

APPLICATION NO	PA/2023/1635
APPLICANT	Mr Lee Norris
DEVELOPMENT	Planning permission to construct four military aeroplane metal sculptures mounted on a lattice steel support and a dragon metal sculpture mounted on top of the flat roof of the car port
LOCATION	25 Woods Meadow, Hibaldstow, DN20 9ES
PARISH	HIBALDSTOW
WARD	Ridge
CASE OFFICER	Matthew Gillyon
SUMMARY RECOMMENDATION	Approve with condition
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllrs Trevor Foster and David Garritt – significant public interest)

POLICIES

National Planning Policy Framework:

12 Achieving well-designed and beautiful places

North Lincolnshire Local Plan:

DS1 General requirements

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

Housing and Employment Land Allocations Development Plan:

PS1 Presumption in favour of sustainable development

Settlement Inset Map 24 – Hibaldstow

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until late 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

HE1 Conserving and enhancing the historic environment

DM1 General requirements

CONSULTATIONS

Highways: No comments or objections to make.

LLFA Drainage: No objections or comments to the proposed development.

PARISH COUNCIL

Originally commented that they had no objections or comments. A later comment was received that further information had come to light from residents of properties in the vicinity. In light of those concerns, the parish council supported the residents' comments.

The application was readvertised following receipt of an amendment to the height of plane 1; however, the parish council maintains its objection, supporting the concerns raised by residents.

PUBLICITY

A site notice has been displayed and seven comments have been received (one being a duplication) objecting to this application as follows:

- Wish to make a formal objection against the structures recently erected to the front of the property to join the existing array of rusting garden equipment, old mangles, bicycles, tractors and a telephone box. But the latest addition of four tall metal towers with metal aeroplanes atop is a step too far. The one of most concern is the largest, which has been very inconsiderately situated over the boundary to our property. It has an approximate 6ft wingspan and the height is extremely intrusive visually to our property. It is plainly visible over the hedge by 4–5ft and can be seen from all the windows at the front and side of the property. Comments expressed by several acquaintances state that the size of the towers and planes is inappropriate in their positions at the front of the property, which is adjacent to the public highway and a footpath, and they would also have strong objections due to the size and proximity to property boundaries if they were equally affected. Although we appreciate that people are entitled to present their own property as they see fit, within the planning rules, we feel these neighbours have gone too far without due thought and consideration to residents in neighbouring properties. We therefore ask that the planning department considers this retrospective planning application carefully and refuses it or at the very

least refuses permission for the large tower and plane which intrude visually and aesthetically on the boundary of our property. This is a quiet residential area where properties are well looked after but we can only feel that these extra 'over the top' structures are doing little to enhance the surroundings and are giving a poor visual 'overkill' look to the area.

- I object to the planning permission (retrospective) at 25 Woods Meadow for the four aircraft and the large dragon on the garage roof as it is just not in keeping with the character of the rest of the street and area. It is all we can see out of our kitchen window and they are an eyesore.
- Wish to complain about the large objects which are in the front garden of 25 Woods Meadow. They are not in keeping with this residential area. It looks like a theme park!
- I wish to object in the strongest possible terms to the large metal structures erected in the front garden of 25 Woods Meadow, Hibaldstow (structures erected without planning permission). These 3 metre high heavy metal structures are totally unsuitable to be positioned in the front garden of a property adjacent to a public footpath and highway and are out of keeping with this residential area. In the North Lincolnshire Council planning application form under the heading 'Trees & Hedges', is the question: 'Are there any trees or hedges on the property or on the adjoining properties which are in falling distance of the proposed development?'. The applicant has answered 'NO'. Depending on how you read the question, is it the trees that could fall or is it the proposed development that could fall? If the applicant has answered correctly, and it is the development that is to be protected, then surely North Lincolnshire Council has a duty of care to protect the safety of persons and neighbouring property against damage to the proposed development and any consequences which could arise from such damage. It is of great concern that if Plane No 4 on the plan were to fall or be knocked into by one of the numerous large lorries, vans and trucks which frequently attend No 25, then there is a high probability that the structure would fall onto the driveway of the adjoining property 27 Woods Meadow. Any person on the drive could be seriously injured, or worse, and vehicles severely damaged should this happen. This plane overhangs the boundary hedge between the two properties and is a potential danger to life and property. I would ask North Lincolnshire Council planning department to reject in its entirety the retrospective planning application and enforce the complete removal of this inappropriate development.
- Council, please object to the retrospective planning permission and perhaps look at the aircraft structure at the rear also as this seems close to number 27.
- I strongly object to the structures residing at 25 Woods Meadow. They are not in keeping with any other property on the street. I am very disappointed in the fact after submitting retrospective planning permission the structures were then raised.

ASSESSMENT

This application was deferred at a previous meeting of the planning committee to allow members to visit the site before making a decision.

Planning history

- PA/2004/0933: Planning permission to erect single-storey extension with room in roof – approved with conditions 29/06/2004
- PA/2009/1218: Planning permission to erect first-floor side, two-storey side extension and install a veranda to the rear – approved with conditions 15/12/2009
- PA/2010/0223: Planning permission to erect first-floor front and two-storey side extension (amendment to previously approved application PA/2009/1218) – approved with conditions 13/04/2010
- PA/2011/0619: Planning permission to erect a detached domestic garage – approved with conditions 30/06/2011
- PA/2011/1147: Planning permission to retain two rainwater harvesting tanks – approved 08/11/2011
- PA/2022/1816: Planning permission to create a connecting space between house and existing garage with glass roof, and erect a car port – approved with conditions 20/12/2022

Site constraints

The site is within the development boundary of Hibaldstow, within the conservation area and SFRA flood zone 1.

The site and proposal

The site is 25 Woods Meadow, a property at the top of Woods Meadow, set back in the corner, with a large front curtilage and the boundary defined by a brick wall and metal railings. The front elevation of the property is in a north-eastern direction. The proposal is for retrospective planning permission to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture on top of the flat roof of the car port.

The four plane structures are positioned across the front curtilage of the property around the horseshoe driveway, the measurements being as follows:

- Plane 1: Lancaster Bomber, which has a maximum height of 3,200mm and the lattice support 2,750mm. The plane is 2,400mm in width and 1,500mm in length.
- Plane 2: Meteor, which has a maximum height of 2,650mm and the lattice support 2,185mm. The plane is 1,200mm in width and 1,400mm in length.
- Plane 3: Halifax Bomber, which has a maximum height of 2,920mm and lattice support of 2,850mm. The plane is 2,400mm in width and 1,500mm in length.
- Plane 4: Spitfire, which has a maximum height of 3,100mm and lattice support of 2,800mm. The plane is 2,000mm in width and 1,900mm in length.

The car port is 2,500mm high, with the dragon 1,400mm in height, giving a total height of 3,900mm. The dragon is 400mm in width and 1,000mm in length.

An amended plan has been received which increases the height of Plane 1 from 2,950mm to 3,200mm, an increase of 250mm, to make access into the property easier.

The main issues in the determination of this application are impact on the character and appearance of the area and residential amenity.

Impact on the character of the area

Policy CS5 of the Core Strategy states that new development should be well designed and appropriate for their context and contribute to creating a sense of place, with any proposed development needing to respect the character and appearance of the local area, and consider the relationship between any buildings and the spaces around them.

Section 55 of the Town and Country Planning Act 1990 should be considered with the definition of development meaning the carrying out of building in, on, over or under land, or the making of any material change in the use of any buildings or other land. The proposal is also for development on the principal elevation of the dwelling.

This proposed retrospective application is to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port. In considering the proposal upon the impact of the character of the area, the layout of the dwelling needs to be considered, the house being on a large corner plot that dominates the street scene, with a built boundary in the form of a wall with metal railings.

The planes have been positioned around the horseshoe driveway, varying in height. Plane 1's wing tip is nearest to the eastern boundary, just over 2.5m away, and plane 4's wing tip is nearest to the north-west boundary, about 400mm away. The maximum width of the front curtilage is over 28m, the maximum width of the planes combined being around 8m, which accounts for approximately 29% of the total space available across this boundary. The nearest planes to the front boundary are Planes 2 and 3, which are approximately 5m away from the front boundary treatment.

The comments regarding the application relate to this development not being in keeping with the character of the area, describing it as a 'theme park' and 'Duxford Imperial War Museum Gift Shop', and whilst it can be considered a different development, the dwelling itself is the dominant form on Woods Meadow, the planes only being noticeable when you approach the property behind the already defined front boundary wall. In relation to plane 1, the height of the plane was similar in size to the caravan in the front curtilage of the neighbouring property.

The dragon is on top of the car port, with other built form already against this eastern boundary of the site and the pitched roof of the garage taller than the installed dragon.

It is considered that the development, in the form of the planes and dragon, does not impact the character of the area and is considered to be in accordance with policy CS5 of the Core Strategy.

Impact upon residential amenity

Policy DS1 of the NLLP states that any new development should be well designed and appropriate for their context, with no unacceptable loss of amenity to neighbouring properties.

This proposed retrospective application is to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port. With regard to impact upon residential amenity, comments have been made that these developments are unsuitable, positioned in the front garden adjacent to a public footpath and highway, and is all that can be seen out of the window above the 4–5ft hedge.

The planes have been located around the horseshoe driveway, the closest one to a boundary being plane 4, which is approximately 400mm away from the hedge that defines the north-west boundary; due to the design of the driveway, this is the point it is widest to access the garage at this side of the site. The total area of the front garden is approximately 69.393sqm, the total area of the planes, taking account of the maximum length and width, totalling approximately 14.300sqm, which is roughly 21% of the total area of the front garden.

With regard to the comments regarding the positioning of the planes in relation to the adopted highway, the nearest plane is over 5m away from the front boundary, the height not exceeding this distance, and can be considered to be a sufficient distance inside the front curtilage with no objections or comments raised by the highways officer.

Whilst plane 4 is the nearest to a neighbouring dwelling, the height of the structure does go above the hedge line, with a maximum height of 3,100mm; this property does have windows in the front and side elevations, the development being approximately 7m away from this side window.

In respect of the comment regarding trees and hedges, this relates to trees and hedges, with this development not considered in this category, so the applicant was correct in selecting 'No'.

It is considered that the plane structures and dragon do not create an adverse overbearing or overshadowing impact on residential amenity, the development only being small in relation to the site. The proposal is therefore in accordance with policy DS1 of the local plan.

Conclusion

This application to erect four military aeroplane structures mounted on a lattice support and construct a dragon sculpture mounted on top of the flat roof of the car port is not considered to have any adverse impact on the character, setting or residential amenity. The proposal is therefore considered to comply with policies CS5 of the adopted Core Strategy and DS1 of the North Lincolnshire Local Plan and is recommended for approval.

RECOMMENDATION: Grant permission subject to the following condition:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans:

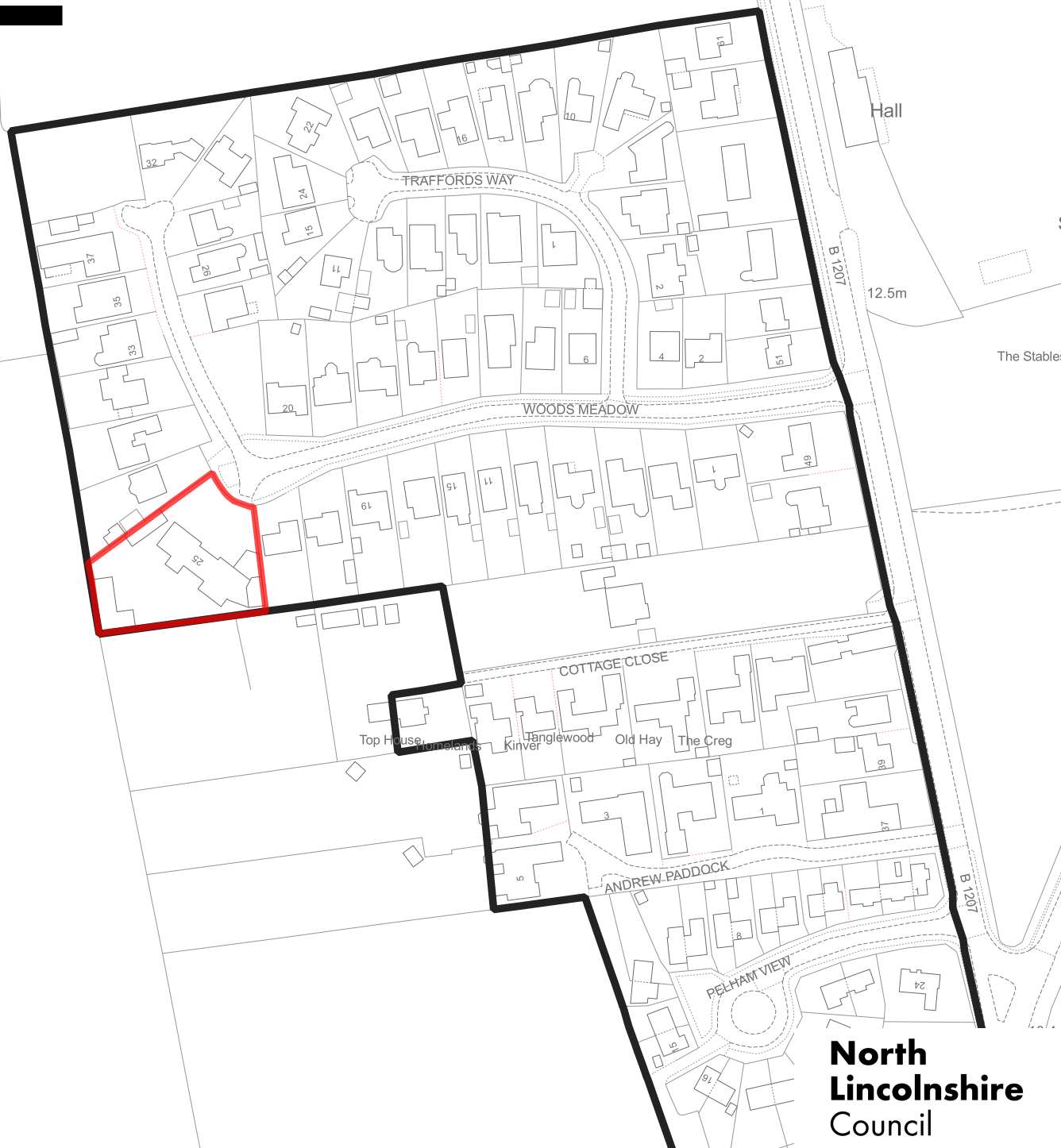
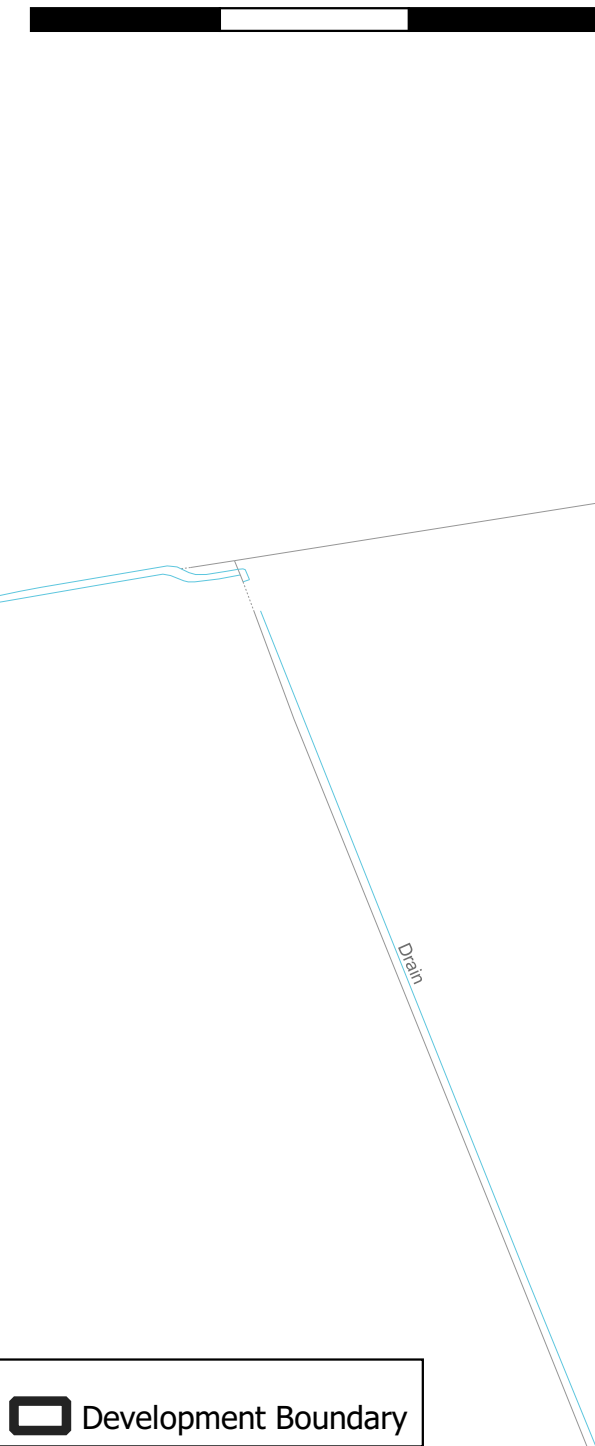
- Location Plan Drawing No. 274-001 Revision 01
- Site Plan Drawing No. 274-001 Revision 02.

Reason

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

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.

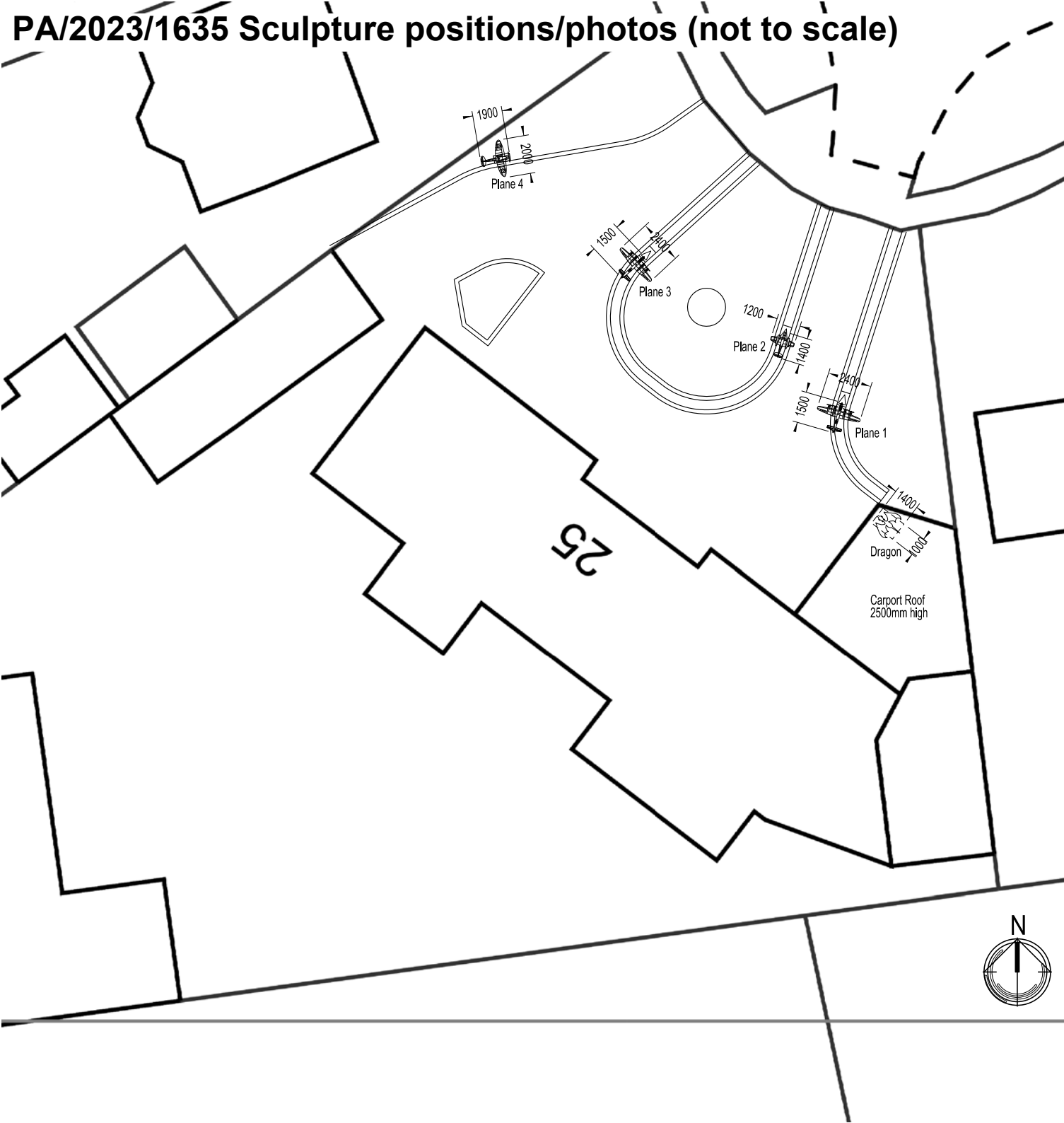


 Development Boundary

PA/2023/1635

**North
Lincolnshire
Council**

PA/2023/1635 Sculpture positions/photos (not to scale)



PLANE 1 - Lancaster Bomber

PLANE 2 - Meteor

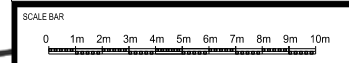


PLANE 3 - Halifax Bomber

PLANE 4 - Spitfire



DRAGON



REVISIONS

1 - First Issue
2 - Plane 1, height amended

CLIENT: L. Norris

LOCATION: 25 Woods Meadow
Hibaldstow
BRIGG
DN20 9ES



PROJECT: Front Garden Sculptures

DRAWING TITLE: Site Plan

DATE: OCT '23	DRAWING No: 274	Rev: 002	SCALE: 1:200 @ A3
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