

APPLICATION NO	PA/2012/0012
APPLICANT	Mr A Catherall
DEVELOPMENT	Planning permission to install ironwork over Market Cross (resubmission of PA/2011/1156 dated 14/12/2011)
LOCATION	Market Cross, Market Place, Epworth
PARISH	EPWORTH
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 HE2 (Development in Conservation Areas) calls for all development proposals in, or which affect the setting of, conservation areas to preserve or enhance the character and appearance of the area and its setting.

The following criteria will be applied in determining applications for development in conservation areas:

- (i) development should be of a standard of design which respects the appearance and character of the conservation area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting, landscaping and other matters of design such as roofscape, architectural style and detailing; and
- (ii) development should harmonise with adjoining buildings, preserve or enhance the street scene and should not detract from important existing spaces and views; and
- (iii) building materials should be appropriate to the locality and context and sympathetic to those of existing and nearby buildings in terms of type, texture, colour and size. Walls, gates and fences should be of a type traditionally used in the locality; and
- (iv) the development must have a satisfactory means of access which does not detract from the character of the area, not generate excessive traffic and where appropriate should provide for adequate car parking in a way which is sympathetic to the conservation area. In instances where there is conflict between the highway requirements and the retention of the character of the area, the latter shall prevail; and
- (v) the development should retain important landscape and ecological features and where possible, include measures to enhance these features; and

- (vi) the development should retain important architectural and historical features such as traditional street furniture and paving and should include measures to enhance them where possible; and
- (vii) the development should avoid the loss of open areas, gaps in frontages, and natural and built features (such as trees, hedges, fences, walls and paving materials) if they are important to the character of the conservation area; and
- (viii) the development should not spoil or destroy attractive views and vistas into, within and out of the conservation area if they are important to the character of the area.

Where appropriate, Article 4 Directions will be made to remove permitted development rights where works otherwise classed as permitted development will potentially have an adverse impact on the special architectural or historical character or appearance of the area.

Policy HE5 (Development Affecting Listed Buildings) – the council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. When applications for planning permission relating to a listed building or listed building consent are being assessed, the primary consideration will be the need to preserve or enhance the fabric and character of the building.

Permission or consent will not be granted unless it has been demonstrated that the proposed works would secure this objective. The council will encourage the retention and restoration of the historic setting of listed buildings. Proposals which would damage the setting of a listed building will be resisted. Whenever appropriate, proposals which would entail the loss of historic fabric from a listed building will be conditional upon a programme of recording being agreed and implemented.

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:

- (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.

North Lincolnshire Core Strategy: No specific policies apply.

CONSULTATIONS

Highways: No objections subject to the proposal being carried out in accordance with the submitted plans.

TOWN COUNCIL

No objections to the proposal.

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Eighteen letters have been received objecting on the grounds that the proposed ironwork would be out of character with the conservation area and would be detrimental to the setting of a grade II listed structure, and that the proposal could have an impact on highway safety.

Two letters of support have been received stating that the structure would be an improvement to the street scene. A petition containing 77 names has also been received in support of the proposal.

ASSESSMENT

Planning permission is sought for the erection of a wrought-iron structure over the existing Market Cross monument located in Market Place, Epworth. The structure in question is similar in style to that which was previously erected over the monument for the coronation of King George V, but was taken down several decades later and never replaced.

This proposal is a re-submission of PA/2011/1156 which was for the same structure as is proposed as part of this application. The previous application was refused by committee on 14 December 2011. However, there was also a previous proposal (PA/2011/0725) which was withdrawn due to highway implications relating to the maintenance and lighting of the structure, which have since been resolved. Furthermore, as part of the original submission, a petition was submitted containing numerous signatures of support for the proposal, however this was not submitted as part of the amended proposal (PA/2011/1156).

The main issue in the determination of this application is whether or not the proposed structure would be detrimental to the setting of the monument and to the character of the conservation area as a whole.

The Planning, Listed Buildings and Conservation Areas Act 1990 defines a conservation area as an area of special architectural interest, the character and appearance of which it is desirable to preserve or enhance.

The historic Market Place still forms the physical focus of the town. It is a diamond-shaped space, enclosed by buildings with roads diverging from the apexes. In front of the Old Manor Courthouse is a large area of Yorkstone on which is located the remains of the Market Cross. It was from here that John Wesley often preached to the assembled crowds.

The Epworth conservation area is characterised by both Georgian and Victorian buildings with their particular architectural styles. In addition there are many late Victorian shop fronts and later shop fronts designed in the same Victorian style which is a significant characteristic of the area. There are many architectural features from the Victorian period in the conservation area and because of this the proposed decorative structure will reflect the architectural contribution for this period to the character of the area.

On this basis the council's conservation area officer has no objection to the proposed structure being erected, as it reflects the importance the Victorian residents of Epworth had for the area.

Furthermore, in relation to the concerns raised about highway safety, Highways have been consulted and, subject to conditions, have no objection to the scheme.

Therefore, in accordance with policies HE2, HE5 and DS1 of the North Lincolnshire Local Plan, the proposal is recommended for approval.

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.

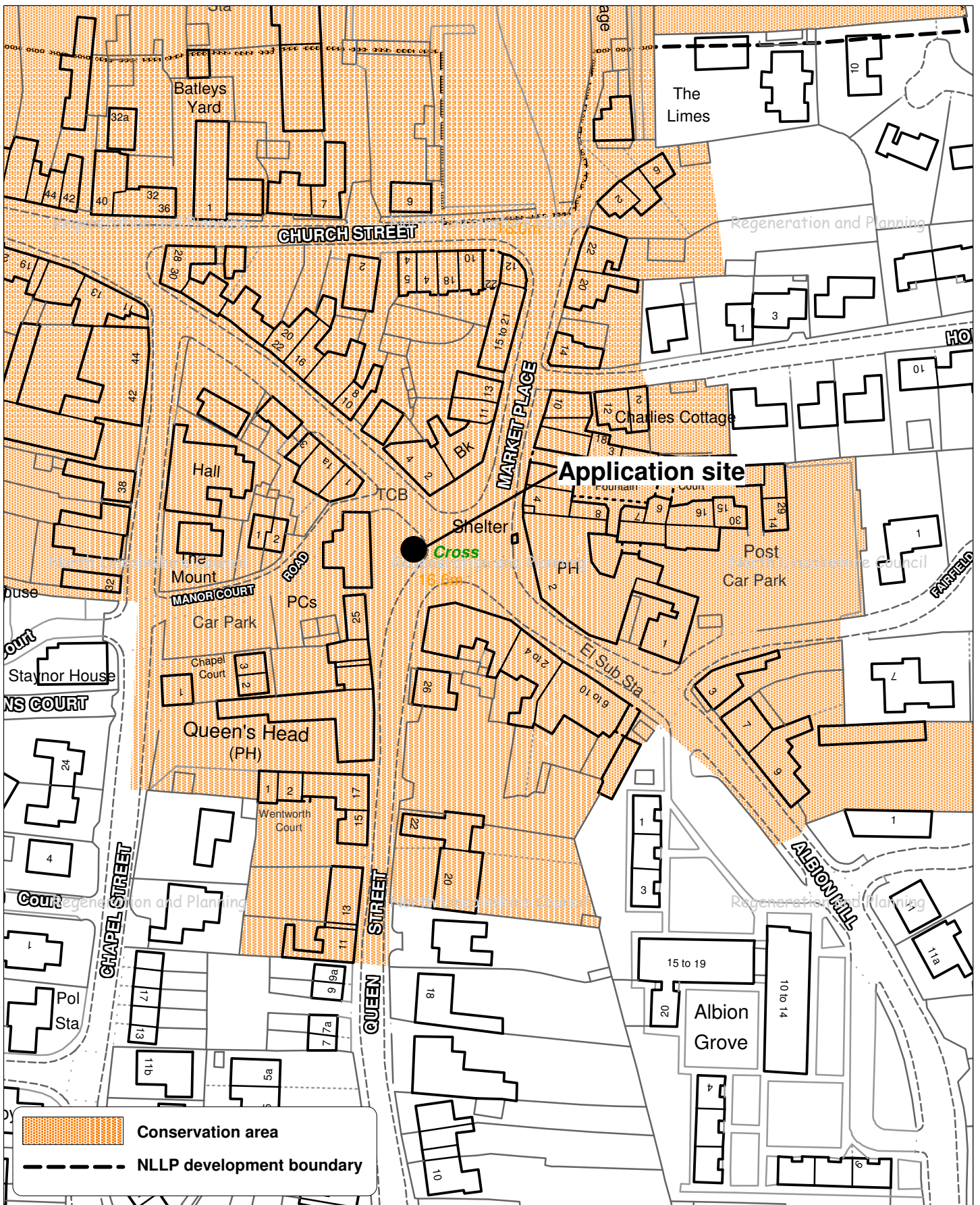
Reason

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: 20-001 Rev A, 20-002 and 90-001 Rev A.

Reason

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



Drawing Title: 2012/0012

OS Grid Ref: SE78330377

Drawn by: KC

Scale: 1:1250

Date: 28/10/2011



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2011



Regeneration and Planning

Head,

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Images of the original Ornate Ironwork at the Market Cross, Epworth



Market Square Epworth, Postcard dated 31.08.1935

DEVELOPMENT CONTROL SECTION	
03 JAN 2012	
DATE RECEIVED	
Referred To	