the Local Planning Authority:
  - a. screen details – section profiles;
  - b. colour finish of powder coated aluminium;
  - c. stone and mortar sample panel (with 1 part cement / 2 part lime to 8 parts sand);
  - d. sample of coping stone.

Reason: To ensure the use of appropriate materials to preserve the character and appearance of the Conservation Area in accordance with PPS5 and West Lindsey Local Plan First Review Policies STRAT 1 and RES 11.

3. Notwithstanding the details on the approved plans, prior to the commencement of development further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with West Lindsey Local Plan First Review Policies STRAT1 and RES1.

**Conditions which apply or are to be observed during the course of the development:**

4. The development shall be carried out using the materials approved by condition No. 2.

Reason: To ensure the use of appropriate materials to preserve the character and appearance of the Conservation Area in accordance with PPS5 and West Lindsey Local Plan First Review Policies STRAT 1 and RES 11.

5. The development hereby permitted shall be carried out in accordance with the following approved plans (unless as otherwise specified by the other conditions of this permission):

1025(03)001 Existing Ground Floor Plan  
1025(03)002 Ground Floor/Roof Plan  
1025(03)004 Proposed Ground Floor/First Floor Plan  
1025(03)005B Proposed Ground Floor/First Floor Plan (Amended Plan received 08/07/11)  
1025(03)006B Proposed Elevations (Amended Plan received 08/07/11)  
1025(03)007 Proposed Elevations/Sections

1025(03)011 Proposed Site Entrance  
1025(03)012C Site Plan (Amended Plan received 08/07/11)

Reason: To preserve the character and appearance of the Conservation Area in accordance with PPS5 and West Lindsey Local Plan First Review Policies STRAT 1 and RES 11.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

6. The vehicular access shall be implemented on site in accordance with the details approved by condition 3 before the development is first brought into use and thereafter retained at all times.

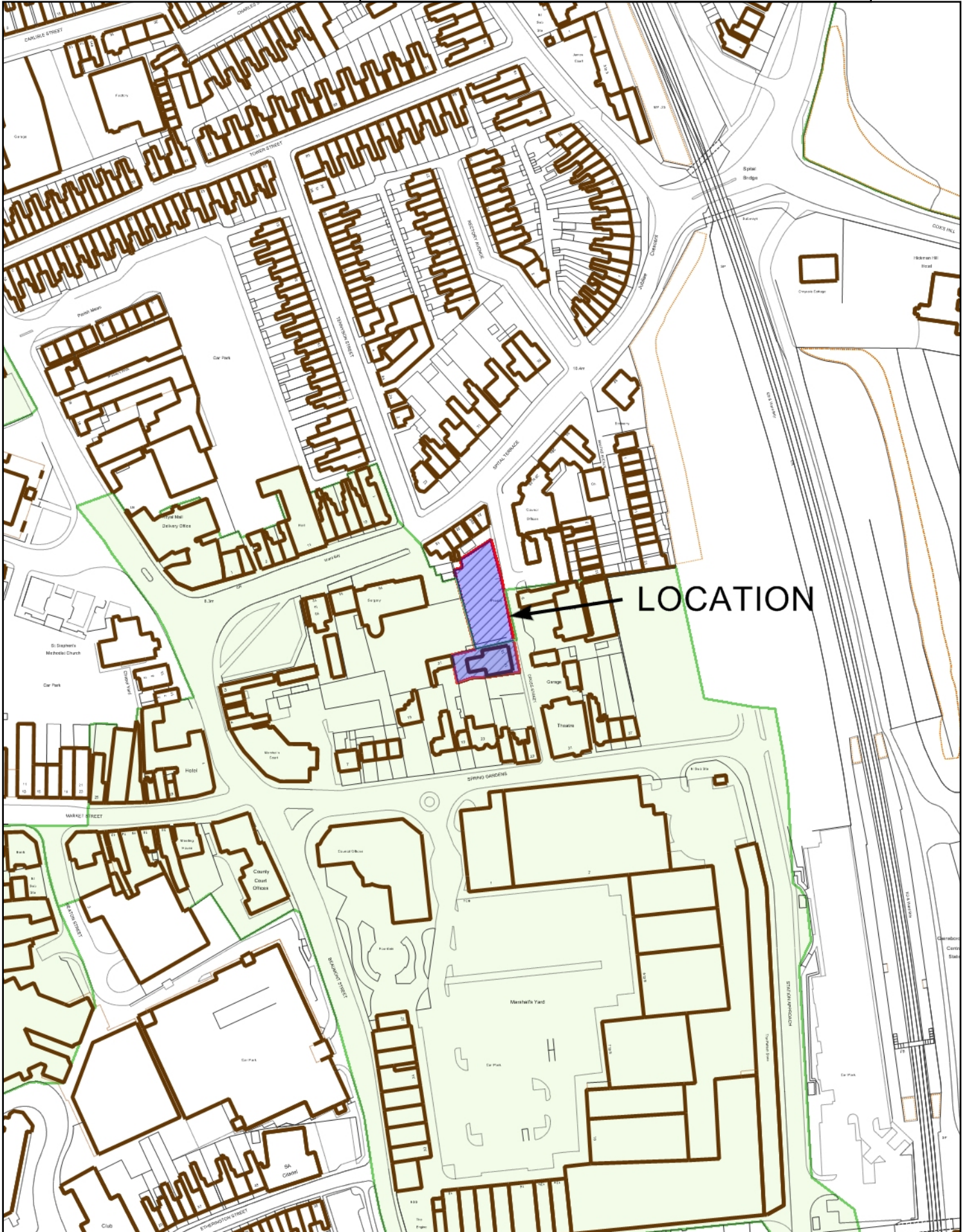
Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with West Lindsey Local Plan First Review Policies STRAT1 and RES11.

7. Within seven days of either the new access being brought into use and or the completion of the development hereby approved whichever is sooner, the existing access onto Sudbeck Lane shall be permanently closed in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce to a minimum the number of individual access points in the interests of road safety in accordance with West Lindsey Local Plan First Review Policies STRAT1 and RES11.

8. Notwithstanding the provisions of Classes A, B, C and D of Schedule Part 1 of the Town and Country Planning (General Permitted Development)(Amendment) Order 2008 (or any order revoking and re-enacting that Order), there shall be no external alterations to the converted outbuilding including the insertion of additional windows other than as authorised by this permission.

Reason: To safeguard the character and appearance of the Conservation Area and the character of the building and to protect the amenity of neighbouring residents in accordance with PPS5 and West Lindsey Local Plan First Review Policies STRAT 1 and RES



## ITEM 2

### Officers Report

### Planning Application No: 127404

**PROPOSAL:** Planning application for change of use of 11 - 13 Cross Street from Office to residential to form three new dwellings including partial demolition. Erection of four new dwellings including associated car parking and amenity space

**LOCATION:** 11/13 Cross Street Gainsborough DN21 2AX

**WARD:** Gainsborough South West

**WARD MEMBER(S):** Cllrs Young and Mrs Rainsforth

**APPLICANT NAME:** Longhurst and Havelok Homes

**TARGET DECISION DATE:** 08/08/2011

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** Kirsty Catlow

**RECOMMENDED DECISION:** Grant, subject to conditions

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### Reason for Committee Referral

This application is referred to the Development Management Committee as the application site is currently owned by West Lindsey District Council.

### Site Description:

The application site is located to the western side of Cross Street in the centre of Gainsborough. It comprises of an L shaped piece of land with a pair of three storey properties to the south of the site (no. 11-13) and a surface car park to the north.

To the south of the site a new development of a 2 - 3 storey building containing 5 one bedroom supported housing units is currently under construction. To the west of the site is a modest two storey cottage and car park area serving a vets practice within the Grade II listed Cleveland House. To the east of the site is a Grade II listed Catholic Church. To the north are a row of terraced properties fronting onto Spital Terrace. To the south east of the site is grade II listed The Old Nick Theatre which was formerly a Police Station. To the northeast, on the corner of Cross Street and Spital Terrace, a new development comprising of the conversion of 26-28 Spital Terrace into residential accommodation and the erection of 5 no. dwellings facing onto Cross Street is nearing completion.

### **Application Description:**

The application seeks planning permission for the conversion of 11 – 13 Cross Street into 3 residential units comprising of 1 dwelling, 1 flat and 1 maisonette, together with the erection of a 2-3 storey block of four houses. 10 off street car parking spaces will be provided.

The Design and Access Statement submitted in support of the application states that the whole scheme has been designed as an exemplar project to promote sustainable design in new housing and the upgrading of historic buildings. The new properties will achieve Level 5 of the Code for Sustainable Homes.

### **Site Constraints:**

The site is located within the Gainsborough Town Centre boundary and adjacent to the Gainsborough Britannia Conservation Area. It is located opposite a Grade II Listed Church Building.

This site, together with land to the north is allocated in the West Lindsey Local Plan for B1, C1, C2, C3 and D2 uses.

### **Relevant History:**

11 – 13 Cross Street were originally built as dwelling houses and have more recently been used for office accommodation. They are currently vacant.

120779 – Planning application for the erection of 1 new dwelling (on land to the south of the current application site) and the change of use of 11 and 13 Cross Street to 2 dwellings. Approved 31<sup>st</sup> October 2008.

126028 - Pre-application discussions have taken place between Officer's of the Council, the Architects and the developers.

### **Representations:**

**Chairman/Ward members:** No comments received to date.

**Gainsborough Town Council:** No comments received to date.

**Local residents:** A letter of representation has been received from the Nottingham Roman Catholic Diocesan Trustees as the owners of St Thomas of Canterbury Church, Hall and Presbytery which is also the home of the Parish Priest. They object on the grounds that the facilities proposed are likely to cause increased traffic and disturbance on an extremely narrow two way road.

**LCC Highways:** Request additional details of enhancement of pedestrian facilities on Cross Street, providing dropped kerbs and tactile paving at the

junction of Spring Gardens and Cross Street and upgrading the street lighting on Cross Street. State that if the applicant is unable to provide the improvements requested the Highway's Authority would recommend refusal of the application.

**WLDC Conservation Officer:** This application has benefitted from a series of pre-application discussions and consequent revisions. The scale, design and location of the units are set to reflect the historic character of the area and follows historic street alignments. The modern designs act as a foil to the listed buildings opposite and adjacent and continue the theme of the DAT buildings currently under construction. The modern designs are eco friendly and utilise significant advances in design to ensure a high level of efficiency; something that the conversion of the old office building struggles to emulate. A condition should be applied to joinery details for the new sash windows in the conversion of 11 – 13 Cross Street.

**LCC Archaeology:** 11 – 13 Cross Street is recorded on the first edition Ordnance Survey map and is therefore approximately 130 years old. However the development proposal to convert the building back into a residential property will not severely affect the character of the building. The four new dwellings proposed adjacent to 11 – 13 Cross Street are located within the southern industrial quarter of Gainsborough which was built up in the 19<sup>th</sup> century. Terraced housing existed on the plot but was demolished recently. The erection of these terraces will have disturbed any archaeological features on the plot.

### **Relevant Planning Policies:**

#### **The Development Plan**

- **East Midlands Regional Plan**

Policy 1 Regional Core Objectives

[http://www.gos.gov.uk/497296/docs/229865/East\\_Midlands\\_Regional\\_Plan2.pdf](http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf)

Policy 13a Regional Housing Provision (excluding Northamptonshire)

[http://www.gos.gov.uk/497296/docs/229865/East\\_Midlands\\_Regional\\_Plan2.pdf](http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf)

- **West Lindsey Local Plan First Review 2006**

STRAT 1 Development requiring Planning Permission

<http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 3 Settlement Hierarchy

<http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 4 Windfall and infill housing development in Gainsborough and the urban area of Lincoln

<http://www.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

STRAT 9 Phasing of Housing Development and Release of Land  
<http://www.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

STRAT 14 Mixed Use Allocations  
<http://www.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

MT 1 Market Towns  
<http://www.west-lindsey.gov.uk/localplan/written/cpt5.htm>

RES 1 Housing Layout and Design  
<http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 2 Range of Housing Provision in All Housing Schemes  
<http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 5 Retention of Existing Car Parks  
<http://www.west-lindsey.gov.uk/localplan/written/cpt8.htm>

CORE 10 Open Space and Landscaping Within Developments  
<http://www.west-lindsey.gov.uk/localplan/written/cpt8.htm>

RTC 1 Town Centre Development  
<http://www.west-lindsey.gov.uk/localplan/written/cpt10.htm>

## **Other Material Planning Considerations**

PPS 1 Delivering Sustainable Development  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement1.pdf>

PPS 3 Housing (2011)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1918430.pdf>

PPS 5 Planning for the Historic Environment  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1514132.pdf>

Gainsborough Regained – The Masterplan 2007  
<http://www.west-lindsey.gov.uk/upload/public/attachments/1242/GainsboroughRegainedExecutiveSummary.pdf>

## **Main issues**

- **Whether this is a suitable location for housing development (PPS1, PPS 3, STRAT 1, STRAT 3, STRAT 4, STRAT 9, STRAT 14, MT 1)**
- **Whether the single, residential use proposed on this site is appropriate in an area allocated for mixed use development (PPS 4, STRAT 14, MT 1, RTC 1)**
- **Whether the layout and mix of residential development is acceptable (STRAT 1, RES 1, RES 2)**



- **The quality of the design and layout in the Conservation Area (STRAT 1, RES 1)**
- **The impact of the development on the setting of the listed building (PPS 5)**
- **The impact of the development on residential amenity (STRAT 1 , RES 1)**
- **Highway Safety**
- **Drainage**
- **Contamination**

### **Assessment:**

#### **Whether this is a suitable location for housing development**

The application site is a previously developed (brownfield) site located within Gainsborough town centre and areas to the south, east and west of the application site are residential in character. Local Plan Policy STRAT 4 provides a presumption in favour of new residential development on previously developed land subject to a number of criteria including the caveat that this presumption in favour is subject to there being no oversupply of housing against development plan targets. The West Lindsey Housing Land Supply Assessment 2011 states that there is currently a 7.5 year supply when measured against the 480 dwelling provision for the District (outside the Lincoln Principal Urban Area) cited in policy 13a of the Regional Plan. This is significantly in excess of the 5 year deliverable supply required by PPS3, and therefore, whilst not being a reason per se to withhold the granting of planning permission, there need to be another material consideration which is afforded weight to outweigh this policy position.

The applicants are a Registered Social Landlord, and the scheme will provide 7 affordable housing units, which will be secured in perpetuity by a legal agreement with WLDC in connection with the sale of the land. It is considered that the creation of 7 exemplar affordable dwellings on this sustainable site would be acceptable as it would not only meet the Council's social housing targets it would also meet the objectives of Policy MT 1 which encourages regeneration through the redevelopment of vacant sites. The proposal would therefore accord with the aims of policy STRAT 4 and criteria set out in STRAT 9.

*NB. Members should note that officers are currently investigating whether a legal agreement currently being prepared, to which the Council will be a signatory, but is outside of planning law, is an appropriate mechanism for ensuring that the housing is affordable and will stay that way for perpetuity. If this agreement does not secure the necessary control, then the application will need to be the subject of a separate section 106 agreement. The outcome of this investigation will obviously affect the recommendation and officers will advise members verbally of the outcome at the meeting.*

#### **Whether the single, residential use proposed on this site is appropriate in an area allocated for mixed use development**

The site is located within a larger mixed use allocation which identifies the site as being suitable for B1 (Business), C1 (Hotels), C2 (Residential Institutions), C3 (Dwellings), D1 (Non Residential Institutions), D2 (Assembly and Leisure) Open Space and Car Parking. It states that the site is suitable for 6 dwellings.

Cross Street contains a mixture of uses; a church, a theatre, garage repair workshop, offices and residential, with residential being the predominant character of the wider surrounding area to the north. The site currently benefits from an extant consent to convert the existing property to 2 dwellings, which is a material planning consideration.

The allocation (policy STRAT14) does not specify what percentage of the area allocated should be covered by each use. However, it is noted that some of the allocation remains un-redeveloped. Therefore, whilst the areas so far to be developed are in residential use, there is potential to still secure non-residential uses even if this current application is granted. Allowing this scheme of 7 affordable houses would not undermine the intentions of the mixed use allocation or prejudice the overall mix of uses in the area.

### **Whether the layout and mix of residential development is acceptable**

Policy RES 2 supports proposals for a range of housing types, sizes, styles and densities including low cost and smaller homes. The proposal will provide a one bedroom flat, a two bedroom maisonette and a three bedroom house within 11-13 Cross Street and 3 two bedroom town houses and 1 three bedroom town house. It is considered that this is a good mix of both housing types and sizes which will provide small affordable homes.

### **The quality of the design and layout in the Conservation Area (character and appearance)**

The existing building, 11-13 Cross Street is within the Britannia Works Conservation Area. The Conservation Area Appraisal from December 1999 states that the character is predominantly Victorian with the bold use of bricks being one of the most distinctive characteristics and contrasts are evident with combinations of bricks of different colours being used. Space is also said to be confined in the area with street frontages generally built up to the back edge of pavements. 11-13 Cross Street is materially different from this character; it does not feature the polychromatic brickwork detailing found elsewhere and is set back from the pavement. Nevertheless, the building dates from the same period as the buildings identified in the appraisal and the minimal alterations proposed will ensure no detriment to the character and appearance of the area. The existing chimney will remain, with the concrete roof tiles being replaced with natural slate. The rear elevation of the property will be rendered in a Buttermilk finish to cover the poor brick work and previous repairs, and the existing windows will be replaced with double glazed timber casements. Two solar hot water panels will be located on the southern roof plane. These alterations will actually improve the general appearance of the property and enhance the character and appearance of the Conservation Area.

The proposed new build on the current surface car park comprises of a part two storey and part three storey building, its design, form, massing and materials all reflect the supported housing unit currently under construction to the immediate south of the site. The materials schedule is detailed in the application form and a condition requiring such details to be submitted is not therefore necessary. The building will provide an active street frontage along Cross Street with a private enclosed amenity spaces to the rear and car parking areas to the side. By setting the building close to the back edge of the pavement the building will both enhance the street scene and provide an effective foil to the adjacent historic buildings.

A condition will be attached to any approval requiring details of the proposed landscaping to the garden areas to be submitted for approval, in order to ensure that the car parking area is softened in appearance.

As a result, the proposal would positively contribute to the adjoining character and appearance of the Gainsborough Town Conservation Area.

### **The impact of the development on the setting of the listed building**

The application site is located opposite the Church of St Thomas, a Grade II Listed Building. The proposed housing scheme will provide an active street frontage, replicating the layout of Cross Street many years ago, albeit in a modern form. Given the amount of existing development to the south and west of the application site the proposed 2 - 3 storey building would not have a detrimental impact on views of the Church. It is not considered that there will be an adverse effect on the historic setting of this Listed Building.

### **The impact of the development on residential amenity (STRAT 1 , RES 1)**

As stated above the existing building 11-13 Cross Street currently has an extant consent to be converted into 2 dwelling houses. It's conversion to a flat, a maisonette and a dwelling would not have any greater impact on the amenity of surrounding residents, specifically 21 Spring Gardens, than the previous scheme. The existing single storey extension to the rear is to be removed and additional planting carried out to help screen the development from the garden area of 21 Spring Gardens, the details of which will be a condition of any approval.

In terms of the new build the two storey element is proposed to the southern part of the site 7.4 metres from the northern elevation of 11-13 Cross Street. Although habitable room windows are proposed in the southern elevation of the new build these will be screened from 11-13 Cross Street by 1.8 metre high close boarded fencing.

The two storey element of the new build will also be located 6.5 metres from the side elevation of 6 Cross Street (the Church Presbytery) which contains windows at ground and first floor level. Given that these are secondary windows which are located adjacent to a public highway, it is not considered that the proposal would result in significant increases in overlooking or disturbance than currently exists. Furthermore the flat roof design of the two

storey element and the angle of the roof slope on the three storey element will prevent any significant overshadowing to this property.

### **Highway Safety**

There is concern regarding congestion and on street car parking on Cross Street. However it should be noted that there are parking restrictions on Cross Street which can be enforced by the appropriate authorities. The site is located within Gainsborough Town Centre where shops, services and public transport facilities can be accessed on foot or by bike. The scheme includes the provision of 10 off street car parking spaces, which is generous, given the highly sustainable location of the development, plus secure bike sheds will be provided for future occupiers. The development of 7 dwellings is unlikely to result in more traffic movements than the former use of the site as offices and car parking. As a result it is not considered that the proposal will cause congestion or increase on street car parking. The Highways Authority have requested the application be subject to improvements to the pedestrian facilities and lighting along Cross Street. However it is not considered that such improvements are directly required or proportionate to the scale of the development proposed and it would not be reasonable to pass such costs onto the developer. Such improvements, if considered necessary, could be undertaken by the Highways Authority as part of their own function.

The existing surface car park was a private car parking formerly serving the offices in 11-13 Cross Street. Following the relocation of this facility to Marshalls Yard and the planned conversion of the offices to residential use, it is not considered that this proposal would conflict with the aims of Policy CORE 5.

### **Drainage**

In terms of drainage, foul water will be disposed of to the mains and surface water to soakaway, which is in accordance with the guidance contained Circular 03/99 Planning requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development.

### **Contamination**

Following consultation with Environmental Protection they confirm that the site is at risk from contamination due to surrounding land uses. The agents confirm that a samples have been taken from the site and are currently being analysed. The results of which will be submitted shortly in the form of a contamination report. A condition will be attached to any approval requiring the development to be carried out in accordance with any mitigation measures identified in report.

### **Conclusion:**

The proposed development to provide 7 affordable housing units will develop a vacant property and a brownfield site thereby contributing to the regeneration of Gainsborough town centre, and provides the justification for

allowing housing despite the current over supply in the District. The scheme will provide a good mix of housing types and styles and provide adequate amenity space and off street car parking for future residents. The proposed development will reinstate the street frontage along Cross Street and reflect the modern design approach taken on the development to the south of the site. The scheme will not detract from the character or appearance of the Conservation Area, the setting of Listed Buildings, nor would it harm residential amenity or highway safety. The proposal therefore accords with Policy 1 Regional Core Objectives and Policy 13a Regional Housing Provision (excluding Northamptonshire) of the East Midlands Regional Plan 2009, West Lindsey Local Plan First Review policies STRAT 1 Development requiring Planning Permission, STRAT 3 Settlement Hierarchy, STRAT 4 Windfall and infill housing development in Gainsborough and the urban area of Lincoln, STRAT 9 Phasing of Housing Development and Release of Land STRAT 14 Mixed Use Allocations, MT 1 Market Towns, RES 1 Housing Layout and Design, RES 2 Range of Housing Provision in All Housing Schemes, CORE 5 Retention of Existing Car Parks, CORE 10 Open Space and Landscaping Within Developments in the, RTC 1 Town Centre Development and guidance contained within PPS 1 Delivering Sustainable Development, PPS 3 Housing, PPS 5 Planning for the Historic Environment and Gainsborough Regained – The Masterplan 2007.

**Recommendation:**

Grant permission subject to the following conditions

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development is commenced:**

None

**Conditions which apply or are to be observed during the course of the development:**

2. Within three calendar months of the date of the development commencing, a scheme of landscaping including details of the size, species and position of all trees to be planted have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the street scene and protect residential amenity is provided in accordance with

West Lindsey Local Plan First Review Policies STRAT 1, CORE 10 and RES1

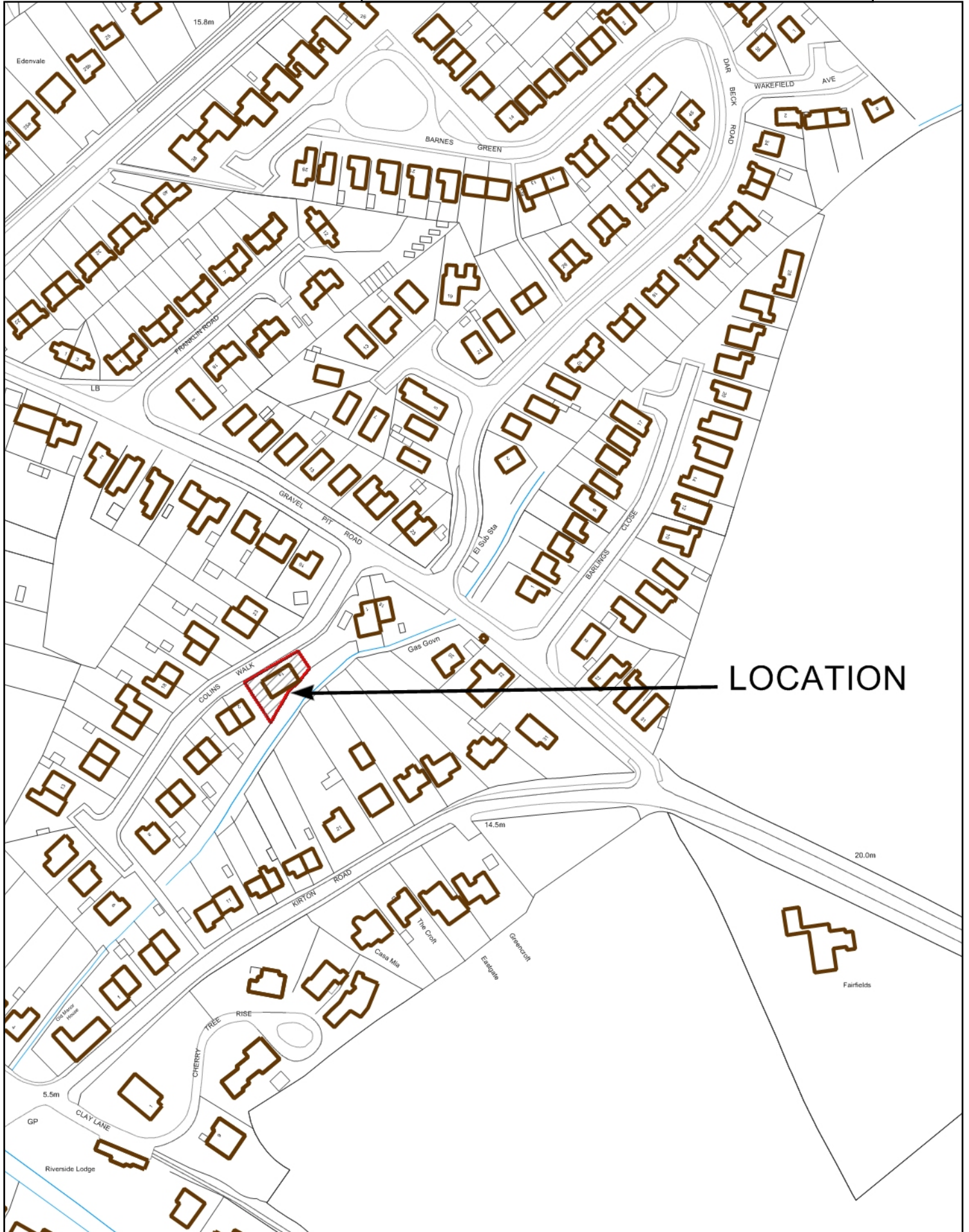
3. The development shall be carried out in accordance with any measures identified in the site investigation and assessment of possible contaminants report, which shall be submitted to the Local Planning Authority prior to development commencing.

Reason: To ensure that any site contaminants are dealt with in an appropriate manner in accordance West Lindsey Local Plan First Review Policy STRAT 1.

4. All planting, seeding or turfing comprised in the details of landscaping approved under condition 2 of this approval shall be carried out in the first planting and seeding season following the occupation of the first dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the street scene and the residential amenities of surrounding occupiers in accordance with West Lindsey Local Plan First Review Policies STRAT 1, CORE 10 and RES1.







# ITEM 3

## Officers Report

### Planning Application No: 127479

**PROPOSAL:** Planning application for loft conversion, including raising ridge

**LOCATION:** 1a Colins Walk Scotter Gainsborough, Lincolnshire DN21 3SR

**WARD:** Scotter

**WARD MEMBER(S):** Cllr WSR Parry and Cllr CJ Underwood-Frost

**APPLICANT NAME:** Mr & Mrs P Drummond

**TARGET DECISION DATE:** 18/08/2011

**DEVELOPMENT TYPE:** Householder Development

**CASE OFFICER:** Ian Elliott

**RECOMMENDED DECISION:** Grant subject to conditions

#### Description:

**This application will be presented and decided at committee as the applicant is an employee of the council.**

The application site is a detached bungalow with side driveway leading to a detached pre-fabricated garage. The dwelling is located in the residential area of Scotter and has neighbouring properties off each boundary. The dwelling has a stream to the rear set well down from the property that separates it from the dwellings to the rear off Kirton Road.

The application seeks permission for a loft conversion including raising the ridge height.

#### Relevant history:

None

#### Representations:

Chairman/Ward member(s):	No representations received to date
Parish/Town Council/Meeting:	No representations received to date
Local residents:	No representations received to date (IDOX checked)
LCC Highways:	N/A
Archaeology:	No representations received to date
Building Control:	No representations received to date
Conservation Officer:	N/A

#### Relevant Planning Policies:

## Development Plan

West Lindsey Local Plan First Review 2006 (saved policies)

STRAT 1 Development requiring Planning Permission

<http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

RES 11 Extensions to Dwellings Located within Settlements

<http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm>

## National Guidance

PPS 1 Delivering Sustainable Development

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement1.Pdf>

### **POLICY RES 11 – Extensions to dwellings located within settlements**

i. Does the proposal introduce a terracing effect in the street-scene?

The proposal is a loft conversion to add 2 new bedrooms and landing. This will not infill any gaps around the property therefore will not introduce a terracing effect in the street-scene.

ii. Is the proposal well designed in relation to the size, shape and materials of the building to be extended, and is subordinate to the existing property?

The design is acceptable because the materials match the existing dwelling and the new roof increase will maintain the pitched roof gable end style.

The rooflights to the bedrooms and landing in the south east roof plane will be positioned in a regular pattern to avoid business and maintain the dwellings appearance.

The extension will not be subordinate because the roof will be lifted by 1m to increase the roof height from 4.6 metres to 5.6 metres. However, the dwelling is located in a street of mixed dwellings including two storey dwellings therefore raising the roof will not look out of place and affect the street-scene or the neighbouring dwellings.

iii. Does the proposal adversely affect the amenity of the residents of neighbouring properties by virtue of over-dominance or appearance?

The dwellings to the northeast, southwest and northwest will not be affected due to the distance between them and the North West roof plane will have no openings.

To the rear southeast is 21 and 23 Kirton Road. The rear boundary of 23 Kirton Road is well screened by high trees that run along it and is approximately 10 metres away. The rear garden area of 21 Kirton Road is partly screened by trees but is also partly open. The rear garden is approximately 18 metres away and the dwelling is approximately 53 metres away.

The proposed purpose of the loft conversion is to include two bedrooms and a dividing landing. Although the rooflights will have an impact on 21 Kirton Road it won't be significant as the time spent in the proposed bedrooms will

be minimal compared to other areas of the dwelling and the angle of view from a rooflight is not the same as it would be from a vertical window.
iv. Does the proposal prejudice the retention of any significant trees or other important features?
No significant trees or other landscaping features will be affected by the proposal.
v. Does the proposal enable adequate off-street parking space to remain for at least one vehicle to park?
The proposal will not affect the current parking facilities therefore an adequate amount of off-street parking space will remain.
vi. Does the proposal enable an adequate amount of private garden space to remain?
The proposal will not affect the size of the private garden area so an adequate amount will remain
vii. Does the proposal have a significant impact on the supply, availability and subsequent affordability of smaller properties as part of the overall mix of properties within the locality?
The property is located within the residential area of Scotter which has a mix of house types and designs. The property currently has 2 bedrooms and the extension will increase it to 4 bedrooms. The extension will result in the loss of a smaller property but there is still an adequate mix of properties available in the area.

<b>Conclusion:</b>
The decision has been considered against policies STRAT 1: Development Requiring Planning Permission and RES 11: Extensions to Dwellings Located Within Settlements of the adopted West Lindsey Local Plan First Review 2006 and guidance contained within PPS1 in the first instance. In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the dwelling, nor the living conditions of neighbouring occupiers.

**RECOMMENDED DECISION: Grant subject to conditions**

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

NONE

**Conditions which apply or are to be observed during the course of the development:**

- 2 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the use of appropriate materials in accordance with West Lindsey Local Plan First Review Policies STRAT 1.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

NONE