APPLICATION NO	PA/2022/1365
APPLICANT	Mr John Cowx, CW Fields & Sons Ltd
DEVELOPMENT	Planning permission to erect a storage/industrial unit (Use Class B8) including demolition of existing dwelling
LOCATION	CW Fields & Son Ltd, Access road to Station Road Industrial Estate, Epworth, DN9 1JZ
PARISH	Epworth
WARD	Axholme Central
CASE OFFICER	Jess Hill
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council

## POLICIES

## **National Planning Policy Framework:**

Section 6 (Building a strong, competitive economy)

Section 9 (Promoting sustainable transport)

Section 12 (Achieving well-designed places)

Section 15 (Conserving and enhancing the natural environment)

North Lincolnshire Local Plan: Policies LC7, LC12, LC14, DS1, DS16, RD2

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS11, CS16, CS17, CS19, CS25

Housing and Employment Land Allocations DPD: The site is not subject to any specific employment designations.

#### CONSULTATIONS

**LLFA Drainage:** Neither support nor object. The application proposes to connect into the existing surface water drainage system. This requires verification as to outfall suitability/capacities. In addition, the development falls within our lower threshold assessment levels and for this reason the LLFA Drainage Team has no objection to the proposed development subject to the imposition of planning conditions.

Highways: No comments or objections.

**Neighbourhood Services:** Neither support nor object. Neighbourhood Services are responding to PA/2022/1365 with respect to Public Bridleway 1, which passes alongside the application site's eastern flank en route from Station Road to the Belton parish boundary via the course of the former Axholme Joint Railway.

The bridleway corresponds with what the Ordnance Survey have marked as 'Path' on their base mapping, as utilised by the applicant for both his 'Site Location Plan' and 'Proposed Site Location Plan'. Furthermore, on page eleven of his Design and Access Statement, the applicant cites paragraph 85 of the National Planning Policy Framework (NPPF), namely: 'In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunity to make a location more sustainable (for example by improving the scope for access on foot, by cycle or by public transport).'

Despite this, we cannot help but note the applicant makes no reference to Public Bridleway 1 whatsoever throughout his application, even though a bridleway is open to both walkers and cyclists as per his own referencing of paragraph 85 of the NPPF. A bridleway is also a material consideration in planning applications per se; under Core Strategy 25 'Promoting Sustainable Transport' of the North Lincolnshire Council Local Development Framework, applications should 'Promote the continuation and improvement of North Lincolnshire's networks of safe walking and cycling routes, including the Viking Way, the Public Rights of Way network and National Cycle Route, as well as the local footway and cycleway network and linking them to key locations in the urban and rural areas of North Lincolnshire (communities, recreational and tourist areas)'; and under paragraph 100 of the NPPF, 'planning policies and decisions should protect and enhance public rights of way and access.'

Moreover, as highway authority, North Lincolnshire Council has a duty under the Highways Act 1980 to assert and protect the public's use and enjoyment of Public Bridleway 1, and to prevent as far as possible its stopping up or obstruction. And as a bridleway maintainable at the public expense, the surface is vested in the highway authority and legally therefore cannot be disturbed or altered without North Lincolnshire Council's explicit prior approval. Public Bridleway 1 is of particular importance, too, in the locality, forming as it does part of the Isle of Axholme Greenway for walkers, horse riders and cyclists stretching some five miles more or less continually from Haxey to Belton (and which North Lincolnshire Council hopes can eventually be extended northwards to link up with the east-west Stainforth and Keadby Canal-side path).

If the public's use of Public Bridleway 1 will be unaffected [by] this application, both during and after works, Neighbourhood Services have no objection to what is proposed. Otherwise, we do object at least until the supply of further information, and would take legal steps to prevent implementation of permission even if granted, should regrettably that become necessary.

**Tree Officer:** Objects. This proposal will see the loss of green infrastructure in the way of hedging and trees in this location, which is within the historic landscape LC14 and as the proposed site is elevated from the surrounding area going up the hill towards the mill, it will be a significant change to the visual amenity within the area to the detriment and will affect the greening along the public footpath that runs to the immediate east of the site. Due to the loss of green infrastructure, being within the countryside and within the historic landscape, I would suggest that consideration be given to refuse this application.

# Environmental Health:

## Contaminated land:

Historic mapping held by the department shows a historic railway line (now dismantled) directly on the proposed development site, the dismantling of which has the potential to introduce contaminants. Furthermore, railway lines have the potential to have introduced contaminants such as engineering fuels, lubricating oils, PAHs, metals, asbestos and PCBs to site. Considering the above, the department recommends a monitoring condition with regard to contamination should the application be approved.

## Construction and demolition

To prevent local residents and other sensitive receptors being affected during the construction of the proposed development, the department recommends the inclusion of a working hours condition should permission be granted.

Ecology: No response received.

#### Historic Environment Record: No response received.

Conservation: No objections based on the submitted photomontages.

#### **TOWN COUNCIL**

Objects to the application because it breaches the development line and encroaches upon the historic landscape; also, there is no information about the impact of noise from the new storage/industrial unit.

### PUBLICITY

A site notice has been displayed. No responses have been received.

#### ASSESSMENT

#### Site location and context

The site comprises a parcel of land within Station Road Industrial Estate, along the northern edge of Epworth. The site is mostly within the development boundary of Epworth.

CW Fields & Son Ltd currently operates on land in and adjacent to the application site. The proposed building is intended to facilitate the expansion of the existing business.

The site comprises an area of tarmacked parking, an existing access road and a dwelling.

#### **Planning History**

2/1974/0272:	Erect a machine shop – approved 17 September 1974
2/1974/0594:	Erect a garage for two cars, a chapel of rest and a coffin furniture store – approved 17 February 1975
2/1975/0552:	Erect a timber store and seasoning plant – approved 10 October 1975

- 2/1988/0816: Erect a conservatory extension approved 15 August 1988
- 2/1988/0817: Erect office extensions approved 30 September 1988
- 2/1990/0240: Alterations to dwelling approved 6 April 1990
- 2/1995/0713: Erect a detached double garage approved 26 October 1995
- PA/1996/1126: Proposed timber store approved 12 July 1996
- PA/1999/1114: Planning permission to erect a workshop approved 4 November 1999
- PA/2001/1025: Planning permission to erect an extension to a workshop and create additional vehicle parking approved 7 December 2001
- PA/2005/0742: Planning permission to erect an extension to a production building and timber store, and erect a building for the distribution and storage of doors. Also, to create additional car parking, alter existing car park layout and construct a retaining wall approved 27 June 2005
- PA/2011/1025: Planning permission to increase the height of two existing chimneys by 2 metres approved 30 September 2011.

#### Designations/constraints

Mostly within the development limits of Epworth, some of the northern part of the site is outside the boundary.

A small part of the northern area of the site is within the Isle of Axholme Area of Special Historic Landscape Interest (policy LC14).

Not within a conservation area and there no listed buildings on or next to the site.

No tree preservation orders on the site.

A public right of way (bridleway) runs along the western boundary of the site.

Within SFRA flood zone 1.

#### Proposal

The application seeks consent to erect a storage/industrial unit (Use Class B8) to expand the existing business operations of CW Fields. The extension comprises 300 square metres and will adjoin the existing unit to the west of the site.

The development includes the demolition of the existing dwelling which is no longer considered necessary or suitable to live in given its proximity to the surrounding industrial uses.

The following matters are considered to be most relevant in the assessment of the application:

• principle of development

- design and appearance
- trees
- Isle of Axholme landscape impact
- heritage impact
- residential amenity
- access and highway safety
- flood risk and drainage
- public right of way
- ecology.

## **Principle of development**

The site is mostly within the development limits of Epworth and comprises mostly previously developed land.

A small area in the north-eastern corner of the site (approximately 270 square metres) is within the Isle of Axholme Area of Special historic Landscape Interest and is also outside the development limits of Epworth. This area currently comprises the back garden of the residential property within the site.

Policy CS2 (Delivering more Sustainable Development) sets out a sequential approach to the delivery of development in North Lincolnshire, prioritising previously developed land particularly with settlements.

Policy CS3 (Development Limits) seeks to restrict inappropriate development in the countryside.

Policy CS11 (Provision and Distribution of Employment Land) sets out the council's support for the continued expansion and improvement of North Lincolnshire's economy, which will be achieved through the identification and delivery of sites in the Housing and Employment Land Allocations DPD. The site is not designated specifically for employment within the DPD; however, there is an established business within/adjacent to the site.

The proposed unit is required to facilitate the expansion of an existing business, CW Fields and Son Ltd. The business operations include ironmongery and specialist fire door glazing. The business provides employment to the local community and thereby supports the local economy.

The small area of the site that is outside the development limits of Epworth is proposed to feature part of the access road and a landscaped buffer. The building extension is therefore not outside the limits of Epworth.

The principle of development is therefore considered to be acceptable. The remainder of this report assesses whether the proposed design is suitable, including whether the proposed extension will have an acceptable impact on the surrounding landscape.

## **Design and appearance**

Policies DS1 (General Requirements) and CS5 (Delivering Quality Design in North Lincolnshire) encourage the design and external appearance of proposals to reflect or enhance the character, appearance and setting of the immediate area.

The proposed unit will adjoin the existing unit which is adjacent to the western boundary of the site. The proposed unit will feature a similar design including corrugated wall and roof cladding to match the existing building. The new unit comprises 300 square metres and continues the existing roofline of the adjacent unit to the west (ridge level of 18.890 above Ordnance Datum). The unit is considered to be of a suitable scale and design that responds to the context of the surrounding industrial estate.

A car parking area is proposed to the north of the building including a bin storage area next to the new access road. A cycle store is proposed next to the bin storage area. The cycle and bin stores will be enclosed by a 2.25 metre high timber fence finished in grey paint.

The proposed design of the building extension is considered to be acceptable and therefore accords policies DS5 and CS5.

#### Trees

Policy LC12 (Protection of Trees Woodland and Hedgerows) sets out that proposals for all new development will, wherever possible, ensure the retention of trees, woodland and hedgerows.

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape) requires proposals to protect trees, hedgerows and historic landscape to be specified where appropriate.

Paragraph 131 of the NPPF sets out that planning decisions should ensure that opportunities are taken to incorporate trees elsewhere in developments and that existing trees are retained wherever possible.

The site features hedgerows and trees along the eastern boundary. The hedgerow will largely be retained; however, some of the trees require removal to facilitate the new access road. Some of the trees to be removed are mature and the council's Tree Officer has objected to the proposals based on the tree removal.

Whilst policies seek to retain trees wherever possible, the benefits of the proposed development need to be assessed against the harm that the loss of the trees would result in.

In this case, the proposed development will facilitate the expansion of an existing business and provide further employment. It is anticipated that the extension will enable the employment of a further 15 full-time workers, in addition to the existing 60 employees.

Approximately five trees are proposed to be removed and an area of shrubbery and vegetation. To mitigate this, the proposal includes a landscaped buffer including new trees in the north-eastern corner, and planting next to the car park area.

Furthermore, alternative locations have been considered to avoid the tree removal, including along the eastern boundary and to the north of the existing building. These locations have been discounted for a number of reasons:

- Tenants of the unit on the western side of the existing building require space to the north of the building (it would not be practical or feasible to build on this land when it is needed by other businesses).
- Vehicle manoeuvring space is required on land to the north as shown on the submitted plans.
- Building to the north of the existing unit would have a greater impact on the views through the site, and therefore on the character of the adjoining countryside.

As such, the proposed location for the building extension is seen as the most suitable and practical. Whilst the retention of existing trees is encouraged, in this case the loss of some trees within the site is considered suitable given replacement planting is proposed and alternative locations have been discounted.

A condition is recommended to ensure the proposals include measures to protect the hedgerow during construction works. It is considered, with this condition, that the proposed development accords with policy LC12.

# Isle of Axholme landscape impact

A small part of the northern area of the site (approximately 270 square metres) is within the Isle of Axholme Area of Special Historic Landscape Interest, which is afforded protection by policy LC14.

Policy LC14 (Area of Special Historic Landscape Interest) does not allow development within the area that would destroy, damage or adversely affect the character appearance or setting of the historic landscape. The policy also requires a high standard of design and siting in new development within the area when such development is considered necessary or appropriate, which should reflect the traditional character of buildings in the area.

The area of the site covered by policy LC14 currently features the rear garden of the dwelling, the detached garage of the dwelling and the northern part of the current car parking area.

There is also an existing industrial building to the north of the site which is located within the policy area which reduces the openness of the site to the north and views of the site.

It is considered that the proposed industrial unit will have an acceptable impact on the Isle of Axholme policy area and the proposals therefore accord with policy LC14.

# Heritage impact

The site is not within a conservation area, however there are two grade II listed buildings approximately 130 metres to the south-east of the site (Field House Farmhouse and Barn at Field House Farm). A grade II listed windmill is also located approximately 100 metres to the north-east of the site.

Policy CS6 (Historic Environment) sets out that the council will seek to protect, conserve and enhance North Lincolnshire's historic environment, including the character and setting of listed buildings and scheduled ancient monuments.

Policy HE5 (Development affecting Listed Buildings) seeks to encourage the retention and restoration of the historic setting of listed buildings.

The council's Conservation Officer has reviewed the proposals and has confirmed they have no objections.

The proposed unit is of a similar scale to the existing unit that it is proposed to adjoin.

The proposals are therefore acceptable in terms of their impact on the setting of the listed buildings to the south-east of the site. As such the proposals accord with policies CS6 and HE5.

## Public right of way

Policy R5 (Recreation Paths Network) sets out existing rights of way will be protected from development and permission will not be granted for any development which would prejudice public access onto and through the recreational path network, unless specific arrangements are made for suitable alternative linkages.

Policy CS25 (Promoting Sustainable Transport) sets out that applications should promote the continuation and improvement of North Lincolnshire's network of safe walking and cycling routes, including the public rights of way network.

Paragraph 100 of the NPPF similarly sets out that planning decisions should protect and enhance public rights of way and access.

Public Bridleway 1 currently runs to the east of the site, close to the eastern boundary of the site.

The proposed site plan shows that this bridleway will be retained and the proposals should not affect the usage of the path.

The council's Neighbourhood Services team have been consulted on the application and have confirmed that if the public's use of Public Bridleway 1 will be unaffected by the application, then the team has no objections.

As the bridleway is considered to be unaffected as the route will be retained, the proposals accord with policies R5 and CS5.

#### **Residential amenity**

Policy DS1 (General Requirements) requires proposals to be designed so as not to result in an unacceptable loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The site is within an established industrial estate and there are no dwellings on or next to the site, other than the existing dwelling that is proposed to be demolished. Other than this dwelling, the nearest dwellings include Field Farm Barn, Field Farm Lodge and Field House, which are approximately 135 metres to the south of where the proposed unit will be located.

The council's Environmental Protection team have been consulted on the proposals and have not raised any objections in terms of noise generation. A condition is recommended to control construction working hours to protect the amenity of nearby residential properties.

It is considered that the proposed additional unit would have an acceptable impact on the residential amenity of the nearest residential properties. The proposal therefore accords with policy DS1.

## Access and highway safety

Policies T2 (Access to Development) and T19 (Car Parking Provision and Standards) require that proposals do not adversely impact upon highway safety and provide suitable parking for the development.

A new access is proposed along the eastern edge of the site which continues from the existing access leading from Station Road. Twenty car parking spaces are proposed, two of which will have electric vehicle charging. A covered cycle store is proposed with the capacity for 12 bicycles.

The council's Highways team has reviewed the proposals and confirmed they have no objections.

Conditions are recommended to ensure the access and parking is provided prior to the use of the site to ensure sufficient parking is in place.

The proposals are therefore acceptable in terms of the proposed access and parking arrangements and accord with policies T2 and T19.

#### Flood risk and drainage

Policies CS19 (Flood Risk) and DS16 (Flood Risk) require proposals to be assessed appropriately and to ensure that suitable drainage strategies are secured for developments.

The site within Flood Zone 1, which is considered to be at a low risk of flooding.

The council's Drainage team has reviewed the proposals and confirmed they have no objections subject to conditions requiring details of a detailed surface water drainage scheme to be submitted, approved and implemented.

The proposals are therefore considered to be acceptable in flood risk and drainage terms and comply with policies DS16 and CS19.

# Ecology

Policy CS17 (Biodiversity) requires proposals to give appropriate consideration of important habitats and species and seeks to secure a net gain in biodiversity.

The application is not accompanied by any ecological assessment and the ecological status of the site is therefore unclear. The site is part of an industrial estate and comprises previously developed land. The development does, however, require the removal of some trees along the western boundary. In the absence of any survey information relating to these trees, it is considered appropriate to include a condition restricting clearance and demolition work outside the bird nesting season which runs from March to September.

With the inclusion of this condition, it is considered that the proposals accord with policy CS17.

# Conclusion

The proposed industrial unit will facilitate the expansion of an existing business within an established industrial estate. It is considered that the building features a suitable design that responds to the context of the surrounding buildings, and the unit will have an acceptable impact on the landscape.

## **Pre-commencement condition**

Agreement has been sought from the agent/applicant to the pre-commencement drainage condition but a response is awaited at the time of writing.

# **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:

- Site Location Plan (2022-ID-16-LOC)

- Proposed Masterplan (2022-ID-16-PL001)
- Proposed General Arrangements, Elevations and General Section (2022-ID-16-PL002).

# Reason

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

# 3.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The drainage scheme shall demonstrate that surface water run--off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run--off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased. SuDS must be considered. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

# Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

## 4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the use of the building on site, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

# Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 159 to 169 of the National Planning Policy Framework.

# 5.

If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

# Reason

To protect human health.

# 6.

Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

# Reason

To protect residential amenity.

## 7.

The building shall not be brought into use until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed. Once provided, the vehicle parking and turning space(s) shall be retained.

# Reason

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

# 8.

No development shall take place above ground until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

# Reason

To ensure appropriate measures and mitigation is in place to accord with policies LC12 of the North Lincolnshire Local Plan and CS16 of the Core Strategy.

# 9.

All the approved landscaping shall be carried out within 12 months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

# Reason

To ensure appropriate measures and mitigation is in place to accord with policies LC12 of the North Lincolnshire Local Plan and CS16 of the Core Strategy.

10.

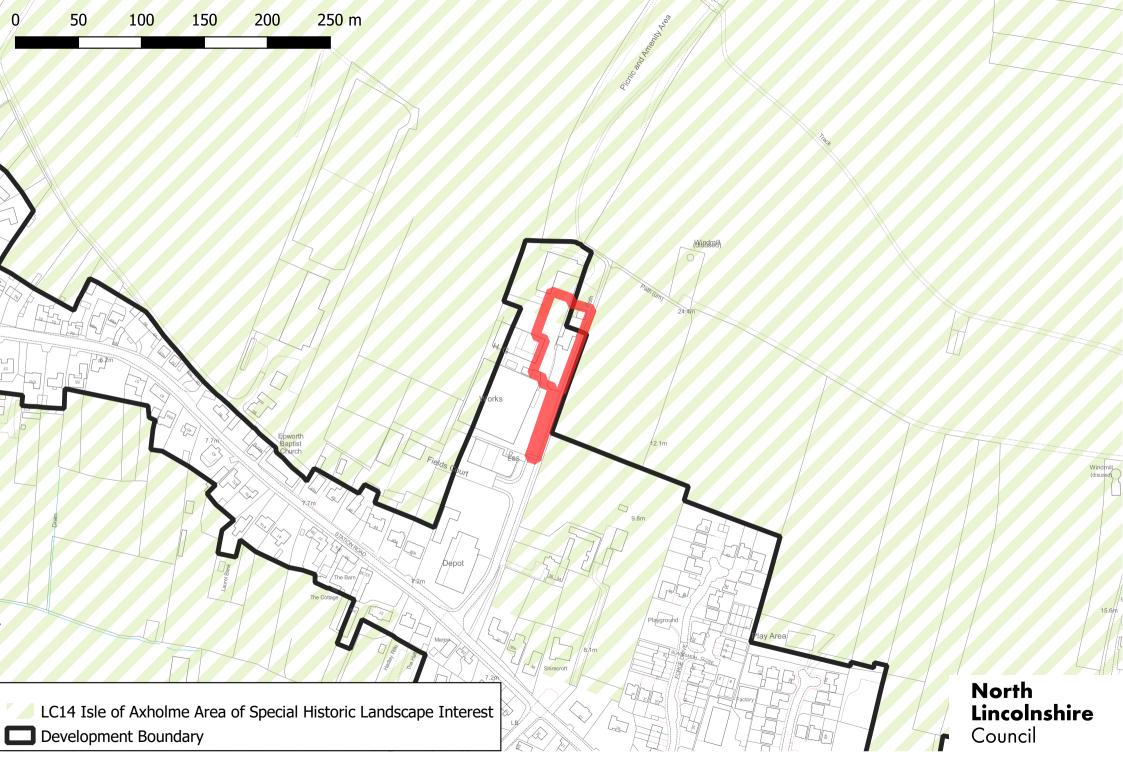
All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a precommencement inspection of the vegetation and buildings for active bird nests should be carried out by a suitably qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

# Reason

To minimise the environmental impact of the development and the risk to protected species in accordance with policy CS17 of the Core Strategy.

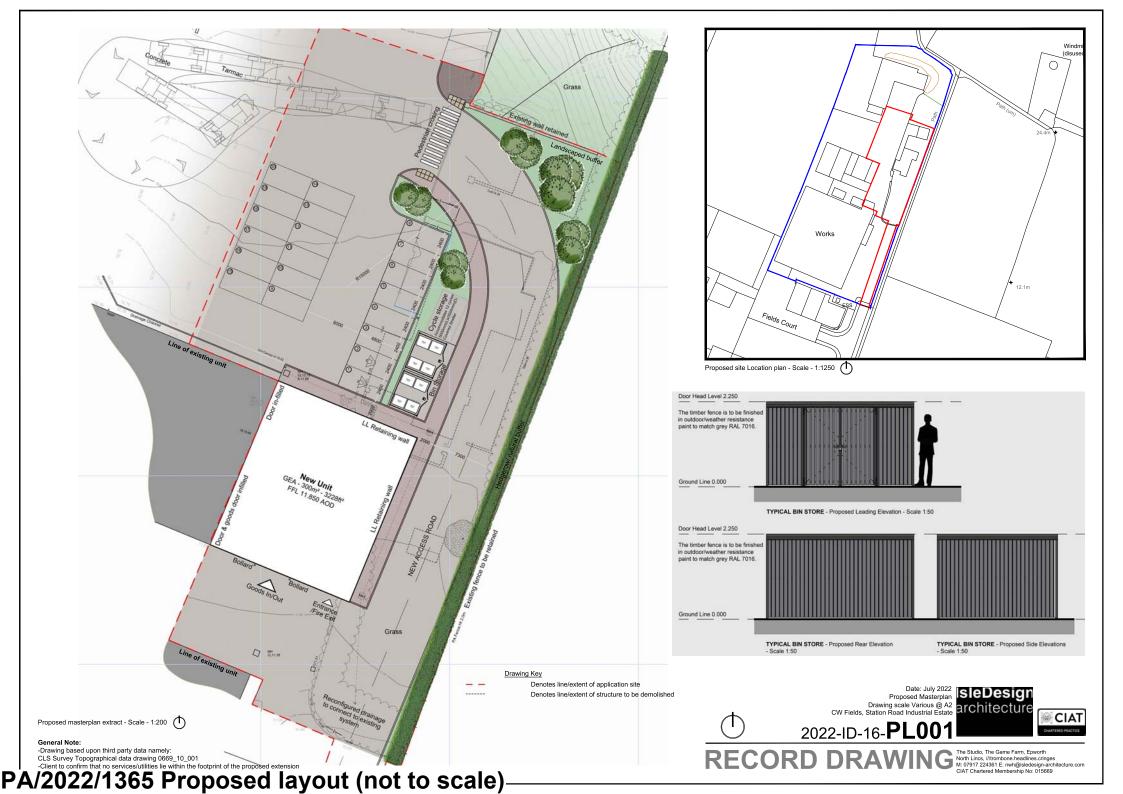
# Informative

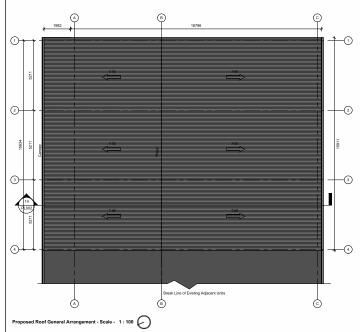
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

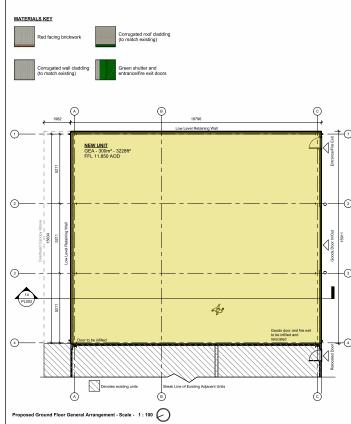


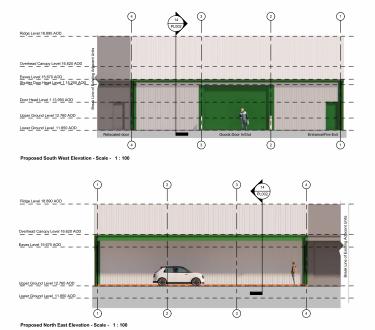
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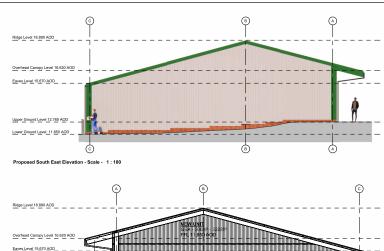
 $\odot$  Crown copyright and database rights 2021. Ordnance Survey 0100023560











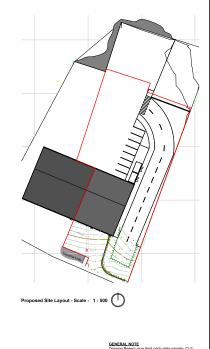


Upper Ground Level 12.70

Proposed South Visual Image - Scale - 1:1

Proposed North Visual Image - Scale - 1:10





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IsleDesigr rchitecture 2022- ID - 16 - PLOO2

ing Scale: As indicated @ A1

CIAT

PA/2022/1365 Proposed plans and elevations (not to scale)

PLANNING DRAWING