

## **DELEGATED ASSESSMENT**

<b>APPLICATION NO</b>	PA/2026/81
<b>APPLICANT</b>	David James
<b>DEVELOPMENT</b>	Planning permission to erect a wall
<b>LOCATION</b>	School House, 4 Church Lane, Saxby All Saints, Brigg, DN20 0QE
<b>PARISH</b>	Saxby All Saints
<b>WARD</b>	Brigg and Wolds
<b>CASE OFFICER</b>	Emily Sturdy
<b>SUMMARY RECOMMENDATION</b>	Approve with Conditions

## **POLICIES**

National Planning Policy Framework - Chapter 12

North Lincolnshire Local Plan - DS1, DS5, HE2, HE5

Supplementary planning guidance - SPG1

North Lincolnshire Core Strategy – CS1, CS2, CS3, CS5, CS6

Housing and Employment Land Allocations Development Plan Document (2016) - PS1

## **LEGISLATION**

Planning (Listed Buildings and Conservation Areas) Act 1990

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Assessment" section of the report.

## **CONSULTATIONS**

### **Town/ Parish Council:**

No comments were received from the Parish Council

## **PUBLICITY**

The proposal has been advertised in accordance with the LPAs statutory duty set out under article 15 of the Development Management Procedure Order 2015. For this application a site notice was posted on 5/2/26 and a Press Notice published on the same day.

Letters of comment:

No letters of comments were received.

## **PLANNING HISTORY**

**Reference:** PA/2006/1231

**Proposal:** Planning permission for replacement windows, replacement of flat roofs with pitched and erect a timber frame conservatory

**Decision:** Approve with Conditions

**Reference:** PA/2019/247

**Proposal:** Planning permission to replace sunroom roof with composite roof tile

**Decision:** Approve with Conditions

**Reference:** PA/2022/632

**Proposal:** Notice of intention to fell a damson and prune a yew tree, situated within Saxby all saints' Conservation Area

**Decision:** Approve

**Reference:** PA/2023/230

**Proposal:** Notice of intention to fell a yew tree within Saxby all Saints conservation area

**Decision:** Approve

**Reference:** PA/2024/100

**Proposal:** Notification to fell a willow tree situation within Saxby All Saints' conservation area

**Decision:** Approve

## **SITE DESCRIPTION**

The site has a two-storey white rendered semi-detached dwellinghouse, to the north there is open fields, immediately to the east is a church, then open fields in the wider area. To the south and west there is residential properties in the immediate vicinity and open fields in the wider area.

The dwelling house sits within the development boundary of Saxby All Saints. The site is within SFRA Flood Zone 1, the category at least risk of flooding. The site is in a

conservation area and has an Article 4 direction, there are no tree preservation orders on site, however there is a listed church neighbouring the property.

## **PROPOSAL**

The site currently has boundary hedging on the north and west boundary and the proposal is to replace the hedging on the west elevation with a brick wall.

## **ASSESSMENT**

### Principle of development

The proposals are for works to an existing dwelling house. Therefore, in accordance with policy DS5 of the North Lincolnshire Local Plan the principle of development is acceptable.

### The Impact upon the Residential Amenity

Are there any overlooking / privacy / residential or other amenity issues?	N/A  The proposal relates to a wall only.
Is the proposal sited such as to avoid overdevelopment and overbearing development?	Yes  The wall runs along the west boundary to the front of the property, it does not face a public highway, the wall will run along a private road at approximately 2.1 metres high including the pillars. The wall will replace an existing hedge. Immediately next to the boundary wall is an open car park before reaching residential properties, therefore it is not considered to be overbearing.
Is there sufficient amenity space? Does the development meet the Nationally Described Space Standards?	N/A  Proposal relates to a wall only.

### Design and Impact upon the Character of the Area

Is the design and scale in keeping with the dwelling / street / area or otherwise appropriate?	Yes  The wall is around 2.1 metres high; it cannot be seen from the street scene and is keeping with the general area and there are brick walls in the area of similar design and scale.
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	As such, it is considered that this proposal is an appropriate design and scale of the area.
Would the materials, details and features generally match the existing dwelling and / or be consistent with the general use of materials in the area? Is a condition needed?	Yes  The materials proposed are a Victorian Pressed Imperial Brick and an English Garden wall bond, these materials are consistent with the surrounding area.

### Heritage

Does the development affect the setting of a Listed Building, the character and appearance of a Conservation Area or otherwise impact on a heritage asset?	Yes  There is a listed building in the vicinity of the property, however the proposed wall does not affect the listed building nor is it in a key view. The host dwelling stands between the proposed wall and the Church.
Does the development impact on an archaeological site?	No

### Flooding / drainage

Are there any drainage or flooding issues having regard to the Environment Agency's Advice for minor extensions and whether the property is within a Critical Drainage Area?	No
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### Contamination

Are there any contaminated land issues?	No
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### Transport

Is access, parking and turning provision acceptable?	Yes
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### Natural Environment

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) provides that every grant of planning permission shall be subject to the condition that the biodiversity gain objective is met, further subject to exemptions. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. Householder applications, including small projects like home extensions, conservatories or loft

conversions are exempt from Biodiversity Net Gain legislation. This proposal constitutes a householder application and is therefore exempt from BNG legislation.

Are any impacts on protected, or otherwise significant, trees mitigated or acceptable?	No
Has an ecological survey / protected species survey been submitted?	No
Are any impacts on protected species and other biodiversity properly addressed through design or other mitigation / compensation and are any biodiversity enhancement measures proposed?	No
Has the application considered carbon reduction?	N/A

## **HUMAN RIGHTS ACT**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **EQUALITIES AND DIVERSITIES**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

## **CONCLUSION**

In summary, the proposal is acceptable in principle and is not considered to have any adverse impact on design, residential amenity and other relevant environmental matters which would warrant refusal of the application.

The proposals are therefore considered to comply with the relevant policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations.

It is therefore recommended that planning permission be granted subject to conditions.