

DELEGATED ASSESSMENT

Application no:	PA/2020/1257
Proposal:	Planning permission to erect a new detached dwelling with associated landscaping following partial demolition of existing garage
Location:	Birch Cottage, High Street, Barrow Upon Humber, DN19 7AA
Applicant:	Bob Johnson
Officer:	Brian Mc Parland
POLICY	
Local Plan:	DS1, H5, H7, H8, HE2, HE3, T1, T2, T19 & LC12
Core Strategy:	CS1, CS2, CS5, CS6, CS7, CS8 & CS17
NPPF:	Sections 5, 12, 15 & 16
(Listed Building and Conservation Areas Act) 1990	Section 72
CONSULTATIONS	
Ecology:	No objection. No surveys are required.
Highways:	No objection and outlined a condition.
Drainage:	No objection.
Archaeology:	No objection.
Conservation:	Objection. The proposal is detrimental to the character and appearance of the Barrow Conservation Area.
Parish/Town Council	Objection. Parish Council does not consider that this a suitable development in a Conservation Area.
PUBLICITY:	Site notice posted.
LETTERS OF COMMENT:	No.7 third party objections have been received and are summarised below: <ul style="list-style-type: none"> • Highway and parking issues • Back garden development • Structural stability issues • Impact the character of the area • Privacy issues
MATERIAL CONSIDERATIONS:	Principle of development; Impact on the character of the area and appearance of the conservation area; Impact on the amenity of neighbours; Protected trees.

The Site

The application site is located within the settlement of Barrow-Upon-Humber which is also a designated Conservation Area. The site is situated on the northern side of High Street where there is an existing vehicular access providing access to group of garages located to the rear of Birch Cottage and Birchwood House. The predominant character of the area is residential forming a strong enclosure to

High Street. The site is within a SFRA flood zone 1 (low) and does not relate to any Listed buildings. There is a designed TPO Ash Tree adjacent to the site and along the north boundary. The site benefits from extensive planning history which is detailed below.

The Proposal

The submitted application seeks full planning permission to erect a new detached dwelling with associated landscaping following partial demolition of the existing garage.

Planning History

Reference: PA/2008/0927

Description: Planning permission to erect a detached dwelling and detached domestic garage

Decision: Refused

Decision Date: 07/08/2008

Reference: PA/2008/1277

Description: Planning permission to erect a detached house and detached domestic garage

Decision: Refused

Decision Date: 22/10/2008

Reference: PA/2009/0887

Description: Planning permission to erect a detached house and detached domestic garage including demolition of existing garage

Decision: Refused

Decision Date: 01/09/2009

Reference: PA/2010/0452

Description: Planning permission to erect a detached house and detached domestic garage including demolition of existing garage

Decision: Appeal dismissed

Decision Date: 15/12/2010

Reference: PA/2018/1238

Description: Planning permission to erect a detached chalet bungalow and detached garage

Decision: Appeal dismissed

Decision Date: 11/09/2009

Principle of Development

The application site is garden land within the defined settlement boundary for Barrow Upon Humber, in a sustainable, central location within easy walking and cycling distance of a range of local facilities, including a primary school, village hall, shops, public house, post office and takeaways. In terms of sustainability, the proposal is within walking distance of bus stops. The proposal therefore accords with the principles of sustainable development as set out within the policies of the local plan, Core Strategy and the National Planning Policy Framework on delivering residential development in appropriate locations.

Policy H8 (Housing Design and Housing Mix) applies and states that new residential development will be permitted provided that it incorporates a high standard of layout which maintains, and where possible improves and enhances, the character of the area and protects existing and natural and built features, landmarks or views that contribute to the amenity of the area. This site constitutes developable land within the settlement boundary of Barrow Upon Humber, in a sustainable location. There is, therefore, a presumption in favour of residential development. However, it is the impact on the character and appearance of the conservation area which is discussed in the subsequent section of this report.

Impact on the character of the area and appearance of the conservation area

The proposal is for the erection of a two-storey detached dwelling on garden land to the rear of Birchwood House and Birch Cottage (west side of Barrow High Street) together with a drive and parking

area. The proposal results in a tandem form of development with a dwelling located in the rear garden and served from the same vehicular access. The proposed dwelling would be built right up to the north curtilage shared with the neighbouring property to the north known locally as, Foresters House. Of direct relevance to this development proposal are planning appeal decisions in relation to planning application PA/2010/0452 & PA/2018/1238 (both refused and both appeals upheld), these relate to the erection of a detached house and garage, similar to the case under consideration. Furthermore, the site is situated within the Barrow upon Humber Conservation Area. The key issue regarding built heritage legislation is whether the proposal would preserve or enhance the character and appearance of the Barrow upon Humber Conservation Area.

The conservation area contains buildings dating, predominately, from the late 18th and the 19th centuries. There are variety of buildings types from small cottages, to larger detached houses, farm buildings and places of worship.

Many of these buildings are small two storey brick houses fronting the main street. The gable ends of many buildings show them to be originally single storey houses, with tumbled brickwork gable detail, that have been raised to two storey and in some cases re-fronted. Another local feature found on the gable ends are small, round headed windows. Most of the houses have timber sash windows, with rendered flat arched lintels, and there are some cases of bricked up windows with a *trompe l'oeil* window painted into the recess. These sash windows are a very important feature of the conservation area. The buildings usually have clay pantile roofs although properties dating from the latter half of the 19th century tend to have natural slate roofs. A key characteristic of the Barrow Conservation Area are the historic buildings sat on the back edge of the public footpath with large gardens to the rear.

The proposal is to erect a two-storey four bay property to the rear of Birchwood House on the High Street in the Barrow Conservation Area. It is positioned on the northern boundary of the existing garden with references to an agricultural building. The submitted heritage statement shows historic mapping that shows that there were outbuildings attached to the Birchwood House. It is likely that these would have been single-story animal sheds attached to the Birchwood House. The new proposal will be clearly seen as a large new separate dwelling with its associated residential driveway and parking not in character for this location in the conservation area. There has been an application for a bungalow on this site previously (ref: PA/2018/1238) which was refused due to its adverse impact on the character and appearance of the conservation area. An appeal was made to the Planning Inspectorate which was dismissed.

The application site is presently part of the rear garden of Birchwood House. Whilst there has been some encroachment of the new build to the rear of the High Street for the most part the rear gardens retain their original open green space which is an important part of the character of the conservation area. Although many of the village center buildings date to the 18th and 19th century, the layout of these buildings clearly show the medieval origins of their sites, with a typical burgage plot arrangement with the buildings fronting the street, with long rear gardens behind. Generally, the small two-storey properties sit close together on the edge of pavement, creating a tightly knit townscape with an intimate, enclosed character.

This green area to the rear of the historic buildings fronting the High Street is an important area characteristic and provides a clear distinction between the historic core and the modern development. The previous application on this site (ref: PA/2018/1238) was refused because of the detrimental impact on the character of the conservation area and appeal was made. The importance of the greenspace is reinforced by the planning inspector who stated in the Appeal Decision (REF APP/Y2003/W19/3229132)

'The two/three storey dwellings have generally large, deep gardens to the rear, which insulate the historic core from later phases of development and provide an open, green setting to the buildings. Whilst there are some small outbuildings and a bungalow to the rear of the houses, a matter to which I will turn later, there has historically been little significant development at the rear of the frontage dwellings. Therefore, the pattern of development and the open space are features that make a significant positive contribution to the character and appearance of the Conservation Area.'

The application differs from the previous application (ref: PA/2018/1238) as it cannot be seen from the High Street however it is a large two-storey building that alters the open the character of the conservation area with its medieval origins with its buildings fronting the street with long rear gardens behind. Therefore having a new building in this location would constitute a form of development detrimental to the character and

appearance of the conservation area and would be contrary to section 72 of the Planning (Listed Building and Conservation Areas Act) 1990, council policy HE 2 and CS6 of the core strategy.

Paragraph 196 of the NPPF directs that less than substantial harm should also be weighed against the public benefits of the proposal. In the recommending officer's opinion, in consultation with the Council's conservation officer, the limited public benefits of a single dwelling are insufficient to outweigh the harm identified to the character of the conservation area. Whilst it accepted that each planning application is judged on its own merits should the development take place this would add weight for the justification for other similar developments in the conservation area which would have a further detrimental impact on the area character.

It is considered the development of a new dwelling in this location would be difficult to justify considering the detrimental impact on the conservation area and the limited public benefits provided.

Impact on the amenity of neighbours

Policy H7 and DS1 of the North Lincolnshire Local Plan (Adopted May 2003) and policy CS5 of the Core Strategy (Adopted June 2011) are concerned with quality of design and amenity. In respect of impact on amenity, policy DS1 states; no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The proposal will result in the movement of vehicles to and from the rear part of the site; this has the potential to result in noise and disruption to the south facing windows of Birch Cottage to the front. However, this is an existing driveway which serves the garages to the rear of the dwellings and the levels of noise and disturbance would be within acceptable limits. The existing access is considered to be of sufficient width to allow vehicles to access the dwelling proposed to the rear.

The proposed dwelling would benefit from first floor south facing windows however, these would not directly front the rear elevations of the properties to the south-east (Burncroft etc) and would be separated by 30.0m; this is considered sufficient to mitigate overlooking. The proposed rooflights along the north elevation and at the first-floor level could be controlled via an obscure-glazed condition, if approved.

It is considered the proposed by way of its design would not prejudice the existing neighbouring amenity such as the of loss of daylight, overshadowing, overbearing or loss of privacy. As such, the development would be in accordance with policy DS1, H7 and CS5.

Protected trees

It is noted the site benefits from several trees and there is a TPO Ash Tree in the rear garden of the neighbouring property known as Winterbourne House. The existing trees are afforded protection as a result of their location within the conservation area. The plans show the removal of a number of trees to facilitate development and for pruning works to the TPO Ash tree to accommodate the dwelling. It is considered that the extent and method of tree protection measures shown within the arboricultural report is sufficient to protect the remaining trees on the site during the construction period and the remedial works to the TPO Ash tree would be necessary to allow the dwelling to be constructed. A scheme of replacement planting is recommended by way of a planning condition should planning permission be granted. It is noted that the dwelling will be located in close proximity to the canopy of the TPO tree but once constructed it would be positioned clear of both the canopy and root protection area. In addition, replacement tree planting (to ensure landscaping and biodiversity gain) could be delivered through a planning condition.

It is acknowledged the submitted arboricultural report is the same arboricultural report that was submitted for the previous application (ref: PA/2018/1238) which was considered by the Council's tree officer who had no objections.

RECOMMENDATION: Refuse for the following reason(s)