

APPLICATION NO	PA/2019/1800
APPLICANT	Mr John Wainwright
DEVELOPMENT	Outline planning permission for residential development with appearance, landscaping, layout and scale reserved for subsequent consideration
LOCATION	Land adjacent to Shirecroft, 34 Station Road, Epworth, DN9 1JZ
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Tanya Coggon
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Tim Mitchell and David Robinson – significant public interest) Significant public interest

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 15 – Conserving and enhancing the natural environment

Chapter 16- Conserving and enhancing the historic environment

North Lincolnshire Local Plan: Policies H5, H8, LC7, LC14, RD2, HE5, HE9, T2, T19, DS1, DS7, DS14 and DS16 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS9, CS17, CS18, CS19 and CS27 apply.

CONSULTATIONS

Highways: The application is in outline form and as such the layout is a reserved matter. To this end, it is proposed to offer conditions requiring the layout to be approved as the one shown in this application is not acceptable. This is primarily because on the southern/western side of the road sections of footway/service strip are missing. Evidence is required to ensure that the proposed turning area is adequate to cater for a refuse vehicle. The position of the access into the site is also a concern as it is currently shown immediately abutting the gated entrance to the commercial unit at the north of the access road which is likely to create an issue with the available visibility for vehicles exiting the site. As a result of accommodating the necessary features of the access road there will be an impact on the proposed housing plots.

Environment Agency: The Environment Agency does not wish to comment on the application.

Drainage (Lead Local Flood Authority): Objection. No flood risk assessment (FRA) or principle drainage strategy was originally submitted with the application. The applicant has recently submitted these documents and the LLFA has been consulted. They have no objection subject to conditions to ensure the SuDS would be implemented at the detailed design stage.

Severn Trent Water: No objection subject to a condition relating to the submission of surface and foul water drainage plans.

Environmental Protection: Views awaited.

Historic Environment Record: The application site forms part of the historic landscape of the Isle of Axholme and affects the associated listed buildings of Field Farm and the local landmark of Maw's windmill. The Area of Special Historic Landscape Interest of the Isle of Axholme (local plan policy LC14) is designated for its unique historic landscape, retaining the pattern of ancient open strip fields (AOSF) and enclosures surrounding the villages on the Isle. The application site is located within the core historic landscape of Ellers Field, one of the best preserved ancient open strip field areas in the Isle. The proposed development would be an unacceptable visual intrusion and extension of the built environment into the historic landscape, contributing to adverse character change and affecting the setting of the core historic landscape of Ellers Field and the listed buildings that share this setting. The Historic Environment Record recommends refusal of planning permission as the development would adversely affect the character, appearance and setting of the listed buildings and the historic landscape contrary to the National Planning Policy Framework (NPPF), local planning policies LC14, LC7 and HE5, and Core Strategy policy CS6.

Conservation: This development has a negative impact on the setting and significance of Maw's Mill, Field Farmhouse and adjacent Threshing Barn, all grade II listed buildings. This development is contrary to section 193 of the NPPF, section 66.1 of the Planning (Listed Buildings and Conservation Areas Act) 1990 council policy HE5 and CS6 and should be refused.

Ecology: No objection subject to conditions. Conditions are only proposed if it is considered that the support for the proposal outweighs the impact on the LC14 area.

PROW: The access into the site would cut across Public Footpath 52, which runs northwards from Station Road along the eastern side of the present cul-de-sac serving the small light industrial estate. This should not be a problem if the intention is that the road serving the new development becomes a highway for all traffic. Otherwise, it is an offence under section 34(1)(b) of the Road Traffic Act 1988 to drive a mechanically propelled vehicle upon a public footpath without lawful authority.

S106 Officer: Contributions are required for education, open space and affordable dwellings to be obtained via a Section 106 Agreement.

TOWN COUNCIL

Objection. Concern about traffic congestion onto Station Road via the Station Road Industrial Estate access road which is already congested with parked vehicles. No registered requirement for additional housing in Epworth (housing still unfinished in other approved estates). Adverse impact of the potential development on existing grade II listed buildings and the local heritage (including archaeological site). Existing flood problems will be exacerbated by additional new houses (most recent flooding affected houses in Station Road, Forge Drive and Battle Green immediately below and adjacent to the proposed new development). Impact on wildlife, including protected bat species known to be in the area. Reduction in existing resident amenity and use of green field site. The council also requests that the North Lincolnshire Council planning committee members visit the site during normal weekday hours to witness the traffic problems.

PUBLICITY

Advertised by site and press notices. One letter of no objection and 29 letters of objection have been received raising the following material planning considerations:

- flood risk
- no FRA or drainage strategy submitted
- contrary to policy
- out of character
- adverse impact on the landscape
- it is not an allocated housing site
- increase in traffic
- additional pressure on local services and schools
- over-development
- loss of greenspace
- highway safety issues
- no parking details

- listed buildings not protected
- overlooking
- loss of privacy
- caravan site not used for long periods
- site outside the development limit
- no need/demand for additional housing
- heritage statement inaccurate
- adverse impact on historic landscape
- loss of wildlife
- loss of light
- adverse impact on setting of listed buildings
- NLC has a five-year land supply
- noise
- a bat survey is required
- industrial estate with significant HGV movements close to the site
- adverse impact on pedestrian safety
- adverse visual impact
- adverse impact on PROW.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been submitted with the application.

ASSESSMENT

The proposal

The proposal is an outline application for residential development, with the access to be determined at this outline stage. The layout, scale, appearance and landscaping are all reserved matters. An indicative layout has been submitted with the application. The access to the site is from the road serving the existing industrial units that leads from Station Road. The access road then enters the site in an easterly direction, then falls to the south. The site is bounded to the east by the residential estate known as Forge Drive, to the south by detached dwellings on Station Road, commercial units to the west and open fields to north.

The site is located within the development boundary of Epworth, which is identified as a market town. The site is located in Flood Zone 1 and is therefore at low risk of flooding. The site is located within an Area of Special Historic Landscape (LC14) and adjacent to a number of listed buildings (Maw's Mill, Field Farmhouse, Threshing Barn). The site has been used sporadically as a caravan site in the past, although recently this use appears to have ceased.

The main issues associated with the proposal are whether it is acceptable in principle, and if so, whether its impact on the highway, flood risk, drainage, the LC14 area, nearby listed buildings, the public right of way and the amenity of neighbours is also acceptable.

The principle of the development

The application site is wholly within the development limit for the settlement. Epworth is identified as a market town in the Core Strategy. Epworth contains a number of key services and facilities and is considered to be a sustainable settlement. Epworth has no allocated housing sites. There is a need for housing in North Lincolnshire as the council currently does not have a five-year land supply. The principle of residential development in this location is broadly acceptable and accords with the overarching strategic policies CS1, CS2 and CS3 of the Core Strategy and principles set out in the NPPF in this regard. However, as the site lies within an LC14 area and close to a number of listed buildings, these are also key material planning considerations in the determination of this application.

Highways

In terms of highways, the access has to be determined at this outline stage as it is not a reserved matter. Whilst Highways have no objection in principle to the location of the access onto the road serving the existing commercial units, there is concern over the position of the access road shown on the site plan, as this potentially could affect the visibility for vehicles exiting the site; the lack of footway/service strips on the southern/western sides of the road sections, which are missing; and the lack of a turning area for a refuse vehicle. Highways consider that these issues could be overcome with conditions and are therefore raising no objection to the proposal. These proposed highway conditions will ultimately lead to a revised layout for the site, but the layout is a reserved matter and is therefore only illustrative on the plans. Therefore, subject to conditions, acceptable access arrangements for the development could be provided.

Flood risk and drainage

In terms of flood risk, the site is located in Flood Zone 1 and is therefore at low risk of flooding. The Environment Agency does not wish to comment on the application. The proposal therefore accords with the NPPF, policy CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

In response to the original drainage objection, the applicant has submitted a drainage assessment and a final FRA statement which the LLFA has been consulted on. It is accepted that there has been some flooding of parts of Station Road and adjacent properties in adverse weather conditions in recent years. However, the LLFA no longer objects to the proposal subject to the imposition of pre-commencement conditions on any permission granted. As a result, subject to those conditions, the proposal is considered to be acceptable in drainage terms.

Impact on the LC14 area

The site is located within the LC14 area and the submitted heritage statement does not describe the significance of the historic landscape in this location, nor does it assess the impacts of the proposal on the character or setting of the 'Special Historic Landscape'. As such, the heritage statement does not adequately justify how the proposal would accord with the requirements of local plan policy LC14.

The application site lies within the core historic landscape type of the Ancient Open Strip Fields, within the large open field to the northwest of the town known as Ellers Field. Ellers Field is a wide expanse of unenclosed agricultural land containing evidence of former strip divisions as well as two windmills and other heritage assets. This is one of the best preserved open areas in the Isle, with Maw's Mill (a listed building) standing out near the top of the ridge as a major landmark. There is extensive public access within and around the field along public footpaths and the former railway line, as well as along tracks that provide access to all parts of the field, including to the Mill. There are wide views from within and across the historic landscape towards the application site. From Station Road the openness of the historic landscape and the application site is visible beyond the houses; Field Farm and Maw's Mill are also visible on the skyline behind the roadside properties. A row of mature trees demarcates the east boundary of the former Field Farm holding shown on the 1887 Ordnance Survey map, and the trees lead the eye up the ridge to Maw's Mill. The listed buildings at Field Farm, including the listed barn to its rear and the historically associated Maw's Mill, all contribute to the character and setting of this part of the historic landscape. The relationship of the farm and the windmill to the historic farmland can be readily appreciated from within the landscape to the north of the proposed development site and from within the rear setting of the listed buildings, looking towards and out from the application site. Field Farm was one of the few farms to be established on Ellers Open Field in the 19th century. It is apparent from the map evidence that a number of adjacent strips running north to south down to Station Road were amalgamated, the farmstead and its mill erected and boundaries established round the holding. Rather than detract from the openness, this early evolution of the landscape change is readily legible within the site and the historic landscape beyond.

This legibility is important to the understanding of the character and setting of the historic landscape, and of the role of the listed farm buildings and the mill in relation to the agricultural landscape history of the Isle. The modern industrial units on the former railway depot site and housing estate to the west and east of the application site respectively have resulted in loss of character and setting of this part of the AOSF historic landscape; this makes the surviving character and setting to the north and east of the site more important to preserve the legibility.

The Planning Inspectorate has recently dismissed an appeal relating to an application for residential development on land to the rear of 14 West End Road, within the zone of Early Enclosed Land immediately adjacent to Ellers Open Field, on grounds of unacceptable harm to the Special Historic Landscape Interest (appeal reference APP/Y2003/W/18/3211573).

At this site, approximately 500 metres west of the current application, the inspector specifically noted that the change in character between early enclosed land and the ancient open strip field was highly legible to public appreciation and as such the appeal site made an important contribution to the historic setting.

The proposed development would accommodate some 20 dwellings on an L-shaped piece of land that envelopes the north and east sides of the listed Field Farm and barn. The effect of such construction would be to sever the historic AOSF landscape and Maw's Mill from the historic farmstead. Together with the removal of existing historic boundaries and trees, this would destroy much of the remaining legibility of the historic landscape in this location. The historic associations between the farmhouse, barn and mill, and the historic landscape, which is the setting of the group of listed buildings and contributes to their significance, would be much diminished. These effects would result in harm not just to the character and setting of the Special Historic Landscape, contrary to local plan policy LC14, but also the setting of the listed buildings, contrary to policy HE5.

The new dwellings would be highly visible and dominant, presenting a solid mass merging with the existing developments on either side to extend the built environment further into the historic landscape of the ancient open strip fields. From Station Road, the new dwellings would be visible behind the existing properties occupying the skyline to the open countryside beyond, with the similar effect of extending the residential envelope, as well as potentially blocking the view of the Maw's Mill landmark. The effect of this application therefore would be to extend the built form of Station Road further into the historic landscape of the ancient open strip field. The legibility of the landscape, and the views that allow an appreciation of this character and setting, would be lost. This would erode and damage the existing character and legibility of the AOSF as well as the setting of the listed buildings that, together, form part of the nationally important historic landscape in this location. The proposed development would therefore be an unacceptable visual intrusion and extension of the built environment into the historic landscape. This intrusion, including the cumulative intrusion, would contribute to adverse character change and cause harm to the setting of the core historic landscape of Ellers Field as well as the listed buildings that share this setting, thus adversely affecting the ability to appreciate these heritage assets, further harming their significance. The proposed development would be an unacceptable encroachment into the Area of Special Historic Landscape. The proposal is contrary to local plan policies LC14, LC7 and HE5, and Core Strategy policy CS6, and the proposal would not accord with paragraphs 192 or 200 of the National Planning Policy Framework.

Archaeology

The application site has potential to contain buried archaeological remains as the North Lincolnshire HER records material of prehistoric and Roman date within this area of Ellers Field. However, there is insufficient information with the application to allow the planning authority to assess the significance of any remains or the impact of the proposed development and whether mitigation measures would be appropriate. This omission is contrary to paragraphs 189 and 190 of the NPPF and local plan policy HE9.

Impact on the listed buildings

This development affects the setting and significance of three adjacent listed buildings: Maw's Mill, a unique tower that has not been extended; Field Farmhouse, a 19th century farmhouse; and the Threshing Barn, an early 19th century barn which is located 30 metres northeast of Field Farmhouse. The proposed development is within the open landscape immediately to the north and east of the listed Field Farmhouse and the listed threshing barn associated with the farmhouse. This open landscape is the setting (in other words, 'the surroundings in which a heritage asset is experienced', NPPF) for all three listed buildings. Currently, all three listed buildings can be experienced and enjoyed in their

original open landscape. All three buildings can be seen from the access road and footpath running north to south immediately west of the site. This footpath joins another footpath immediately to the south of Maw's Mill and from here you get a clear view of Field Farmhouse and its listed barn in its open landscape. The historic value of this setting is further enhanced as it is an Area of Special Historic Landscape Interest. This land was never enclosed under the Enclosure Acts and consists of open unenclosed agricultural land. The land around Field Farm, whilst containing some small hedges planted in recent times, still retains its open character.

This application site was historically farmed land and its basic nature, as an open rural landscape, has not changed, and has not been spoiled by any modern development. It is still part of Field Farm's identity and how it is perceived as an early 19th century farmstead, set within open farmland which is a part of Ellers Field, which retains patterns of medieval open strip fields. The significance of the land north of Field Farm is heightened with the historical association with Maw's Mill, the free-standing grade II listed tower situated approximately 300 metres north of Field Farm. This mill is a landmark building situated in an elevated position in the landscape, which is part of the historic core of the Isle of Axholme Special Historic Landscape (LC14). The farm and the mill have historical connectivity and can presently be seen in their original landscape which amplifies the experience of the significance of each. The application site therefore makes an important contribution to the significance of Field Farm and Maw's Mill, all grade II listed, as at present they can be experienced in their original open landscape which served the farm with clear intervisibility between all buildings.

Currently, all three buildings can be seen from the access road and footpath running north to south immediately west of the site. This footpath joins another footpath immediately to the south of Maw's Mill and from here you get a clear view of Field House Farm and its listed barn in its open landscape. The proposed development would result in the rear setting of Field Farm and its listed barn being totally masked by modern dwellings. This would have a significant negative impact on the setting and significance of the listed buildings. The setting of Field Farm has already been impacted by modern development on Station Road which has restricted views to the front of the buildings. The development would result in the farm being masked by modern development on three sides: the southern, northern and eastern aspects. The western side, from Station Road to Field Farm, consists of significant tree cover which would mean Field Farm would not be visible from the surrounding area at all. The housing would also totally alter the character and appearance of the rear setting which is presently a 19th century farm in its original open rural landscape. The modern housing would be seen as a significant modern discordant feature and completely alter how Field Farm is experienced. This would have a negative impact on its aesthetic significance (the ways in which people draw sensory and intellectual stimulation from a place and its historic significance, and the ways in which past people, events and aspects of life can be connected through a place to the present).

The development would also break the link with Maw's Mill, Field Farm and the surrounding farm land which would no longer be inter-visible. The proposed application would have a negative impact on the setting and significance of the listed buildings on Field Farm, including Maw's Mill, as they would no longer be able to be viewed in their original rural setting. The new development would seriously impede the appreciation of the historical, aesthetic significance of the listed buildings and the level of harm is significant. The proposal would result in significant harm to the setting of the three adjacent listed buildings when weighed against the public benefits of the proposal. The proposal is therefore

contrary to paragraphs 193 and 196 of the NPPF, policy CS6 of the Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

Ecology

The council's ecologist raises no objection to the proposal subject to conditions. The conditions are only proposed if there are reasons to support the proposal that outweigh the protection afforded by policy LC14. In terms of issues raised by objectors relating to loss of wildlife and bat surveys, these impacts could be mitigated with conditions.

Impact on neighbours

With regard to the concerns of neighbours relating to the proposed dwellings overlooking adjacent properties, the proposed dwellings would be overbearing and cause loss of light to existing dwellings. However, these issues would be considered within a "reserved matters" application (if the outline application were to be approved), which neighbours would have the opportunity to comment on. In this case, there is potential for a scheme if sensitively and well designed to preserve existing residential amenity. Concerns related to over-development are also noted. Policy CS7 of the Core Strategy seeks 40–45 dwellings per hectare in market towns. The site is actually a low density development of just over 20 dwellings per hectare.

Impact on the public right of way (PROW)

The PROW officer has been consulted on the proposal and raises no objection. The proposal would not therefore result in any adverse impacts on the adjacent public rights of way. It is accepted that the development would be visible from adjacent PROWs, but this would not result in actual harm being caused to the PROWs themselves.

Other issues

Concerns relating to noise during construction are noted, but this would be short-term and mitigated by conditions restricting working hours.

The planning balance

To conclude, the site is located within the development boundary of Epworth in a sustainable location. The proposal would contribute to the council's five-year land supply (currently four years) and employment opportunities would be created during construction of the dwellings. A scheme could be designed to prevent any adverse impact on neighbours and biodiversity enhancements could be achieved on site. These are the benefits of the proposal.

However, the proposal would result in significant adverse impacts to the setting of the adjacent listed buildings, and the setting, character and appearance of the LC14 area. The listed buildings and LC14 area are of national significance. The impact on archaeology cannot be assessed due to lack of information. These are the dis-benefits of the proposal. When the planning balance is applied to the proposal, the dis-benefits in this case significantly outweigh the benefits. In terms of the NPPF, it has been demonstrated that the application of its policies, that protect areas or assets of particular importance, provides clear reasons for refusing the proposed development.

RECOMMENDATION Refuse permission for the following reasons:

1.

The site lies adjacent to three listed buildings. The proposal would have a negative impact on the setting and significance of these listed buildings because they would no longer be able to be viewed in their original rural setting. Furthermore, the proposal would diminish the historical and aesthetic significance of these listed buildings, which are of national importance. The proposal is therefore contrary to paragraphs 193, 194 and 196 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

2.

The application site is located within the core historic landscape of Ellers Field, one of the best preserved ancient open strip field areas in the Isle of Axholme. The proposed development would be an unacceptable visual intrusion and extension of the built environment into the historic landscape, contributing to adverse character change and affecting the setting of the core historic landscape of Ellers Field and the listed buildings that share this setting. The development would adversely affect the character, appearance and setting of the historic landscape and the setting of the listed buildings which is contrary to paragraphs 192 and 200 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policies LC14, LC7 and HE5 of the North Lincolnshire Local Plan.

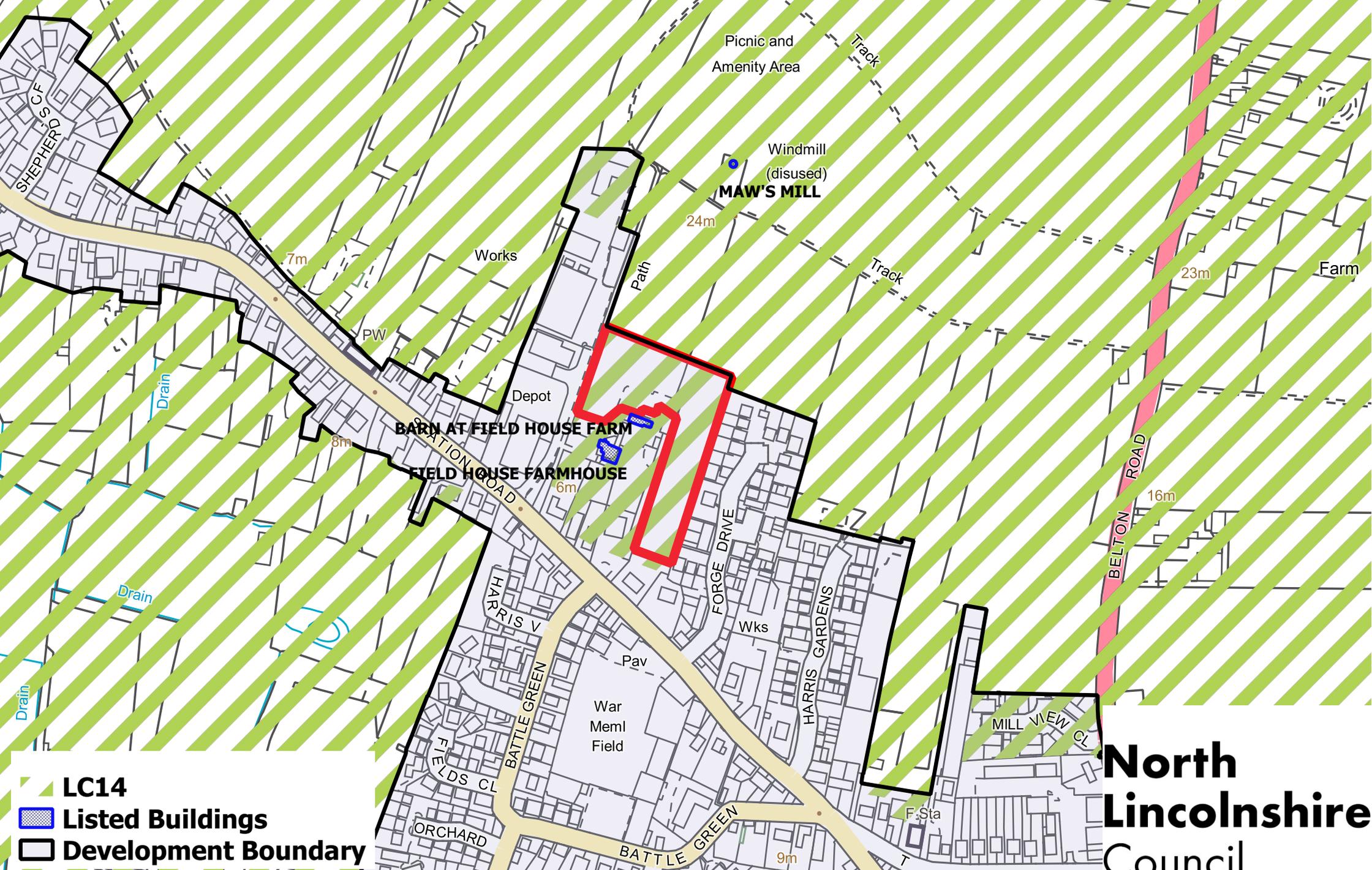
3.

The application site has the potential to contain buried archaeological remains as the North Lincolnshire Historic Environment Record records material of prehistoric and Roman date within this area of Ellers Field. Insufficient information has been submitted with the application to allow the planning authority to adequately assess the significance of any archaeological remains or the impact of the proposed development, and whether mitigation measures would be appropriate. This lack of information is contrary to paragraphs 189 and 190 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

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.

300 0 300 600 900 1200 1500 m

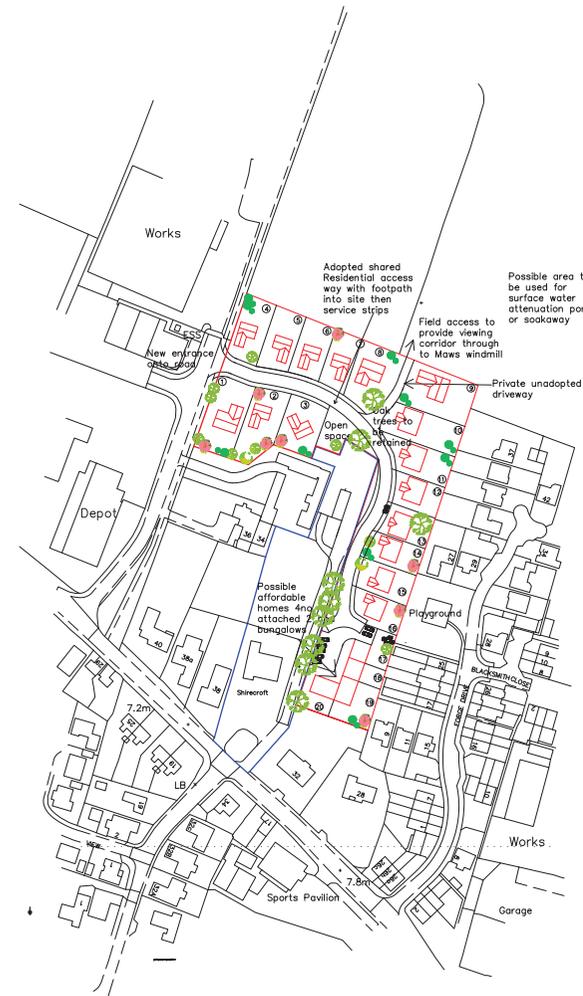
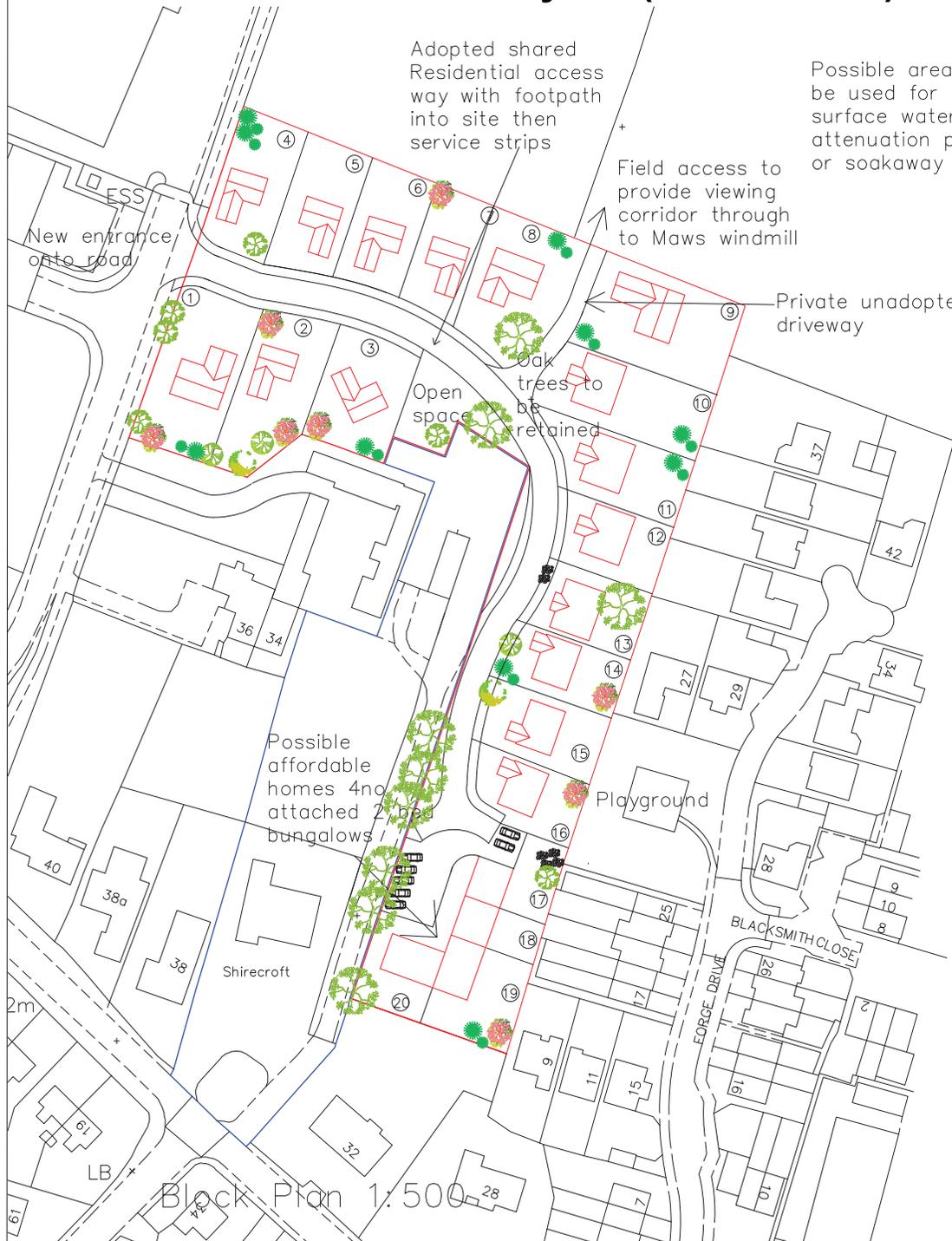


- LC14
- Listed Buildings
- Development Boundary

PA/2019/1800

North Lincolnshire Council

PA/2019/1800 Illustrative layout (not to scale)



© 2019 Derek Kitson
 This is the copyright of Derek Kitson MCIAT and must not be reproduced in whole or part without prior permission. All dimensions, levels and roof pitch to be checked on site. If in doubt ask. Use only noted dimensions - Do not scale. If this drawing has been received electronically it is the recipient's responsibility to print the document to the correct scale.

THE PARTY WALL ACT 1996
 Any person proposing to carry out work as described below must notify adjoining owners:
 Work directly on an existing party wall or structure.
 New buildings at or astride a boundary wall.
 Excavation near a neighboring building or structure.
 Further information and informal advice is available from the RICS Boundary Disputes helpline (0870 333 1600)

Reproduced from the Ordnance Survey map supplied by Promap with the permission of the Controller of Her Majesty's Stationery Office Crown Copyright. Licence No. AR100074711

The development to consist of mixed dwelling types including single and two storey structures, some for market sale, some possible rental and some affordable including help to buy scheme.

Area edged red = 1.08ha

ILLUSTRATIVE SCHEME ONLY

rev	amendments	by	date
A	Driveway altered	KK	18/06/19
B	Client layout amendment	KK	16/10/19
C	Area edged red amended	KK	30/10/19
B	Area edged red amended	KK	09/12/19

Derek Kitson
 ARCHITECTURAL TECHNOLOGIST LTD
 Trinity College, Farm
 Great North Road,
 Sandy Moor,
 Rothley, Nottinghamshire,
 DN22 8DQ
 T +44 (0) 1777 816 886
 F +44 (0) 1777 816 882
 E derek.kitson@btinternet.com

Client:
Mr and Mrs Wainwright
 Project:
Proposed Development land adjacent Shirecroft, 34 Station Road Epworth
 Title:
Site and Block plan proposed layout

Drawing Status: PLANNING	Date Created: 18/06/19	Drawing Scale: as stated
Job Number: 19_1882	Drawing Number: 2D	Drawn By: KK
Drawing Paper Size: A1		