

DELEGATED ASSESSMENT

Application no: PA/2024/1215

Proposal: Planning permission to erect a detached dwelling and storage shed

Location: 5 West End Road, Epworth, DN9 1LA

Applicant: Mr John Cowx

Officer: Emmanuel Hiamey

POLICIES

National Planning Policy Framework:

Chapter 2: Achieving Sustainable Development.
Chapter 4: Decision making.
Chapter 5: Delivering a sufficient supply of homes.
Chapter 9: Promoting sustainable transport.
Chapter 11: Making effective use of land.
Chapter 12: Achieving Well-designed Places.
Chapter 14: Meeting the challenge of climate change, flooding, and coastal change.

North Lincolnshire Local Plan:

Policy DS1: General Requirements
Policy DS7: Contaminated Land
Policy DS14: Foul Sewage and Surface Water Drainage
Policy DS16: Flood Risk
Policy H5: New Housing Development
Policy T1: Location of Development
Policy T2: Access to Development
Policy T19: Car Parking Provision and Standards
Policy LC12 - Protection of Trees, Woodland, and Hedgerows
Policy LC14: Area of Special Historic Landscape Interest

North Lincolnshire Core Strategy:

Policy CS2: Delivering More Sustainable Development
Policy CS3: Development Limits
Policy CS5: Delivering Quality Design in North Lincolnshire
Policy CS7: Overall Housing Provision
Policy CS19: Flood Risk

CONSULTATIONS

Historic Environment Records officer object to the application as the development would adversely affect the character, appearance and setting of the historic landscape

contrary to the NPPF, Core Strategy Policies CS5 and CS6 and Local Plan policies LC14, LC7, RD2, DS1.

IANN Water Level Management Board have no objection to the proposal.

The Environmental Protection Team has no objection subject to conditions.

The LLFA Drainage Team has no objections to the proposed development subject to imposition of informative comments.

Highways have no objection subject to conditions and informative comments.

TOWN/PARISH COUNCIL

Epworth Town Council support the planning application.

PUBLICITY

Site Notice displayed in accordance with Article 15 of the DMPO 2015 as amended.

PUBLIC COMMENTS

One public comment has been received. The concerns raised relates to general concerns are about decline in swift population. This proposal does not impact on swift.

PLANNING HISTORY OF SITE

PA/2014/1199: Application for approval of reserved matters following outline approval PA/2013/1519, dated 12 March 2014 for the erection of a detached dwelling and garage - Approved with Conditions on 14/04/2015.

PA/2013/1519: Outline planning permission to erect a detached dwelling and garage - Approved with Conditions on 12/03/2014.

2/1974/0728: Erection of a bungalow and garage - Approved with Conditions on 12/03/1975.

RELEVANT PLANNING HISTORY

PA/2018/74: Planning permission to erect a three-bedroomed detached dwelling (including demolition of existing outbuilding) – Approved.

PA/2016/1903: Planning permission to erect a four-bedroomed detached dwelling with associated parking – Approved.

PA/2015/1582: Planning permission to erect a four-bedroomed detached dwelling with associated parking – Withdrawn.

PA/2014/1193: Planning permission for a two-storey extension – Approved.

PA/2008/0916: Planning permission for the conversion of existing two-storey barn and single-storey stables to dwelling with associated single storey extension and detached double domestic garage – Refused.

CONSTRAINTS

SFRA Flood Zone 1
Within Development Boundary

ASSESSMENT

Description of the site and the proposal

Planning permission is sought to erect a detached dwelling and storage shed at 5 West End Road, Epworth, DN9 1LA. The site is located within the development boundary of Epworth and in a residential area.

This proposal relates to a sub-division of existing house plot (5 West End Road), by infilling on the side for the existing dwelling, along the frontage area of garden to erect a detached dwelling and storage shed.

The site fronts West End Road and it is bound by the existing dwelling (5 West End Road) to the north, the property Tregaron, to the south and a field to the west.

As indicated earlier, this proposal is a subdivision of the existing property 5 West End Road, along the frontage area of garden. The proposal comprises of two storey main detached dwelling with a link to single storey building at the rear. The proposal also seeks to erect a detached garden room and store at the rear of the property within the curtilage.

This proposal will set the dwelling sufficiently back from the road (West End Road) and erect the north gable wall alongside the new boundary with 5 West End Road. The south boundary will set back from the common boundary with the property Tregaron.

The dwelling would contain a bedroom, snug room, utility rooms and kitchen/dining and living room on the ground floor and three bedrooms at the first floor.

At the first floor of the main dwelling, it would have windows on the east elevation (front) facing the road and windows at the west elevation facing the garden and the field. There would not be any opening on the sides of the main dwelling. The dwelling would have roof lights on the north and south facing roof slopes.

Regarding the rear single storey construction and the link to the main dwelling, it would not have windows on the sides. The opening would be on the west elevation (rear) and the east elevation facing the main dwelling.

Turning to the garden room and store, it would have a door and opening to the east.

The proposal would have a mix of material including red multi stock brick, natural timber, and grey zinc. The walls will be a mix of timber cladding and brick. New access would be formed from the West End Road and 3 parking provision would be provided within the foreground of the property.

Key Issues

The key issues to be considered in the assessment of this application are as follows:

- Principle of the development
- Layout, Siting and Design
- Impact on amenities
- Landscape impact
- Highways Impact
- Drainage impact

Principle of the development

The application site is allocated within the development boundary of Epworth, where development is supported by Policy CS3 (Development Limits) as a key tool in ensuring that future development occurs in sustainable locations. This policy also ensure that the countryside is protected from inappropriate development and no uncontrolled expansion of settlements will take place.

The NPPF set out the 'presumption in favour of sustainable development' and state that development that accords with the development plan should be approved without delay. Having specific regard to residential developments, the NPPF requires Local Planning Authorities to "boost significantly the supply of housing."

By way of background, a development on the site has been established by the grant of Outline planning permission to erect a detached dwelling and garage (PA/2013/1519) and approval of reserved matters (PA/2014/1199), dated 12 March 2014 for the erection of a detached dwelling and garage.

Overall, given the significant drive towards sustainable development, and making the best use of land within development boundary, this site is considered a suitable infill development site for residential development.

From above, the principle of residential development is acceptable.

Layout, scale, and appearance

Policy DS1: General Requirements expect a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. All proposals will be considered against the criteria of design quality, amenity impact and conservation among other standards.

Policy CS5 of the Core Strategy, Delivering Quality Design in North Lincolnshire states, '...all new developments in North Lincolnshire should be well designed and appropriate for their context. The council will encourage contemporary design if it is

appropriate for its location and is informed by its surrounding context. A design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.'

Policy H5 supports proposal for new housing development and renewals of planning permission will be permitted provided that the development site is located within Scunthorpe and Bottesford Urban Area, the principal growth settlements of Barton Upon Humber and Brigg or the medium growth settlements.

The above policy indicates that it encompasses infill development, of up to three dwellings and is located within the medium and minimum growth settlements.

It requires that all new housing developments should be well related to existing infrastructure including education, community and health facilities, roads, footpaths and cycleways, public transport services, water supply and other utilities; and the development is in keeping with the scale and character of the settlement.

It requires that the scale, layout, height, and materials of the development be in keeping and compatible with the character and amenity of the immediate environment and with the settlement. Any development has an adequate and appropriately designed access which will not create any traffic or road safety hazard.

It requires adequate parking within the curtilage of the site is provided in order to ensure that no on-street parking occurs which would be to the detriment of the free and safe flow of vehicles using the public highway.

The policy requires that the development should ensure the conservation and retention of features of architectural, historic, archaeological, landscape, nature conservation importance or existing features which make an important contribution to the character or other amenity of the site or the surrounding area; and

Further, provision is made within the curtilage of each dwelling (except for upper storey flats) for an area of private amenity open space; and development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings; and

The policy requires that the proposal should not result in unacceptable ribbon development and adjacent land uses will not result in annoyance or detract from the residential amenity which residents of the proposed dwellings could expect to enjoy. Where appropriate and/or necessary new development should include substantial and suitable landscaping.

As stated in the description section, the site is within the development boundary of Epworth and the proposal represents an infill development (i.e., subdividing 5 West End Road and infilling the plot on the side).

The proposal is an acceptable infill frontage development for one dwelling considering the site layout and building orientation, which reflects the established characteristics of the residential area.

Having reviewed the character of the area, in comparison, the width of plots of dwellings in the area and the width of the proposed dwelling would be similar. In terms of the layout of the site, the properties in the surrounding area are laid out in a very typical linear form, albeit with varying degrees of setback from the back edge of the pavement. This proposal is sufficiently set back to conform with the street scene.

In terms of design, it is worth noting that there are a mix of traditional style and modern designed dwellings in the area. Furthermore, most of the dwellings have the gable end facing the road. This proposal would replicate the gable end facing the road and therefore would fit in well with the character of the area.

In terms of height, the area is characterised by a mix of two-storey and single storey dwellings. The proposed two-storey dwelling is acceptable because it would not be out of character with the area.

Regarding the boundary treatment the proposed site has a mature hedge to the south side which would screen the ground floor of the adjacent dwelling. The boundary to the rear is a mature and established hedgerow (west). Regarding the north boundary, it comprises of brick wall and the building wall.

The proposed material for the walls comprises of a mix of red multi stock brick, natural timber and grey zinc and the roof covering will be a mid-grey zinc. The proposed material would match the materials approved at the adjacent property 5A West End Road, under the approval of reserved matters application (PA/2014/1199) for outline approval PA/2013/1519, dated 12 March 2014, which has been implemented. In view of the similar material at 5A West End Road, these materials would not be out of character with the area.

Furthermore, the area is characterised by a mix design of modern dwellings and traditional dwellings. As there is no defined character of the area, it is judged that the proposed material would conform to the character of the area.

Overall, the layout, scale, and appearance of the proposed dwelling is appropriate as it would not harm the character of the area and the street scene. While it is subdivision of a plot, each property plot would be large enough to avoid cramming of the site. The development will be in keeping with the wider character and quality of the area.

Amenity impact

Policy DS1 is partly concerned with impacts on residential amenity. It states that "...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."

Policy H5 supports proposal for new housing development and renewals of planning permission will be permitted provided that the development site is located within Scunthorpe and Bottesford Urban Area, the principal growth settlements of Barton Upon Humber and Brigg or the medium growth settlements. The above policy

encompasses infill development, of up to three dwellings and is located within the medium and minimum growth settlements.

Overall, the policy supports development provided it would not affect the general quality and character of the area in which it is located by unacceptably increasing the density of development in that area, resulting in the loss of important natural and man-made features, and leading to an unacceptable proliferation of vehicular accesses to the detriment of the street scene and/or road safety.

One of the criteria set under this policy requires that provision is made within the curtilage of each dwelling (except for upper storey flats) for an area of private amenity open space; and development does not result in overlooking or a loss of privacy to existing developments, or any other loss of amenity to existing dwellings.

As outlined in the description section, the dwelling would not have windows on the sides facing the adjacent properties on both the ground floor and the first floor. All the opening would be located at the front facing the road and at the rear facing the field and therefore unlikely to raise any issue of privacy.

Regarding the rooflight, this is believed would not raise any issue of privacy have reviewed the cross-section drawing submitted.

In terms of overbearing or overshadowing, while the dwelling would be erected on the boundary with the existing dwelling and form part of the boundary wall, the dwelling is sufficiently set back from the existing building such that it would not raise any issue of overshadowing and overbearing. Any unanticipated overshadowing and overbearing would be less due to the orientation of the dwelling plus the existing dwelling would still have sufficient amenity area to enjoy sunlight or daylight.

Regarding the adjacent property to the south, the dwelling is sufficiently set back from the common boundary. Accordingly, there would not be any issue of overbearing or overshadowing.

Overall, the proposed dwellings are unlikely to have a significant adverse impact on amenity of the adjacent properties such that would require refusal of the application.

Access

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions as well as general highway safety; both policies are considered relevant.

The access to the site would be taken from West End Road with a dropped curb. The parking and turning area would be formed within the site. The parking area will have 3 car parking spaces.

The proposed access has been reviewed by the Highways and have no objection subject to conditions and informative comments.

Highways has commented that looking at the information provided, the parking, turning and access including visibility is adequate.

The planning department has reviewed the location of proposed access, and the parking provisions as well as the comments from Highways together with the relevant policies and judged that the proposed access and parking are acceptable and is suitable for the site. The planning department believe it is unlikely to raise any issue of public safety from the road.

Overall, subject to compliance with the conditions applied at the outline stage, the proposal would align with policies T2 and T19 of the North Lincolnshire Local Plan.

Landscaping

Policy LC12 supports all new development which ensure the retention of trees, woodland, and hedgerows. It states that landscaping and tree and hedgerow planting schemes will be required to accompany applications for new development where it is appropriate to the development and its setting.

Landscaping is defined as the treatment of land (other than buildings) to enhance or protect the amenities of the site and the area in which it is situated. Among others, it includes the following:

- a) screening by fences, walls, or other means.
- b) the planting of trees, hedges, shrubs, or grass.
- c) the laying out or provision of gardens, and
- d) the provision of other amenity features.

Landscaping proposals are required for new dwellings and the level of detail required for a landscape scheme is dependent on the size, type and location of the new development, and its impact on the local area.

This proposal is not a major development and therefore detailed land scaping proposal would not be required.

Notwithstanding the above, the applicant has provided landscaping within plots, particularly in the amenity areas or gardens. These includes retaining the existing hedging on the boundary, lawn, plant native trees, grass areas, driveway and permeable parking area and paths.

Overall, the proposal demonstrates that relevant landscaping issues have been considered and the level of landscaping provided is judged appropriate.

Drainage

Policy CS19 (Flood Risk) of the Core Strategy is concerned with flood risk and policy DS14 (Foul Sewage and Surface Water Drainage) is concerned with foul sewage and surface water drainage.

The applicant has indicated that the dwelling would have the foul drainage connected to the mains foul drainage in the road. There will be a soakaway installed in the drive area to accommodate the discharge from the roof and terrace roof.

The drainage officer was consulted on the application. The LLFA Drainage Team has no objection to the proposed development subject to the imposition of informative comment.

The officer has suggested that the applicant should consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions.

Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers and we would ask that you fully explore all Source Control SuDS techniques that can store and allow water reuse.

Contaminated Land

Policy DS7 of the North Lincolnshire Local Plan sets out that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. Paragraph 178 of the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

As indicated in the description section, this proposal is a subdivision of the garden of existing property (5 West End Road). The site is also within the development boundary and in a residential area. The Environmental Protection Officer has been consulted on the application. The officer did not object to the application subject to conditions.

The officer commented that the application is for residential development and is a sensitive end use. It is the developer's responsibility to assess and address any potential contamination risks, however, no supporting information has been provided that demonstrates potential risks can be reduced to an acceptable level. Accordingly, this does not comply with national and local planning policy guidance.

The guidance recommends that where a proposed development introduces a vulnerable end use and/or the development site could be affected by a former potentially contaminative land use, the possibility of land contamination should always be considered. In these circumstances the officer recommended that Screening Assessment Form should be submitted as a minimum. Taking into account the above advice, the applicant should submit a Screening Assessment Form for this department's consideration prior to the application being determined in accordance with National Policy guidance. This will allow the council to decide whether or not further assessment of the site is required and ensure that appropriate conditions are applied which render the development safe and suitable for use prior to use.

If the council is however mindful to determine the application without the information required under National Planning Policy guidance, then the department would recommend the inclusion of the consent conditions.

Having reviewed the details of the proposal, and the comments from the Environmental Protection Team, the planning department has decided to apply the condition.

Area of Special Historic Landscape Interest

Part of the site is located within the Area of Special Historic Landscape Interest of the Isle of Axholme. The application site is also located within the development limits of Epworth and is read as part of the settlement.

Policy LC14 of the Local Plan seeks to ensure that development does not destroy, damage or adversely affect the character, appearance or setting of the historic landscape, or any of its features. Policy CS6 seeks to preserve the historic and built environment, including this area of interest and features within it.

Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Historic Environment Records officer has been consulted on this application. The officer has recommended that the application be refused because it would adversely affect the historic landscape of the Isle of Axholme, a non-designated heritage asset of national significance.

The officer has indicated that the proposed dwelling would adversely affect the character, appearance and legibility of the setting of the historic landscape of the Isle of Axholme, specifically the character of the Early Enclosed Land as well as the historic settlement form and traditional buildings in this location that contribute to the character, setting and legibility of the historic landscape.

The officer has indicated that this is contrary to local plan policies LC14 and DS1 and Core Strategy policies CS5 and CS6. The proposal would not be in accord with paragraphs 203 or 212 of the National Planning Policy Framework as the proposed development would not make a positive contribution to local character and distinctiveness and would detract from the significance of the historic landscape at this location. The application fails the key objective of the NPPF to conserve the historic environment for this and future generations.

The officer has concluded that she would be concerned if permission is granted for such an incursion in the LC14 zone as it will make other applications in this location more difficult to resist and result in further degradation of this nationally significant historic landscape character type.

Notwithstanding the above, the officer has indicated that should the planning authority be minded for any reason to give consent to the current proposals contrary to the advice, it is requested that a condition be attached to remove permitted development rights to avoid residential sprawl and the further extension of the built environment in the protected historic landscape beyond the Development Limit.

The planning department has reviewed the details of the proposal and the comments from the Historic Environment Records officer and has judged that given the site's location as an infill development within the curtilage of 5 West End, the proposed development would not result in significant harmful on the significance of the historic landscape of the Isle of Axholme.

The site forms part of the residential curtilage of the properties of 5 West End Road and is domestic in the appearance. The dwelling would be contained within the site, and would not encroach beyond the developed areas of garden associated with the existing property.

The features which contribute most to the significance of the Isle of Axholme would therefore not be affected by the development, and the close association with the dwellings would ensure that there would be no harm to or encroachment the open landscape around the settlement.

Notwithstanding the advice from the HER officer, the proposed development is considered acceptable in this respect in accordance with Policy LC14 of the Local Plan, Policy CS6 of the Core Strategy and the aims of the NPPF.

The planning authority would however remove the permitted development right from the site as recommended by the HERs officer.

Pre-commencement condition

The recommended pre-commencement conditions have been agreed upon with the agent/applicant.

Conclusion

In conclusion, the principle of the development is acceptable. The proposed development would be compatible with the character of the site and its surroundings in terms of its design, including size, scale, height, massing, layout.

The siting and design of the dwelling would ensure that the development would have no undue impact on the amenity of surrounding occupiers by way of overshadowing, loss of daylight and a satisfactory level of separation would be achieved between facing residential elevations to ensure no unacceptable impact because of loss of privacy.

The proposal would allow for safe and convenient access and sufficient off-street parking provision to ensure the development would have no detrimental impact on the safe and efficient operation of the highway network connecting the driveway to the site.

The proposed development would not result in harmful impacts upon the character and appearance of the property or wider area, the significance of the Isle of Axholme Area of Special Historic Landscape Interest.

It is recommended that planning permission be granted subject to conditions and informative comments.

RECOMMENDATION: Grant planning permission subject to conditions.