

Donald Kitching Architect.

Chartered Architect.

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16 October 2007

North Lincolnshire Council,
Head of Planning and Regeneration Service,
Church Square House,
PO Box 42,
Scunthorpe,
North Lincolnshire.
DN15 6XQ

16 OCT 2007

Dear Sir,

Application for Planning Approval to vary Condition No. 3 of Planning Approval 1996/2013 to Stable, adjoining 'Woodville', High Street, South Ferriby.
Applicant Mr M Winn
Application Number PA/2007/1037

Please find enclosed details of my appeal to the Planning Inspectorate in regard to the above.

Yours faithfully,



D J Kitching MCIoB.,BA.,Dip.Arch.,RIBA.,IHBC.
Donald Kitching Architect.
Chartered Architect.

Encls.

The Planning Inspectorate



Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

For official use only
Date Received

8-Oct-2007 14:54

PLANNING APPEAL (Online)

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372.

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice or, for 'failure' appeals, within 6 months of the date by which they should have decided the application.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

APPEAL REFERENCE: APP/Y2003/A/07/2056661

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mr M Winn

Organisation Name (if applicable)

Address Woodville
High Street, South Ferriby
BARTON-UPON-HUMBER
North Lincolnshire

Phone

Postcode DN18 6HB

Fax

Email

I prefer to be contacted by Email Post

B. AGENT DETAILS (if any) FOR THE APPEAL

Name Mr Donald Kitching

Organisation Name (if applicable)

Address 24 Burgate
BARTON-UPON-HUMBER
North Lincolnshire

Phone 01652 636636

Fax 01652 633220

Your Ref

Postcode DN18 5EZ

Email donald.j.kitching@btinternet.com

I prefer to be contacted by Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA North Lincolnshire Council

LPA's application reference no. PA/2007/1037

Date of the planning application 20 Jun 2007

Date of LPA's decision notice (if issued) 10 Aug 2007

10 OCT 2007

The Planning Inspectorate - Planning Appeal

D. APPEAL SITE ADDRESS

Address Woodville
High Street, South Ferriby
BARTON-UPON-HUMBER
North Lincolnshire

Postcode DN18 6HB

**Note: Failure to provide the full postcode
may delay the processing of your appeal.**

Is the appeal site within a Green Belt? YES NO Grid Ref :East 04988857 North 04210785

E. DESCRIPTION OF THE DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme.

Planning Permission to vary condition No. 3 of permission 1996/2013 to allow the annex to be used as a separate dwelling

Size of the whole appeal site (in hectares) 0.02

Area of floor space of proposed development (in square metres) 152

Has the description of the development changed from that entered on the application form? YES NO

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **ONE** box only*

- | | | |
|-----------|---|---------------------------------------|
| 1 | Refuse planning permission for the development described in Section E. | 1 |
| 2 | Grant planning permission for the development subject to conditions to which you object. | 2 |
| 3 | Refuse approval of the matters reserved under an outline planning permission. | 3 |
| 4 | Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object. | 4 |
| 5 | Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). | 5 <input checked="" type="checkbox"/> |
| OR | | |
| 6 | The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. | 6 |

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short there are 3 possible methods: - written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views. ✓

1 WRITTEN REPRESENTATIONS

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions of buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision. ✓

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

- a) If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? YES
NO ✓
- b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES ✓
NO

If the answer to **1b** is 'YES' please explain:

The site can only be seen on one side from the Public Highway, important to enter the site to see other elevations.

2 HEARINGS

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure. 2

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

3 INQUIRIES

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that: 3

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

H. GROUNDS OF APPEAL

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

** See separate document : 'Grounds of appeal.pdf' **

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.
YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

Please read the enclosed *Guidance Notes* if in doubt.

Please tick **ONE** box only ✓

If you are the sole owner of the whole appeal site, certificate A will apply:

CERTIFICATE A

A ✓

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

OR

CERTIFICATE B

B

I certify that the appellant (or the agent) has given the requisite notice (see *Guidance Notes*) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's Name	Address at which the notice was served	Date the notice was served
--------------	--	----------------------------

CERTIFICATES C and D

C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding.
Please tick either (a) or (b).

If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'. ✓

a) None of the land to which the appeal relates is, or is part of, an agricultural holding: a ✓

OR

b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: b

Tenant's Name	Address at which the notice was served	Date the notice was served
---------------	--	----------------------------

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1-6 below, **must** be sent with your appeal form; 7-11 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

- | | | | |
|---|--|---|---|
| 1 | A copy of the original planning application sent to the LPA. | 1 | ✓ |
| 2 | A copy of the site ownership certificate and ownership details submitted to the LPA <u>at application stage</u> (this is usually part of the LPA's planning application form). | 2 | ✓ |
| 3 | A copy of the LPA's decision notice (if issued). | 3 | ✓ |
| 4 | A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. | 4 | ✓ |
| 5 | A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. | 5 | ✓ |
| 6 | A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). | 6 | ✓ |

Copies of the following must also be sent, if appropriate:

- | | | | |
|----|---|----------------|---|
| 7 | Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: | 7 | |
| 8 | Any relevant correspondence with the LPA. | 8 | ✓ |
| 9 | If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

(a) the relevant outline application;

(b) all plans sent at outline application stage;

(c) the original outline planning permission. | 9a
9b
9c | |
| 10 | If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached. | 10 | ✓ |
| 11 | A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). | 11 | |
| 12 | If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. | 12 | |

PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

- 1 I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (if you do not your appeal will not normally be accepted).
- 2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature

Date 8 October 2007

Name (in capitals) Mr Donald Kitching

On behalf of (if applicable) Mr M Winn



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND

1 COPY to us at:

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

1 COPY for you to keep

When we receive your appeal form, we will:

- 1 Tell you if it is valid and who is dealing with it.
- 2 Tell you and the LPA the procedure for your appeal.
- 3 Tell you the timetable for sending further information or representations.

YOU MUST KEEP TO THE TIMETABLE

If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

- 4 Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-6 Colegate
Norwich
NR3 1BQ

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that any supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number:

APP/Y2003/A/07/2056661

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

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*****
* The Documents Listed Below Were Uploaded With The Appeal Form *
*****
===== GROUNDS OF APPEAL =====
TITLE:      Grounds of Appeal 1
FILENAME:   Grounds of appeal.pdf

===== ESSENTIAL SUPPORTING DOCUMENTS =====
TITLE:      01. A copy of the original planning application sent to the LPA.
DESCRIPTION: original planning app .pdf
FILENAME:   Winn planning appeal - plan dxfdwg.dwg

TITLE:      02. A copy of the site ownership certificate and ownership details
            submitted to the LPA at application stage (this is usually part of the
            LPA's planning application form).
DESCRIPTION: application form, orig.pdf
FILENAME:   application letter and form.pdf

TITLE:      03. A copy of the LPA's decision notice (if issued).
DESCRIPTION: LPA's decision notice.pdf
FILENAME:   decision letter.pdf

TITLE:      04. A site plan (preferably on a copy of an Ordnance Survey map at not
            less
            than 10,000 scale) showing the general location of the proposed
            development
            and its boundary. This plan should show two named roads so as to assist
            the
            location of the appeal sit
DESCRIPTION: site plan.pdf
FILENAME:   Winn planning appeal - site location.pdf

TITLE:      06. A list (stating drawing numbers) and copies of any additional plans,
            drawings and documents sent to the LPA but which did not form part of the
            original application (e.g. drawings for illustrative purposes).
DESCRIPTION: List of drawings.MSword
FILENAME:   List of drawings sent to North Lincolnshire Council as part of.doc

TITLE:      08. Any relevant correspondence with the LPA.
DESCRIPTION: relevant corrs.pdf
FILENAME:   other correspondence.pdf

TITLE:      10. If the appeal is against the LPA's refusal or failure to decide an
            application which relates to a condition, we must have a copy of the
            original permission with the condition attached.
DESCRIPTION: Original planning perm.pdf
FILENAME:   Original planning approval.pdf

*****
* The Documents Listed Below Will Follow By Post *
*****
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Continued on Supplementary Sheet

M. SUPPLEMENTARY SHEET

Appeal Documents (continued)

===== ESSENTIAL SUPPORTING DOCUMENTS =====

** 05. A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

Grounds of Appeal

I wish to appeal against the decision of North Lincolnshire Council's refusal to grant permission for the variation of Planning Condition 3 under Planning Approval - Application Number 96/2013, Dated: 25 March 1997 for the lifting of the occupancy restriction with regard to 'Waysmeet', Hillfoot, South Ferriby, North Lincolnshire which states - *'Following its first occupation the annex shall not be used otherwise than as residential accommodation in conjunction with the dwelling known as 'Woodville' and it shall not be sold, let or otherwise conveyed as accommodation separate from that dwelling without a specific grant of planning permission in that regard'*.

This building which is a former coach house stands in a parcel of land formerly known as 'Mathews yard', this consisted of a joiners shop, cobblers, and a row of cottages, sadly these buildings have been demolished some thirty years ago to make way for new properties. The 'Coach house', 'Woodville', and the adjacent house 'Waysmeet', are the only remaining buildings.

These properties have shared a joint right of way over the access drive for over eighty years this has served as vehicle and pedestrian access to the properties and is still in place to this present day. The coach house was converted ten years ago to form a residential building classed as an annexe to 'Woodville', originally for the retirement home of the father of Mr M Winn, (the applicant) but over this period it has also been occupied by other members of the family.

With the passing of Mr Winn Senior and the grown children leaving home to attend university the building is unoccupied, the family have tried letting the property but find the results disheartening, hence they wish to dispose of the property.

The original planning permission has a restriction stating that the annexe cannot be sold, let, or conveyed from 'Woodville' without prior planning permission, the removal of this restriction has been applied for and refused.

On the grounds of it would introduce an undesirable form of back land and tandem development which would have an adverse impact on adjoining residential properties through a high level of nuisance from increased movement of vehicles to and from the proposed development.

However Planning Policy H7 - Backland and Tandem Development states that planning approval will normally be permitted provided that: i) there is no adverse effect on the amenities of any residential premises or adjoining use through: a) overlooking and loss of privacy; b) loss of amenity area to the adjoining dwellings; c) the level of nuisance resulting from the movement of vehicles to and from the proposed development. And ii) it would not affect the general quality and character of the area in which it is located by: a) unacceptably increasing the density of development in that area: b) resulting in the loss of important natural and man-made features; c) leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety.

The building is not set directly behind any other property, it has it's own frontage and vehicular access, although shared, parking position and two separate garages, the shared access lane links directly to the main roadway and to the A1077.

Vehicle movements into this shared access way will not increase as planning permission has been granted to form a new vehicular drive way and erect a double garage entered from The Rise, to the north of 'Woodville'. This would leave the annexe with its own parking and garages without any increase in vehicle movements making it self contained as a residential property.

The dwelling would make useful addition to the housing stock of the village which is lacking in new housing due to suitable land been unavailable. The Local Planning Authority have suggested that consent for the annexe to be used for bed and breakfast could be considered but that is not seen as desirable.

The owners are agreeable to devote the land across the whole of the frontage (facing west), in line with the edge of the covered way/garage, and also a portion of land to the south (as shown on the site plan - 3.00 metres wide) to the residence in accordance with Condition 3 (3).

This will allow the Local Planning Authority to assess any changes in ownership or occupation as the property is deficient in terms of both dedicated garden provision and car parking space and to ensure a continuing standard of residential use in the interests of the residential amenity of the adjoining properties.

Overlooking will not be a problem, as the windows facing 'Waysmeet', and the other cottage to the east has been addressed in the original planning with the installation of obscured glass in specified window openings to the satisfaction of the Local Planning Authority. In addition the distance between the buildings is generous, occupancy over the years has not created any problems.

All the window openings to the west are at a far greater height than any of the other properties that adjoin this elevation, due to the gradient of the ground. There are no window openings to the north or south elevations.

There is scope for enlargement of the dwelling at ground level, or removal of the outbuildings to form additional garden area along the west elevation, which together with the space to the south forms attractive open space for the use of the occupants.

In regard to Policy DS1 - General Requirements, it is contended that the existence of the Planning Approval in the first instance would agree that it is in determination with the items under this police, namely; Quality of Design, Amenity, Resources, Utility and Services and also Planning Benefits. The stated purpose of this policy being *to set out the generality of these environmental; and other criteria and standards, which every planning application will be expected to meet, thus achieving economy, efficiency, convenience, amenity and safety in the development and use of land.*

H10 - Public open Space Provision in New Housing Development, in this case the site not 0.5 ha by any means (0.0152ha), and although para iii) could be seen to apply, it is contended that in this case the clause is irrelevant, being more applicable to new housing developments.

The dwelling being a simple conversion from a disused building in the first instance, re-used for a specific purpose, and now proposed for an alternative use.

The Planning Inspectorate

For official use only
(Date received)
9-Nov-2007 15:05

QUESTIONNAIRE (Online Version)

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

Appeal Ref:	APP/Y2003/A/07/2056661		
Appeal By:	Mr M Winn		
Address	Woodville High Street, South Ferriby BARTON-UPON-HUMBER North Lincolnshire		
Postcode	DN18 6HB	Grid Reference: Easting	4988857
		Northing	4210785

SCANNED
04 MAR 2008

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1	Do you agree to the written representations procedure? <i>(An exchange of written statements, which will be studied by the Inspector, prior to visiting the site).</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	if NO, Do you wish to be heard by an Inspector at	
	a) a local inquiry? or	<input type="checkbox"/> YES <input type="checkbox"/> NO
	b) a hearing?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Note: If the written procedure is agreed the Inspector will visit the site <u>unaccompanied</u> by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.	
2	a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	If the answer to 2b is YES, please explain:	
	<input type="text" value="Because of the proximity of the annex to the main dwelling"/>	
3	Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.	
	Name <input type="text" value="Lynda Morton"/>	Phone <input type="text" value="01724 297496"/>
4	Does the appeal relate to an application for approval of reserved matters?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
5	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> NA <input type="checkbox"/>

6 Did you give publicity to the application? YES NO
 – Article 8 of the GDPO 1995
 – Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990
 – Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990

7 Is the appeal site within an approved Green Belt or AONB? YES NO
 Please specify which

8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES, please send details. YES NO
Document provided

9 a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? YES NO
 If YES, please send details and, where necessary, give our reference numbers.

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details. YES NO
Document provided

10 Is the site within a Conservation Area? If YES, please send a plan of the Conservation Area. (If NO, go to Q12.) YES NO
Document provided

11 Does the appeal relate to an application for conservation area consent? YES NO

12 a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? YES NO
 I II* II

b. Would the proposed development affect the setting of a listed building? YES NO
Document provided

If the answer to question 12a or b is YES, please send a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q14.) Date of Listing

13 Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? YES NO

14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)? YES NO
 b. If YES, was English Heritage consulted? Please send a copy of any comments. YES NO
Document provided

15 Is any part of the site subject to a Tree Preservation Order? YES NO
 If YES, please send a plan showing the extent of the Order and any relevant details. *Document provided*

16 a. Is the appeal site in or adjacent to or likely to affect an SSSI? YES NO
 If YES, please send the comments of English Nature. *Document provided*

b. Are any protected species likely to be affected by the proposals? YES NO
 If YES, please send details. *Document provided*

17 Copies of the following documents must, if appropriate, be sent with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
If YES, please indicate which Schedule. YES NO
Sch1 Sch2 col1
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? YES NO
- c. Has a screening opinion been placed on Part 1 of the planning register?
If YES, please send a copy to us. YES NO
Document provided
- d. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) relating to the application site? YES NO
Document provided
- e. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO; Applies
Document provided
- f. Any representations received as a result of an Article 7 (or Regulation 6) notice; Applies
Document provided
- g. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990; Applies
Document provided
- h. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5); Applies
Document provided
- i. Details of any other applications or matters you are currently considering relating to the same site; Applies
Document provided
- j. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;** Applies
Document provided
- k. Any supplementary planning guidance, together with its status, that you consider necessary; Applies
Document provided
- l. Any other relevant information or correspondence you consider we should be aware of; Applies
Document provided
- m. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. **You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.** Applies
Document provided

18 a. Please include:

i) a copy of the letter in which you notified people of the appeal;

Document provided

ii) a list of the people you notified; and

Document provided

iii) the deadline you gave for their comments to be sent to us.

Deadline

12 Dec 2007

b. Copies of the following documents must, if appropriate, be sent with the questionnaire.

i) representations received from interested parties about the original application;

Applies

Document provided

ii) the planning officer's report to committee;

Applies

Document provided

iii) any relevant committee minute.

Applies

Document provided

19 For appeals dealt with by written representations only

Do you intend to send another statement about this appeal?

YES NO

If NO, please send the following information:-

a. In non-determination cases:

i) what the decision notice would have said;

Applies

Document provided

ii) how the relevant development plan policies relate to the issues of this appeal.

Applies

Document provided

b. In all cases:

i) the relevant planning history;

Applies

Document provided

ii) any supplementary reasons for the decision on the application;

Applies

Document provided

iii) matters which you want the Inspector to note at the site visit.

Applies

Document provided

20 The Mayor of London cases only

Was it necessary to notify the Mayor of London about the application?

If YES, please send a copy of that notification.

YES NO

Document provided

Did the Mayor of London issue a direction to refuse planning permission?

If YES, please send a copy of that direction.

YES NO

Document provided

21 Council's Reference: PA/2007/1037

I confirm that I have sent a copy of this questionnaire form and relevant documents to the appellant or agent.

Signature Ron White on behalf of North Lincolnshire Council Council

Date sent to us and the appellant 9 November 2007

Please tell us of any changes to the information you have given on this form.

Application Number: PA/2007/1037

(please quote in all correspondence)

Case Officer: Ron White, Tel 01724 297488
(Email: ron.white@northlincs.gov.uk)

5 November 2007

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990

Proposal: Planning permission to vary condition no 3 of permission 1996/2013 to allow the annex to be used as a separate dwelling

Site Location: Annexe Woodville High Street South Ferriby

Appellant: Mr & Mrs M Winn

Inspectorate's Reference: **APP/Y2003/A/07/2056661/WF**

Appeal Start Date: 31/10/2007

I am writing to let you know that an appeal has been made to the Planning Inspectorate in respect of the above site. The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector. It follows the refusal of planning permission by this Council.

The arguments put forward in support of the appeal and the reasons for the Council's decision may be inspected in this office, preferably by prior appointment. Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Inspectorate and copied to the appellant, and will be taken into account by the Inspector deciding the appeal.

If you wish to make any representations on this appeal or withdraw or modify your earlier comments in any way you should write direct (sending three copies) to The Planning Inspectorate, Room 3/12a, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN not later than six weeks from the appeal starting date stated above, quoting the Inspectorate's reference number. If representations are not made within this period there is a risk that they may not be considered.

Site Visit

If the Inspector can see enough of the site from the road or public view, he will visit the site alone. If that is not possible, the appellant and the Local Planning Authority's representative will go with the Inspector. There is normally no need for other people to take part in the site visit. However, if you own a property nearby and you want the Inspector to see the appeal site from your property, **you should tell them when you write**. They will then inform you of the date and time of the visit. You will not be able to discuss the case, but you can point out the relevant facts and features.

Decision Letter

The Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal. The Inspectorate will send a copy of the decision letter to you, **provided you specifically ask for one**. If you are not the owner of the premises you occupy, please try to bring the contents of this letter to the attention of the owner.

Sending your comments to the Planning Inspector

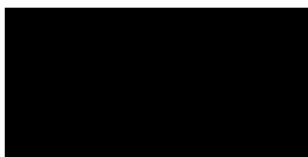
The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate may publish details of your comments on the internet (on the Appeals area of the Planning Portal). Your comments may include your name, address, email address or phone number. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Planning Inspectorate has also published an explanatory booklet 'A Guide to Taking Part in Planning Appeals' which describes the possible involvement third parties may have in planning appeals. If you would like a free copy please telephone or write to this office to request one or you can download a copy from the Planning Inspectorate's web site at www.planning-inspectorate.gov.uk

Yours faithfully

A black rectangular redaction box covering the signature of Mike Welton.

Mike Welton
Head of Planning

A large black rectangular redaction box covering several lines of text.

Copies for information sent to:

Cllr J C Berry
Conservative Group Office
145 Cherry Grove
SCUNTHORPE

Cllr C G Sherwood
Conservative Group Office
145 Cherry Grove
SCUNTHORPE

Cllr N J Sherwood
Conservative Group Office
145 Cherry Grove
SCUNTHORPE

Councillor J Collinson
Chair of the Planning Committee
Labour Group Office
Civic Suite
Pittwood House
SCUNTHORPE

Councillor D Whiteley
Vice Chair of the Planning
Committee
Labour Group Office
Civic Suite
Pittwood House
SCUNTHORPE

Scunthorpe Telegraph
4/5 Park Square
Laneham Street
SCUNTHORPE
DN15 7JH

Mrs A Sherwood
Clerk to South Ferriby Parish Council
Shalimar
Sluice Road
South Ferriby
BARTON-UPON HUMBER
DN18 6JG

Land Charges Section
Pittwood House
SCUNTHORPE

Letter sent to:

Mr W Haughan
Grainsby
High Street
South Ferriby
BARTON UPON HUMBER
DN18 6HB

The Owner/Occupier
7 The Rise
South Ferriby
BARTON UPON HUMBER
DN18 6HE

The Owner/Occupier
Waysmeet
North End
South Ferriby
BARTON UPON HUMBER
DN18 6HD

The Owner/Occupier
The House
North End
South Ferriby
BARTON UPON HUMBER
DN18 6HD

The Owner/Occupier
Hillfoot Cottage
North End
South Ferriby
BARTON UPON HUMBER
DN18 6HD

The Owner/Occupier
Henry & Sons
High Street
South Ferriby
BARTON UPON HUMBER
DN18 6HB



The Planning Inspectorate

Room: 3/12a
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line: 0117-372-8598
Switchboard: 0117-372-8000
Fax No: 0117-372-8181
GTN: 1374-8598

teamp8@pins.qsi.gov.uk
<http://www.planning-inspectorate.gov.uk>

Mrs L Morton
North Lincolnshire Council
Development Control
Planning Dept
Church Square House
P O Box 42
Scunthorpe
DN15 6XQ
N Lincs

Your Ref: PA/2007/1037
Our Ref: APP/Y2003/A/07/2056661/WF
Date: 31 October 2007

Dear Mrs Morton

Town and Country Planning Act 1990
Appeal by Mr M Winn
Site at Woodville, High Street, South Ferriby, Barton-upon-humber, DN18 6HB

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me.

Using e-mail and the internet

You can now use the internet to send us documents and check the information and the progress of this case at (www.planningportal.gov.uk/pes). You can look at this case by typing in the above reference number where it says 'Case Ref on the 'Search' page and clicking on the search button.

The starting date

I have checked the papers and confirm that the appeal is valid. If I later find out that this is not the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with this appeal promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you. Inspectors will not accept any documents from you or discuss the appeal at the site visit. Also,

Inspectors will not delay their decision to wait for any such documents. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

By 14 November 2007

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within 6 weeks of the starting date, **by 12 December 2007**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned.
- ii) they may view the documents at your offices.
- iii) they can get a copy of our booklet 'Guide to taking part in planning appeals' either free of charge from you or through 'publications' on our website: (www.planning-inspectorate.gov.uk) and
- iv) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must send a copy of a completed appeal questionnaire and supporting documents to the appellant and me. This must include details of all the relevant development plan policies.

By 12 December 2007

Please send me 2 copies of your statement if the appeal questionnaire does not give full details of your case. The appellant must send 2 copies of any statement to me if they need to add details to the case made in their grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, as recommended in Annex 1(i) of DETR Circular 05/2000. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments sent by interested people or organisations.

By 2 January 2008

You and the appellant must submit 2 copies of any final comments you and they have on each other's statement and on any comments from interested persons or organisations. You must not send your final comments instead of, or to add to your statement. No new evidence is allowed at this stage. I will send you a copy of the appellant's final comments at the appropriate time.

Using e-mail or post

If you send us your documents by e-mail, you only need to send us one copy of each. However, if you post your documents, please send us **2 copies** of everything and put the full appeal reference number on each copy.

Site visit

We will arrange for one of our Inspectors to visit the appeal site and, if it is decided that he or she should be accompanied by the main parties, we will send you details nearer the time. If an unaccompanied site visit can be made you should not approach

the Inspector, though if you were unwittingly to do so, the Inspector would politely identify him or herself. You will no doubt understand that it would be improper to engage in conversation.

Planning obligations - Section 106 agreements

A planning obligation - often referred to as a 'section 106 agreement' - is either:

- a legal agreement made between the LPA and a person 'interested in the land';
or
- a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation and want to be certain that it will be taken into account by the Inspector in reaching a decision, you must make sure that a signed and dated copy is submitted to the Inspectorate no later than 9 weeks from the start date. Completed obligations submitted after this date will be taken into account only at the Inspector's discretion as he/she will not normally delay deciding the appeal to wait for its receipt.

Please note that appeal files are normally only kept for one year from the date the decision is issued, following which they are destroyed. It is therefore important you ensure that if any Section 106 planning obligation is received from the appellant, **the original is always retained by yourselves**. If you should receive a copy instead, please contact the appellant so that it may be exchanged for the original.

Yours sincerely

pp Garry Thompson

102(BPR)

SUGGESTED PLANNING CONDITIONS

APPLICATION REF: 2007/1037

INSPECTORATE REF: APP/Y2003/A/07/2056661/WF

APPEAL SITE: Annexe, Woodville, High Street, South Ferriby

PROPOSAL: Planning permission to vary condition no 3 of permission 1996/2013 to allow the annex to be used as a separate dwelling

APPLICANT: Mr & Mrs M Winn

1.

The development must be begun before the expiration of three years from the date of this permission.

2.

No development shall take place until a plan showing adequate parking and turning facilities within the curtilage of the site have been submitted to and approved in writing by the local planning authority.

NORTH LINCOLNSHIRE COUNCIL

Town and Country Planning Act 1990

APPEAL BY MR & MRS M WINN

**AGAINST THE REFUSAL BY NORTH LINCOLNSHIRE COUNCIL TO GRANT
PLANNING PERMISSION TO VARY CONDITION NO 3 OF PERMISSION
1996/2013 TO ALLOW THE ANNEX TO BE USED AS A SEPARATE DWELLING**

WOODVILLE, HIGH STREET, SOUTH FERRIBY

COMMENTS ON THE APPELLANTS' GROUNDS OF APPEAL

Local Planning Authority's Reference: PA/2007/1037

Planning Inspectorate's Reference: APP/Y2003/A/07/2056661/WF

11 December 2007

1. The proposal is contrary to policy H7 (Backland and Tandem Development) of the North Lincolnshire Local Plan. The application clearly shows that access onto High Street will be gained along the same access which serves 'Waysmeet', the adjoining dwelling immediately to the east. The use of the annexe as a dwelling will result in an increase in traffic movements, both motor and pedestrian, along the southern side of 'Waysmeet' which has a habitable room window in its southern elevation, which will have an adverse impact on the occupiers of this dwelling through loss of privacy and noise disturbance. In addition, all traffic movements to the proposed dwelling will pass next to the rear garden area of 'Waysmeet' which is its only area of private open space and as such it will be deprived of privacy and subject to increased noise disturbance and fumes.
2. The annexe is set directly behind 'Waysmeet' and is considered tandem development.
3. The appellant states that vehicular movements will not be increased over the shared access with 'Waysmeet' because planning permission has been granted to form a new vehicular access and erect a double garage on an adjacent site. However, this development is ~~set~~^{NOT} within the application site the subject of this appeal. The proposed conversion of the annexe clearly shows the provision of two garages within the building block which will presumably accommodate motor vehicles whose only access onto High Street will be along the shared access with 'Waysmeet'.
4. Policy H5 of the North Lincolnshire Local Plan states that provision needs to be made within the curtilage of the dwelling for an appropriate area of private amenity open space. The appeal site shows that an area of approximately 40m² would be added along the southern side of the annexe to meet this requirement. However, this is a rather contrived parcel of land which enjoys no privacy from 'Woodville', the adjacent dwelling to the south. In terms of plot size, the proposal be unfavourable compared to that of adjacent residential properties and could be considered out of keeping with its surrounds. Policy H10, although more akin to larger residential sites, does relate to public open space in all new housing development and an acceptable standard.

5. Policy H5 also requires adequate parking and turning facilities within the curtilage of the site to ensure that no on-street parking occurs which would be detrimental to the free and safe flow of vehicles using the public highway. The highway authority is not convinced that adequate parking and turning facilities can be provided for the proposal as well as 'Waysmeet' because this is not marked out in the application site.

6. The purpose of policy DS1 is to set a standard of design for all developments where there should be no unacceptable loss of amenity to neighbouring properties through the effects of overlooking which is endorsed by policy H5. It is accepted that the first floor obscure glazed window and Velux rooflights at a high level on the eastern elevation go some way to protecting the living conditions of 'Waysmeet' to the east. However, there is a ground floor window which is in close proximity and overlooks the rear garden area. In addition, and contrary to the appellants' view, it cannot be concluded that because planning permission has previously been granted for the annexe a precedence has been set whereby policy DS1 does not have to be satisfied with this proposal if that is what is being implied.



The Planning Inspectorate

Room: 3/23 Hawk
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line: 0117-372-6112
Switchboard: 0117-372-8000
Fax No: 0117-372-8804
GTN: 1371-6112

laura.morris@pins.gsi.gov.uk
<http://www.planning-inspectorate.gov.uk>

Mrs L Morton
North Lincolnshire Council
Development Control
Planning Dept
Church Square House
P O Box 42
Scunthorpe
DN15 6XQ
N Lincs

Your Ref: PA/2007/1037
Our Ref: APP/Y2003/A/07/2056661/WF
Date: 21 January 2008

Dear Mrs Morton

Town and Country Planning Act 1990
Appeal by Mr M Winn
Site at Woodville, High Street, South Ferriby, Barton-upon-humber, DN18 6HB

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeal is

Peter Nock BA(HONS) DIPTP MRTPI

The Inspector will visit the appeal site at 13.00 on 15 February 2008. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's



site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, we will let you know.

Yours sincerely

pp Laura Morris

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D

You can now use the Internet to submit and view documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -

<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>

You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

Donald Kitching Architect.

Chartered Architect.

MCIOB., BA., Dip. Arch., RIBA., IHBC.
ARB No. 0587101

24 Burgate,
BARTON UPON HUMBER,
North Lincolnshire.
DN18 5EZ
Tel No: 01652 636636
Fax No: 01652 633220
Mobile No: 07932 102847
email: donald.kitching@eurotelonline.com

18 February 2008

The Planning Inspectorate,
Room 3/12a,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol.
BS1 6PN

DEVELOPMENT CONTROL SECTION
22 FEB 2008
DATE RECEIVED
Referred To

Dear Sir,

Town and Country Planning Act 1990

Appeal by Mr M Winn.

Site at 'Woodville', High Street, South Ferriby, Barton upon Humber. DN18 6HB

I refer to the above planning appeal, and my meeting with your inspector Mr Peter Nock on the 15th February 2008, and his request that I submit a copy of my drawing relating to the original planning approval for the conversion of the coach house to form an annex to 'Woodville', for residential occupation.

I enclose a copy of the original drawing, 'GA (-) 100 General Arrangement Drawing for Illustrative Purposes Only', dated November 1996, and I confirm that I have also forwarded a copy to the Planning Department of North Lincolnshire Council, as requested.

Unfortunately the only drawing that I have retained is not marked with a red line to show the area of land under the ownership of the applicant, at this time I outlined the development site by hand, as I did not have a coloured plotter.

I would confirm that I mistakenly described the area of land forming the driveway within the neighbouring property as in the ownership of the applicant, this is not the case, the parcel of land originally all in one ownership has been divided, for which I apologise.

The driveway was retained within the land allocated to the neighbouring dwelling to the north, when it was divided from the original plot and known as 'Waysmeet', High Street, South Ferriby.

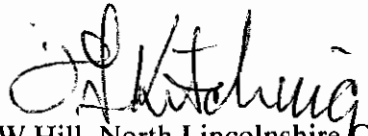
The current application and appeal clearly shows this depicted on the Site Location of my drawing 'GA(-)001 General Arrangement - Existing Plans, Elevations and Location', a copy of which was given to Mr Nock at the meeting.

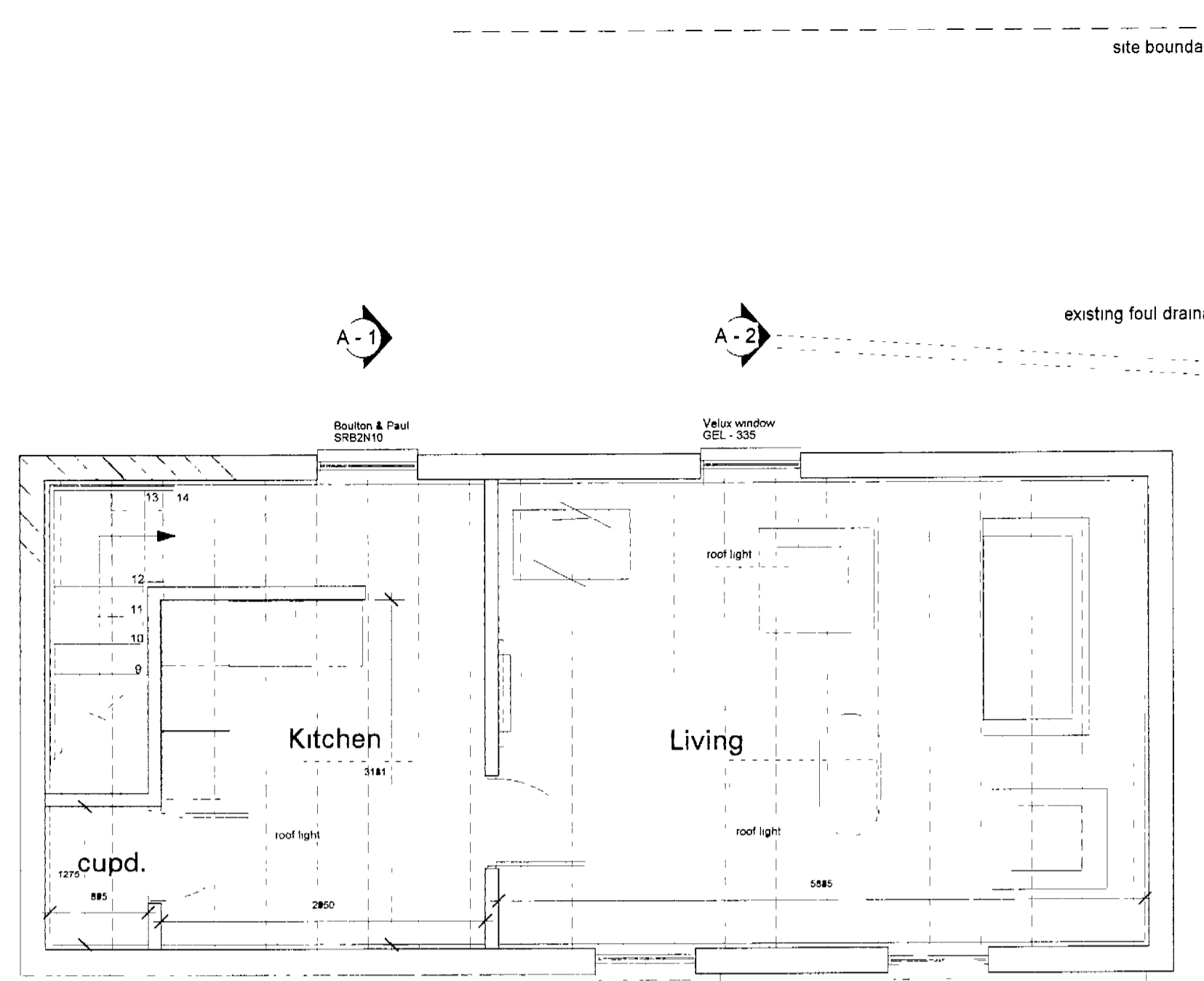
Mr Winn, the owner of 'Woodville' and applicant for this appeal, has the legal rights to park, pass over the driveway with pedestrian and vehicular traffic, at all times, to and from the highway into the garages, house and annex.

Yours faithfully,

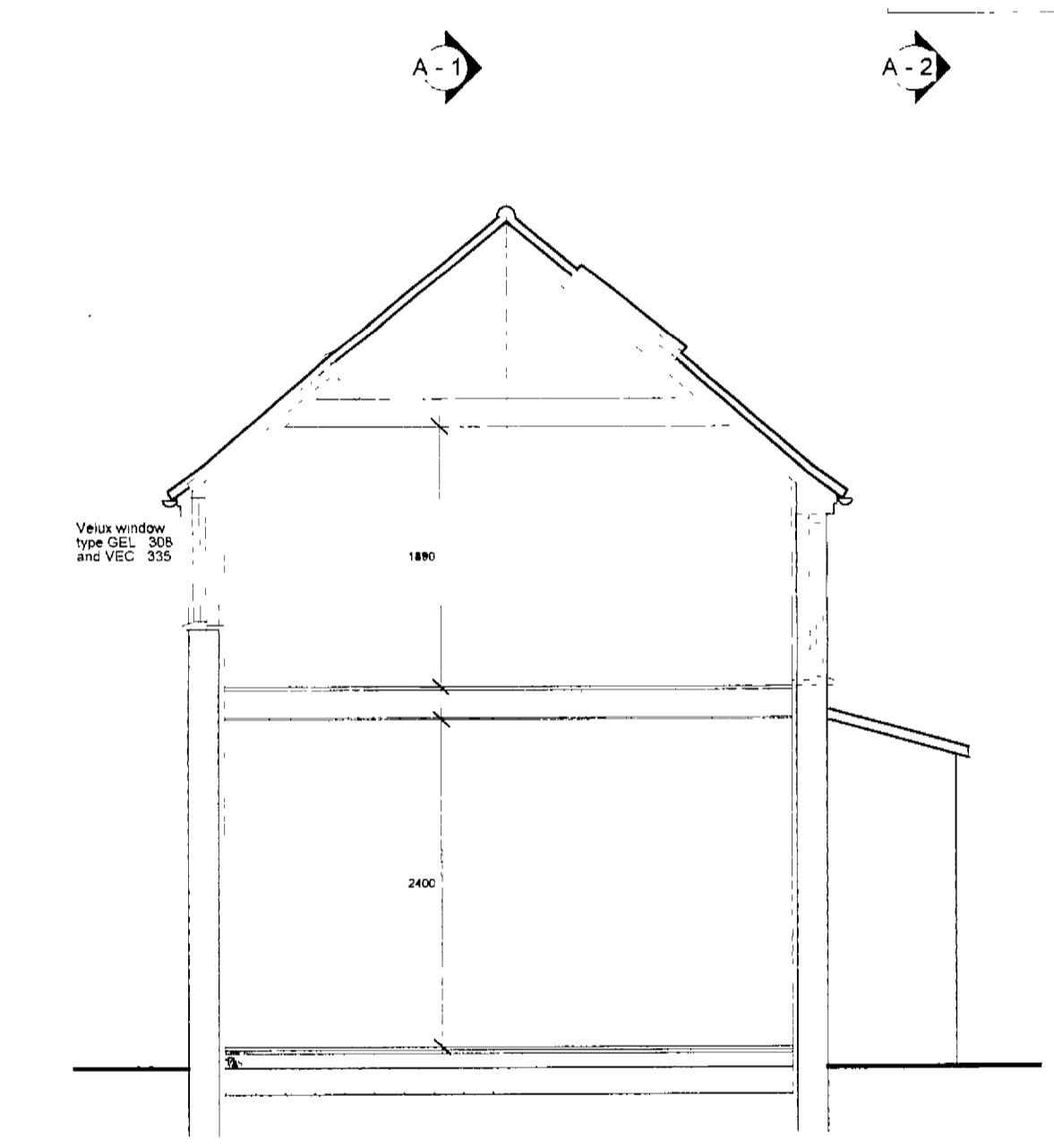
D J Kitching MCIoB., BA., Dip.Arch-, RIBA..IHBC.
Donald Kitching Architect.
Chartered Architect.

Encls.

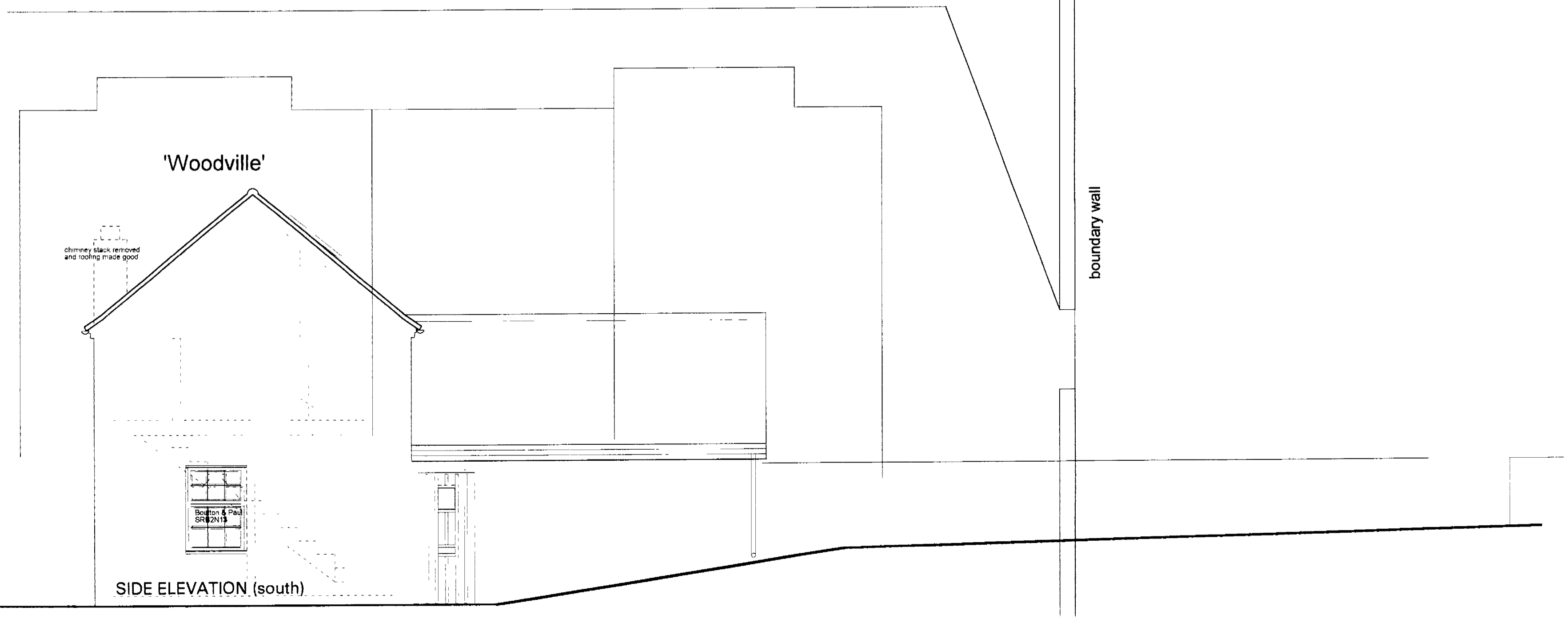

CC Mr W Hill, North Lincolnshire Council



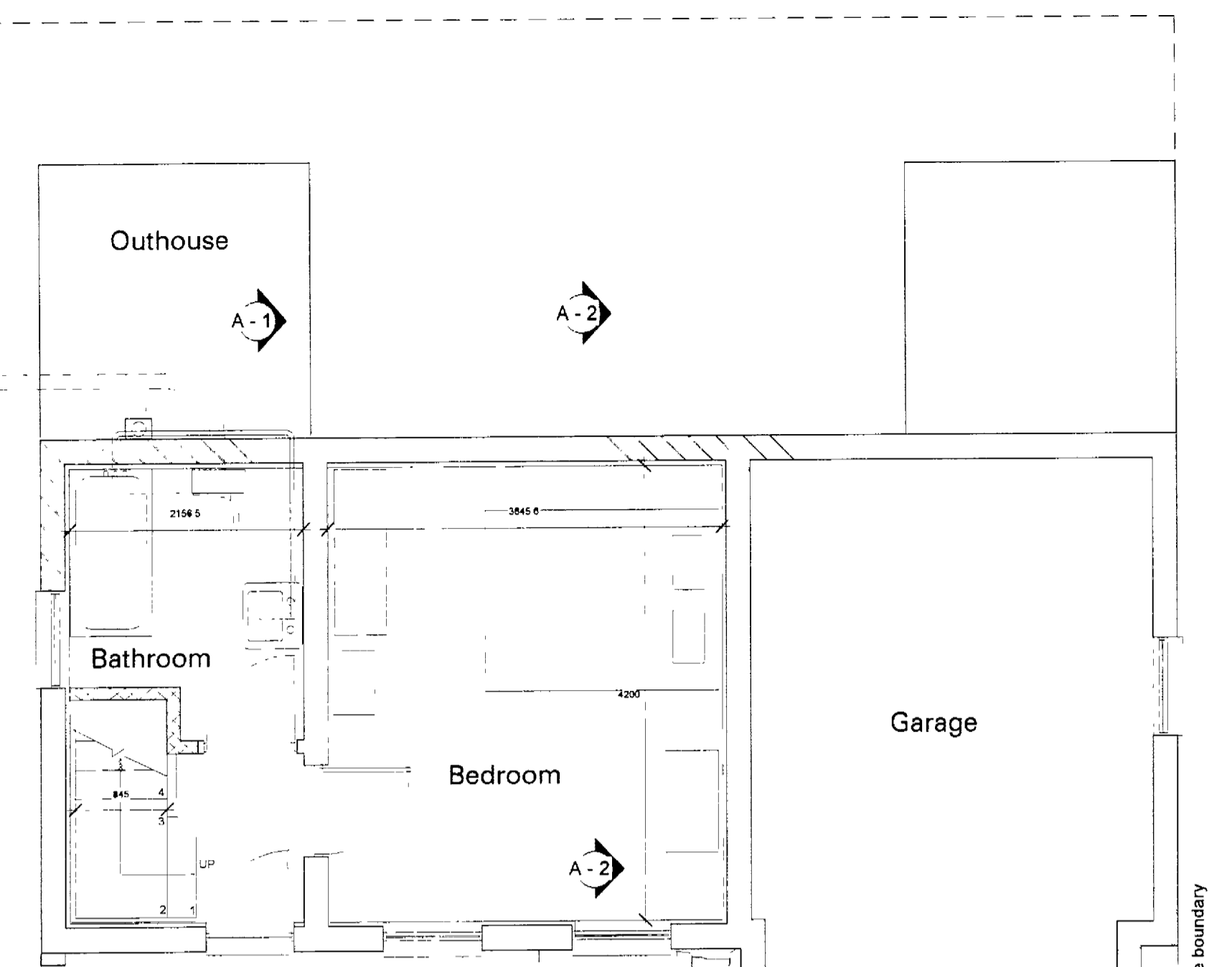
FIRST FLOOR PLAN



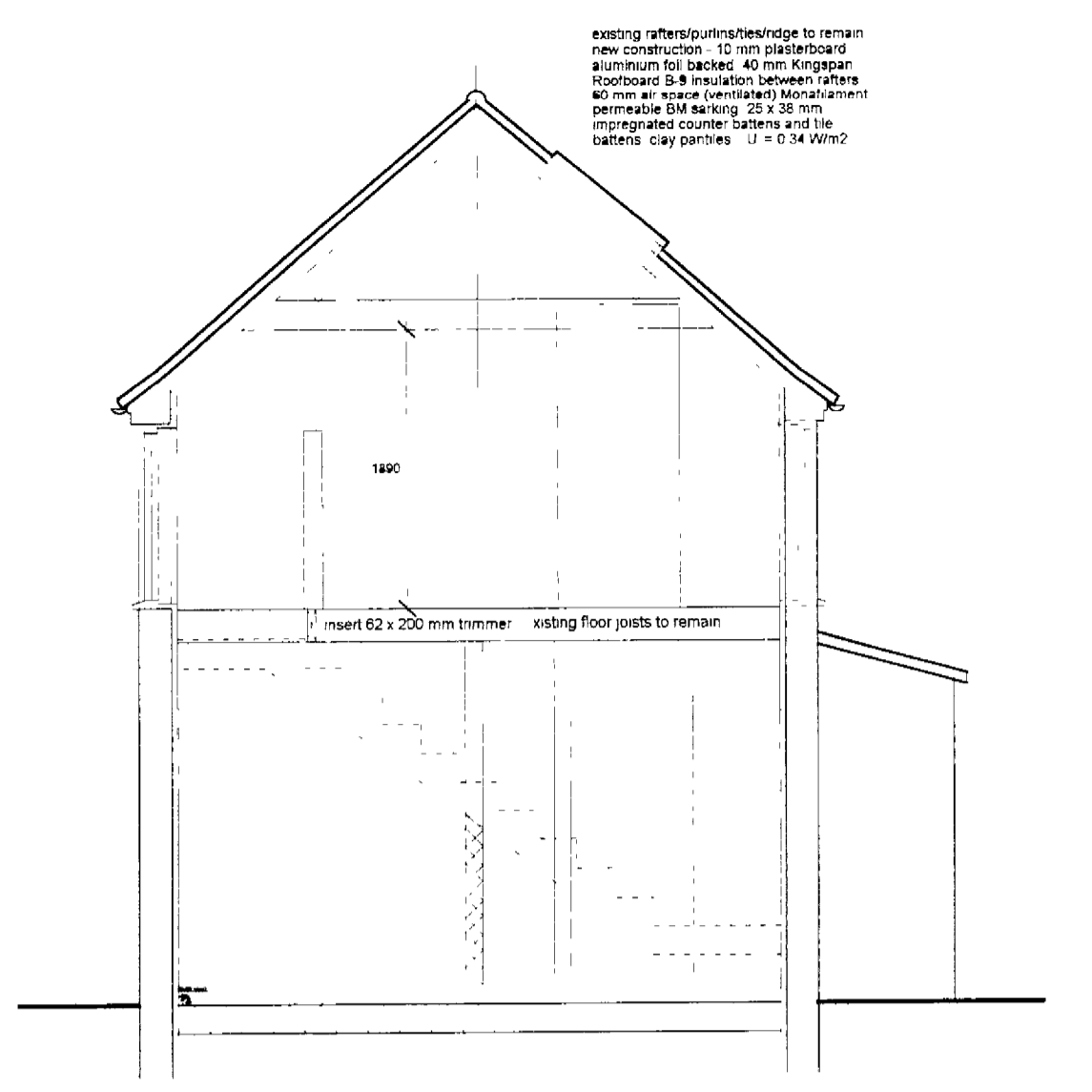
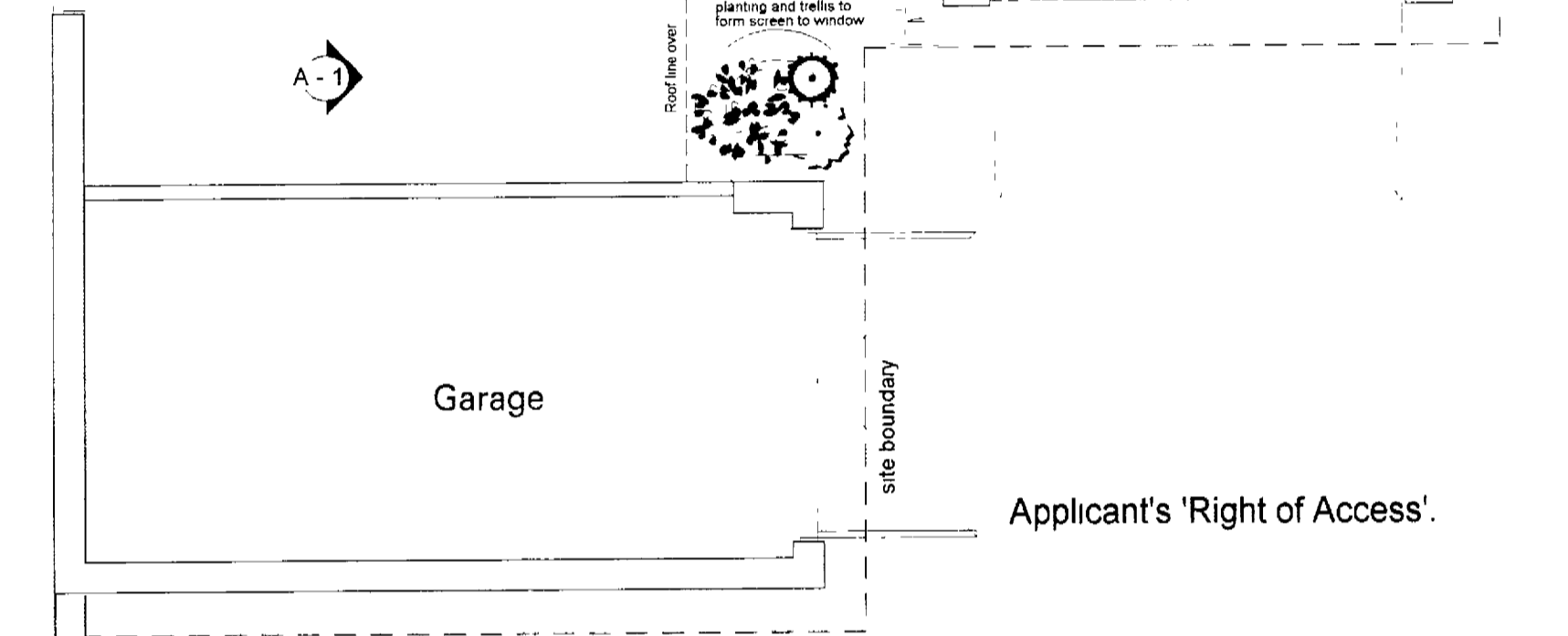
SECTION A / A - 2



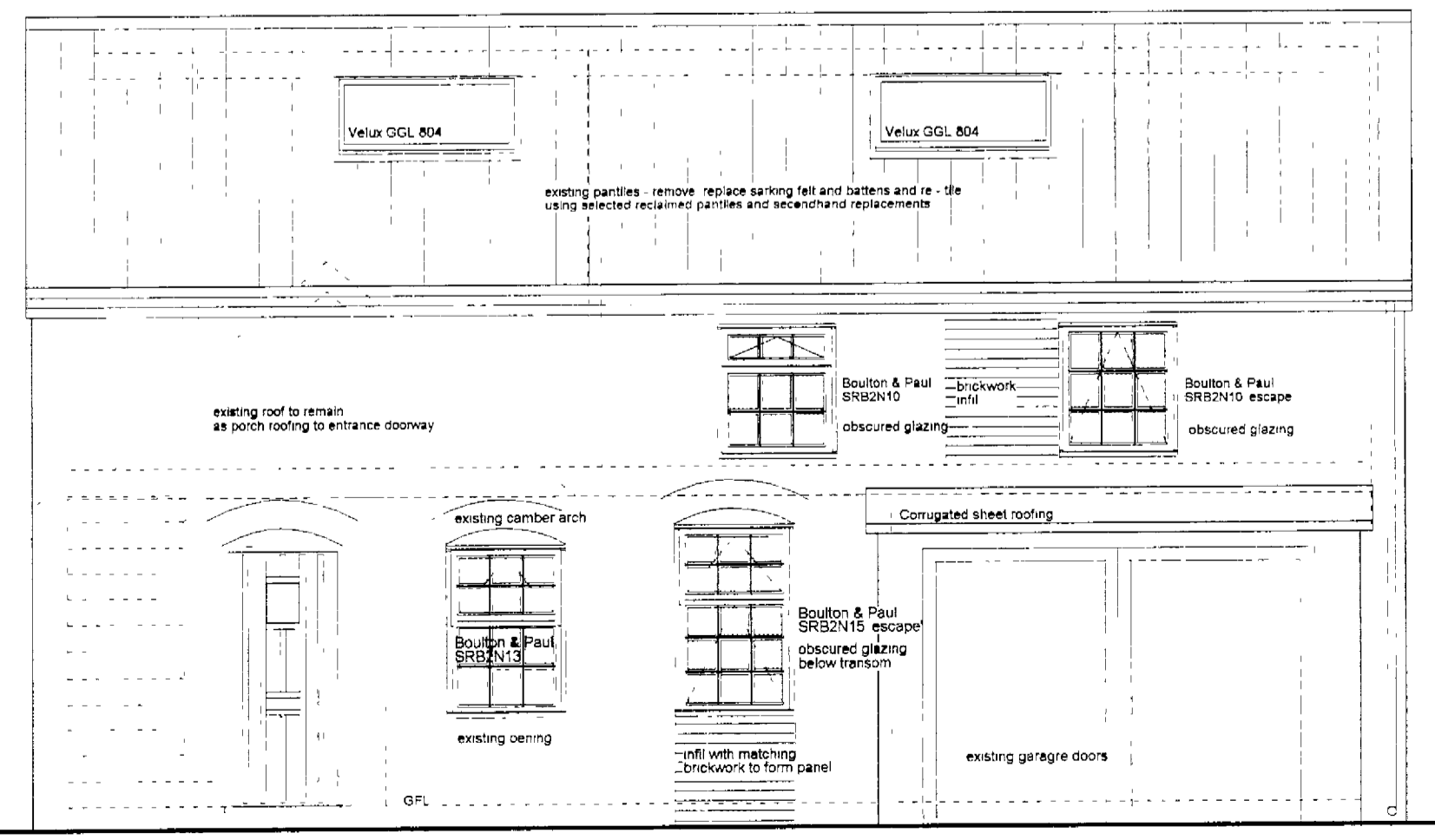
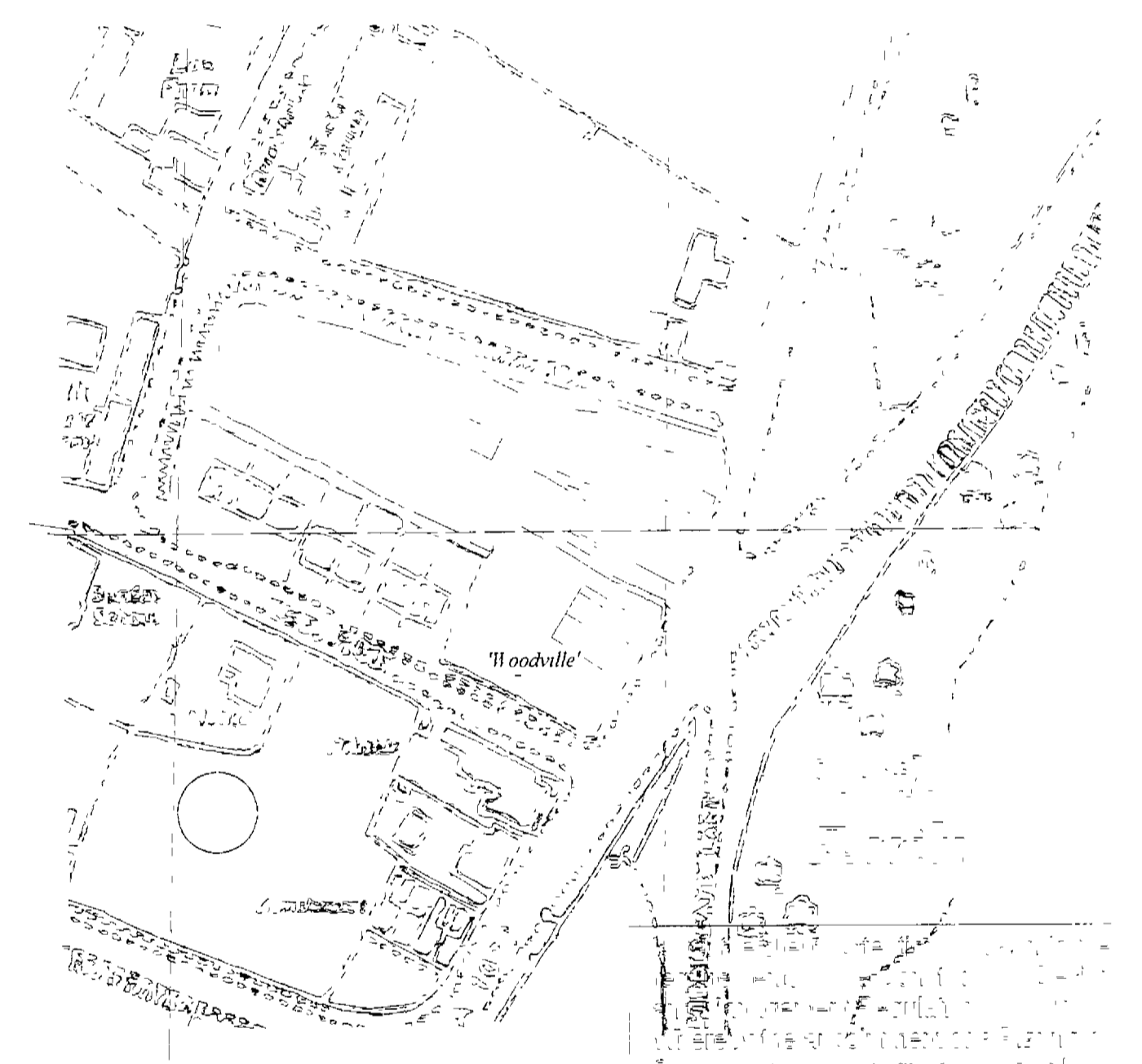
SIDE ELEVATION (south)



GROUND FLOOR PLAN



SECTION A / A - 1



FRONT ELEVATION (west)

1/ Planning Requirements	27/1/97
PROJECT	
Propsd Alts. to Coach House, to form annex to 'Woodville', High Street, South Ferrby for Mr & Mrs M Winn	
TITLE	
General Arrangement Drawing for Illustrative Purposes Only	
D J K	Nov 96
	1 50th
DATE RECEIVED	
22 FEB 2008	
GA -- 100	