

LIST OF DRAWINGS AND DOCUMENTS

List of Documents forming the appeal Planning Application:

- Planning Application Form dated 5th August 2020 and accompanying Certificate B.

LIST OF DRAWINGS FORMING THE APPEAL PLANNING APPLICATION

- RD4513 - 02 Proposed Plans & Elevations - Rev D
- RD4513 - 03 Garage Plans and Elevations - Rev B
- Design and Access Statement - July 2020
- Heritage Statement - July 2020
- Arboricultural Report

STATEMENT OF CASE DOCUMENTS

- LPA Decision Notice dated 1st October 2020.

Arboricultural Report

Principle Formal Arboricultural Report/Survey
(in accordance with BS5837: 2012 Trees in Relation to Construction)

For:

Client: Bob Johnson

Location: land r/o Birch Cottage, High Street, Barrow Upon Humber

Date: 16th August 2018

(this report should be read in conjunction with the attached plan/s)



Report Author:

Consultant: Andrew Hudson ND Btec Forestry/Arboriculture / TechArborA

Surveyor/s:

Consultant: Andrew Hudson ND Btec Forestry/Arboriculture / TechArborA



Client Details

Bob Johnson
Bilton Grange
Town Street
Barrow
DN19 7DF



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(Andrew Hudson ND Btec Forestry/Arboriculture / TechArborA)

Appendix “A” Tree Schedule

Appendix “B” Tree Constraints Plan

1.0 Introduction

1.1 Purpose of Report

The purpose of this report is to provide a balanced approach with an assessment of trees in relation to the development of land rear of Birch Cottage, High Street, Barrow Upon Humber, with the intention to provide a residential dwelling. This report is in accordance with BS5837:2012 Trees in Relation to Construction.

1.2 Terms of Reference

ENGIE Arboricultural Services has been instructed by client, Bob Johnson to prepare a formal Arboricultural Report, Tree Constraints Plan and Tree Protection Plan. The survey and report will comply with the recommendations and guidance set out within the BS5837:2012 Trees in Relation to Construction and should be used to assist with site layout and design.

1.3 Timing

The tree survey has been undertaken after a design/layout has been prepared. This report will identify any significant conflicts, of which should be set against the quality and value of affected trees. Those trees that merit retention should be carefully considered in context with the proposed land use and where necessary, modifications to the design/layout should be made in order to accommodate the trees.

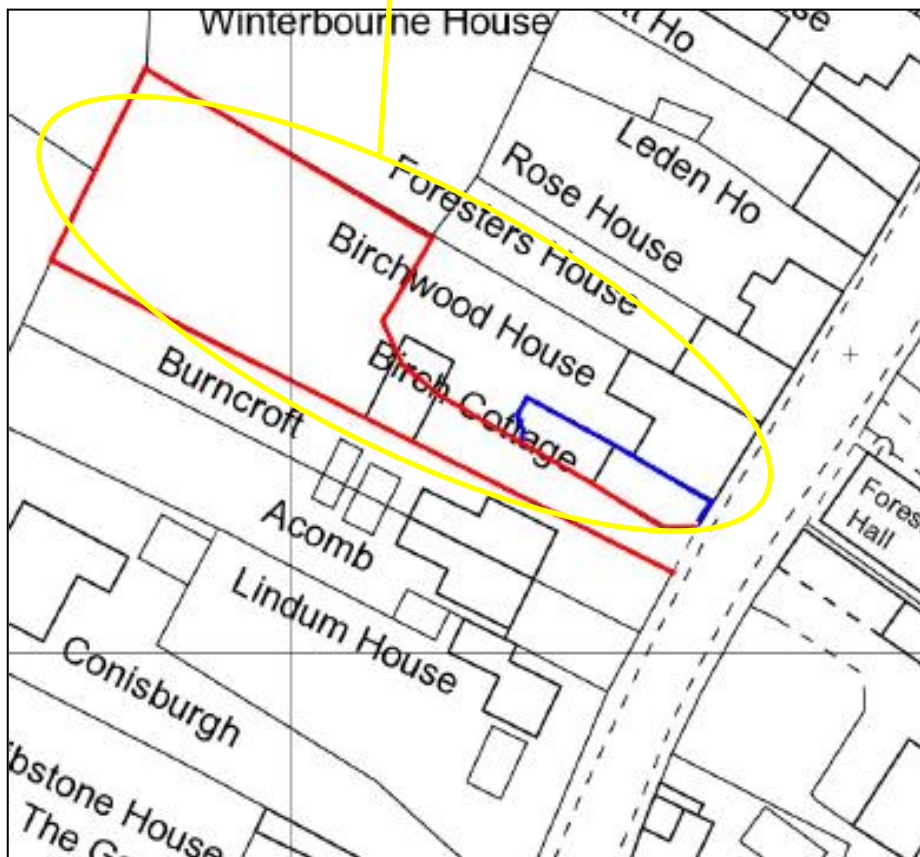
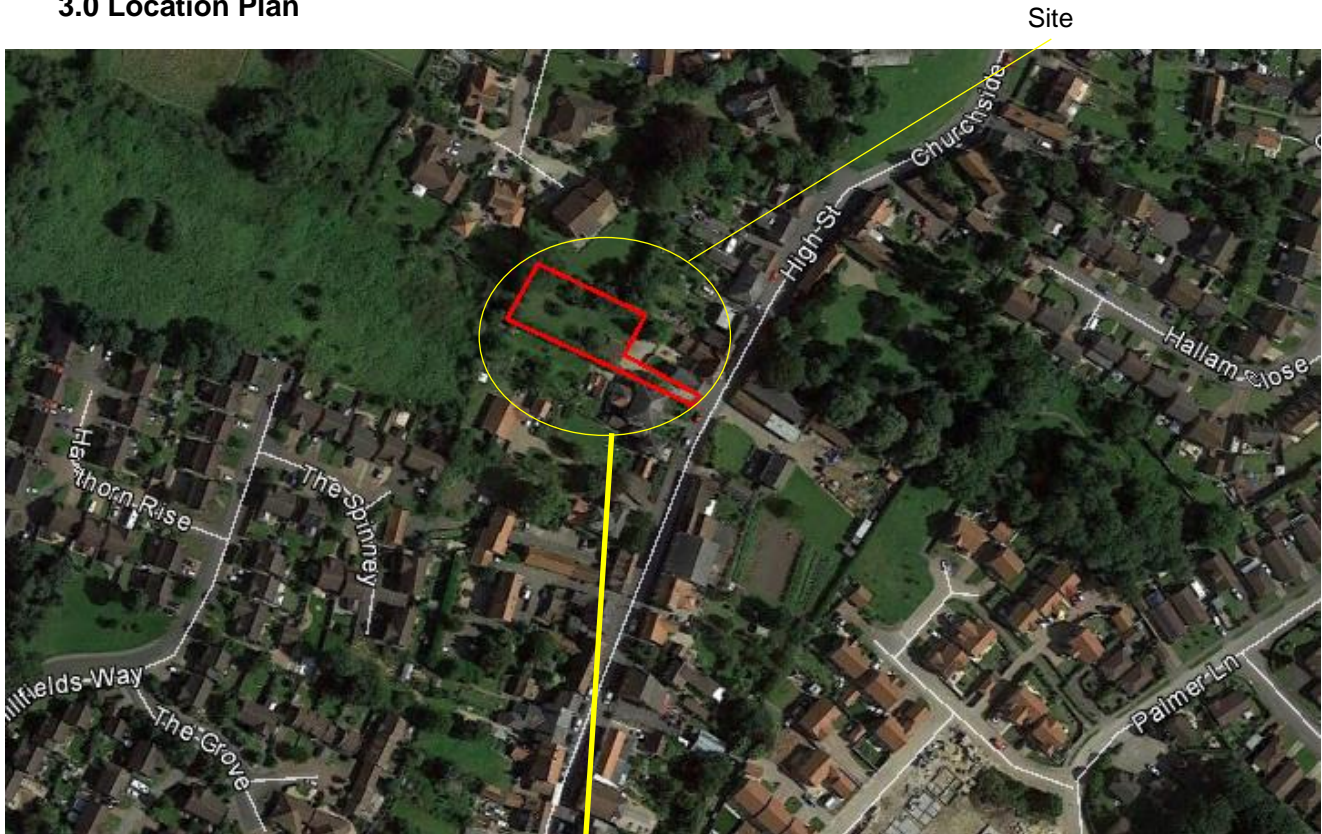
1.4 Site Description

The site is located within the village Barrow Upon Humber in North Lincolnshire. Situated near the Humber Estuary, Barrow Upon Humber is about 3 miles east from Barton Upon Humber and 1.5 miles north of Barrow Haven, the direct rail link to Barton Upon Humber Grimsby and Cleethorpes. On land to the rear of Birch Cottage, High Street, Barrow Upon Humber, the proposed plot is currently being used as amenity garden space to Birch Cottage, although, mostly, the land to the rear of Birch Cottage is under the ownership of the developer. Currently there is an agreement in place for Birch Cottage to use this land as additional garden space. The "red edge" area, proposed for development extends to around 754.6sq. m. The existing boundary features are mixed, generally between hedges/shrub borders and a brick wall. The northern boundary features a 3m high brick wall, an original and historic structure that dominates this boundary line. Along the southern boundary is a line of conifer *Leylandii* plants, forming a noticeable boundary feature. Within the site there is a mixture of individual trees and much shrub planting, plants commonly associated with residential garden space. The most dominating feature associated with this site is a large mature ash tree, off site within the neighbouring property, located towards the north west corner of the site. A significant part of this tree encroaches into the "red edge" proposed development site.

1.5 Description of Development

It is proposed to develop this site with the introduction of a single residential dwelling with associated access, driveway, turning area, garage and amenity garden space. It is proposed to access this site via an existing driveway, off High Street, that currently serves Birch Cottage.

3.0 Location Plan



Method of Survey

4.0 Method of Survey

The tree survey was carried out by Andrew Hudson on the 2nd August 2018. All observations were made from ground level in clear/sunny weather conditions. To assist in gathering information about trees, the following apparatus was used:

- Clinometer – for measuring the height of trees.
- Diameter tape measure – for measuring the diameter of the main stem at 1.5m above ground level.
- Binoculars – to aid in the visual assessment of trees.
- Probe – were required, to investigate further symptoms of decay/defects.
- Thor Hammer - were required, to investigate further symptoms of decay/defects.

4.1 An overall assessment of 11 individual trees and 2 groups of trees was made. On the Constraints Plan (Appendix “B”) the individual trees are identified as T1 to T11 and the groups as G1 to G2.

4.2 It should be taken into consideration that trees and shrubs are living organisms and run the risk of rapid condition changes, unpredictable climatic and manmade events. An assessment of risk during a survey is based upon factors evident at the time of inspection. Comments upon the condition and safety of any tree relate to the condition of the tree at the time of inspection. It should be recognised that tree condition is subject to change due to but not limited to, for example, the effects of disease, wind, development works or changes in land use. The results of an inspection are only applicable for a limited period of 12 months; any further inspections should be made periodically on a basis commensurate with the level of risk or following sudden or extreme weather conditions. The consultant is not responsible for events that happen after the date of the report or due to factors that were not apparent at the time of the inspection or due to factors unpredictable at the time of inspection.

4.3 An assessment was made of the trees physiological and structural condition, noting any disorders or biomechanical features that present an obvious hazard to present or future users of the site or effect the trees life expectancy. Preliminary management works are proposed in order to either remove/reduce hazards or promote good arboricultural management practice. These recommendations do not take account of any development proposals at this stage. The trees overall quality and value for retention was assessed in accordance with BS5837: 2012 Trees in Relation to Construction. This was dependant on the trees physiological and structural condition, safe useful life expectancy, arboricultural, landscape, cultural and ecological value. Arboricultural and landscape value takes account of the trees amenity value, which was determined by tree size, prominence, visibility, appropriateness, attractiveness, and screening value.

4.4 This survey has been undertaken in accordance with the recommendations and guidance of the BS 5837:2012; it is not intended to be a tree hazard assessment. Incidental notes may be made on a trees structural integrity, though where trees are considered to represent an immediate hazard, recommendations will be given for intervention. It will be the land owner’s responsibility to make the necessary arrangements.

5.0 Root Protection Area (RPA)

The root protection area (RPA) radius and area for each tree was calculated in accordance with BS5837: 2012. The RPA is an area of ground that provides sufficient soil rooting volume to ensure the survival of the tree. For any groups of trees, the RPA is calculated as an average to the group inclusive, rather than individual trees. This forms a realistic assessment of where the ground conditions are most favourable for root growth.

6.0 Survey Results (general comments)

The full survey results are shown in the survey schedule in Appendix “A”. The survey assessed 11 individual trees and 2 groups of trees.

6.1 2 individual trees (No.2 & 8) have been assigned to the moderate quality and value, category “B1”. These trees are considered to have moderate quality and value with a remaining life expectancy of at least 20 yrs.

6.2 8 individual trees and 2 groups of trees (No.1, 3, 5, 6, 7, 9, 10, 11 & G1, G2) have been assigned to the low quality and value, category “C1/C2”. These trees are considered unremarkable of very limited merit or such impaired condition that it does not qualify in a higher category.

6.3 1 individual tree (No.4) has been assigned category “U”, a tree in such a condition that early loss is expected due to structural defects and disease. This tree is in terminal decline and cannot realistically be retained in context with the current land use.

6.4 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)		
Trees unsuitable for retention (see Note)			
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>		
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation
Trees to be considered for retention			
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value

Note: Trees that have been categorized as “C”, although maybe a material consideration in a planning application should not be allowed to impose a significant constraint on the development of this site.

7.0 Photos

Existing and proposed access into the site, off High Street



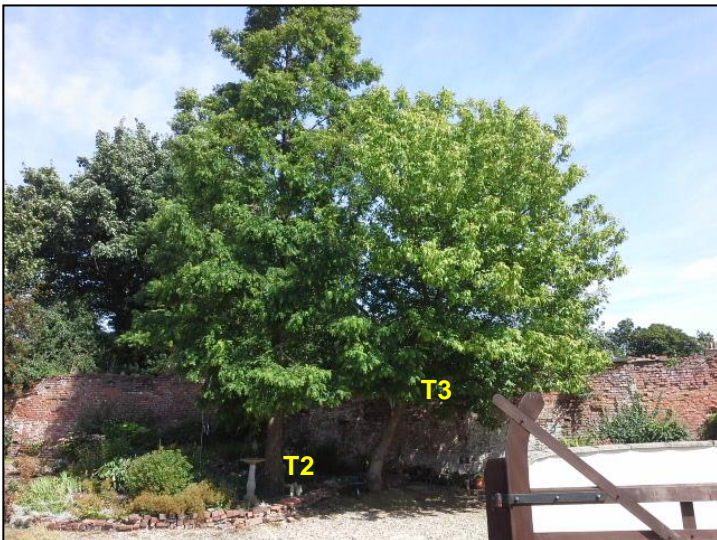
Existing access driveway with views of the site beyond the double garage



7.1 Photos



T1 sits close to the boundary along the existing drive. There is an obvious and ongoing conflict with the drive and the neighbouring property



Trees T2 and T3 are off site, within the boundary of Birch Cottage. These trees are not expected to have any influence in terms of how this site is developed



Views into the site from the garden space of Birch Cottage



7.2 Photos



North side boundary wall. A 3m high brick-built wall, an original, historic feature to this area.



There is an obvious existing and future conflict with the boundary wall from some trees and shrubs



Tree T7 with a small tree house constructed within

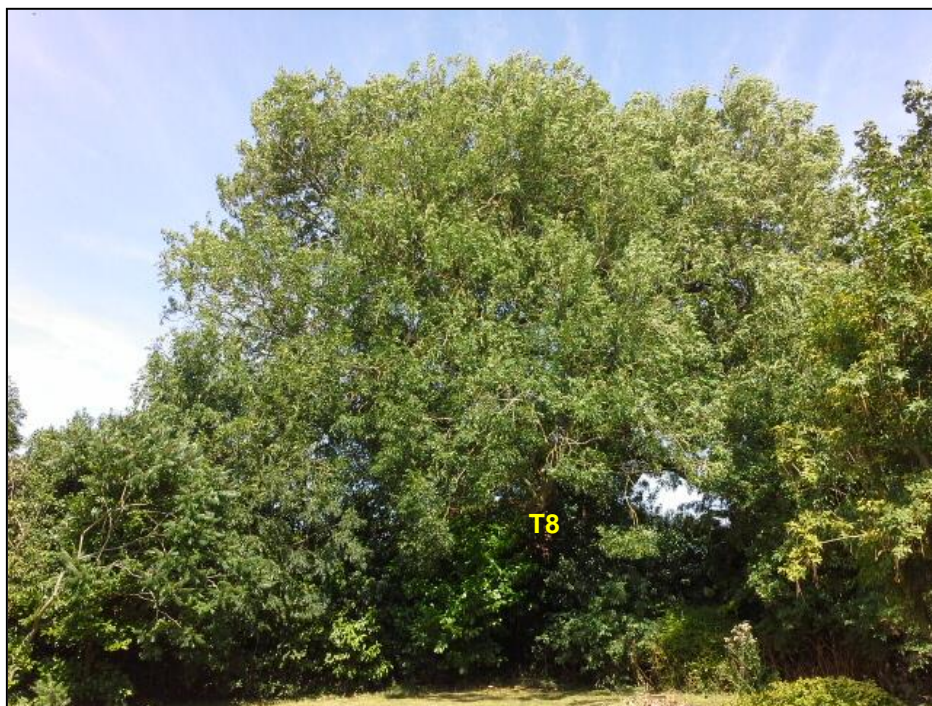


7.3 Photos

Principal area of development. Noticeably, most tree/shrub cover are located towards the boundaries



T8 – Off site, although is a dominant feature with extensive overhang into the site



7.4 Photos



Group G1, trees with very limited quality and value. Screening is likely the principle benefit

A major fork on T8 has been braced in an attempt to secure a union defect



8.0 Discussion (general comments)

Generally, the trees that occupy this site or are associated with this site are located towards the “red edge” boundaries. Although off-site, T8 is the most dominant feature. A large spreading tree that has a significant overhang into the site, either represented by the RPA or by virtue of the trees size and position. Due consideration will need to be given to the above ground constraints the trees pose by virtue of their size and position, although it should be recognised that tree size can easily be controlled through correct arboricultural management. More importantly it would be the below ground constraints represented by the root protection area (RPA) where careful planning would be needed to ensure a harmonious relationship between trees and the introduction of structures and/or hard surfaces. Another constraint that should be considered is nuisance, in terms of how trees may affect future occupiers.

8.1 The morphology and disposition of the roots to some trees may be influenced by the existing site conditions. An important aspect of root growth and development is that it is dynamic and highly dependent on the soil environment. The existing ground conditions around the trees is good, mainly being soft landscaping, areas that are rich in water and minerals.

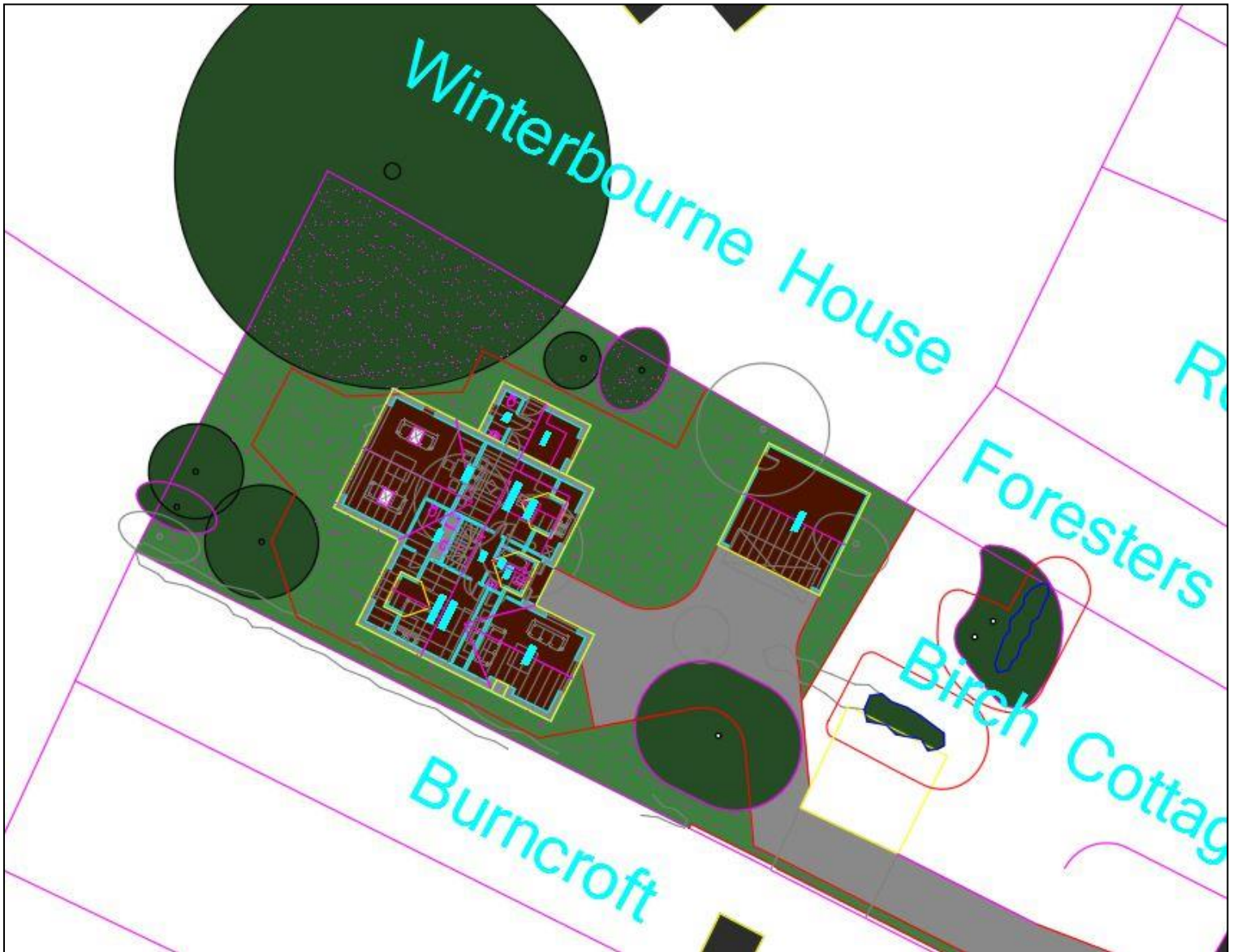
8.2 Mostly, the trees included as part of this survey, inclusive of the group trees, have a low quality and value, unremarkable trees of very limited merit or in such a condition that short term retention is not viable. Although the low quality, category “C”, trees may be a planning consideration they should not allow a significant constraint on how the site may be developed. If there is space to retain a C tree/s, and it does not compromise the proposed layout, then it may be appropriate to retain in the short term. Although a category “C” tree/s may be considered low quality, unremarkable trees, there may be some transient benefits such a screening. However, it would be reasonable to suggest that substandard trees, such as “C” category, would not be worthy of being given any significant weight in any planning decisions.

8.3 Although off-site, special consideration should be given to tree T8. Having assessed the tree stock on and immediately adjacent, this tree is considered to have moderate quality and value. Categorised “B1”, the tree is a relatively good example of the species. A detailed visual inspection of this tree is restricted due to being off-site. Although an inspection was made from a distance, within the site boundaries, it is obvious that a various amount of remedial works has previously taken place. This includes a reduction of parts of the crown, a reduction of the lower laterally spreading limbs and the installation of, what appears to be, a cable bracing system. I would assume that the works carried out, including the bracing of a main fork, is an attempt to secure any structural defect, most likely the fork union. The current structural condition of this fork is not known, due to access restrictions. The previous works carried out was possibly within the last 10yrs. It could be that the bracing has stabilised the fork union, allowing incremental growth to develop. However, this can only be confirmed by a close inspection of the fork union, an opportunity not available at the time of this survey. Due to the size and position of tree T8 there may be some conflict with the proposed development site.

8.4 It is proposed to develop this site with the introduction of a single, detached residential development with associated access, driveway & turning area, garage and landscaped spaces. Concept designs are in progress and an initial design/layout has been prepared, of which has been made available for the preparation of this report.

8.5 The plan below shows the initial design/layout prior to the commissioning of this report and Tree Constraints Plan.

Initial Design/Layout



8.6 Following my assessment of the site any significant conflicts in relation to the initial design/layout have now be identified. Such conflicts will be set against the quality and value of the affected trees, to the extent which, in this case, recommendations have been given for modifications to be made in order to allow a much better use of the site in terms of the quality and value of the existing tree population. It is important to avoid misplaced tree retention. Category “C” trees can be retained, provided they do not impose a significant constraint in terms of how the site may be developed, especially where adjustments can be made to secure the long-term retention of the better-quality trees on or adjacent to the site. Following discussions with the agent and the developer adjustments have been made to allow a much better use of the site in context with the quality and value of the existing tree stock.

Modified Design/Layout – to make better use of the site



8.7 Mostly the trees that have been surveyed are considered to be of low quality and value, unremarkable trees of very limited merit. Generally, such trees would not be retained where they may compromise the successful development of the site. In order to make the best use of the site in context with its future use and to avoid structural damage to the 3m high brick wall, I would expect that trees T1, T4, T5, T6, T7, T9, G1 and G2 to be removed. The most important tree associated with this site has been incorporated into the design/layout, avoiding the RPA and any other possible constraint.

8.8 The quality and value of the existing tree stock, that I have been instructed to survey, has been identified allowing informed decisions to be made concerning which trees should be removed or retained should development occur. The results of this survey and constraints plan has been used to assist with possible modifications to the design/layout to accommodate trees meriting retention.

8.9 It is accepted the impacts of this proposal may have on trees and there may be a requirement for more concise arboricultural information. This comes in the form of an Arboricultural Method Statement. A formal Arboricultural Method Statement will expand on details in this report focusing on tree protection, with illustrative specifications, timing and phasing of construction operations. Due to the obvious constraints associated with this site, specifically in relation to T8, a formal arboricultural method statement has been included as an accompanying supporting document.

9.0 Installation of Services

When considering development for this site the installation of services must be kept as far as practically possible from the root protection area (RPA) of any retained trees/hedges. Trenching near trees by conventional means, using a mechanical excavator, inevitably causes root loss, as the bucket easily rips through roots. For services such as foul, surface, electric, gas, BT etc., the most practical solution would be to run all services through one trench. Where encroachment into the RPA cannot be avoided trench-less techniques should be adopted. An alternative would be to hand dig a trench minimising the cutting of roots. Pipes and ducted cables can then be thread through enabling installation with very little damage, provided that the borehole is small and deeper than the main lateral roots

9.1 In the UK, the usual guidelines for trenching by utility companies are provided by NJUG 10, which is available to download at www.njug.org.uk/publications.html . By agreeing to the guidelines to be followed during trenching, all parties are assured that problems can be solved using a common set of criteria. Supervisors from the appointed contractor should direct operatives to follow the agreed practices and it is quite likely that the Local Authority Tree Officer will monitor for compliance.

Conclusion

10.0 Conclusion

The tree survey has been undertaken after an initial design/layout has been prepared. This report has identified any significant constraints, of which have been set against the quality and value of the existing tree stock. The principal area of constraint, in accordance with the initial design/layout, was mainly misplaced tree retention. Modifications to the design/layout have been made that makes much better use of the site but also ensures the successful retention of the better-quality trees, specifically T8.

10.1 There is no doubt that T8 does pose a degree of constraint in terms of how this site may be developed. However, any such constraint has been considered and a design/layout has been prepared that will ensure the long-term retention of T8. The principle key to successful retention will be tree protection during the development of the site and I am satisfied this can easily be addressed through a detailed Tree Protection Plan, of which is included in the Arboricultural Method Statement as an accompanying supporting document.

10.2 Although there are limited constraints associated with this site, I am satisfied that the options, as described in this report will ensure the effects of development will not be detrimental to the health and benefit of retained trees, either short term or long term. This is of course provided the recommendations and guidance of this report are adhered to.

11.0 Reference to “Tree Survey Schedule” Tree Descriptions and Recommendations

Data collected in the “Tree Survey Schedule” of appendix “A”. Headings in the schedule are as follows:

Tree No.: Reference numbers for each tree(s) as it appears in the documents are:

T= Individual tree (numbering starts at T1)

G= Groups of trees (numbering starts at G1)

Species: The common (generic) name for the species has been used

Age Class: The maturity of the tree/s is defined in 5 categories:

Y = Young – small/recently planted tree not yet established

SM = Semi mature – fully established tree in the early stages

M = Mature – biologically mature tree. The “M” may be prefixed by an “E” for early or a “L” for late

OM = Over mature – old tree showing signs of terminal decline

V = Veteran

Stem Diameter: stem diameter to the nearest cm taken at 1.5m above ground level unless specified otherwise. For multi-stem trees the reading relates to immediately above the root flare

RPA radius: Root protection area calculated in meters

Stem No.: Appears in documents as twin stemmed or multi-stemmed. Multi stemmed will show number of stems

Height: Trees height calculated with the use of a clinometer in meters

Crown Spread: Estimated in meters taken at four cardinal points from the stem

Physiological Condition: This is based on an assessment of the trees health and vigour i.e. Good, Fair, Poor, Dead. Groups of trees are allocated an overall assessment. Thus, individual trees within a group may have a high or lower score

Structural Condition: Description of defects or symptoms of defects (where applicable) i.e. collapsing, compression forks, includes, fungi

Comments: A summary of comments on each tree or group of trees

Management Recommendations: Arboricultural works required

Remaining Contribution: Estimated in years, -10, 10-20, 20-40, 40+

Category Grade:

A = Trees of high quality and value. Shown as green on the tree constraints plan

B = Trees of moderate quality and value. Shown as blue on the tree constraints plan

C= Trees of low quality and value. Shown as grey on the tree constraints plan

U= Trees to be removed. Shown as red on the tree constraints plan

Personal Professional Statement

12.0 Personal Professional Statement (Andrew Hudson ND Btec Forestry/Arboriculture / TechArborA)

Acting consultant preparing reports for various organisations including British Standard reports for architects and developers in supporting planning applications.

Andrew holds a Btec National Diploma in Forestry and Arboriculture which was awarded at distinction level.

Andrew began working with trees as a forestry contractor, obtaining extensive knowledge and practical experience on various contracts throughout Lincolnshire, East Midlands, East Yorkshire and East Anglia. Having worked for a number of years within the forestry sector Andrew moved to arboriculture, eventually becoming a fully qualified tree surgeon. This presented a broad spectrum of experience in arboriculture, which was enough to acquire the position of Arboricultural Officer at Local Authority level. This provided valuable experience in all aspects of arboriculture providing him with an inclusive insight into the social, legal and safety issues associated with the management of urban trees in the planning system and Local Authority owned tree stock.

Andrew is part of ENGIE Services Ltd Arboricultural Consultancy providing a service advising on a whole range of tree issues.




Appendix A "Tree Survey Schedule"

Category Grading and Definition


Site: land rear of Birch Cottage, High St, Barrow Upon Humber
 Client: Bob Johnson
 Brief: BSS837 Tree Survey

Surveyor: Andrew Hudson
 Assessment Date: 2nd August 2018
 Viewing Conditions: Clear/Sunny

 Trees of high quality with an estimated remaining life expectancy of at least 40 years

 Trees of low quality with an expected remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm

 Trees of moderate quality with an estimated remaining life expectancy of at least 20 years

 Trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years



Tree No.	Species	Age Class	Stem Diameter (cm)	RPA Radius (M)	Stem No.	Height	Crown Spread (M)	Physiological Condition	Structural Condition	Comments	Management Recommendations	Remaining Contribution (yrs)	Category Grading
T1	Willow	Semi - Mature	31	3.7	1	6	N4, E3, S3, W4	Good	Fair	Previous works include a pollard to approx 4m. The tree has since continued a management regime to this height. Main stem naturally leans to the east. There is existing conflict with boundary wall, neighbouring property and overhang to the drive. Long term retention may not be viable. The continued nuisance will outweigh the need for this tree to be retained.	Fell	10	C1
T2	Dawn Redwood	Mature	32	3.8	1	13	N2, E3, S3, W2	Good	Good	Single straight stem up to the current height. Low canopy spread to approx 1m from ground level. North side lower to mid canopy suppressed by adjacent tree cover. This presents an unbalanced crown structure. Minor dead wood present.	None recommended	20	B1
T3	Maple	Semi - Mature	26	3.1	1	11	N4, E6, S4, W4	Good	Good	Single stem up to approx 3m, from here the tree develops it's main canopy structure. There is a natural lean in a northerly direction with a large amount of canopy spread over the garden wall and towards the patio area. This presents an unbalanced crown structure. Previous works include crown lifts over the garden area. Minor dead wood present. Duplicative branches.	None recommended	10+	C1
T4	Cherry	Mature	37	4.4	1	9	N4, E6, S3, W4	Poor	Fair	Single stem up to approx 1m, from here the tree develops it's main structural scaffold limbs. Main stem and structural scaffold limbs colonised by ivy growth. This restricts visual inspection. Tree exhibits significant die back of canopy. Major / minor dead wood present. Tree in terminal decline with 80% of the canopy dead.	Fell	5	U
T5	Sycamore	Semi - Mature	19	2.2	1	10	N3, E3, S3, W2	Good	Fair	Looks to be a self regenerated tree, close to the high boundary wall. Single stem up to approx 3m, from here the tree forks to develop the main canopy structure. Major crossing branches at around 4m.	In context with the current land use no works are recommended. Should development occur tree should be removed.	10	C1
T6	Sycamore	Mature	42	5	1	13	N6, E5, S6, W3	Good	Good	Main stem and structural scaffold limbs colonised by ivy growth. This restricts visual inspection. Single stem up to approx 2.5m, from here the tree develops it's main structural scaffold limbs. Look to fork at this point, however ivy cover restricts view. Most likely grown from natural regeneration the main stem at around 1m is only 5cm from the 3m high boundary wall. The trees basal area is touching the wall and will be applying pressure to the footings and lower brick work. There is significant conflict with an historic feature. Long term retention is not viable. Structural damage or failure of the boundary wall is highly likely if tree is left to increase its growth	Fell	5	C1
T7	Laurel (multi stem)	Mature	23, 14, 14, 12, 17, 15	4.8	6	6	N5, E3, S5, W4	Good	Fair	Multi stem at base x6. A wide spreading tree with a low branch structure to ground level. A timber structure has been built within the lower canopy to create a tree house type play area. Minor dead wood, crossing, duplicating branches.	In context with the current land use no works are recommended. Should development occur tree should be removed.	10	C1
G1	x1 Larch, x1 Ash, x1 Sycamore, x1 Elder.	Semi - Mature	17, 17, 14, 24	Up to 2.8	4 trees	12	South into site 4m	Good	Good	Ash, Syc & Larch tall spindly trees with limited quantity and value. Elder is a large spreading tree with a low canopy structure, around 0.5m from ground level, major and minor dead wood present. This group provides screening benefits only.	In context with the current land use no works are recommended. Should development occur reduce south side canopy overhang into the site by 2m, to leave a finished canopy spread of 2m from the base of the trees.	10+	C2
T8 (off site) TPO	Ash	Mature	est. 110	13.2	1	9.5	South East into site 8m	Good	Fair	Tree off site, inspection made from a distance. A large spreading tree with good form and good vigour. Single stem up to approx 8m, from here the tree develops it's main structural scaffold limbs. A various amount of remedial works has previously occurred. Large laterally spreading lower limbs have been reduced, the upper canopy has been thinned and above a major fork there is a system of, what appears to be, cable bracing. This suggests a union weakness, although cannot be seen from site side. Minor dead wood present and duplicating branches.	In context with the current land use no works are recommended. Should development occur reduce the branch spread from the lower south side laterally spreading limb by 2m, to leave a finished branch spread of 2m from the tip end of the lateral limb.	20	B1
T9	Laburnum	Mature	33 (at base)	3.9	1	5	N3, E2, S2, W1	Fair	Fair	Tree forks at around 20m from the base, here the tree develops it's main structural scaffold limbs. Vigour is fair with signs of yellowing of the leaves. Included bark at south side fork union and other branch unions. Previous works include a slight height reduction of around 0.5m. Minor dead wood, duplicating branches. Poor quality and very limited value	In context with the current land use no works are recommended. Should development occur tree should be removed.	10	C1
T10	Ash	Semi - Mature	21	2.5	1	11	East into site 3m	Good	Good	Most likely self set regeneration growing close to the rear boundary. Main stem colonised by ivy growth, this restricts visual inspection. Single stem up to approx 1.5m, here the tree develops it's main canopy structure. Tree presents very limited quantity and value. Screening benefits only.	None recommended	20	C1
T11	Sycamore	Semi - Mature	17	2	1	11.5	East into site 0.5	Good	Good	Tall spindly tree with very little canopy spread. Most likely a natural regeneration, growing close to the rear boundary. Tree presents very limited quantity and value. Screening benefits only.	None recommended	10	C1
G2	Leyland cypress	Semi - Mature	None Recorded	None Recorded	Numerous	4	None Recorded	Fair	Good	This row of trees is obviously defined as a boundary hedge. Previously reduced by around 50%, the hedge looks quite scruffy. In places the sides have been cut back too far, now showing visible dead wood. This boundary feature has very limited value, only screening benefits.	In context with the current land use no works are recommended. Should development occur trim to tidy.	10	C2

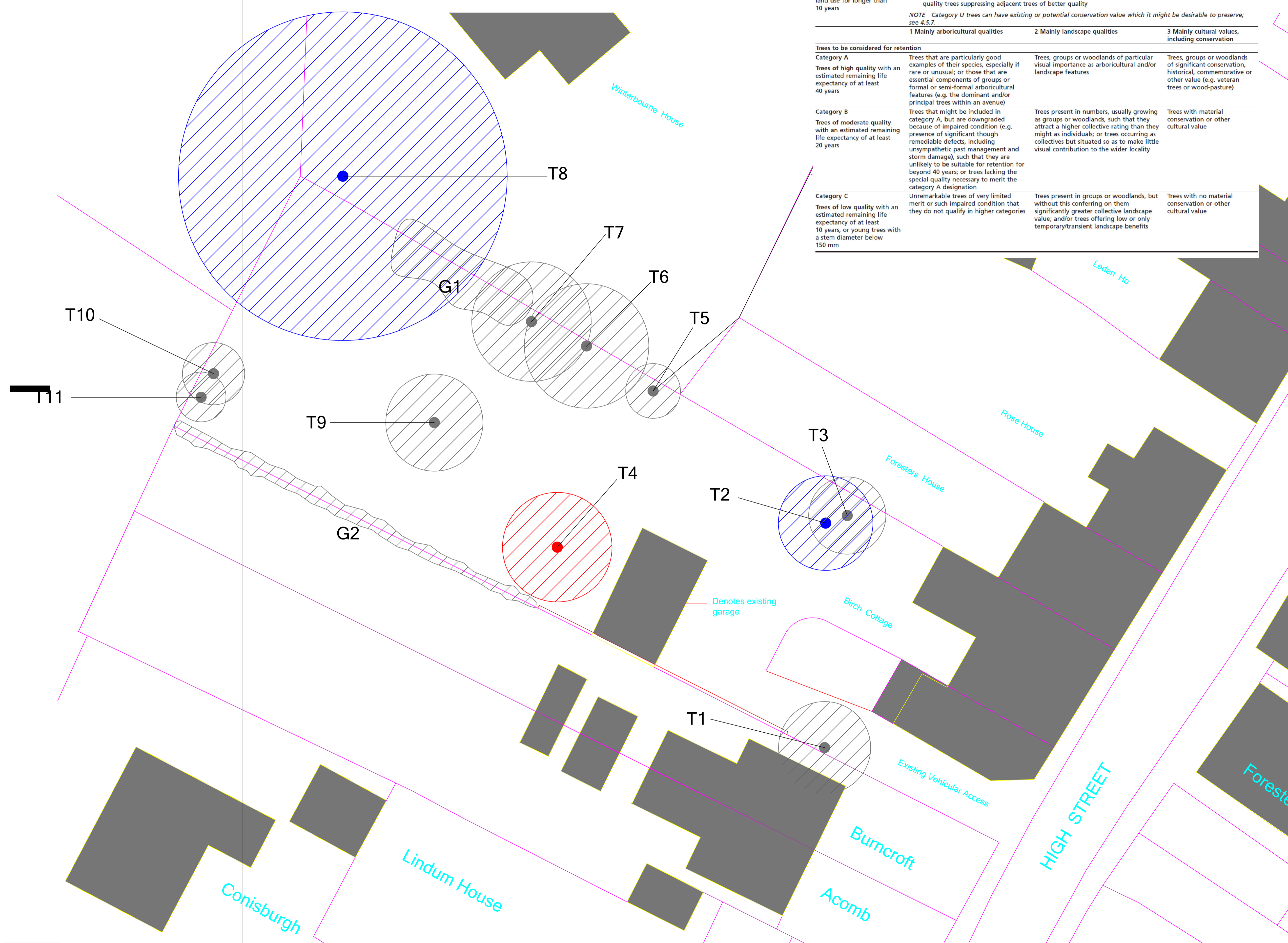
Cascade Chart for Tree Quality Assessment

Category and definition	Criteria (including subcategories where appropriate)		
Trees unsuitable for retention (see Note)			
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE: Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>		
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation
Trees to be considered for retention			
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value

Appendix "B"

Category and Definition

- CAT "A"**
RPA
Trees of high quality with an estimated remaining life expectancy of at least 40yrs
- CAT "B"**
RPA
Trees of moderate quality with an estimated remaining life expectancy of at least 20yrs
- CAT "C"**
RPA
Trees of low quality with an estimated remaining life expectancy of at least 10yrs, or young trees with a stem diameter below 150mm
- CAT "U"**
RPA
Those trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10yrs



ALL NECESSARY DIMENSIONS SHALL BE CHECKED ON SITE BEFORE ANY WORK IS PUT IN HAND. DO NOT SCALE.

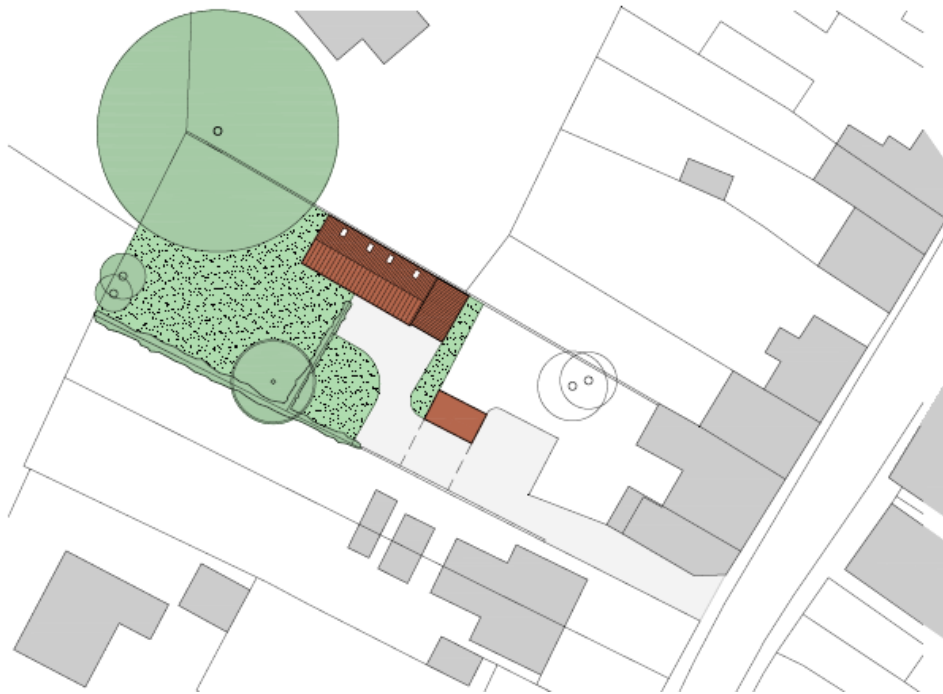
REVISIONS			
Letter	Amendment	Drawn	Date

ARBORICULTURAL CONSULTANCY

Origin One,
2 Origin Way,
Europarc, Grimsby,
North East Lincolnshire,
DN37 9TZ
Tel: 01472 324271

CLIENT	Bob Johnson		
PROJECT	Residential Development r/o Birch Cottage, High St, Barrow Upon Humber		
TITLE	Tree Constraints Plan		
DRAWN	AH	CHECKED	APPROVED
DATE	16/08/2018	ORIGINAL SIZE A1 (594 x 841)	SCALE 1:150
FILE REF	AH-ENGIE	DRAWING No. TCP-01-16-08-18	REVISION NO

Design & Access Statement



Client: Mr B Johnson
Site Address: Land off High Street, Barrow-Upon-Humber
Proposal: Proposed dwelling
Date: July 2020 – Version 1

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1.0 Introduction

- 1.1 Section 42 of the Planning and Compulsory Purchase Act 2004 provides that a Statement covering design concepts and principles and access issues is submitted with an application for planning permission. Further guidance is provided in DCLG Circular 01/2006 and Guidance on information requirements and validation.
- 1.2 This document constitutes a Design and Access Statement in accordance with the above guidance and has also been prepared in accordance with the CABE guidance 2006 (Design and Access Statements How to write, read and use them). The Design and Access Statement explains the design principles and concepts that have been applied to the amount, layout, scale, landscaping and appearance of the development proposed. The Access component of the Statement relates to 'access to the development' explaining how the design ensures that users will have equal and convenient access to it.
- 1.3 This Design and Access Statement is to accompany the full planning application for the erection of a new dwelling to the rear of Birchwood House, High Street, Barrow-Upon-Humber. Access is proposed to be facilitated via the existing vehicular access and the proposal includes the part demolition and making good of the existing garage block. This report should be read in conjunction with the supporting plans and statements.

2.0 Material Site History

- 2.1 The material site history has been reviewed through the NLC website.
- 2.2 PA/2018/1238 – Planning permission to erect a detached chalet bungalow and detached garage land to the rear of Birchwood House, High Street,

Barrow-Upon-Humber. Refused planning permission 23/01/2019. Appeal reference APP/Y2003/W/19/3229132 lodged and dismissed 11/11/2019.

3.0 Physical Context

- 3.1 The application site is located within the urban limits and Barrow-Upon-Humber Conservation Area on the northern side of High Street. The predominant character of the area is residential forming a strong enclosure to the High Street.
- 3.2 There is an existing vehicular access providing access to group of garages located to the rear of Birch Cottage and Birchwood House. The application site is elevated up from the High Street and currently screened by the existing built form. There are a number of trees within the site and these are addressed within the supporting Arboricultural report.
- 3.3 Development in depth is part of the established character and appearance of the area as clearly detailed below on the proposed site plan.

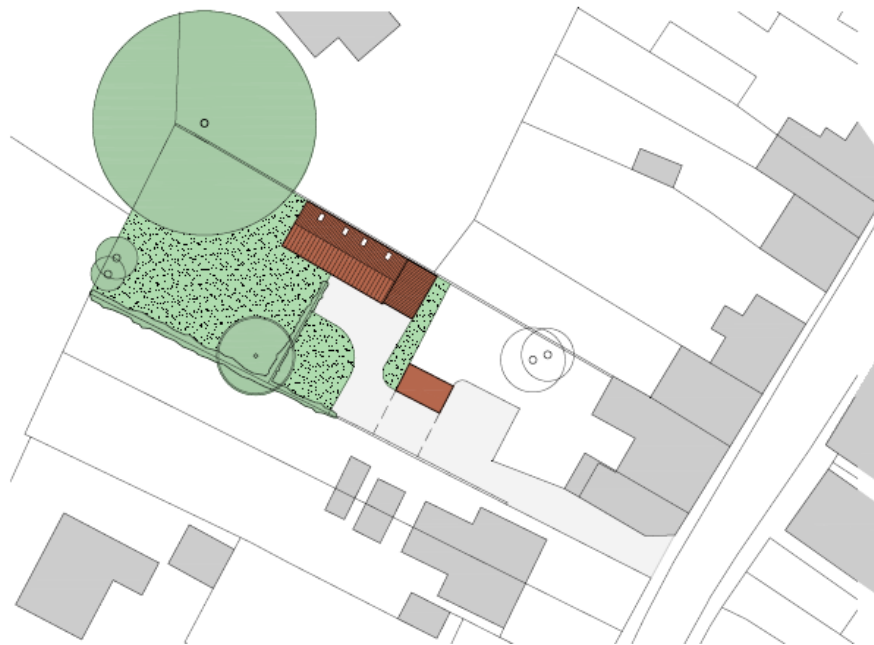


Figure 1.0 – Proposed site plan

4.0 Planning Policy

North Lincolnshire Local Plan, specifically Policy HE2 and CS6 of the adopted Core Strategy.

- 4.1 The application site falls within the development limits of Barrow-Upon-Humber and follows the key aims of sustainable development, by facilitating new development within easy access to essential services and amenities, accessible via alternative modes of travel than the private motor car.
- 4.2 The fundamental issue in the current scheme relates to the impact upon the character and appearance of the Conservation Area, to address the recent dismissed appeal. The reasons for refusal under Appeal reference APP/Y2003/W/19/3229132 were narrow and there were no other technical planning objections, including the principle of development with Barrow-Upon-Humber, highway safety, neighbour's residential amenity, drainage or impact upon trees covered by Tree Preservation Orders.
- 4.3 After revisiting the refused planning application under Planning Application PA/2018/1238 and the dismissed appeal it was clear that the scheme for a modern form property, sited centrally and 'sprawling' within the application site would have a negative impact upon the character and appearance of the Conservation Area.
- 4.4 The policies of the Local Plan state '*All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value*'.
- 4.5 A further analysis of the site has been undertaken to review the historic context of the site and surroundings, which has evolved the current siting,

form, design and mass of the property to fully ensure that it fully preserves and enhances the Conservation Area and is detailed within the body of this report to accord with the Local Plan Policies.

5.0 Consultation

- 5.1 A search of the Environment Agency website reveals that the site is located within flood zone 1, which is appropriate for new residential development.
- 5.2 The revised site layout has been influenced by the Arboricultural report to ensure that the development is located outside the Root Protection Area (RPA) of T8.
- 5.3 Following the dismissed appeal the applicant has engaged into pre-application discussions with the LPA. The response only really highlighted the reasons in the dismissed appeal. We feel that the revised scheme reinstating buildings on historic footprints has satisfactorily dealt with the reasons set out in the dismissed appeal.

6.0 Use

- 6.1 The principle of development in the urban boundary of Barrow-Upon-Humber has not been in contention through the previous planning application and appeal and accords with both National and Local Planning Policies of promoting sustainable development.
- 6.2 The proposal relates to the provision of a single dwelling, which emanates the traditional run of outbuildings, 'hugging' the boundary, as detailed within the historic ordnance survey plans below. This approach can be seen as an enhancement to the Conservation Area, through a sympathetic

design and choice of external pallet of materials, which can be controlled via planning conditions.

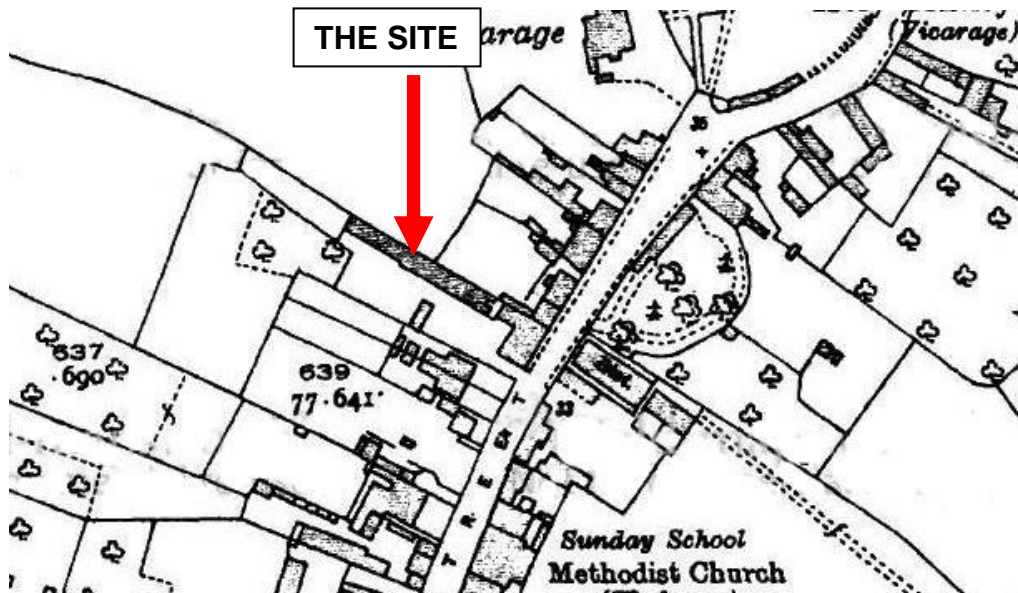


Figure 2.0 – Extract from 1887 Ordnance survey plan

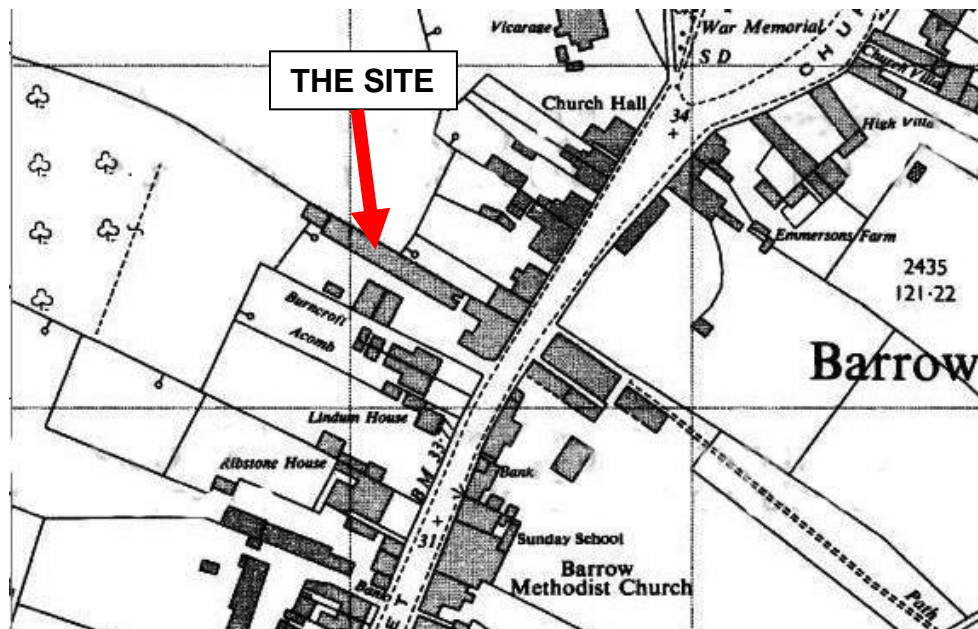


Figure 3.0 – Extract from 1970 Ordnance Survey plan

7.0 Amount

- 7.1 The site area equates to 0.09 ha
The ground floor accommodation is 71.67 m²
The first floor accommodation is 71.67 m²

8.0 Layout

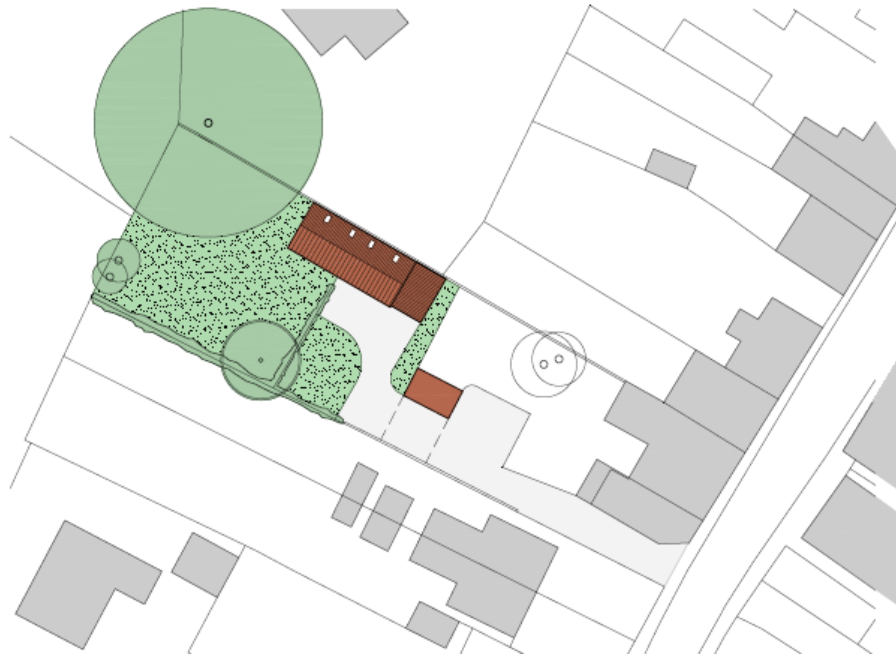


Figure 4.0 – Proposed site plan

- 8.1 Access to the site is facilitated via the existing shared access, following the demolition of part of the garage block structure and made good, which is deemed to be acceptable in highway safety terms. Within the site is proposed a turning area to ensure that motor vehicles can enter and leave the site in a forward gear. 2 off-street parking spaces are provided.
- 8.2 The proposed siting of the dwelling is located on the axis of the historic range of outbuildings, detailed within the historic Ordnance Survey plans. This ensures that there are no / limited views of the proposal from the

public realm from High Street, to satisfactorily deal with the previous issues around the enhancement of the Conservation Area.

8.3 The scheme is designed so it is inward looking into the private garden area to mitigate potential overlooking into the neighbouring properties.

8.4 A pleasant private amenity space is provided which is south west facing.

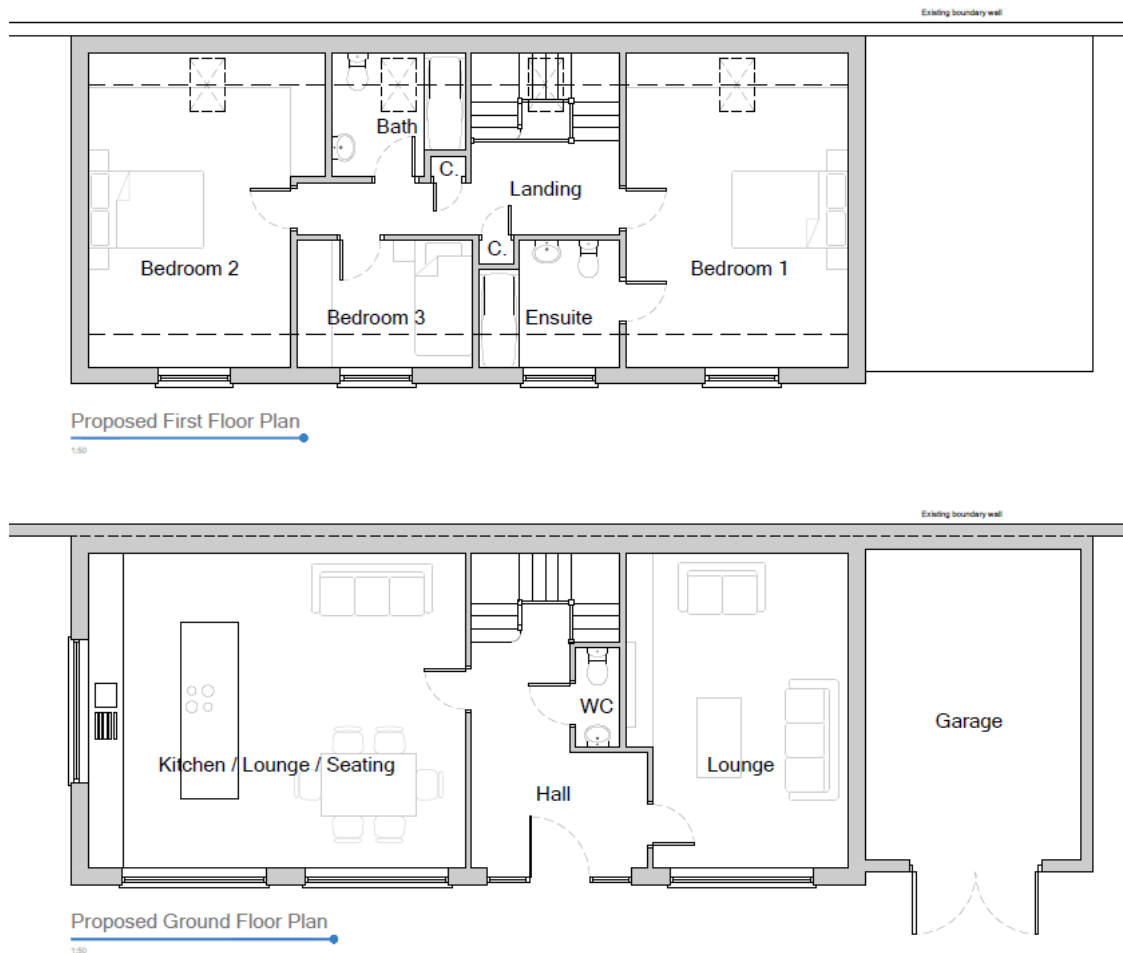


Figure 5.0 – Internal layout

8.5 A modest 3 bed property, with an attached garage is proposed, with open plan kitchen, lounge and dining area, separate lounge, wc and central hallway. At first floor is proposed 2 double bedrooms one with ensuite, a single bedroom and family bathroom.

9.0 Scale

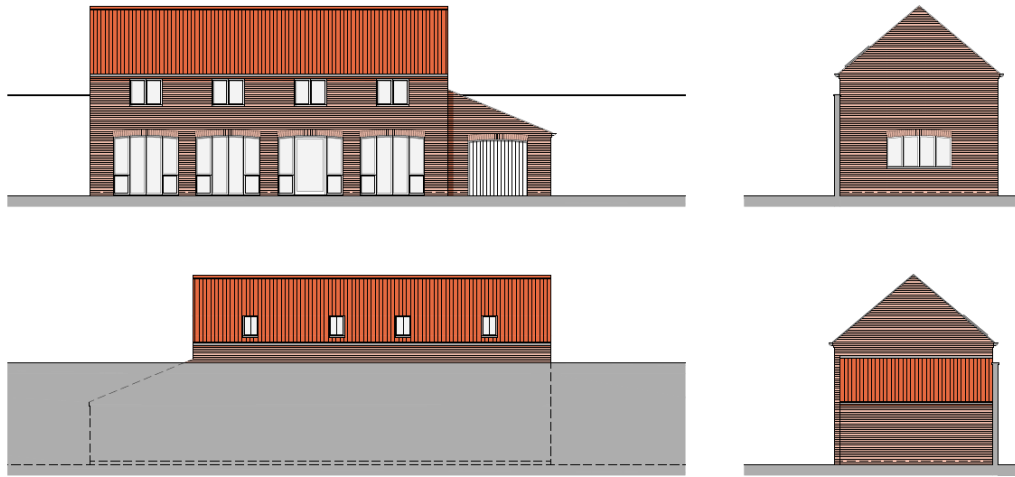


Figure 6.0 – Proposed elevations

- 9.1 The scale of the property is two storey and takes a traditional approach with narrow gables and a subordinate mono pitched garage. The siting abuts the existing high wall boundary and is on the footprint of the historic range of outbuildings, to limit views from the public realm.

10.0 Landscaping

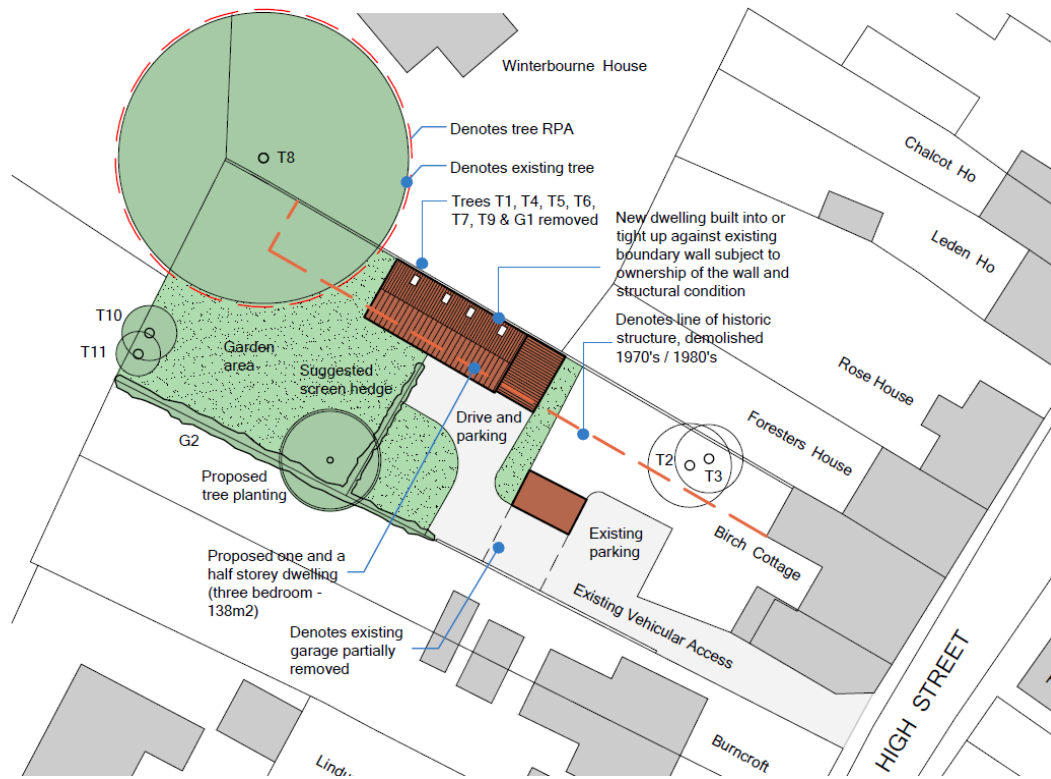
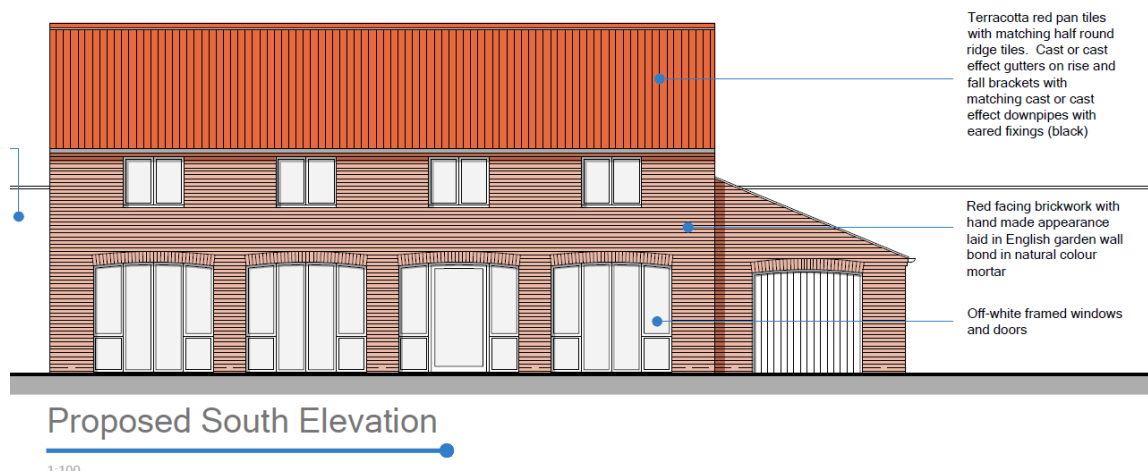


Figure 7.0 – Proposed landscaping

- 10.1 The scheme proposed to retain and protect T8 during the construction phase. To off-set the loss of trees T1, T4, T5, T6, T7, T9 and G1 there is an opportunity to provide new focal tree planting and hedging as detailed within the plans, to add to the biodiversity of the area and provide additional sympathetic screening when the site is viewed from High Street.

11.0 Appearance



11.1 A sympathetic external pallet of distinctive materials are proposed to enhance the site and wider character and appearance of the Conservation Area. These include:-

- Terracotta red pan tiles with matching half round ridge tiles. Cast or cast effect gutters on rise and fall brackets with matching cast or cast effect downpipes with eared fixings (black).
- Red facing brickwork with hand made appearance laid in English garden wall bond in natural colour mortar.
- Off-white framed windows and doors.

12.0 Access

12.1 Access will be facilitated via the existing access, following the part demolition of the existing garage structure and making good. A turning area will be facilitated within a courtyard area to ensure that motor vehicles can enter and leave the site in a forward gear. Parking provision will be provided on the basis of 2 parking spaces.

12.2 Access in and around the property will comply with Part M of the Building Regulations.

13.0 Conclusion

13.1 The principle of the scheme for a 'Windfall' development within the urban boundary of Barrow-Upon-Humber accords with the adopted Local Plan policies.

13.2 The property is sensitively designed to have regard to the site constraints, namely views in and out of the Conservation Area and mitigates any potential impacts upon trees with amenity value within the site. There is also an opportunity to add to the biodiversity of the area through additional tree and hedge planting to off-set the loss of existing trees. The proposed siting, design and layout mitigates any detrimental impacts upon the neighbour's residential amenity, due to the retained separation distances and careful positioning of upper storey windows.

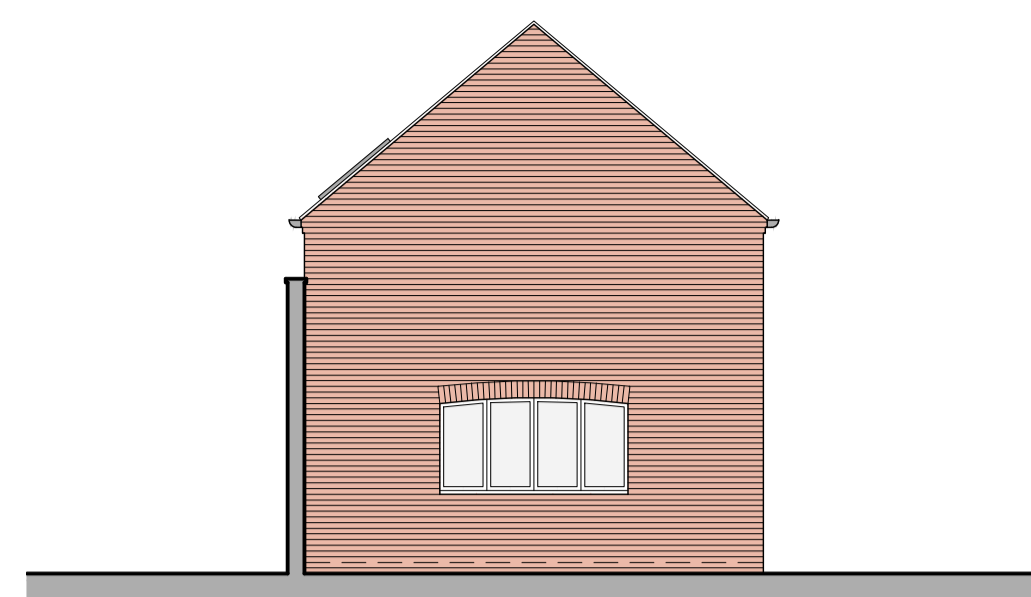
13.3 The design and pallet of external materials provides an innovative design approach on a traditional property form and promotes good quality design, which is sensitive to its setting and context.

13.4 It is therefore respectfully requested that planning consent is granted due to the exceptional quality / design of the scheme, which will have a positive impact upon the Conservation Area.



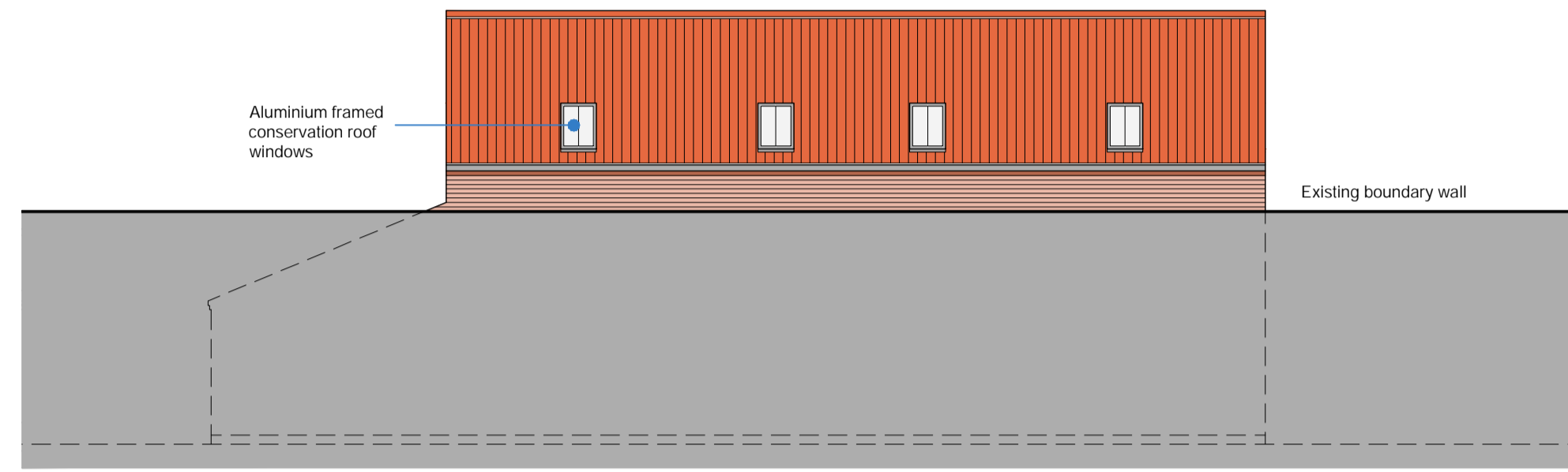
Proposed South Elevation

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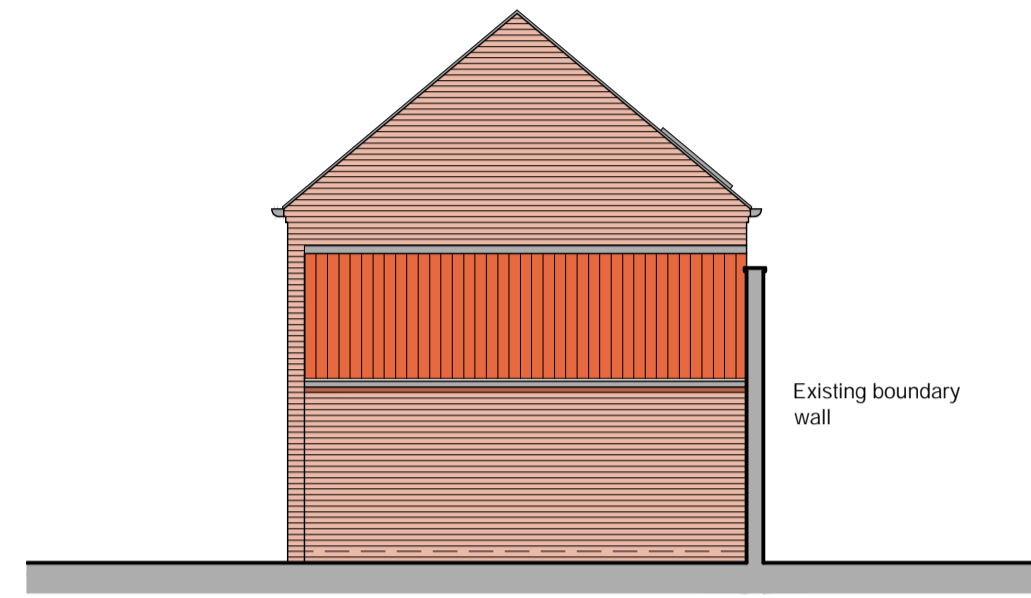
Proposed West Elevation

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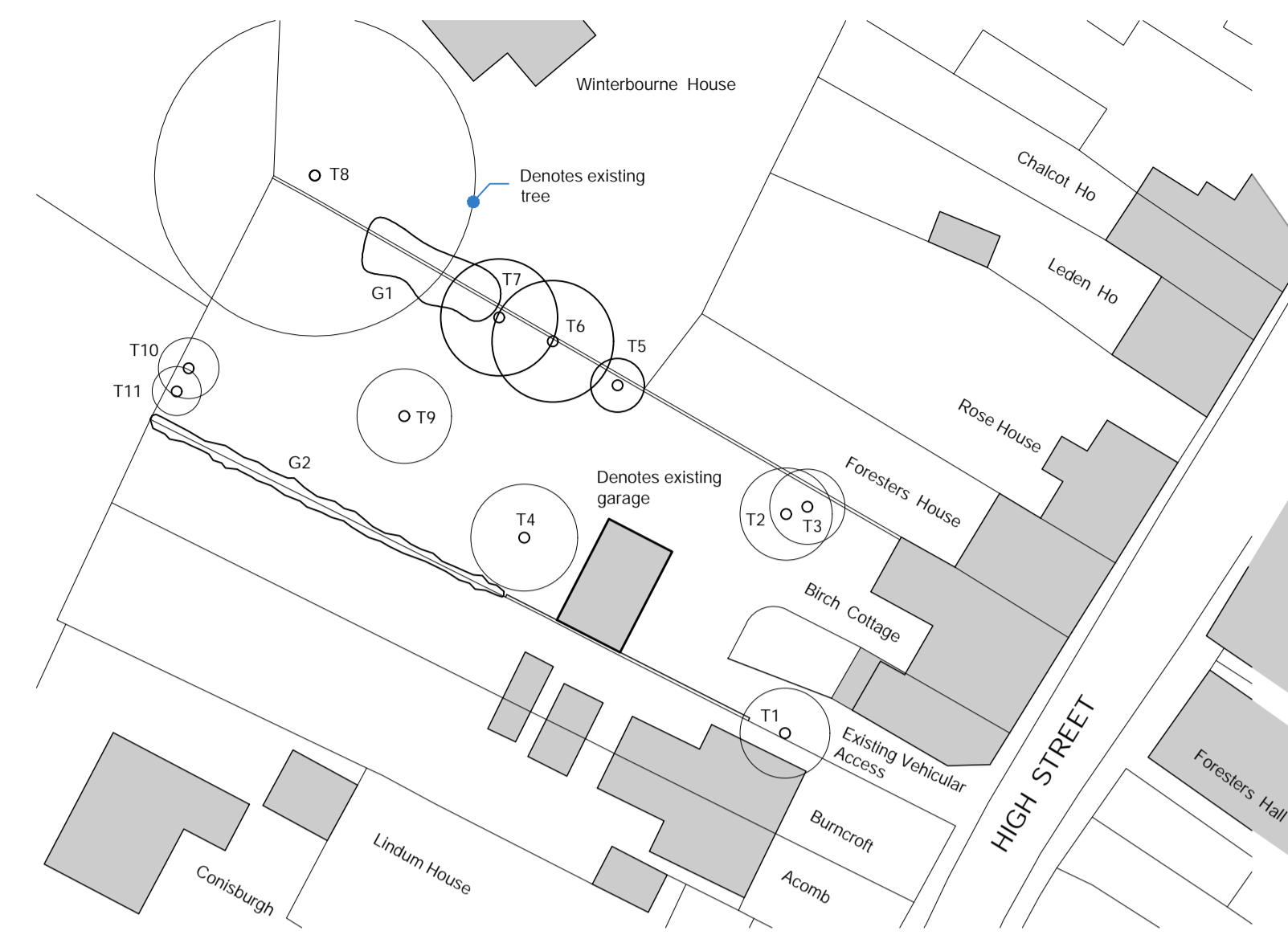
Proposed North Elevation

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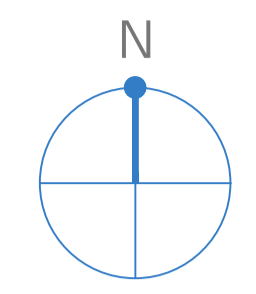
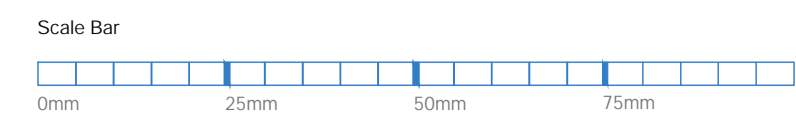
Proposed East Elevation

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Existing Site Plan

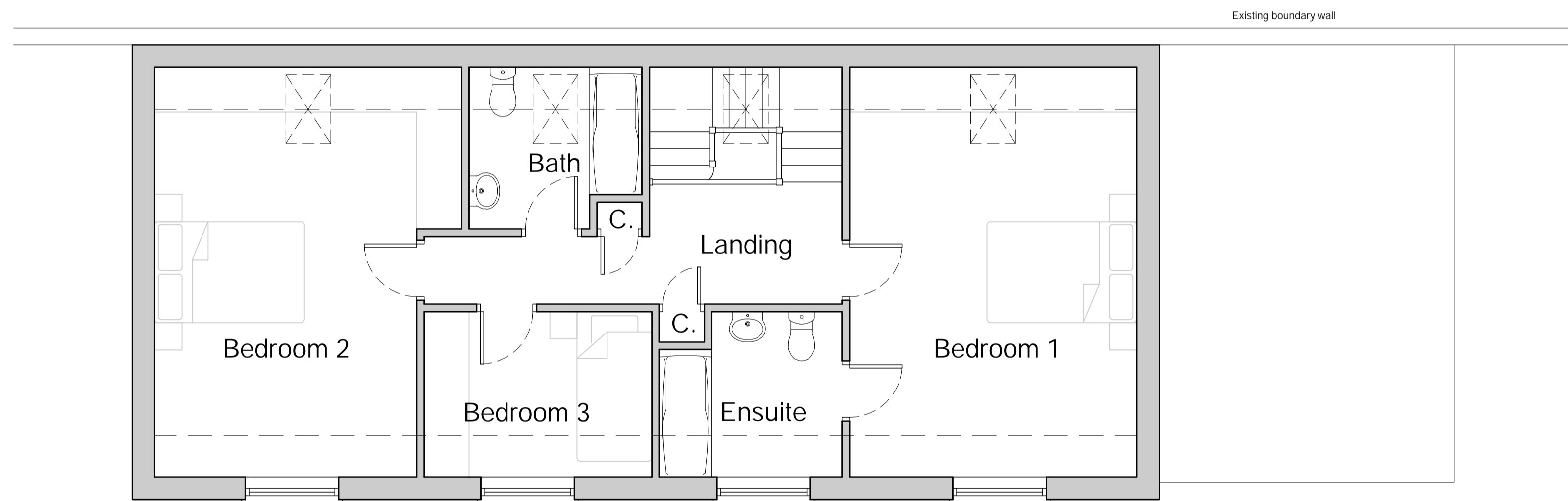
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Notes:
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 - All materials specified are to be used in strict accordance with manufacturers written instructions and current codes of practice
 - To include the following:
 - Disabled Access Audit
 - Party Wall Notice and Survey (if required)
 - Pre-Construction Health and Safety Plan
 - These drawings are to be considered as Preliminary and for information only until technical approval has been obtained from the relevant Local Authority/Regulator. Commencement of work on site prior to these approvals is at the Client's/Contractor's Risk.
 Inspections and Surveys
 - Where elements of the construction are not visible during the survey it is the contractor's responsibility to identify structural elements such as floor joists and supporting structures, prior to any demolition works and inform client / architectural consultant. Additional works may therefore be necessary. Our survey does not include any destructive investigations.

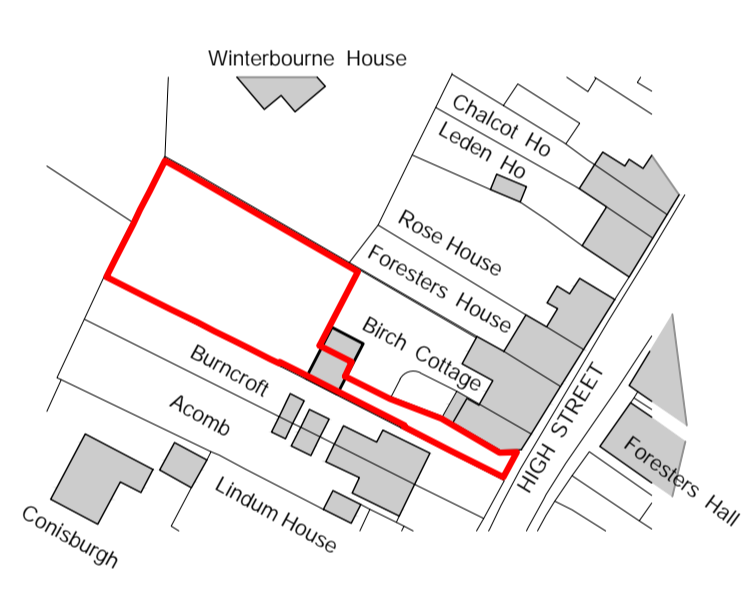
Drawing Revisions

A	14-07-20	Scheme updated, dormers removed and eaves raised. Further notes added.
B	15-07-20	Proposed garage amended, red outline amended
C	15-07-20	Boundary amended, red outline amended
D	15-07-20	Boundary amended, red outline amended



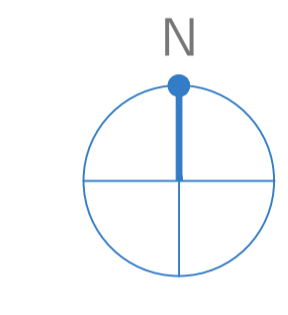
Proposed First Floor Plan

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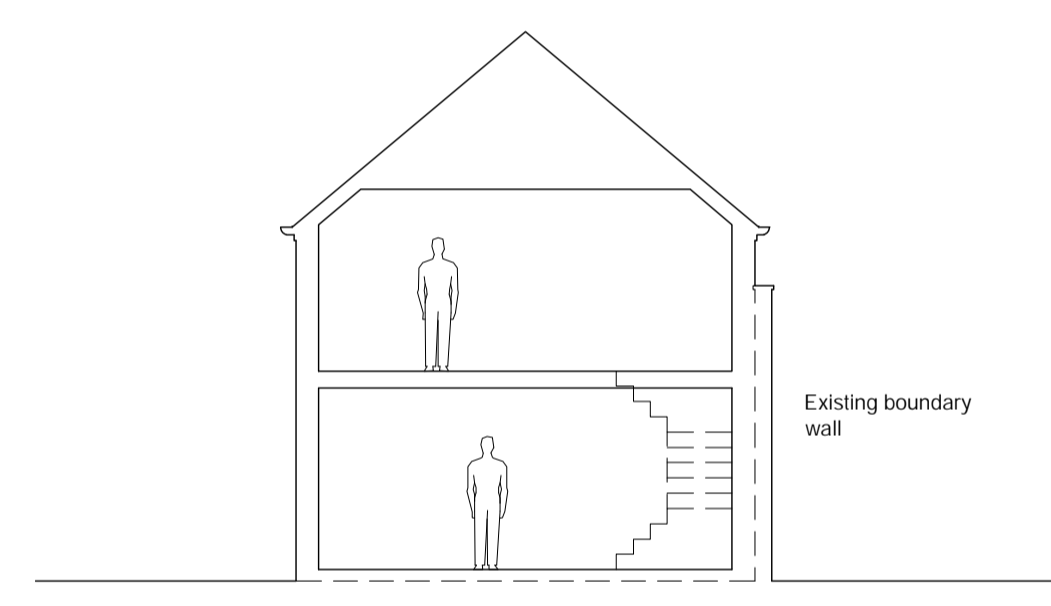


Site Location Plan

1:1250

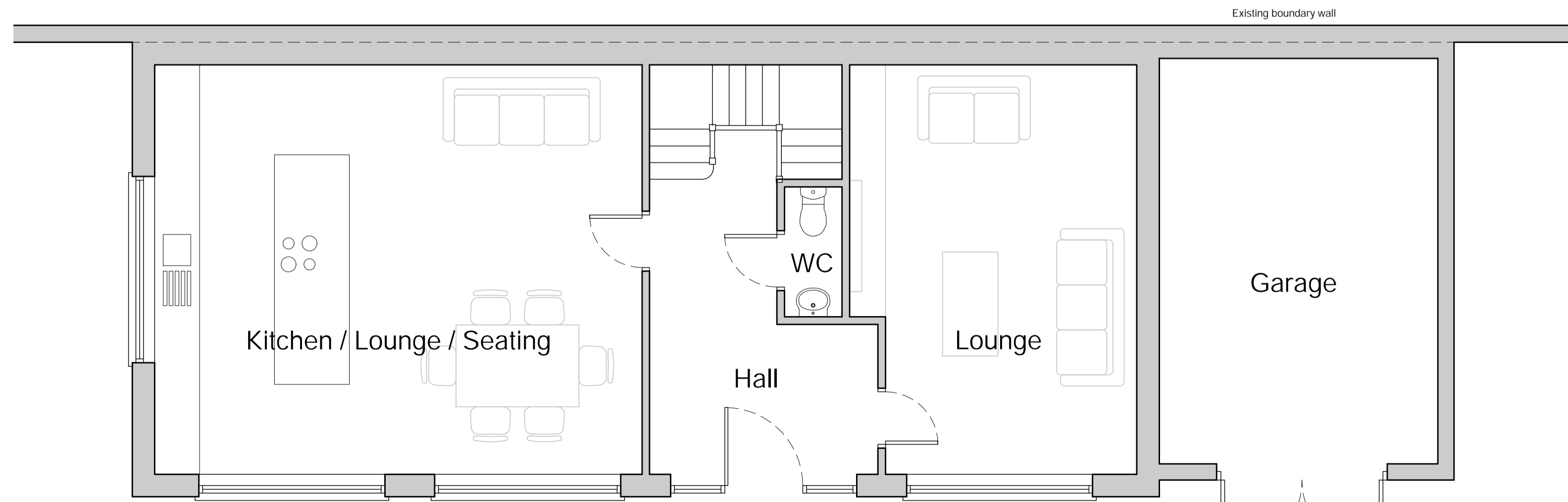


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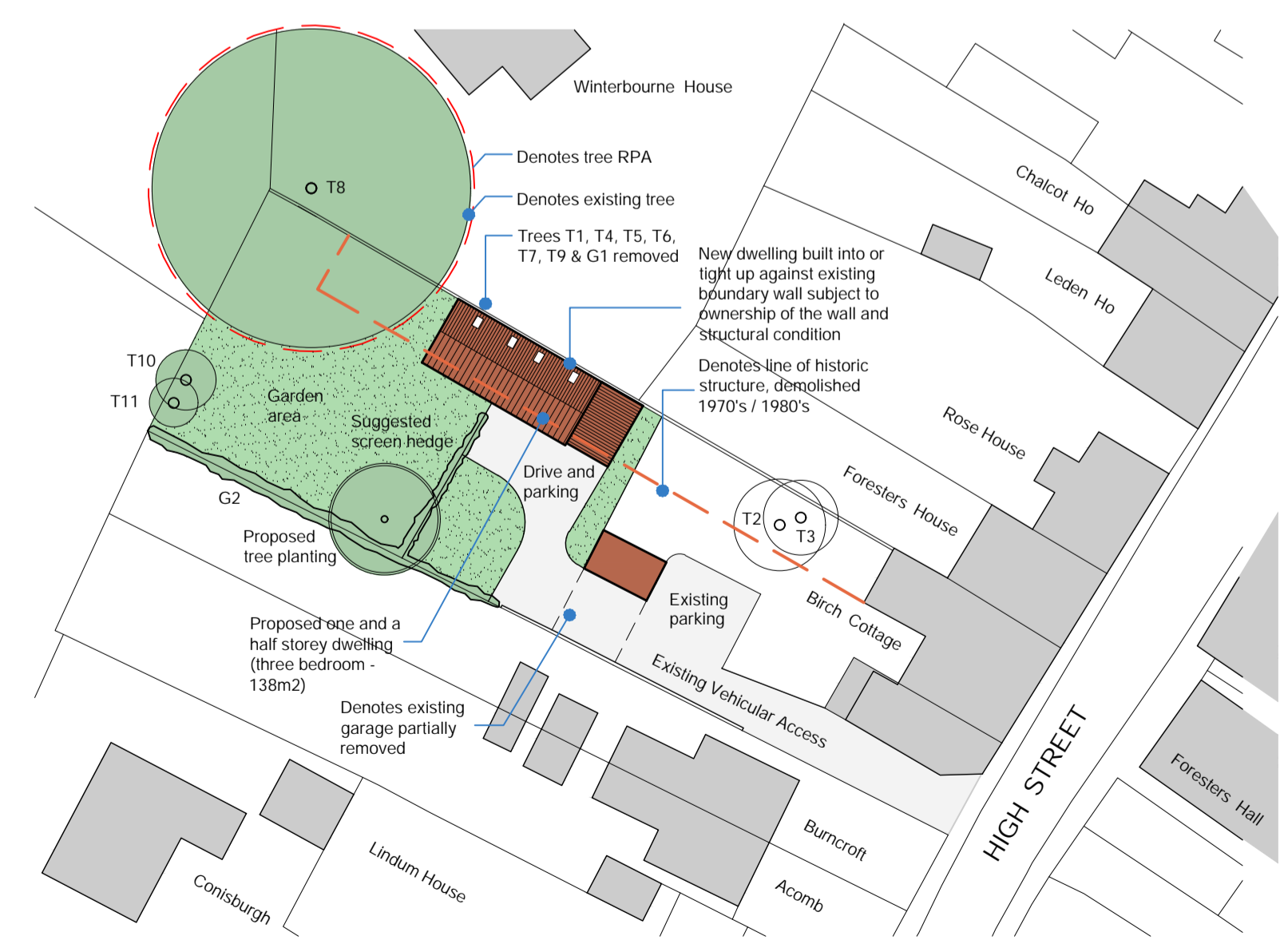
Proposed Section

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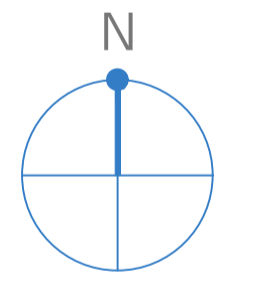
Proposed Ground Floor Plan

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Proposed Site Plan

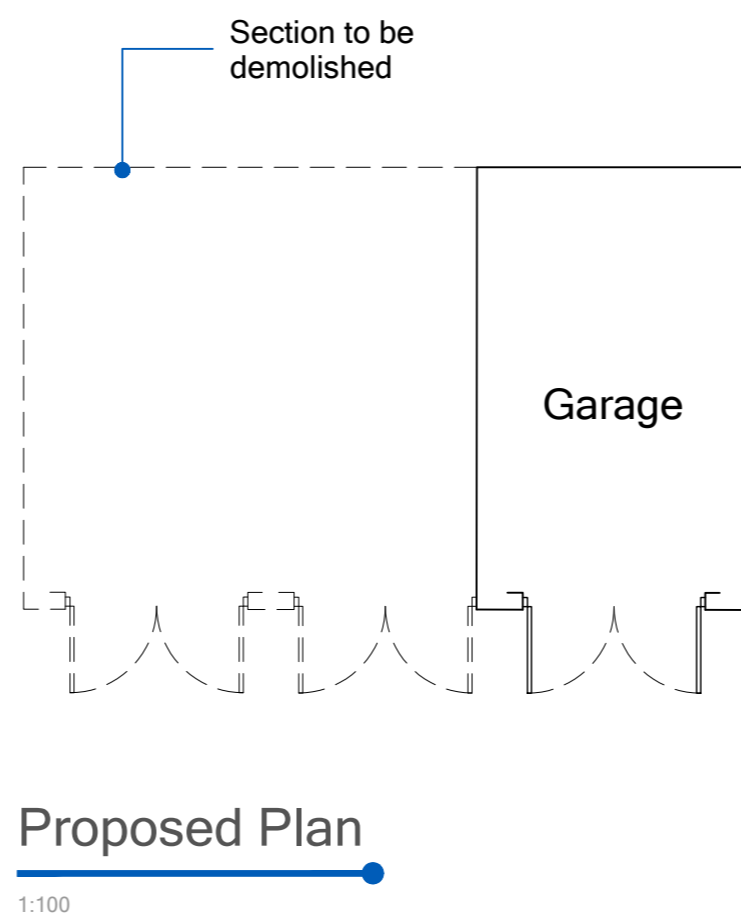
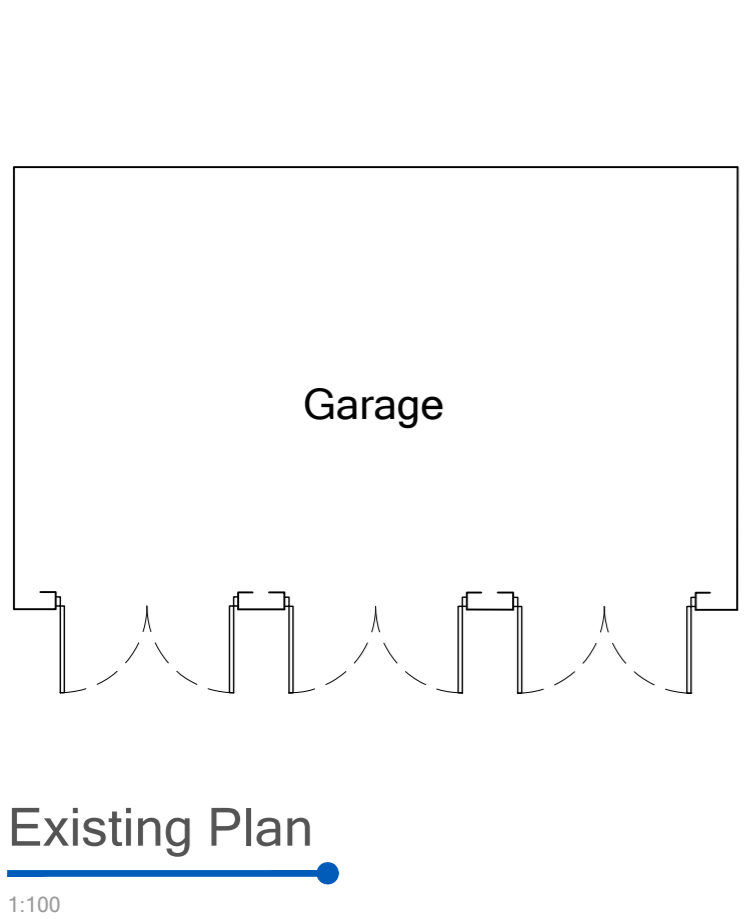
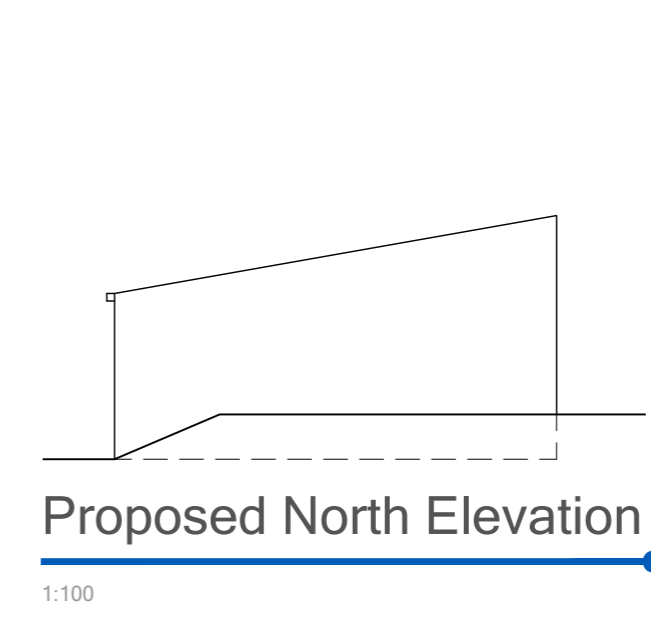
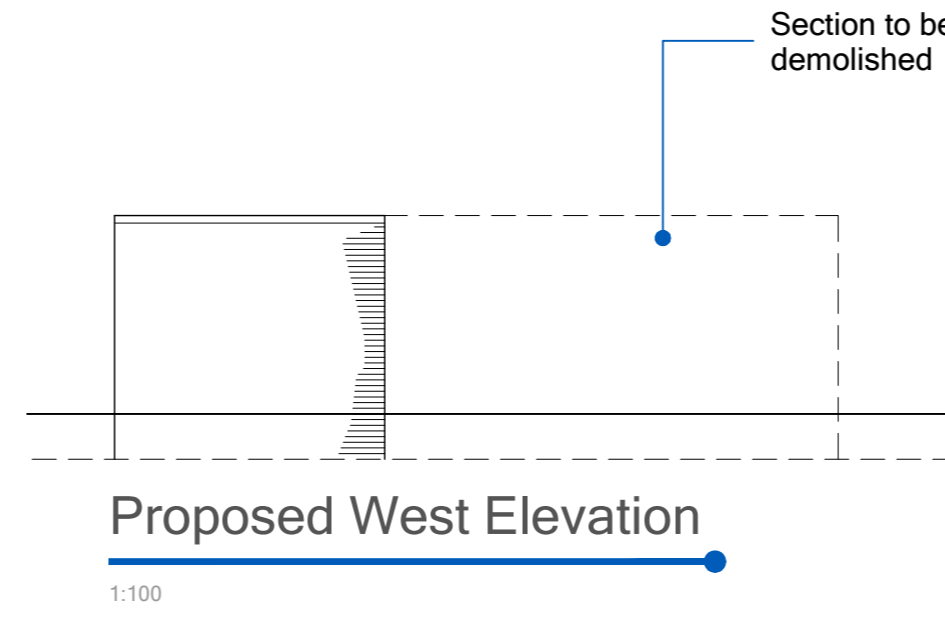
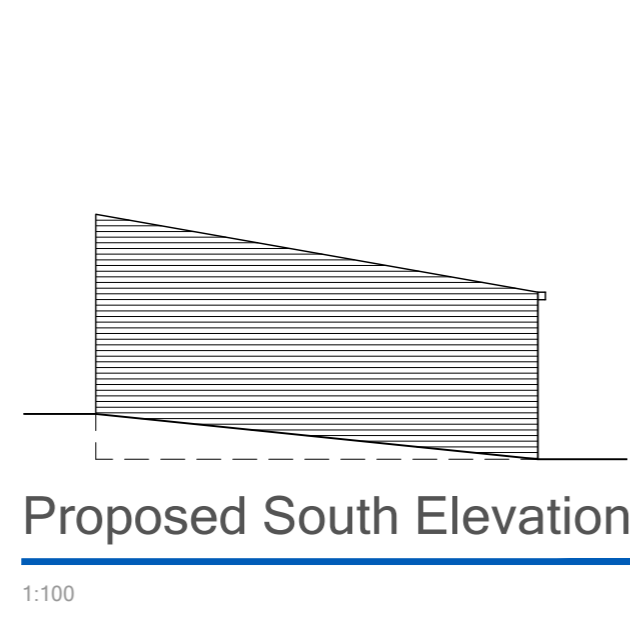
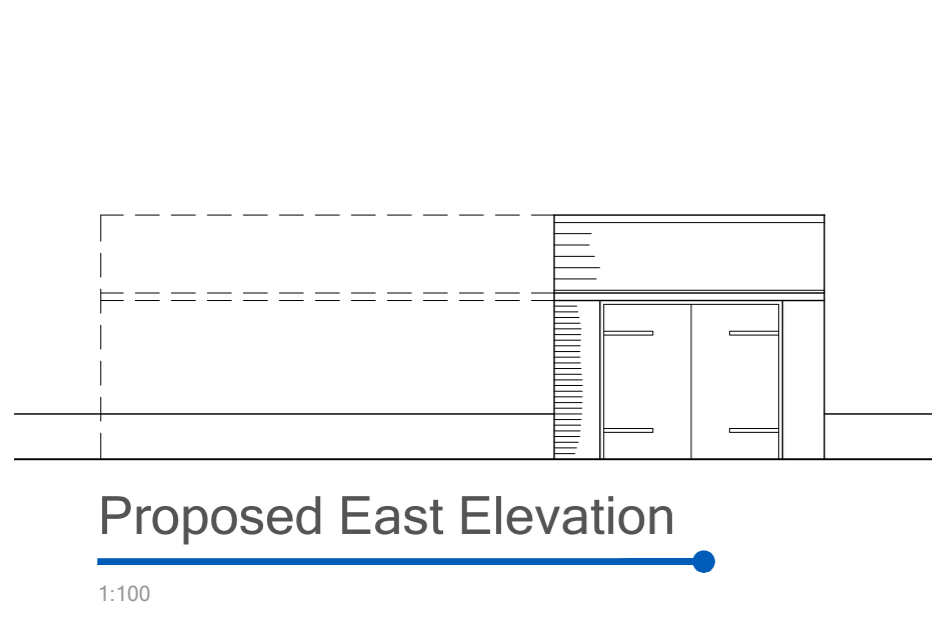
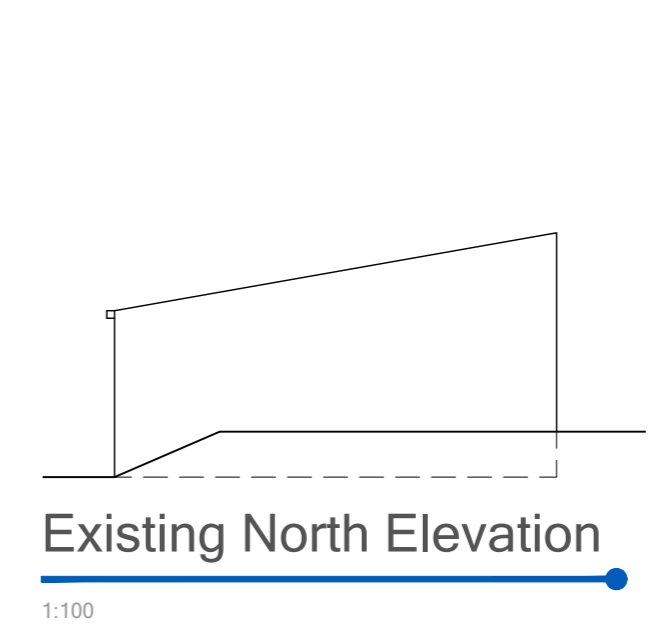
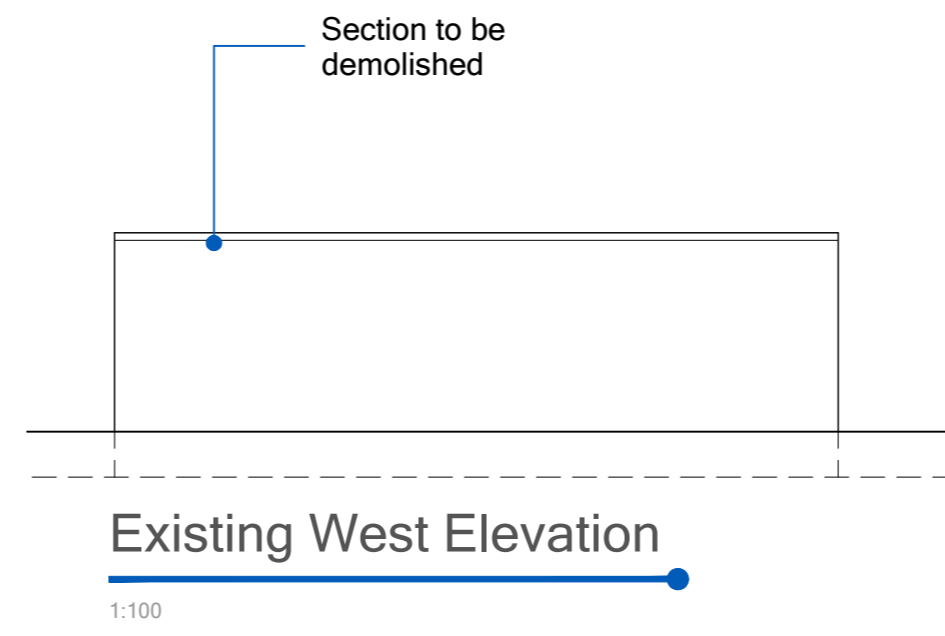
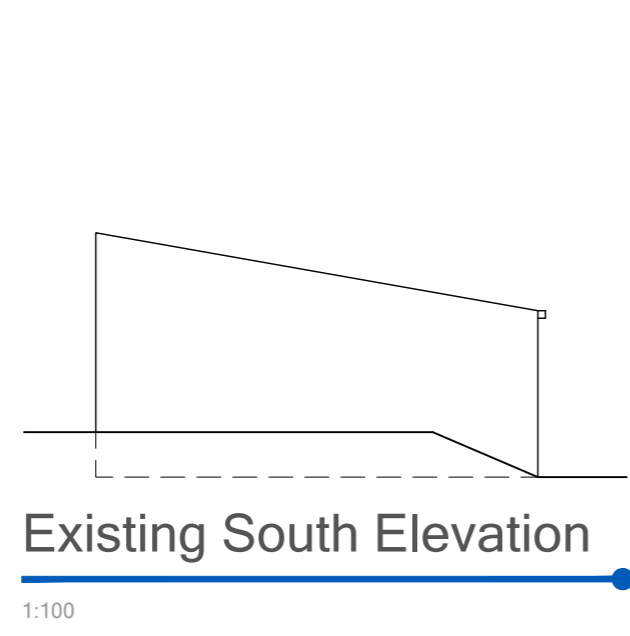
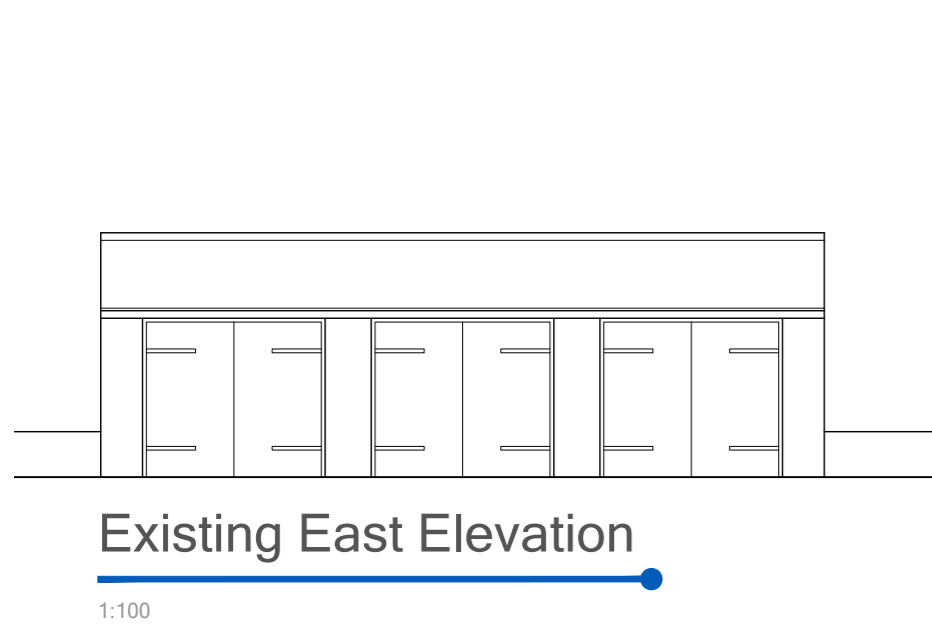
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Ross Davy Associates
 Pelham House, 1 Grosvenor Street,
 Grimsby, N.E. Lincolnshire, DN32 0QH
 Tel: 01472 347956
 Email: design@rossdavytld.co.uk
 Web: www.rossdavytld.co.uk

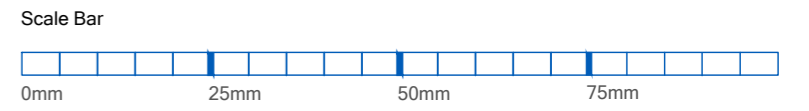
Project	Proposed Dwelling at Land off High Street, Barrow-Upon-Humber		
Drawing Title	Proposed Plans, Elevations and Site Plans		
Drawn	MD	Scale	As Noted
Date	Dec 19	Size	A1
Drawing No.	RD:4513 - 02		D

PRELIMINARY



NOTE
All materials used in alterations to match existing

- Facing Brick to Walls
- Tiles to Roof
- Painted Timber Doors



Notes

- Drawing copyright of Ross Davy Associates
- Used figured dimensions only, do not scale from this drawing
- All materials specified are to be used in strict accordance with manufacturers written instructions and current codes of practice.
- Should the project fall under the scope of the Equality Act, Party Wall Act or the CDM Regulations, it is the Employer's responsibility to initiate the following:
 - Disabled Access Audits
 - Party Wall Notices and Surveys (if required)
 - Pre-Construction Health and Safety Plan
- These drawings are to be considered as Preliminary and for information only. Technical approval has been obtained from the relevant Local Authority/Approved Consultant. Commencement of work on site prior to these approvals is at the Clients/Contractors risk.
- All building works to be constructed in accordance with the current Approved Documents to the Building Regulations (England)

Inspections and Surveys
Where elements of the construction are not visible during the survey, it is the contractors responsibility to identify structural elements such as floor joist spans and supporting structures, prior to any demolition works and inform client / architectural consultant. Additional works may therefore be necessary. Our survey does not include any destructive investigation.

Drawing Revisions

A 15-07-20 - Garage reduced

B 15-07-20 - Garage roofs amended

Ross Davy Associates
Pelham House, 1 Grosvenor Street,
Grimsby, N.E.Lincolnshire, DN32 0QH

Tel: 01472 347956
Email: design@rossdavytld.co.uk
Web: www.rossdavytld.co.uk

Project Proposed Dwelling at Land off High Street, Barrow-Upon-Humber

Drawing Title Proposed Plans, Elevations and Site Plans

Drawn MD **Scale** As Noted

Date July 20 **Size** A2

Drawing No. RD:4513 - 03 **B**

APPROVAL

Application for Planning Permission.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number

Suffix

Property name

Address line 1

Address line 2

Address line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

2. Applicant Details

Title

First name

Surname

Company name

Address line 1

Address line 2

Address line 3

Town/city

Country

2. Applicant Details

Postcode

Are you an agent acting on behalf of the applicant?

Yes No

Primary number

Secondary number

Fax number

Email address

3. Agent Details

Title

First name

Surname

Company name

Address line 1

Address line 2

Address line 3

Town/city

Country

Postcode

Primary number

Secondary number

Fax number

Email

4. Site Area

What is the measurement of the site area?
(numeric characters only).

Unit

5. Description of the Proposal

Please describe details of the proposed development or works including any change of use.

If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.

Has the work or change of use already started?

Yes No

6. Existing Use

Please describe the current use of the site

Vacant land

Is the site currently vacant?

Yes No

If Yes, please describe the last use of the site

gardens

When did this use end
(if known)?
DD/MM/YYYY

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

Yes No

Land where contamination is suspected for all or part of the site

Yes No

A proposed use that would be particularly vulnerable to the presence of contamination

Yes No

7. Materials

Does the proposed development require any materials to be used externally?

Yes No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material):

Walls

Description of existing materials and finishes (optional):

N / A

Description of proposed materials and finishes:

See attached plans

Roof

Description of existing materials and finishes (optional):

N / A

Description of proposed materials and finishes:

See attached plans

Windows

Description of existing materials and finishes (optional):

N / A

Description of proposed materials and finishes:

See attached plans

Doors

Description of existing materials and finishes (optional):

N / A

Description of proposed materials and finishes:

See attached plans

Boundary treatments (e.g. fences, walls)

Description of existing materials and finishes (optional):

N / A

Description of proposed materials and finishes:

See attached plans

Are you supplying additional information on submitted plans, drawings or a design and access statement?

Yes No

If Yes, please state references for the plans, drawings and/or design and access statement

7. Materials

See attached plans and statements

8. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway? Yes No

Is a new or altered pedestrian access proposed to or from the public highway? Yes No

Are there any new public roads to be provided within the site? Yes No

Are there any new public rights of way to be provided within or adjacent to the site? Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way? Yes No

9. Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces? Yes No

Please provide information on the existing and proposed number of on-site parking spaces

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	2	2	0

10. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of your local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

11. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's Flood map for planning. You should also refer to national standing advice and your local planning authority requirements for information as necessary.) Yes No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? Yes No

Will the proposal increase the flood risk elsewhere? Yes No

How will surface water be disposed of?

Sustainable drainage system

Existing water course

Soakaway

Main sewer

11. Assessment of Flood Risk

Pond/lake

12. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species:

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

b) Designated sites, important habitats or other biodiversity features:

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

c) Features of geological conservation importance:

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

13. Foul Sewage

Please state how foul sewage is to be disposed of:

- Mains Sewer
 Septic Tank
 Package Treatment plant
 Cess Pit
 Other
 Unknown

Are you proposing to connect to the existing drainage system?

Yes No Unknown

If Yes, please include the details of the existing system on the application drawings. Please state the plan(s)/drawing(s) references.

Existing connection from adjacent buildings to be used for foul drainage

14. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

Yes No

Have arrangements been made for the separate storage and collection of recyclable waste?

Yes No

15. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

Yes No

16. Residential/Dwelling Units

Please note: This question has been updated to include the latest information requirements specified by government. Applications created before 23 May 2020 will not have been updated, please read the 'Help' to see details of how to workaround this issue.

Does your proposal include the gain, loss or change of use of residential units?

Yes No

Please select the proposed housing categories that are relevant to your proposal.

16. Residential/Dwelling Units

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Add 'Market Housing - Proposed' residential units

Market Housing - Proposed						
	Number of bedrooms					Total
	1	2	3	4+	Unknown	
Houses	0	0	1	0	0	1
Total	0	0	1	0	0	1

Please select the existing housing categories that are relevant to your proposal.

- Market Housing
- Social, Affordable or Intermediate Rent
- Affordable Home Ownership
- Starter Homes
- Self-build and Custom Build

Total proposed residential units

1

Total existing residential units

0

Total net gain or loss of residential units

1

17. All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?
Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

Yes No

18. Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

Yes No

19. Hours of Opening

Are Hours of Opening relevant to this proposal?

Yes No

20. Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

Yes No

Is the proposal for a waste management development?

Yes No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make it clear what information it requires on its website

21. Hazardous Substances

Does the proposal involve the use or storage of any hazardous substances?

Yes No

22. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

23. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First name

Surname

Reference

Date (Must be pre-application submission)

Details of the pre-application advice received

24. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

Yes No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

25. Ownership Certificates and Agricultural Land Declaration

CERTIFICATE OF OWNERSHIP - CERTIFICATE B - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that:

- I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or
 The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years to run. ** 'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990.

Owner/Agricultural Tenant

25. Ownership Certificates and Agricultural Land Declaration

Name of Owner/Agricultural Tenant	Mr Nigel Catley
Number	
Suffix	
House Name	Birchwood House
Address line 1	High Street
Address line 2	
Town/city	Barrow Upon Humber
Postcode	DN19 7AA
Date notice served (DD/MM/YYYY)	06/08/2020

Person role

- The applicant
 The agent

Title

First name

Surname

Declaration date (DD/MM/YYYY)

Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application)

Town and Country Planning (Development Management Procedure) (England) Order 2010 NOTICE UNDER ARTICLE 11 OF APPLICATION FOR PLANNING PERMISSION

(Notice 1: This notice is to be printed and served on individuals if Certificate B or C is completed)

Proposed development at:

Name or flat number	<input type="text"/>
Property number or name	<input type="text" value="Land off"/>
Street	<input type="text" value="High Street"/>
Locality	<input type="text"/>
Town	<input type="text" value="Barrow-Upon-Humber"/>
County	<input type="text" value="North Lincolnshire"/>
Postal town	<input type="text"/>
Postcode	<input type="text" value="DN19 7AA"/>

Take notice that application is being made by:

Organisation name	<input type="text"/>
Applicant name	Title <input type="text" value="Mr"/> Forename <input type="text" value="B."/> Surname <input type="text" value="Johnson"/>

For planning permission to:

Description of proposed development

<input type="text" value="Partially demolish an existing garage and erect a new detached dwelling with associated landscaping"/>
--

Local Planning Authority to whom the application is being submitted:	<input type="text" value="North Lincolnshire Council"/>
--	---

Local Planning Authority address:	<input type="text" value="Development Management
Church Square House
30-40 High Street
SCUNTHORPE
DN15 6NL"/>
-----------------------------------	---

Any owner of the land or tenant who wishes to make representations about this application, should write to the council within 21 days of the date of this notice.

Signatory:

Signatory	Title <input type="text" value="Mr"/> Forename <input type="text" value="Matt"/> Surname <input type="text" value="Deakins"/>
-----------	--

Signature	<input type="text"/>
-----------	----------------------

Date (dd-mm-yyyy)	<input type="text" value="06-08-2020"/>
-------------------	---

Statement of owners' rights: The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or lease.

Statement of agricultural tenants' rights: The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years.

'Tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

Once completed this form needs to be served on the owner(s) or tenant(s)

[Print Form](#)

REFUSAL OF PLANNING PERMISSION

(pursuant to an outline or full application)

APPLICATION NO: PA/2020/1257

Address/Agent:

Mr Matt Deakins
Ross Davy Associates
Pelham House
1 Grosvenor Street
GRIMSBY
DN32 0QH

Applicant: Mr Bob Johnson

www.northlincs.gov.uk

Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL

North Lincolnshire Council hereby gives notice that the application received on 06/08/2020 for:

Planning permission to erect a new detached dwelling with associated landscaping following partial demolition of existing garage at land off High Street, Barrow Upon Humber, DN19 7AA

has been considered and that permission for this development has been **REFUSED** for the following reasons:

The proposed dwelling, by virtue of its siting and scale would adversely affect the character and appearance of the Barrow Upon Humber conservation area. This part of the conservation area has a distinct character of traditional cottages and dwellings located on the High Street frontage with large, deep gardens to the rear. In addition, there is a clear separation between the dwellings located on the High Street frontage and the countryside beyond the deep rear gardens. It is considered that the introduction of a dwelling on this garden land would result in a form of backland development that is out of keeping with the character and appearance of the conservation area and which would erode the open character that exists between the historic core of Barrow Upon Humber and the countryside. Therefore, the proposal would not preserve or enhance the character or appearance of the conservation area and is contrary to policies HE2 of the North Lincolnshire Local Plan and CS6 of the adopted Core Strategy.

Dated: 01/10/2020

Signed:



Andrew Law
Acting Group Manager – Development Management and Building Control

Informative:

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application then you must do so **within 12 weeks** of the date of this notice.

- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

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)

PLANNING APPEAL STATEMENT OF CASE

Proposed New Dwelling at
Land off High Street,
Barrow Upon Humber,
North Lincolnshire



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INTRODUCTION

This appeal arises out of the decision by North Lincolnshire Council to refuse the following application:

Planning permission to erect a new detached dwelling with associated landscaping following partial demolition of existing garage at land off High Street, Barrow Upon Humber, DN19 7AA

A copy of the Council's decision notice is included where it will be seen that permission has been refused on the grounds that:

The proposed dwelling, by virtue of its siting and scale would adversely affect the character and appearance of the Barrow Upon Humber conservation area. This part of the conservation area has a distinct character of traditional cottages and dwellings located on the High Street frontage with large, deep gardens to the rear. In addition, there is a clear separation between the dwellings located on the High Street frontage and the countryside beyond the deep rear gardens. It is considered that the introduction of a dwelling on this garden land would result in a form of backland development that is out of keeping with the character and appearance of the conservation area and which would erode the open character that

exists between the historic core of Barrow Upon Humber and the countryside. Therefore, the proposal would not preserve or enhance the character or appearance of the conservation area and is contrary to policies

APPEAL SITE AND ITS SURROUNDINGS

The site is situated on the North side of the High Street to the rear of a row of existing properties. The immediate context of the site is:

- To the North of the site is the rest of the terrace attached to Birchwood House, known as Forrester's House and Rose House.
- To the South is a pair of semi-detached dwellings known as Burncroft and Acomb with a relatively narrow access onto the appeal site between these properties and Birchwood House,
- To the East is the frontage onto High Street with the Forrester's Hall, a detached dwelling dating from the 1960's or 70's with outbuildings and a long nineteenth century terraced row on the opposite side of the road,
- To the West is an agricultural field with the rear gardens to a series of late twentieth century properties served off Thorngarth Lane to the North-West.

The site falls within the Barrow Upon Humber Conservation Area and is not immediately adjacent to any listed buildings, although there are two situated approx. 100m away to the North and South.

The site itself includes a number of existing trees that are described in more detail within the appeal plan and statements. The site is accessed via an established driveway to the side of Birchwood House and the site itself is currently screened from the High Street by an existing single storey garage block.

THE APPEAL PROPOSAL

The proposal is for a full planning permission to partially demolish an existing garage to create an access and erect a detached dwelling with an attached garage with associated works.

See appeal application drawings and statements for full details.

SITE PLANNING HISTORY

The full planning history of the site is as follows:

- PA/2010/0452 - Planning permission to erect a detached house and detached garage land to the rear of Birchwood House, High Street, Barrow-Upon-Humber.
- Appeal reference APP/Y2003/A/10/2136004 lodged and dismissed.
- PA/2018/1238 - Planning permission to erect a detached chalet bungalow and detached garage land to the rear of Birchwood House, High Street, Barrow-Upon-Humber. Refused planning permission 23/01/2019.

- Appeal reference APP/Y2003/W/19/3229132 lodged and dismissed.
- PA/2020/1257 - Planning permission to erect a new detached dwelling with associated landscaping following partial demolition of existing garage. Refused planning permission 1st October 2020 and is the subject of this appeal.

In each of the previous decisions that were ultimately dismissed at appeal the reasons of design and the negative affect this would have on the setting of a conservation area were the main reasons for refusal. Neither of the previous appeals highlighted any issues with the principle of development within the conservation area, nor for any effect on the amenities of the dwellings adjacent to the site entrance using the access to serve another dwelling.

The earliest and first proposal PA/2010/0452 and the subsequent appeal was for a very large two-storey detached dwelling and by virtue of its size, mass, scale and design was the primary reason the earlier appeal was dismissed rather than any fundamental issues in principle.

Taking this earlier decision into account the appellant proposed a dormer bungalow, lesser in height and scale than the host dwelling and adjacent properties on the High Street as part of amended proposal PA/2018/1248. The design of a dormer bungalow was more respectful to the existing building hierarchy, which is two storey (or higher) properties set immediately against the High Street frontage, with lesser scale annexes to the rear, in turn with outbuildings further behind. It is recognised in the appeal ref APP/Y2003/W/19/3229132 that the proposed dormer bungalow, as a modern structure, was not considered to reflect the character of the area however the inspector recognises that ancillary buildings are common to the area. The inspector in the same appeal makes reference to large deep gardens to the rear that insulate the conservation area from later developments, which the appellant agrees are an important part of the conservation area.

The large footprint of the dormer bungalow was referred to by the inspector in their decision as they considered that this would occupy too much of the plot and would therefore erode the open nature that is deemed to be an important part of the areas character.

In each of the applications listed above the appellant firmly believes they have worked to address the matters arising in each decision

and this was acknowledged by the planning appeal inspector in appeal APP/Y2003/W/19/3229132. The latest proposal, that is subject to this appeal, is the culmination and conclusion of all the previous work undertaken.

THE GROUNDS OF APPEAL

The LPA in making their decision consider that:

The proposed dwelling, by virtue of its siting and scale would adversely affect the character and appearance of the Barrow Upon Humber conservation area. This part of the conservation area has a distinct character of traditional cottages and dwellings located on the High Street frontage with large, deep gardens to the rear. In addition, there is a clear separation between the dwellings located on the High Street frontage and the countryside beyond the deep rear gardens. It is considered that the introduction of a dwelling on this garden land would result in a form of back land development that is out of keeping with the character and appearance of the conservation area and which would erode the open character that exists between the historic core of Barrow Upon Humber and the countryside. Therefore, the proposal would not preserve or enhance the character or appearance of the conservation area and is contrary to policies.

The appellant would contend that local and national plan policies do not prevent development of this nature taking place.

In response to the LPA's decision notice the appellant would respond as follows with respect to the policies referred to and the more general points raised in the application.

PRINCIPAL OF DEVELOPMENT

Barrow Upon Humber is defined as a Larger Rural Settlement in the North Lincolnshire Council Sustainable Settlement Survey (2016) with an overall settlement score of 33 and the village includes 5 of the 7 identified key services.

The appeal site falls within the settlement boundary of Barrow Upon Humber as defined by the North Lincolnshire Council Housing & Employment Land Allocations DPD. This site is therefore considered to be on developable land within the settlement boundary and in a sustainable location subject to a suitable design. There is, therefore, a presumption in favour of residential development in accordance with the National Planning Policy Framework. The placing a dwelling behind the others in what is known as a tandem arrangement is not considered to be an issue in principle.

TREES AND TREE PROTECTION ORDERS

Whilst not forming a part of the reasons for refusal the appellant wishes to reiterate the points made in the application that the position of the proposed dwelling has taken into account the RPA's of all the important trees on site. The tree RPA's have also, to an extent, determined the size of the proposed dwelling.

CONSERVATION AREA

The LPA in both their decision notice and in the officer's delegation report note concerns about the perceived loss of the rear garden of Birchwood House and the open characteristics of the conservation area. The appellant would contest the LPA interpretation of the setting of the proposal and the effect of the appeal proposal in the following sections.

EXISTING SITE AND CHARACTER

The LPA regard the character of the rear gardens in the area as being one of long open greens areas that extend views into the countryside. However, the rear gardens of several adjacent properties include outbuildings that visually divide up the gardens and that constrain the views along the lengths of the gardens in a

similar manner to the appeal site. The perceived lengths of the existing rear gardens when viewed from the High Street and the landscaping that provides a backdrop is the most noticeable feature and is what the viewer would use to gauge the length of the gardens. The only property nearby that enjoys a clear, uninterrupted view through the depth of the plot unconstrained by landscaping or outbuildings is the property to the North known as Rose House. A number of other properties in the area have long gardens visible from High Street with outbuilding to the rear, see images in Figures Thirteen to Sixteen.

There are also examples of dwellings behind the frontage properties that further subdivide rear gardens, the most notable examples are Conisburgh (a modern bungalow) to the South and Papist Hall Mews (a relatively modern development comprising new and converted buildings) It is recognised that from a previous appeal ref APP/Y2003/W/19/3229132 that the bungalow known as Conisburgh, as a modern structure, is not considered to reflect the character of the area however the inspector recognises that there are many ancillary buildings common to the area. It should also be noted that Conisburgh is noted in the NLC Barrow Townscape Analysis as a building of neutral effect.



Figure One - Views of 'Conisburgh' from the host dwelling 'Lindum House'

The character of the area is of large deep gardens but in general these are not featureless green expanses as the LPA suggest with outbuildings, tree, shrubs and ornamental garden features breaking up these into constrained views that are illustrated well in figure one above. In the case of the appeal site the existing garage block shown in figure two opposite serves to screen the main part of the garden from public view (appeal site) with the trees in the background indicating further space beyond.



Figure Two - Views of appeal proposal from High Street showing existing garage.

The appeal proposal includes the partial removal of the existing garage block, which will serve to open a currently constrained view that will improve the view from the High Street in a lot of respects. The trees beyond would be retained and supplemented with a new hedge row and tree planting as shown on the application drawings that would soften the view in figure two and retain the appreciation of the land beyond. In fact, the proposed hedgerows would be set 20m beyond the line of the existing garage making the site appear deeper.



Figure Three - Views of appeal proposal from High Street showing entrance.

From outside the village and Conservation Area to the North-West there is a narrow gap between two large twentieth century housing developments off Thorngarth Lane and Millfields Lane from which the appeal proposal would be seen (see figure four opposite). The gap between developments also includes clear views of the adjacent dwelling known as Conisburgh. The appellant considers that the appeal proposal would not detrimentally affect this view as the deliberate gap is controlled by Local Plan Policy LC11 - Area of Amenity Importance. This gap serves to stop the adjacent modern developments from coalescing and controls landscaping outside of but leading up to the site.

It is considered that a small building on the appeal site in an appropriate form and style mimicking an outbuilding would not appear out of place or in any way detrimental to views into the conservation area from the countryside to the West.

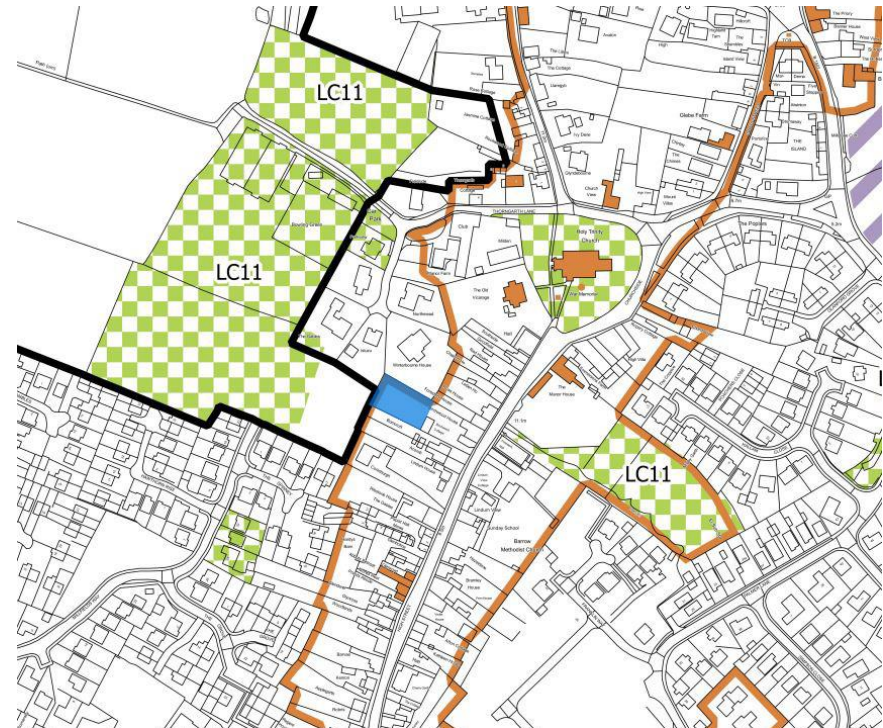


Figure Four - Extract from the NLC Local Plan showing the appeal site in blue with boundary of the conservation area in brown and the LC11 Policy Area in Green (Not to Scale)

LANDSCAPING

The site in its current form cannot be fully seen from the High Street because of the existing garage structure and notwithstanding the presence of the garage, the space between the host property and the immediate neighbour (Burncroft) creates a very constrained vista.

The main appreciation of the site from the road front is from the tall trees lining the North and West boundaries, which provide an attractive back drop to the properties on the High Street, the majority of which will be retained. These define the depth of the conservation area more than a direct line of site through the back gardens.

APPEAL PROPOSAL

From the previous planning decisions made on the site, the conclusions are that for any development to be successful in this location, it must be of low scale, leave most of the site open and undeveloped and must respect the character of the conservation area including the building hierarchy.

On this basis the appellant has gone back to first principles and looked at the type of structure that would be appropriate in a location such as this, looking for historical precedence. From a review of historical maps shown in the submitted Heritage Statement, a series of outbuildings have existed on the site historically. A long outbuilding that occupied all the Northern part of the site was a prominent feature from at least 1887 until its removal in the 1970's or 80's. The rear wall of this structure forms the modern-day boundary of the appeal site as can be seen in figure six.

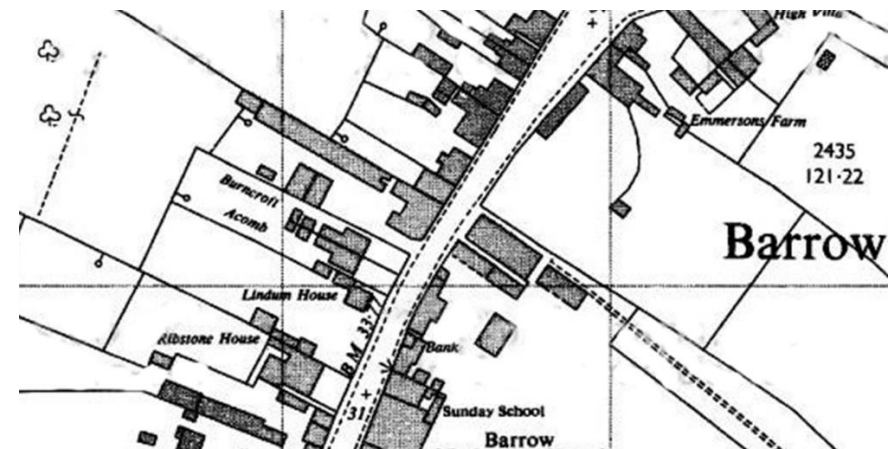


Figure Five – 1970 Ordnance Survey Map showing several outbuildings on the site historically - NTS

In its modern context, this building could not be completely reproduced because there are now several substantial trees on site with large root protection areas.



Figure Six – View of existing wall, which was formerly part of an outbuilding, from within the site facing North.

The appellant considers that the LPA in making their decision, in both the decision notice and in their delegation report, made a lot of reference to the earlier two appeals for the site. In both cases these applied to very different building designs namely a large two storey house and a dormer bungalow that both sat centrally on the site, taking up most of the available land and would be visible from the High Street in all positions. Taking these earlier proposals into

account the appellant believes that a smaller building on the same footprint as the historic outbuilding is deemed to be appropriate and this forms the appeal proposal. The main reasons for this new design approach are:

- There is historic precedent for outbuildings on the site and outbuildings are a feature of the conservation area as confirmed by the appeal inspector in appeal ref APP/Y2003/W19/3229132. A new building designed with the appearance of a converted outbuilding in the same location, of a low scale, detailed appropriately in suitable materials is deemed to be an appropriate solution for a development in this location. In the same appeal the inspector states *there has historically been little significant development at the rear of the frontage dwellings*. This is incorrect as historically there were a significant number of buildings to the rear of the site as noted on historic maps. It could be argued that a new modest building at the rear of the host dwellings as proposed, mimicking an outbuilding could aid the historic interpretation of the site.
- It would leave most of the site open and undeveloped, which would maintain the character of site and accord with the

wider character of the conservation area. This is a very different approach from the earlier two appeal proposals in that the proposed building is of a much smaller footprint and takes up a very small proportion of the site.

- The proposed building would not be seen from the site entrance, or from the High Street other than from a small vantage point as illustrated in figure three. In this view the modern house known as Winterbourne House is clearly visible in the background and a new, more appropriately designed building would serve to partially conceal this. This is considered by the appellant as an improvement to the views within the conservation area.
- The removal of part of the existing garage block located at the end of the existing entrance drive would open a currently constrained view into the site. (see view in figure two) The driveway would be extended through this new gap and turn behind the existing buildings to join up with the proposed dwelling. The slightly longer driveway is not considered to be out of place or in any way detrimental to the character of the conservation area.
- The garden area is an important part of the proposal and although this would be subdivided, the way this is achieved has been given careful thought. The appeal proposal includes a proposed hedge and new tree planting, which are common features of the area and represent the green elements that the LPA and previous appeal decisions consider important. It is crucial that the boundary features proposed are comprised of soft landscaping as features such as fences and walls would be uncharacteristic set far back from the road front. The subdivision of the garden with soft landscaping would not affect the key characteristics of the site. Two gardens separate by soft landscaped features would appear in all respects the same as one garden with planting contained within. The new hedge would be 20m further into the site than the existing garage block, making the garden appear deeper from the High Street.
- The design of the new dwelling has been modelled on an outbuilding / cart shed with large openings at ground floor with glazed panels. At first floor low height windows are shown below eaves with the building set against the existing boundary wall. The windows in the dwelling are on the South and West elevations only to ensure there is no risk of

overlooking to the existing properties to the East and North. The South facing windows are fifteen metres away from the Southern boundary of the site and in excess of twenty-five metres from the adjacent dwelling known as Burncroft.

Roof windows are proposed on the North elevation, however as demonstrated on the application drawing these are at high level and will not therefore create any issues of overlooking.

- The materials are suggested as red facing brickwork, either handmade or with a handmade appearance, clay pay tiles with gutters on rise and fall brackets and off-white windows and doors, all of which are typical of the area. The building will make a positive contribution to the conservation area with appropriate design details.
- Although not explicitly detailed in the appeal proposal, the appellant appreciates that to achieve this arrangement the garden must be kept clear of hard features to maintain the open character. It is reasonably expected that any approval would include the removal of permitted development rights.

OTHER MATTERS

The appellant wishes to note that there have been no technical objections to the provision of a single dwelling on the appeal site from statutory consultees including the highways, drainage, ecology and archaeologist departments.

CONCLUSION

In summary the appellant considers that the proposal is acceptable in planning terms by virtue of the carefully considered design and scale of the proposed dwelling along with its positioning and the use of soft landscaping to ensure the open and green character of the site would be retained. In fact, the proposal is considered to make the site appear more open from the High Street than it does currently by the partial removal of an existing garage and the creations of soft landscape features further into the site.

For the above reasons, the appellant would respectfully request that this appeal be upheld.

EXISTING SITE PHOTOGRAPHS



Figure Seven - View from with site facing East.
(Note the entrance is obscured by garage and trees)



Figure Eight - View from within site facing West showing the rear site boundary.
All the planting shown in the image is to be retained.



Figure Nine - view of existing garages with the right-hand building to be retained.



Figure Ten - View of site from entrance with the right-hand garage to be retained.



Figure Eleven - View of Conisburgh from High Street facing West



Figure Twelve - View of application site facing North from the garden of Acomb.



Figure Thirteen - View of adjacent properties with long gardens and outbuildings.



Figure Fifteen - View of adjacent properties with long gardens and outbuildings



Figure Fourteen - View of adjacent properties with long gardens and outbuildings



Figure Sixteen - View of adjacent properties with long gardens and outbuildings

HERITAGE STATEMENT

Proposed Development at Land off
The High Street,
Barrow-Upon-Humber,
North Lincolnshire



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INTRODUCTION

The proposed, to which this statement forms part, is for the erection of a detached dwelling at land off High Street, Barrow-Upon-Humber.

The proposed dwelling will be two-storey, set behind existing buildings on the High Street and will be positioned in a location not visible from public land on the site of a former outbuilding.

The design intention is to place the building in a location that is not seen from the street and places the properties gardens in the areas most visible from the street. This is to preserve both the street scene and preserve views out of the conservation area into the countryside beyond.

HERITAGE ASSETTS

The site is within the Barrow-Upon-Humber Conservation Area and is a short distance to several nationally listed buildings including The Manor House and its Outbuildings (Grade II) and the Papist Hall (Grade II)

The immediate area around the application site includes a series of non-designated assets as identified by the Barrow-Upon-Humber Conservation Area Appraisal as Buildings of Townscape Merit including:

- Lindum View and associated Shed,
- Forrester's House, Birchwood House & Birch Cottage with its corner shop frontage and Rose House as a group
- Forrester's Hall,

All of which have the potential to be affected by the proposed works and each are described in both the Barrow-Upon-Humber Conservation Area Appraisal and as individual records in the North Lincolnshire Historic Environment Record.

HISTORICAL CONTEXT

The site falls within the Barrow-Upon-Humber Conservation area and is a piece of land not associated with any adjoining properties. The adjacent buildings, which are part of 18th Century dwellings including the former corner shop, now Birch Cottage, Franklea, which is now Birchwood House, the three storey Forrester's House, and the two storey Rose Cottage. The site also includes a relatively modern block of garages and historically there was a range of buildings to the Northern boundary of the site with the adjacent Forrester's House that were demolished in the late twentieth century. (See historic ordnance survey maps)

MODERN CONTEXT

The terraced row fronting the site contribute to the character of the High Street along with a large number of other historic buildings that are set tight against the road side and retain a large number of original features such as timber windows and doors, eaves details and facings to walls and roofs.

The main other features of significance are trees to the site perimeter that provide a backdrop to the host property and

immediate neighbours as well as defining the edge of the village and conservation area from the West.

The adjacent semi-detached properties Acomb and Burncroft as set back from the road frontage and frame the view into the site along the existing access drive. The properties themselves retain most of their original features and add interest to the variety in the street scene.

The setting of the application site within the conservation area is concealed from the High Street to a large extent by the existing built form of the dwellings know as Birch Cottage and Burncroft. The view into the site from the existing access drive is limited and currently comprises the view of the existing garage block that is to be partly demolished.

The most significant views of the site are from the High Street in the context of the existing buildings that line the street and the strong sense of enclosure they create, retaining the streets 19th Century character.

IMPACT ON HERITAGE ASSETTS

The proposal is for a two-storey dwelling built behind the existing buildings on the High Street and overall is considered to have a neutral impact on the setting of the conservation area as:

- The proposal will be low in scale and will be subordinate in mass and height to the dwellings on the High Street,
- The new dwelling will be positioned as far North as possible to conceal it behind dwellings on the High Street. This building size and location has an historical precedent as shown on the application drawing and in the historic maps appended to this report.
- The views into the site from the key vantages on the High Street are narrow and limited constrained by the retained section of the existing garage. The view created from the High Street will be of gardens and planting to complement the existing landscaping.
- The proposal retains the key trees on site including the largest trees to the site boundaries. The retention of the

perimeter trees is intended to retain the green back drop to the High Street dwellings and the village edge to the West.

HISTORIC MAPS

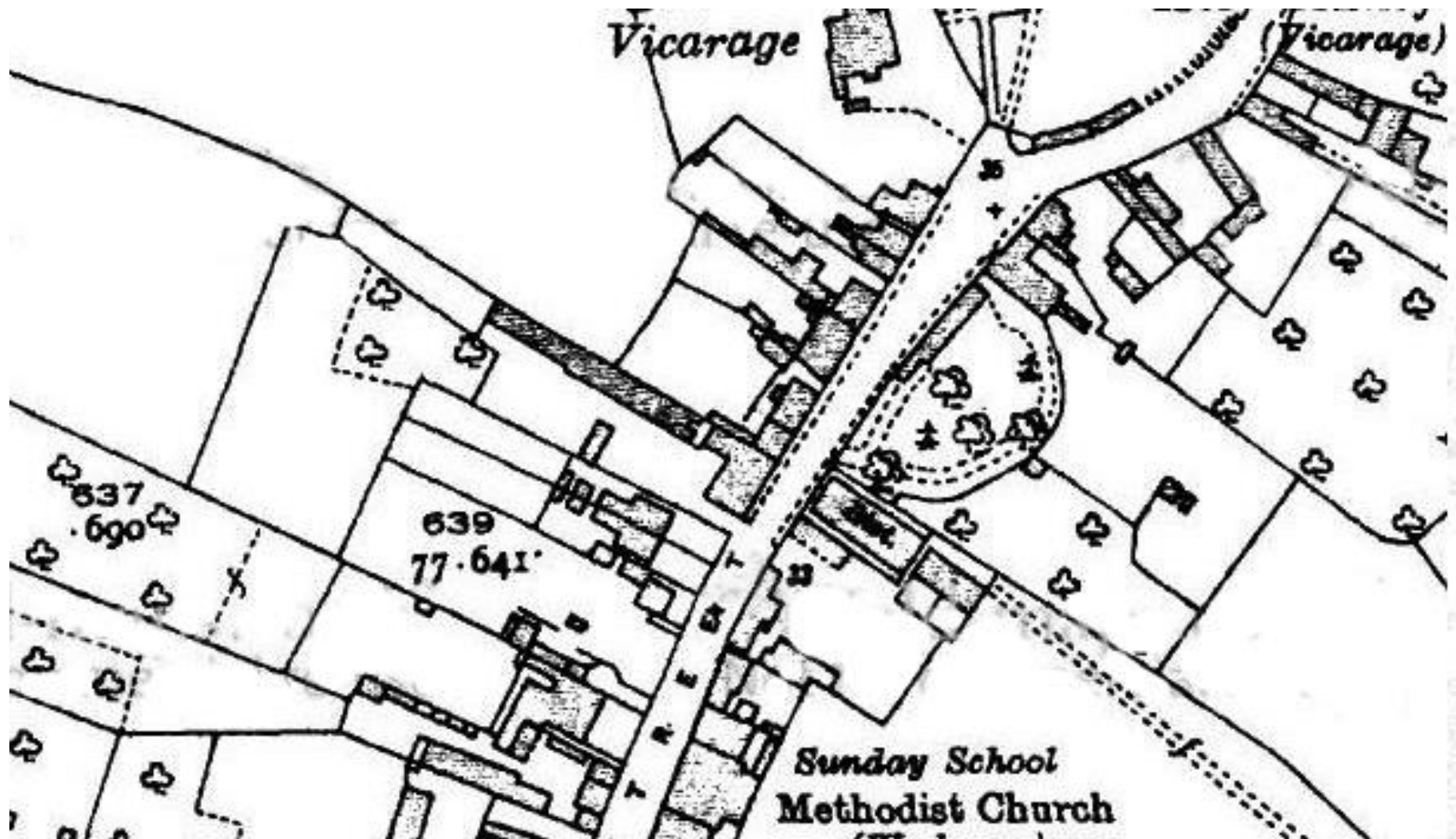


Figure One – 1887 Ordnance Survey Map – NTS

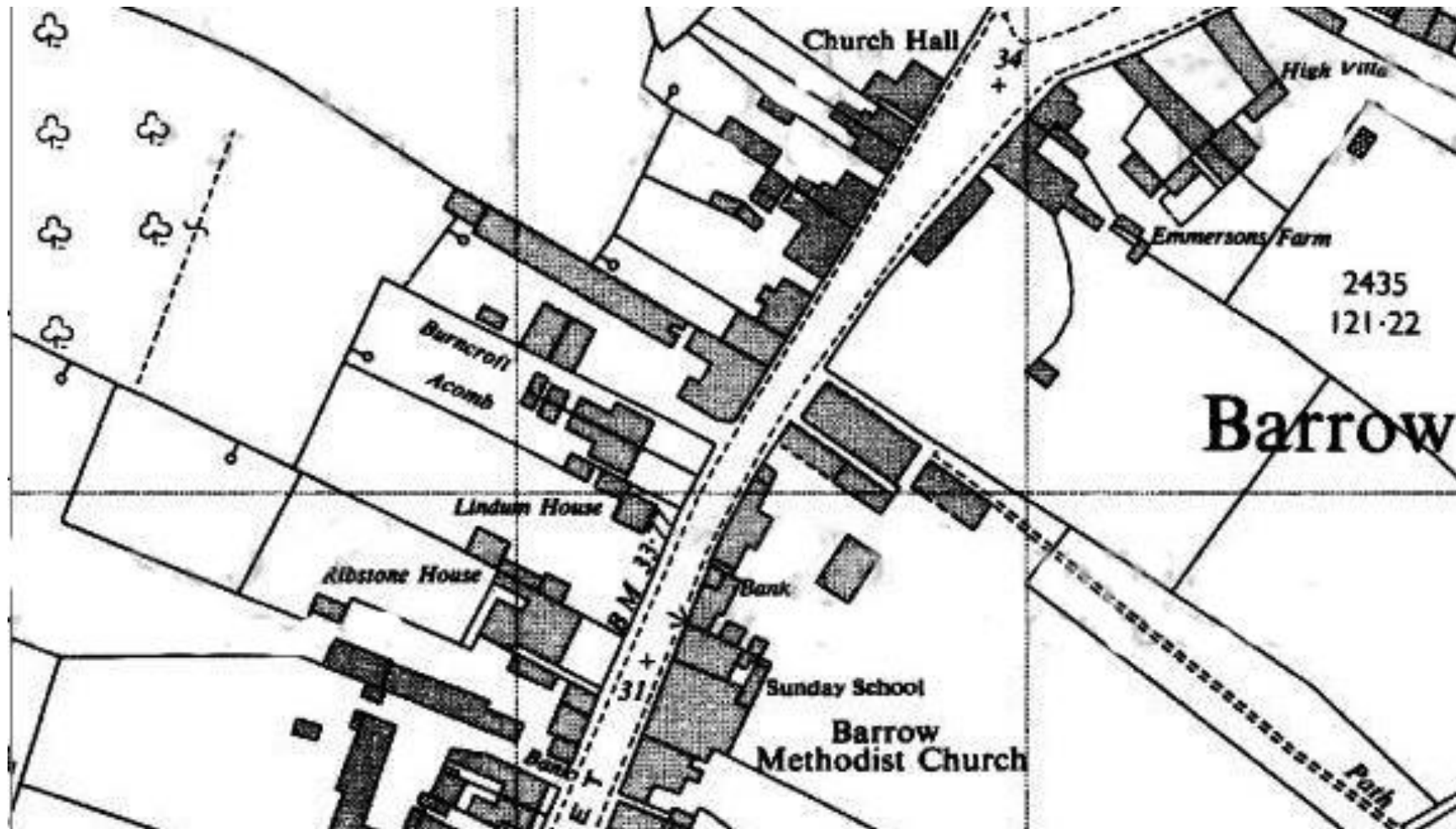


Figure Three – 1970 Ordnance Survey Map - NTS