

**APPLICATION NO** PA/2013/1217

**APPLICANT** Mr S Zaman

**DEVELOPMENT** Planning permission to carry out external alterations and erect new fencing, gates and a canopy

**LOCATION** 132-136 Frodingham Road, Scunthorpe

**PARISH** SCUNTHORPE

**WARD** Town

**CASE OFFICER** Leanne Pogson

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Good Practice Guide (a member of the council has an interest in the land – Councillor Ishaq)

## **POLICIES**

**National Planning Policy Framework:** Section 7 (requiring good design)

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements)

**North Lincolnshire Core Strategy:** Policy CS5 (Delivering Quality Design in North Lincolnshire)

## **CONSULTATIONS**

**Highways:** Advise a condition (3).

**Environmental Health:** No comments.

## **PUBLICITY**

Neighbouring properties have been notified. One letter of objection has been received raising the following issues:

- poor surface quality of the side road to the rear of the application site which leads to increased noise and shudder disturbance
- narrow entry gate.

## **ASSESSMENT**

The application site is a vacant restaurant building on the corner of Frodingham Road and Berkeley Street. The area to the rear of the building is hardstanding with unmarked areas. It is proposed to change the use of the building from a restaurant (A3) to a convenience store (A1) and carry out alterations to the property, including fencing and gates to the rear, a

canopy and shelving to the front, the blocking up of some doors and windows to the front and rear, and the relocation of an external staircase. The change of use itself is permitted under the Use Classes Order and does not require planning permission. This application is for the external alterations only.

**The main issue in the determination of this application is whether the proposed alterations would have an adverse impact on the character of the area or the amenity of neighbouring properties.**

The main concern of the objector is noise impact from the access to the rear. This access is as existing and, as the change of use does not require planning permission, it is not considered that the proposed alterations to the building would have an adverse impact on noise and disturbance to neighbouring properties.

With regard to the narrow gateway, enclosures up to 1 metre high in this location would not require permission and therefore the width of the opening would be out of planning control. Highways have been consulted and raise no objections to the proposal. The proposed fencing would be 2.4 galvanised palisade fencing to the southern and eastern boundaries. The northern boundary with Berkeley Street is to remain unchanged (there is a 1–1.2 metre wall along this boundary).

It is accepted that the bricking up of the existing small windows on the frontage would affect the appearance of the building. However, due to the proposed changes facilitating the re-use of a vacant building, and the vast mix of designs, uses, and frontages in the vicinity and the lack of a defined character of the area, it is not considered that the proposals would have an adverse impact on the character and appearance of the street scene. As the change of use is permitted development, the objections from the neighbour do not specifically relate to the details of this application.

**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: C282/A1/101 rev A, C282/A1/102 rev A, C282/A1/103 rev A and C282/A1/104 rev A.

Reason

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

3.  
The canopy shall not project any further or lower than shown on drawing number C282/A1/104 rev A.

Reason

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

4.

The materials and finishes of the new areas of brickwork shall match the remainder of the building in colour and texture.

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.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2013/1217

Drawn by: Sue Barden

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