

APPLICATION NO PA/2011/0663
APPLICANT Cadworx
DEVELOPMENT Planning permission to erect a retaining boundary wall
LOCATION The Gables, Belton Road, Epworth
PARISH EPWORTH CP
WARD Axholme Central

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Third party request to address the committee

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy LC12 states that proposals for all new development should ensure the retention of trees, woodland and hedgerows.

Policy DS1 provides general design guidance for all new development.

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

Policy CS3 – the site is located within the development boundary of Epworth. Development should be focused on previously developed land and buildings within the defined development limits of North Lincolnshire's market towns.

CONSULTATIONS

Highways: No objections subject to a condition (5).

TOWN COUNCIL

Providing the council's tree officer approves the scheme in relation to the protected tree, there are no further observations.

PUBLICITY

Neighbouring properties have been notified and two letters of objection have been received raising the following issues:

- works commenced on site
- hedge removed
- landscaping to be provided to the front of the dwellings
- untidy in the street scene
- alternative access already on site
- the ground along the joint boundary with the neighbouring property to the north needs to be retained
- no disabled access
- will result in problems to adjoining dwelling

ASSESSMENT

This proposal is for the erection of a retaining wall with steps on the site frontage. The elevation formed on Belton Road would be a low-level brick wall with metal railings above and a pedestrian gate. The maximum height would be 1.2 metres.

The main issues associated with this case are whether the proposal is acceptable in planning policy terms and whether its impact on the living conditions of neighbours, the locality, the highway and pedestrian safety is acceptable.

In terms of planning policy, planning permission was given for nine apartments on the site in 2011 (PA/2010/1317). A hedgerow was located adjacent to Belton Road which has been removed. No formal permission was required to remove this hedgerow. The proposal is located within the development boundary of Epworth on a site where permission has been granted for housing. The retaining wall and steps are required for residents of the approved apartments to obtain pedestrian access to Belton Road where there are footways leading to the centre of Epworth and adjacent bus stops. The proposal is a sustainable form of development which complies with policies CS1 and CS3 of the North Lincolnshire Core Strategy and policy DS1 of the North Lincolnshire Local Plan.

In terms of impact on the street scene, it is considered that the low wall and railings would be in character with the area. The design complements the design of the apartments. It is accepted that the two concrete posts and link fence are to be retained but this does not require planning permission. Planning conditions can be used to ensure landscaping is provided behind the wall to soften the development within the site. The proposal therefore accords with policy DS1 of the North Lincolnshire Local Plan.

In terms of impact on the adjacent protected tree, the council's tree officer raises no objection to the proposal and it therefore accords with policy LC12 of the North Lincolnshire Local Plan.

In terms of impact on the highway and pedestrian safety, Highways have raised no objections so the proposal is acceptable.

The impact on the neighbours will be minimal. The retaining wall will primarily be visible within the site with only the railings and low wall visible from Belton Road. Potential

problems during excavation for adjoining neighbours are a private matter. It is for the developer to ensure that the excavation can be carried out without affecting the adjoining dwelling. The issue of an alternative access on the site is noted. However this does not form part of the application. The applicant has confirmed in writing that the existing wooden gates will be retained but will be kept locked and only be used to gain access for maintenance of the approved 9 apartments and The Gables office block and not used as an additional pedestrian access. Disabled access is available from the rear of the site.

RECOMMENDATION Grant permission subject to the following conditions:

1.

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: HEB/BR/107, HEB/BR/109, HEB/BR/108 and report by Intec Consulting dated May 2011.

Reason

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

3.

The existing timber gates adjacent to the site shall be kept locked at all times and only used for maintenance purposes for The Gables office block and for the maintenance purposes to the nine apartments and for no other access without the prior permission in writing of the local planning authority.

Reason

In the interests of highway safety in accordance with policies DS1 and T2 of the North Lincolnshire Local Plan.

4.

The railings hereby permitted shall be painted black at all times.

Reason

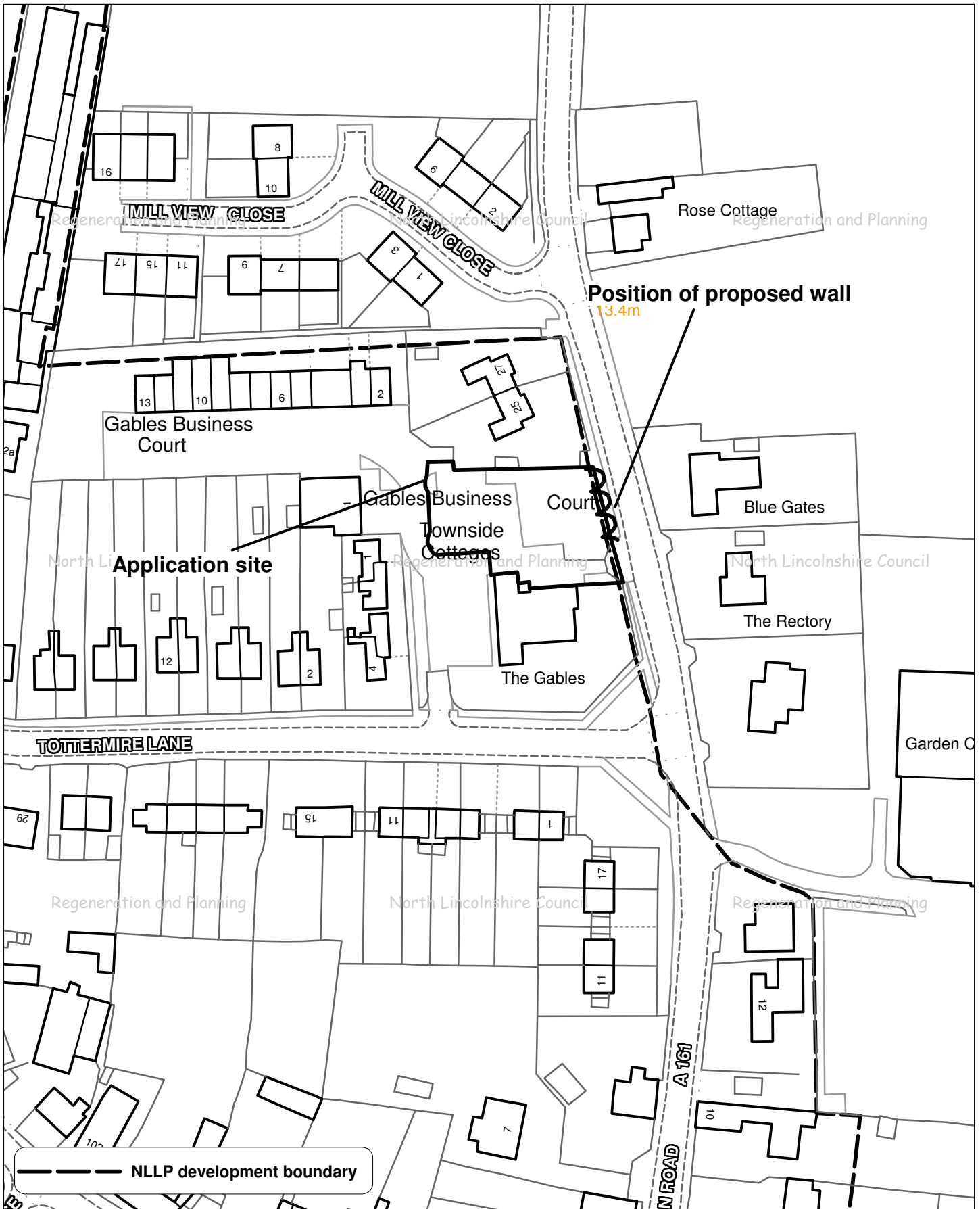
To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

No part of the proposed wall shall be positioned within the limits of the adopted highway.

Reason

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



Drawing Title: 2011/0663

OS Grid Ref: SE78040412

Drawn by: KC

Scale: 1:1250

Date: 11/07/2011



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

Head,

Marcus Walker BA (Hons), Dip URP, MA, MRTPI

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under license from Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to license Ordnance Survey map data for their own use.