

APPLICATION NO PA/2017/177

APPLICANT Mrs R Easterbrook

DEVELOPMENT Planning permission to erect a studio flat

LOCATION Rear of 42-44 High Street, Epworth, DN9 1EP

PARISH Epworth

WARD Axholme Central

CASE OFFICER Andrew Willerton

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Epworth Town Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. For decision taking this means approving proposals that accord with the development plan without delay or where the development plan is absent, silent or out-of-date granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as whole or where specific policies in the Framework indicate development should be restricted.

Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 58 states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should also respond to the local character and reflect the identity of local surroundings and materials and should be visually attractive and use appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal including by development affecting the setting of a heritage asset taking account of the available evidence and any necessary expertise. This assessment should be taken into account

when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 196 states that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise and that the National Planning Policy Framework forms a material consideration.

Paragraph 197 states that in assessing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

CS7 (Overall Housing Provision)

CS8 (Spatial Distribution of Housing Sites)

Housing and Employment Land Allocations DPD:

Inset Map for Epworth

TC-1 (Development in North Lincolnshire's Town Centres and District Centres)

North Lincolnshire Local Plan:

H5 (a-i only) (New Housing Development)

H7 (Backland and Tandem Development)

H8 (Housing Design and Housing Mix)

T1 (Location of Development)

T2 (Access to Development)

HE2 (Development in Conservation Areas)

DS1 (General Requirements)

CONSULTATIONS

Highways Team: No objections or comments to make.

Drainage Team: No comments received.

Conservation Officer: No objection subject to conditions.

Archaeology: No objection, but advises conditions.

Environmental Health: No objection, but advises conditions.

Severn Trent Water: No comments received.

Yorkshire Water: No comments received.

Internal Drainage Board: No comments received.

TOWN COUNCIL

Objects to this application as it is backland development and further concerns have been raised about parking.

PUBLICITY

Neighbouring properties have been notified by letter, and site and press notices posted. One letter of comment has been received which does not raise any objection to the proposal but raises that there are two rights of way along the driveway, one of which is referred to in the application and the second to the field to the rear of the site which is not referred to.

ASSESSMENT

The application site is land to the rear of 42 High Street, Epworth. The site is within the development limit for Epworth as defined by the Housing and Employment Land Allocations (HELA) DPD (2016) and within the HELA DPD defined town centre boundary for Epworth. The site is also within the Epworth conservation area and adjacent to listed buildings. Planning permission is sought for the erection of a studio flat.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The main issues for consideration with regard to the determination of this application are: whether the development would significantly harm the character and appearance of the Epworth conservation area or the setting of adjacent listed buildings; whether the backland development, in terms of its layout and scale, would result in the over-development of the site, an unacceptable level of noise and disturbance to neighbouring properties, and/or a significant loss of amenity afforded to neighbouring residential properties; and whether the development would impact the highway network in respect of parking.

As the site is within the development limit for Epworth the principle of development is acceptable. Although the site is within the town centre boundary, subject to HELA DPD policy TC-1, the development is nonetheless in principle considered to be acceptable as it does not affect the High Street primary shopping frontage, nor will it result in the loss of a commercial unit. The site is considered to be a sustainable location within the market town of Epworth which offers a range of facilities and services in addition to public transport options.

This proposal comprises the erection of a two-storey structure off the rear of number 42-44 High Street, Belton. The arrangement of the site at present comprises two ground floor retail units to the frontage and a flat above the shop of number 42 which is accessed via an existing rear extension on the eastern side elevation along the adjacent driveway. To the east of the site it is noted that permission was granted under 2/1992/0155 for renovations and extensions to a building to form a dwelling which forms backland development. Furthermore, it is noted that planning permission was granted under PA/2010/0674 and again under PA/2013/0839 for the development of three storage units. A further property to the west has also had a large rear extension. It is therefore considered that, although the proposal is backland development, it would not be out of keeping with the character of the area.

The proposed studio flat takes the form of a rear extension which measures 11.7 metres deep, a maximum of 5.95 metres wide, a maximum of 7.3 metres to roof ridge, which is no higher than the roof ridge of the main property to the front, and a minimum of 2.4 metres to eaves height of the large rear roof slope forming a catslide roof design. The structure will allow for an external pedestrian link to be retained adjacent to the existing rear elevation to allow for access to a small courtyard acting as amenity space for the existing flat and a right of access to the rear of a neighbouring property (which in itself is not a material consideration for the purposes of planning). The proposed extension features a large roof slope to the proposed rear elevation which will incorporate skylights which will overlook an area of private amenity space proposed to serve the studio flat. The private amenity space will be bound by a mixture of a 1.8 metre high brick wall and fence and include an element of landscaping in the form of tree planting.

The council's Conservation Officer has been consulted and raises no objection. The Conservation Officer considers that the main impact upon the conservation area is the view down the side alley from the public domain of High Street. It was stated that the side elevation, with its catslide roof design, will be seen and, being built from heritage brick, it will complement the conservation area. It was further considered that the brick and roof tiles referred to in the design and access statement are acceptable materials and thus are recommended to be secured through condition. The Conservation Officer has requested that further details of the rear windows and rooflights are secured via condition. It was stated that there was no objection to these openings to the rear but they would need to be of a quality design given the site context.

The design of the structure is therefore considered acceptable with regard to the character and appearance of the conservation area in terms of materials to be used, scale and appearance. Furthermore, the proposed structure is not considered to result in significant adverse impact upon residential amenity given that the units most affected by the proposal are commercial and the residential property due east does not have side-facing windows. The proposed placement of windows to the rear elevation and use of obscure glazing and

high-level windows to other elevations will ensure that the proposal does not result in a loss of privacy to neighbouring properties.

It is proposed that the rear yard is formalised in terms of vehicle parking; this would allow for the provision of six spaces which is considered to be a satisfactory level of parking for the retail units, and existing and proposed flats. The Highways team has been consulted and has raised no objection to the proposal. In terms of the side access, it is not considered that the proposal would cause a significant increase in noise and disturbance more than the existing level and given that the ground floor of the property is commercial and to the east is screened by an existing high level wall.

The council's archaeologist has responded on the application and recommends conditions to secure archaeological investigations at the site. It is considered that such a request is unreasonable given that the site occupies a town centre location, has previously been developed and no such conditions were imposed on historical permissions.

In conclusion, this proposal is considered to be of an appropriate design which responds to its context to the rear of number 42 High Street and the character and appearance of the conservation area. There are no concerns caused by vehicle parking or the access given the existing situation on the site which is not likely to be exacerbated by the development of a studio flat and indeed may benefit through the provision of a formalised parking area. It is therefore the recommendation of this report to grant planning permission subject to conditions.

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: 091-17-01.

Reason

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

3.

Unless otherwise agreed in writing by the local planning authority, only the following facing materials, as listed within the design section of the supporting design and access statement, shall be used: Wienerberger Hathaway Brindle facing brick and Heather Wienerberger Rivius tile.

Reason

To ensure the development is appropriate with regard to site context and to preserve or enhance the character and appearance of the conservation area, in the interests of visual amenity in accordance with saved policies H5, H8, DS1, and HE2 of the North Lincolnshire

Local Plan (2003) and policies CS5 and CS6 of the North Lincolnshire Core Strategy (2011).

4.

No development shall take place until detailed drawings, including cross-sections at a scale of 1:20, of the proposed windows and doors to the rear elevation have been submitted to and agreed in writing by the local planning authority. The drawings shall include details of the colour and material specification for the doors and windows to the rear elevation. The development shall be undertaken in accordance with the agreed details and shall thereafter be retained.

Reason

To preserve or enhance the character and appearance of the conservation area, in the interests of visual amenity in accordance with saved policies DS1, and HE2 of the North Lincolnshire Local Plan (2003) and policies CS5 and CS6 of the North Lincolnshire Core Strategy (2011).

5.

The scheme of landscaping and tree planting shown on drawing no. 091-17-01 shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

6.

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.

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.

PA/2017/177 – Site Location



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