

APPLICATION NO PA/2021/727

APPLICANT Mr Gerrard Parkes

DEVELOPMENT Planning permission to erect three dwellings, re-submission of PA/2021/96

LOCATION Hop Villa, 6 Well Street, Messingham, DN17 3RT

PARISH Messingham

WARD Ridge

CASE OFFICER Mark Niland

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework: Paragraph 197

North Lincolnshire Local Plan: DS1, DS7, DS11, T2, T19

North Lincolnshire Core Strategy: CS1, CS2, CS5, CS6, CS7

CONSULTATIONS

Highways: No objections subject to conditions.

Recycling: Request that suitable off-street storage areas are provided for three wheelie bins.

Drainage (Lead Local Flood Authority): No objection subject to a condition requiring a surface water drainage strategy to be submitted and agreed.

Environmental Protection: No objections subject to a land contamination condition.

Environmental Protection (Housing): No objections.

Historic Environment Record: The house is considered to meet the criteria as a non-designated heritage asset; demolition amounts to substantial harm and therefore paragraph 197 of the NPPF should inform the planning decision.

PARISH COUNCIL

Objects to the application for the same reasons as the previously submitted application PA/2021/96:

- a three-storey development would change the street scene in one of the oldest parts of the village
- there are no three-storey properties in Messingham, allowing the proposal would urbanise and change the character of the village
- the height and proximity to neighbouring properties on the south, east and west of the proposal will result in their loss of amenity
- the proposal would be over-development of the site
- the increase in vehicles and traffic on the narrowest part of the road – only 3.5 metres wide - would impact neighbouring properties
- concerns of pedestrian safety due to the length of proposed drop kerb in this narrowest part of the road.

PUBLICITY

Advertised by site notice in accordance with Article 15 of the Development Management Procedure Order 2015.

Several objections have been received which are summarised into the following material points:

- character impacts
- amenity impacts
- highway safety
- loss of well-established dwelling
- parking issue
- over-development.

ASSESSMENT

Planning history

PA/2018/1700: Redevelopment of existing disused dwelling – refused 19/10/2018.

PA/2019/538: Two-storey side extension, and two-storey and single-storey rear extensions – approved 30/08/2019.

PA/2020/292: Two-storey side extension, two-storey and single-storey rear extensions, and internal alterations, to create two additional dwellings, including access and parking – refused 21/08/2020.

PA/2021/96: Three terraced dwellings – refused 13/04/2021.

Site constraints

- The site is within the settlement boundary for Messingham in accordance with the HELA DPD 2016.
- The site is within flood zone 1 in accordance with the North and North East Lincolnshire SFRA 2011.
- The proposal, given its longevity to the street scene, could fairly be described as an undesignated heritage asset, though dilution of this dwelling has been approved under the existing policy framework, whilst the property for some time has been left in a dilapidated state.

Proposal

The applicant proposes demolition of the existing dwelling and the erection of three terraced houses. Six parking spaces are located to the front of the proposed dwellings. The applicant has recently had planning permission for three dwellings on the site refused for the following reasons:

1. The proposal would represent over-development of the plot. The erection of three dwellings in this location would be out of keeping with the existing character of Well Street and give rise to unacceptable visual amenity impacts. The proposed density of the development is contrary to that outlined for a Rural Settlement within policy CS7. The proposal is therefore contrary to policies CS5 and CS7 of the North Lincolnshire Core Strategy as well as paragraph 127 of the National Planning Policy Framework.
2. The proposal would result in the unjustified total loss of an undesignated heritage asset. This scale of harm without any meaningful justification is therefore considered significant and contrary to the aims of policy CS6 of the Core Strategy and paragraph 197 of the National Planning Policy Framework.

Principle of development

Messingham is identified as a 'rural' settlement in the North Lincolnshire Core Strategy though it ranks eighth in the sustainable settlement survey, having seven of the seven key facilities within that settlement. Policy CS1 of the Core Strategy states, '...Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should consider levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.' The proposal for additional residential development is therefore considered acceptable in principle.

The site is close to the settlement centre where a plethora of services and amenities are present. Around village centres development lends itself to being dense which in turn removes pressure for developments extending out into the open countryside. Policy CS7 of the Core Strategy sets out densities and states that 30–35 dwellings per hectare is acceptable for rural settlements. This proposal would represent approximately 50 dwellings per hectare.

The policy also states, ‘...Housing development will be required to make efficient use of land but the density of new development should be in keeping with the character of the area and should support the development of sustainable, balanced communities.’

Whilst the development would clearly be above the recommended density for a rural settlement it should be noted that this is a blanket approach and Messingham is defined as such but has closer comparisons to market towns in terms of the facilities available than some of the other rural settlements in the district.

In this instance, therefore, as the proposal is close to the village core and would support existing services and amenities, and so is not unacceptable in density terms, policy CS7 caveats ‘unless site characteristics dictate otherwise’. The assessment upon character, therefore, is integral to the assessment upon principle and this is carried out later in this report. It is therefore considered that the proposal, as a basic concept, aligns with the overarching spatial strategy for North Lincolnshire and being overly dense in principle terms does not make it unacceptable. CS7 (as does CS5) requires character to be considered. The appropriateness of the density is therefore considered further within the character assessment.

Character and appearance

Policy CS5 of the North Lincolnshire Core Strategy is relevant. It states, ‘...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place’ and ‘Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.’ Policy CS6 is concerned with the historic environment and seeks to protect and enhance the district’s historic assets. This policy is also relevant.

Well Street has a broad housing mix: there are bungalows next door to the plot and more rural looking dwellings along the street scene with a mix of render and facing brick, some located right up to the footway and others set back. The street is effectively characterised by its variable aesthetic.

The applicant has submitted a robust design and access statement exploring architectural forms and prevalent materials. The replacement dwellings, the architect states, ‘...take their form from many local styles, but primarily from the existing house being replaced, to create a harmonised, subtle development, traditional in appearance to blend seamlessly into the centre of the village.’ This can be seen in the fenestration design and the arched fanlights above the doors and sash-style openings. The palette of materials on offer too resembles the host property.

The council’s archaeologist has objected, stating that paragraph 197 of the NPPF is relevant and the loss of the undesignated heritage asset has not been justified. Paragraph 197 states:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

The applicant has responded to their comments, as well as to the previous reason for refusal relating to justification for the loss of the existing dwelling.

The house has deteriorated over years of inoccupation and neglect, rendering it unsuitable for conversion. Although sat on a large plot, the current house is small, and would not be viable for reuse. The applicant states:

'Extensive previous planning applications have shown the willingness of the applicant to consider the reuse of the building. The outcomes have varied, and no scheme has been considered financially viable, and the building remains derelict.'

The applicant has an extant permission for a large side extension that would further dilute the dwelling. The dwelling has been chopped and changed at the rear and many of its original features are only present on the principal elevation. The applicant has made numerous attempts to retain this dwelling through extensions, and despite having permission the extensions have not been carried out. The applicant has not provided financial/viability information. The archaeologist has stated that the loss would lead to substantial harm, however paragraph 197 of the NPPF states that a 'balanced judgement' should be made. There would be a total loss of the asset but the asset is not designated and has already been overly diluted (through previous works, permissions and other dwellings encroaching into its space). It could be argued that these matters have already led to substantial harm in that an extant permission would be allowed to completely overhaul the dwelling except for the principal elevation. All that would be retained is a simulacrum of the non-designated asset, evidential, historic and communal values lost, and only a nod to the aesthetic value would remain, almost like the buildings that align the main street on a Western film set.

The replacement scheme is well executed both in form and appearance. The detailing is unfussy and reflective of the Victorian era with detailing in the right places. (A nod to the Italianate style fenestration is brought through, especially in the fanlights and done so in a subtle way that can be easily absorbed into the street scene.) Many objections have stated that it would impinge upon the street scene, but the scale proposed is not so different from what could be achieved with the large side extension that has previously been approved. Furthermore, there is no unifying aesthetic to the street: it is a build-up of irregular architectural features and materials, and the housing mix is extremely broad. Moreover, dwellings along this part of Well Street take up the full width of the plot and in that respect this proposal is in keeping.

It is for these reasons that, on balance, the loss of the undesignated heritage asset is considered acceptable. The proposal is therefore considered to align with both policies CS5 and CS6 of the Core Strategy as well as paragraph 197 of the NPPF.

Amenity

Part of policy DS1 is concerned with amenity. It states, '...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing;'

The proposal would introduce scale and two storeys closer to the neighbouring property to the west. The plans show that there would be a separation distance greater than 4.5m and the length of the dwelling is just over 10m. Taking into consideration these approximate separation distances and the fall-back position of the applicant to erect a two-storey side extension, and that the proposal is due east, any overshadowing/overbearing impacts would not be at a level that would lead to a recommendation of refusal. Any impacts would be experienced to the side of the neighbouring dwelling and, given the separation distance,

the fall-back and the solar path, these impacts are not at a level to warrant refusal. The neighbouring dwelling due west would benefit from the removal of some of the rear footprint of the existing property. In terms of overlooking, all openings are positioned such that they would not lead to unacceptable levels of visual intrusion.

It is therefore considered that the proposal would align with policy DS1 of the North Lincolnshire Local Plan in respect of amenity.

Highways

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The applicant proposes six parking spaces to the front of the dwellings. Highways have been consulted and have no objections to the proposed development subject to conditions. Bin stores are located to the sides. Many residents have expressed concerns in relation to highway safety, with cars backing in and out of the provided spaces; however, given that Highways have no concerns over highway safety, it is considered that this issue would not represent a reason for refusal. Therefore, subject to the aforementioned mitigation, the proposal is considered to align with policies T2 and T19 of the North Lincolnshire Local Plan.

Drainage

Policy CS19 of the Core Strategy is concerned with flood risk, whilst DS14 and DS16 of the local plan are concerned with flood risk, drainage and foul water.

The LLFA have been consulted and request a condition relating to surface water drainage. However, the footprint of the three dwellings would not create a 'net' amount of surface water in comparison to the fall-back position. The applicant has shown soakaways on plan, however the strategy would be subject to building regulation requirements and this provides sufficient mitigation. Furthermore, infrastructure in terms of foul sewage is already in place and requirements set out under the Water Industry Act, as well as the adoption of sewers, would further mitigate this point. It is therefore considered that mitigation in planning control terms is unnecessary. The proposal would align with policy CS19, as well as DS14 and DS16 of the local plan.

Conclusion

The proposal is above the recommended density requirements for rural settlements, however the scheme is well executed and does respond well to its setting, therefore characteristics dictate that this is acceptable. The proposal would allow for sufficient amenity for future residents whilst not overly impinging existing residential amenity levels. In character terms the proposal would be absorbed into the street scene whilst justification exists for the loss of this non-designated asset. The application, if approved, would provide suitably-sized dwellings for younger families to be able to stay within the settlement (something that Messingham has a shortage of), whilst it would also provide a net of two dwellings that would support the existing services and amenities of the village, located in a very central location. The Environmental Protection officer has recommended a full suite of land contamination conditions, however a larger footprint could be achieved under permitted development, whilst the side extension previously approved (which is sizeable) is

not subjected to the same restrictions. A monitoring condition regarding this topic would provide sufficient mitigation.

The proposal would represent a sustainable form of development is recommended for approval.

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: Block Plan 1282.02, Elevations and Floor Plans 1282.01.

Reason

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

3.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), nothing shall at any time be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

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

4.
No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking spaces serving it have been completed and, once provided, the vehicle parking spaces shall be retained.

Reason

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

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 in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

Informative 1

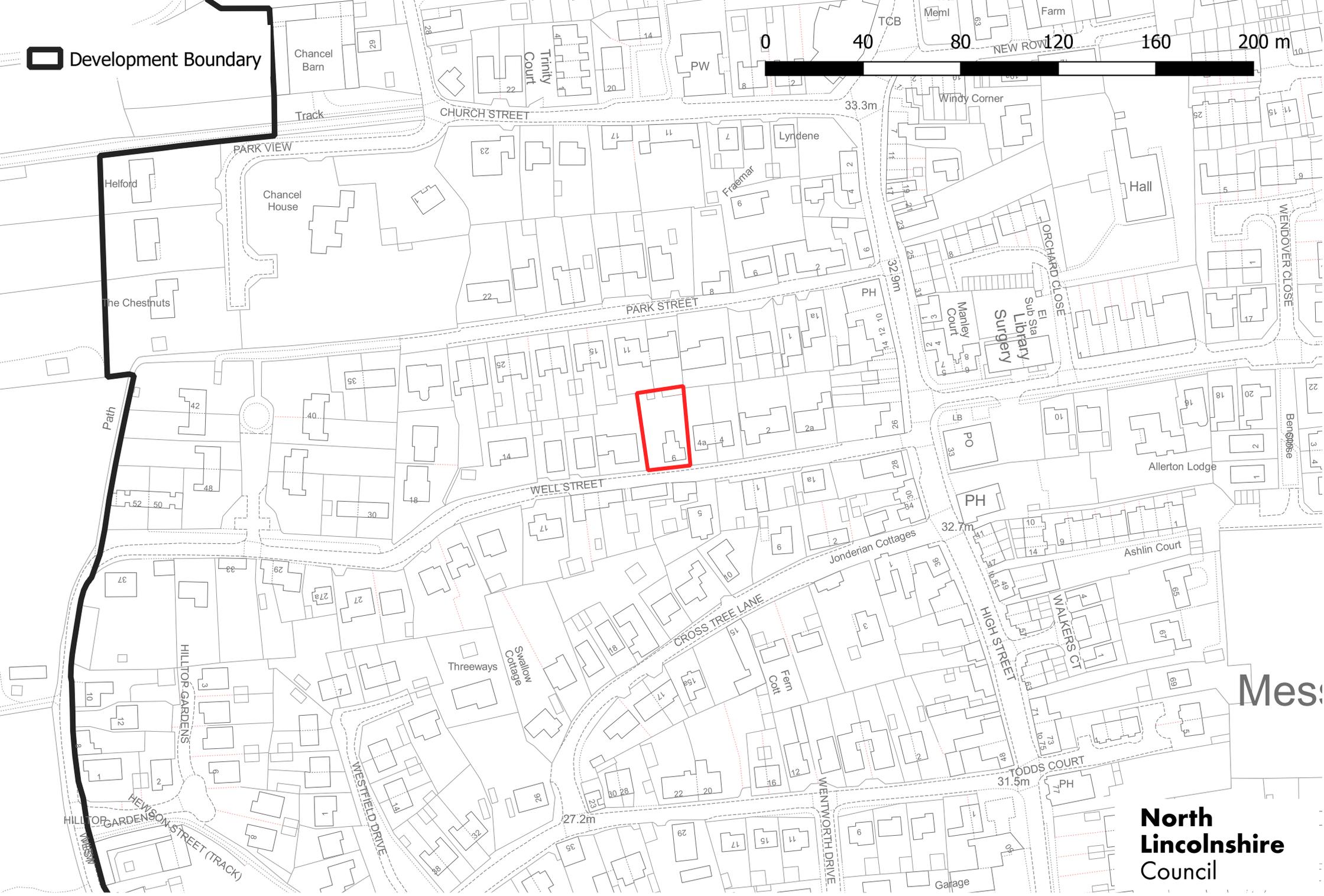
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- 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

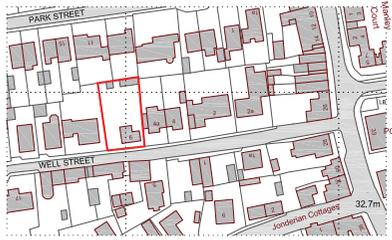
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Development Boundary



North
Lincolnshire
Council

PA/2021/727 Proposed layout (not to scale)



Ordnance Survey, (c) Crown Copyright 2021. All rights reserved. Licence number 100022432
1:1250

Location Plan
scale 1:1250



Proposed Site Plan
scale 1:200

All dimensions & details given on this drawing are to be checked and verified on site prior to works being undertaken. Any discrepancies and/or variations to the specifications will be agreed in writing with keystone architecture.
Do not scale from these drawings - Pin out + ask.
All materials shall be fixed, applied or mixed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with keystone architecture.
The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specifications.
This drawing is the copyright of keystone architecture and must not be reproduced without written consent. © keystone architecture 2021



Existing Block Plan
scale 1:500



Proposed Block Plan
scale 1:500

rev	amendment	date
01	Proposed Dwellings	1282,02
02	Well Street	Apr 21
03	North Lincolnshire	as noted

PA/2021/727 Proposed plans and elevations (not to scale)

All dimensions & details given on this drawing are to be checked and verified on site prior to construction. Any discrepancies and/or variations to the specifications will be the responsibility of the contractor. Variations to specified materials shall be agreed in writing with the architect.

Do not scale from these drawings - ERM doubt - etc.

All materials shall be fixed, applied or mixed in accordance with the manufacturers written instructions, recommendations and specifications. Variations to specified materials shall be agreed in writing with the architect.

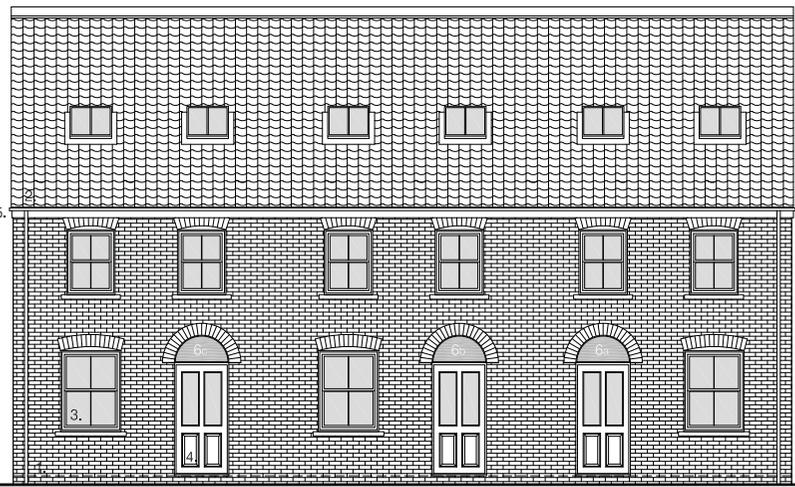
The Contractor shall take into account everything necessary for the proper execution of the works and to the satisfaction of the Local Authority, whether or not indicated on the drawings or in the specifications.

This drawing is the copyright of Keystone Architecture and must not be reproduced without written consent. © Keystone Architecture 2021

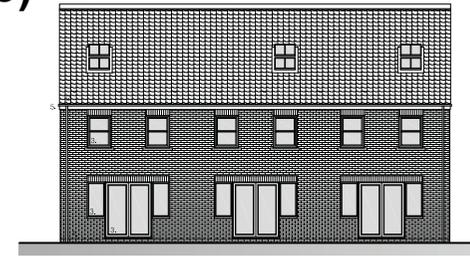
PARTY WALL NOTICES

Building outside (A) or against (B) the boundary line:
If you plan to build a party wall (A) or against the boundary line, you must inform the Adjoining Owner by sending a Notice.
Excavating near neighbouring buildings:
If you plan to excavate foundations within 3 metres of a neighbouring building or structure, where the excavation will go deeper than the neighbour's foundations, you must inform the Adjoining Owner by sending a Notice.
If you plan to excavate foundations within 6 metres of a neighbouring building or structure, where the excavation will cut a line drawn at 45° from the bottom of the neighbour's foundations, you must inform the Adjoining Owner by sending a Notice.

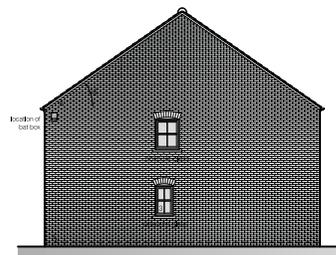
- Material Schedule:**
1. Wilkenberger Barmburgh Red Stock
 2. Marely Edgemere Inter-locking concrete roof tiles in Anthracite
 3. white uPVC windows, with stone cills and brickwork heads
 4. coloured composite front doors
 5. black rainwater goods on black painted flush fascias
 6. single projecting brick stretcher course to verge



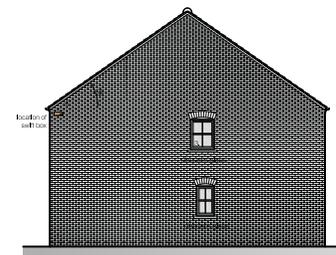
Plot 6c South Elevation Plot 6b Plot 6a



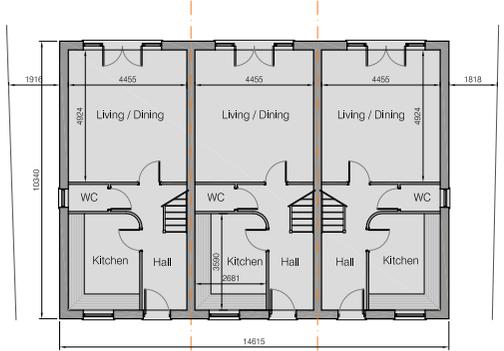
Plot 6c Plot 6b Plot 6a
South Elevation



Plot 6a East Elevation

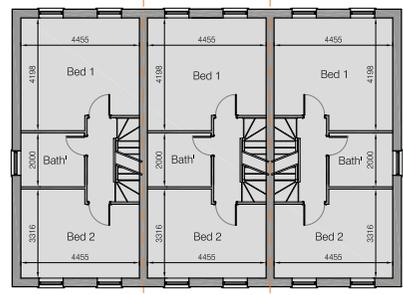


Plot 6c West Elevation

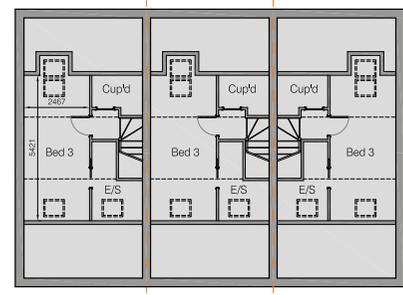


Plot 6c Ground Floor Plot 6b Plot 6a

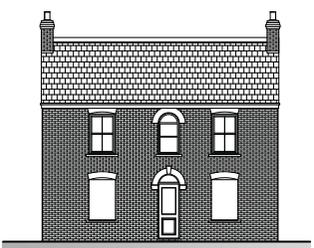
3 bed house
Approx. 111m²



Plot 6c First Floor Plot 6b Plot 6a



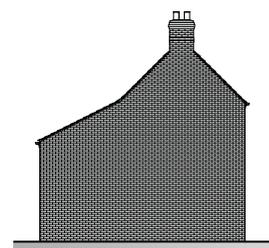
Plot 6c Second Floor Plot 6b Plot 6a



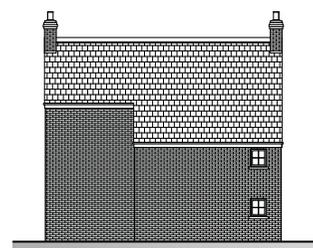
Existing South Elevation



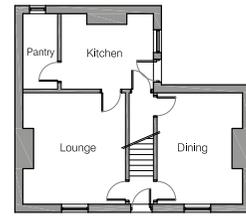
Existing East Elevation



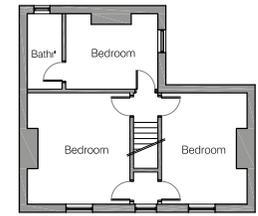
Existing West Elevation



Existing North Elevation



Existing Ground Floor



Existing First Floor

rev.	amendment	date	desig. no.
01	Proposed Dwellings	12/22/21	
02	Ex. & P.C. Plans & Docs	Apr 21	
03	stage	Planning	
04	drawn by	JCB	
05	scale	1:50 & 1:100	