

APPLICATION NO	PA/2009/0272
APPLICANT	Mr J Haigh
DEVELOPMENT	Planning permission to change the use of a barn into a dwelling, erect a rear extension, construct a new access onto Barton Street and retain a garage as built (amended scheme following planning permission PA/2008/1146)
LOCATION	The Willows, Barton Street, Barrow-upon-Humber
PARISH	BARROW-UPON-HUMBER
WARD	Ferry
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Third party request to address the committee
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: Policy H1 (Provision and Distribution of Housing) – the region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes.</p> <p>North Lincolnshire Local Plan: Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:</p> <ul style="list-style-type: none"> (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area; (ii) the design and layout should respect and, where possible, retain or enhance the existing landform; (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing; (iv) amenity open space should be retained where possible; (v) no pollution of water, air or land should result.

Policy H5 (New Housing Development) sets out the criteria for assessing new housing proposals. The policy requires new housing to be in keeping with the scale and character of the settlement, have acceptable access and parking arrangements, be of a suitable scale, layout and height, be built of appropriate materials and not detrimentally affect the residential amenity of neighbours.

Policy HE2 (Development in Conservation Areas) requires that all development should preserve or enhance the character and appearance of the area and its setting. The policy gives detailed criteria for assessing applications in conservation areas.

CONSULTATIONS

Highways: Advise conditions.

PARISH COUNCIL

Object – “The Parish Council agrees with all objections raised from the residents and certainly does not agree with the retention of the garage as already built as it is not with the original plans. The Parish Council feels it will be detrimental to the conservation area taking away the setting from The Willows. Concerns were raised with the access onto a very busy road, and altering an old wall with a protected post box on it.”

PUBLICITY

Advertised by site and press notice, and neighbouring properties notified. Letters of objection have been received raising the following material planning issues:

- The access for the barn conversion and new parking for the existing house could have an adverse impact upon the appearance of the conservation area and this property which is of townscape value.
- The drawings are misleading – the garage should be shown as part of the west elevation.
- Impact on skylines and ‘borrowed horizons’ – would be worsened by the amended garage details with a higher roofline.
- PA/2007/1697 was refused as an ‘inappropriate and cramped form of development’; that comment applies again.
- The proposals would impact on the character of the area due to the loss of open space.
- The development has the potential to exacerbate traffic problems in the area; it is a dangerous road at school times. Building a new access onto Barton

Street arguably makes this problem worse. In addition, the developers are reverting to an approach first proposed in outline planning application 2007/1697 which, the objectors seem to recall, was deemed undesirable by Highways.

- The amended plans accentuate the disproportionate size of the garage. The developers should be required to demolish the unapproved element of the garage.
- The large garage is inappropriate and is cramped development.
- The height of the garage and its new position closer to the neighbours' property would exacerbate the dominant effect on the neighbours' garden. The previous design was preferable to the new design (altered doors).
- The new access would result in a further loss of garden space to the barn development and to The Willows.
- The development of an access from Barton Street would result in substantial demolition of the attractive old wall and the effective destruction of the green space that can be seen. This would detract from the amenity of the conservation area and reduce the garden area to The Willows.
- The splay is inadequate – on the departure side all that can be achieved is 2.5 metres by 8 metres which is totally inadequate. There is already a crossroads, bus stop, post box and the entrance to Willow Gardens; when picking up and dropping off pupils at school cars are parked on both sides of the road and a new access should not be permitted when a perfectly good access was approved previously. The design and access statement does not say why this access is being proposed.
- The loss of the wall in the conservation area should be avoided.
- This is fourth new drive being sought since 1984 and there would be more congestion and danger to those emerging from their drives.
- This form of tandem development would result in additional activity and would affect properties by way of noise, disturbance and loss of privacy.

- There would be a lack of garaging for The Willows if the barn is converted.
- Loss of privacy would result from overlooking windows.
- The design of the garage looks like a commercial unit.
- The increase in the size of the garage blocks sunlight to a neighbour's garden; The garage roof should run east to west to reduce its height.
- This proposal would leave the original dwelling with no grassed garden contrary to PPS3, and no garaging, and would result in an additional garage at The Willows being required.
- A retrospective permission for the retention of the garage is an abuse of the planning system.

A letter has also been received stating no objections.

A further representation has been received querying changes to the eastern boundary, however the agent has confirmed there are no changes proposed to the eastern boundary and this issue is not material to the determination of the application.

ASSESSMENT

This application seeks planning permission to convert a barn to a dwelling with the addition of an extension and alterations, including new window openings and the demolition of a small single-storey projection. The site is within the Barrow conservation area.

This is an amendment of planning permission 2008/1146 which was approved on 15 October 2008 under delegated powers.

This amended application seeks permission to convert an historical barn within the Barrow conservation area, including an extension to the barn, the retention of a garage (built larger than the original permission) and the creation of a new access onto Barton Street. The original approval included an access onto Willow Gardens but the developer now seeks permission for an independent access straight onto the main road.

A previous application (2007/1697) for outline planning permission was refused and an application for full planning permission (2008/0558) was withdrawn.

The main issues to be considered in the determination of this application are: whether the access onto Barton Street is acceptable; whether the amended garage is acceptable; whether loss of privacy to neighbours would occur; and whether the development would be in keeping with the conservation area.

The main amendment to the previous approval is that the access was previously to be provided off the adjacent private road (Willow Gardens), however the developer now wishes to provide access straight from Barton Street. This would involve removing a section of an historical wall and constructing a new road parallel with Willow Gardens. A post box would need to be re-positioned to make way for the access. The plans clearly show the visibility splays and Highways have not objected. The parking and access arrangements are satisfactory.

The conservation officer has not objected and the access and parking arrangements and the small loss of open space and part of the wall would have a negligible impact upon the character and appearance of the conservation area.

The drawings are clear in terms of the elevations and the positioning of the garage; the block plan is very clear and shows the exact proposed position of the garage in relation to the barn. The garage as built is larger than that approved under 2008/1146 and can be seen from neighbouring properties, but would not lead to loss of amenity to those properties.

No material overlooking would occur – the rooflights on the southern and northern roof slopes would have only an oblique view over the neighbours' property and the rooflights in the eastern elevation would be an adequate distance from the boundary to ensure no adverse level of overlooking would occur.

The proposals would ensure the retention of an historical building with a sympathetic conversion to a dwelling. This would be beneficial to the Barrow conservation area.

Objectors have referred to the refusal of 2007/1697. This was an application for an additional dwelling next to the barn, a significantly different proposal.

Whilst Highways raised concerns about certain aspects of the proposed access onto Barton Street, they did not

object and they have raised no objections to the current application subject to conditions.

The proposals are acceptable and it is recommended that permission should be granted.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

No further development shall take place until a full schedule of all external facing materials has been submitted to and approved in writing by the local planning authority to include all bricks, joinery products, roof coverings, rainwater goods and external finishes, and only the approved materials shall be used.

Reason

To protect the visual amenity of the conservation area and to comply with policy HE2 of the North Lincolnshire Local Plan.

2.

The development shall be carried out in accordance with the amended plans received by the local planning authority on 1 April 2009.

Reason

To define the terms of the permission.

3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

No further development shall commence on site until detailed drawings of the windows and doors, at a scale of 1:10 and including cross-sectional details, have been submitted to and approved in writing by the local planning authority. Only the approved windows and doors shall be installed and these shall be retained thereafter.

Reason

To protect the visual amenity of the conservation area and to comply with policy HE2 of the North Lincolnshire Local Plan.

5.

Notwithstanding the provisions of Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking and re-enacting that order with or without modification, none of the development normally allowed by that Order shall be carried out on the site unless a specific planning permission is granted by the local planning authority.

Reason

To protect the visual amenity of the conservation area, and the amenity of neighbours, and to comply with policies HE2 and H5 of the North Lincolnshire Local Plan.

6.

All works shall be carried out in accordance with section 4 of the submitted protected species survey report. The nesting features shall be retained at all times unless otherwise approved in writing by the local planning authority.

Reason

To protect features of recognised nature conservation importance in accordance with policies LC5 and DS1 of the North Lincolnshire Local Plan.

7.

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

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

8.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

9.

Nothing shall at any time, whether permitted by the Town and Country Planning (General Permitted Development) Order or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

Before further development commences, details of the setting out and construction of the new access to the site, the rebuilding of the front boundary wall and the repositioning of the post box shall be submitted to and approved in writing by the local planning authority, and the development shall be carried out in complete accordance with the approved details.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

11.

No further development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Sites and Monuments Record Office, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance

- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

12.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

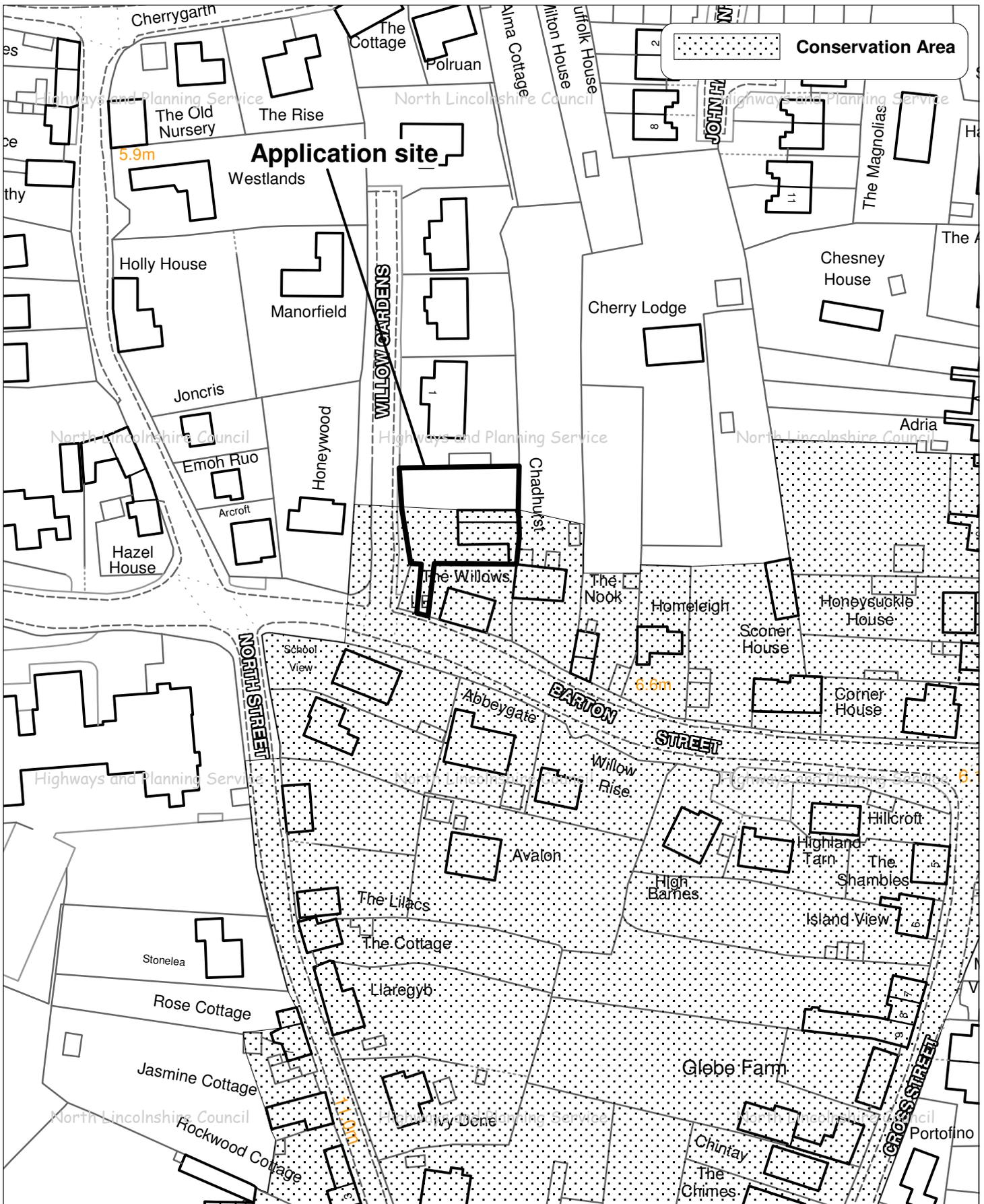
To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

13.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Sites and Monuments Record Office within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.



Drawing Title: 2009/0272

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NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



Highways and Planning Service

Service Director,
G Pople

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