

APPLICATION NO	PA/2018/1248
APPLICANT	Mr Harry Flint, Four Seasons Healthcare
DEVELOPMENT	Planning permission to replace existing southern boundary wall
LOCATION	Beech House Residential Home, Chapel Lane, Barton upon Humber, DN18 5PJ
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Leanne Pogson-Wray
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Barton upon Humber Town Council

POLICIES

National Planning Policy Framework: Paragraph 190 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict.

North Lincolnshire Local Plan:

HE2 (Development in Conservation Areas)

LC12 (Protection of Trees, Woodland and Hedgerows)

DS1 (General Requirements)

North Lincolnshire Core Strategy:

CS5 (Delivering Quality Design in North Lincolnshire)

CS6 (Historic Environment)

CONSULTATIONS

Highways: Advise a condition and an informative.

Conservation: No objections to replacing the wall but, in order to preserve and enhance the character of the conservation area, the new wall needs to be constructed from a brick with a traditional appearance or a reclaimed brick. A condition is proposed regarding sample materials.

Tree Officer: Initially objected regarding the removal of protected trees and because of the lack of information regarding impact on trees. Further information has been submitted, and the replacement trees and information are considered to be acceptable.

Barton Civic Society: Object as the plan gives no reason as to why these trees need to be felled. More information is required regarding the condition and positions of the trees, and no reference is made to a replacement tree for that previously approved. [Further information has since been received with regard to trees.]

TOWN COUNCIL

No objections to the replacement wall but object to the removal of trees. Could be pruned etc to avoid removal.

PUBLICITY

A site and press notice have been posted. No comments have been received.

ASSESSMENT

The application site is a care home situated between Chapel Lane and Holydyke. The site is within the Barton conservation area. To the rear of the property, parallel and along the boundary of the A1077/Holydyke, is a brick retaining wall. This wall is starting to bow outwards towards the street and is considered to be unsafe. There are various mature trees behind the wall which are protected by virtue of the conservation area. A walnut tree (protected by a tree preservation order) was previously removed with consent.

This application seeks permission to remove and replace the boundary wall. To rebuild this retaining wall will require excavation work for the wall and foundation which needs to extend into the bank. This will require the removal of six trees which are growing close to the wall. Other methods of stabilisation have been considered, however they have been ruled out as impracticable.

The main issues in determining this application are whether the proposed wall would be acceptable in terms of impact on the character and amenity of the conservation area and whether the development would have an unacceptable adverse impact on protected trees.

With regard to the principle and design of the wall, no concerns have been raised. The wall needs replacing for reasons of safety and visual impact, and, subject to suitable materials being used, there are no objections to the principle or design.

Concerns have been raised regarding the loss of and impact on protected trees as a result of the development. Various amended plans and information have been submitted to justify loss of the trees and to ensure appropriate replacement and replanting. The trees to be lost are not considered to be particularly fine specimens but they do provide a soft boundary feature in the street scene. Due to the proximity of the trees to the wall, and the fact that it is a retaining wall which is in need of replacement, the loss of these trees is inevitable. A replanting and landscaping scheme is proposed which the tree officer considers to be acceptable. An existing tree will be retained and protected throughout development.

The proposed replacement wall is considered acceptable in terms of design and it is not considered that the wall would have any adverse impact on the character and setting of the

conservation area. Following the amended Arboricultural Impact Assessment, the loss of trees has been justified and the proposed replacement planting and landscaping is considered to be acceptable.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: Beech House Care Home Location, 16399-H-DR-001 rev P1, 16399-H-DR-002 rev P3.

Reason

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

3.

The hereby approved boundary wall, including any foundation, shall not be constructed within the limits of the adopted highway.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

4.

No above ground development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The scheme of landscaping and tree planting shown within the submitted Arboricultural Assessment Report by Wold Ecology Ltd, dated December 2018, shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

Reason

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

6.

The existing trees which are not to be removed as part of the hereby approved development shall be protected throughout the course of development in accordance with the details set out within the submitted Arboricultural Assessment Report by Wold Ecology Ltd dated December 2018.

Reason

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

Informative 1

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

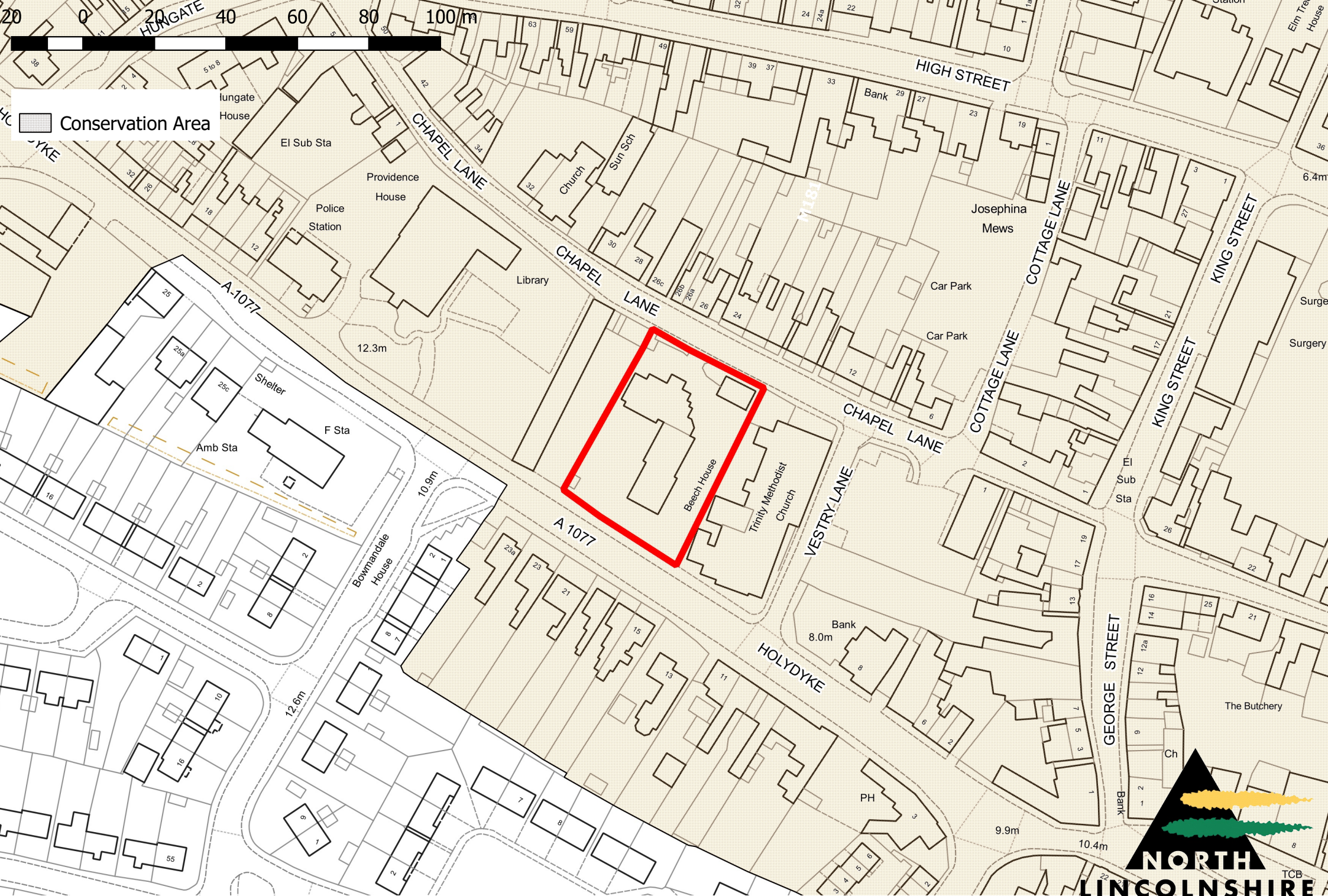
- before ANY construction works take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you **MUST** contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 2

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.



Conservation Area



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