



PL.11 14/15

Planning Committee

10 December 2014

## Subject: Planning applications for determination

Report by:	Chief Operating Officer
Contact Officer:	Zoë Raygen Acting Area Team Manager 01427 676673
Purpose / Summary:	The report contains details of planning applications that require determination by the committee together with appropriate appendices.

## **RECOMMENDATION(S):** Each item has its own recommendation

## IMPLICATIONS

Legal: None arising from this report.

Financial : None arising from this report.

Staffing : None arising from this report.

**Equality and Diversity including Human Rights :** The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

**Risk Assessment :** None arising from this report.

Climate Related Risks and Opportunities : None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

Are detailed in each individual item

## Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)	Yes	Νο	x	
Key Decision:				
A matter which affects two or more wards, or has significant financial implications	Yes	No	x	

N



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131427



## Officers Report Planning Application No: <u>131427</u>

### **PROPOSAL:**Planning application for proposed dwelling

LOCATION: Land to rear of 19 Riby Road Keelby Grimsby, Lincolnshire DN41 8ER WARD: Yarborough Ward Member: Cllr Owen Brierley Applicant Name: Ms Tracey Henrikson

TARGET DECISION DATE: 24/07/2014 DEVELOPMENT TYPE: Minor - Dwellings CASE OFFICER: Jonathan Cadd

#### **RECOMMENDED DECISION:** Approve subject to conditions

#### **Description:**

This application seeks to erect a detached five bedroomed property. Constructed of brick with rendered gables to the front it would be positioned at a 90 degree angle to the dwellings on Riby Road. Two storeys in height the proposal would be 8m high. To the rear the property would have an eaves line of 4.4m. Access would be from Riby Road with a turning area to the front of the dwelling.

This site is an irregular plot of land to the rear of 19 Riby Road, Keelby and has an area of 823 sq. m. The site can be considered in two parts, the access and the paddock. The access is a narrow strip of land which runs from Riby Road in between nos.15 and 19 Riby Road. The access has a width of approximately 3.5m and falls to the east by approximately 1m.

The paddock is a narrow plot of land to the rear of 19 and 21 Riby Road. Grounds levels are flat but are approximately 1m lower than the bungalows at Riby Road and more to the dwellings to the south. The site is grassed.

To the west of the paddock are two small bungalows (nos. 19 - 21) with 9m long rear gardens. These bungalows have habitable windows which face west. No. 19 also has an extensive garden to the side (north) which includes a number of mature trees. A garage and shed also exist in this area. The rear boundary of this property includes a 1m high fence with 1m high railings to the wider garden area.

To the south is the rear garden and side elevation of 23 Riby Road a detached two storey dwelling. This dwelling is positioned on significantly higher ground levels than the application site with 2m high fencing surrounding the rear garden. To the east is a large paddock area which includes two stable type structures. A 2m high hedge divides the application

site from this plot. Also to the east is a larger paddock which is well maintained grassed but with various building materials and equipment stored upon it. Finally, to the north is 15 Riby Road a large modern detached house. This property has an extensive garden which is screened by a 2m high hedge. The dwelling itself is positioned on higher ground than the paddock site with the main rear elevation facing east. The side of this dwelling is within 4m of the proposed access.

The application is presented to committee as the development represents a departure from the Local Plan and the considerations are deemed to be finely balanced.

## **Relevant history:**

96/P/0584 (100596) Outline application to erect 2 dwellings. Refused and dismissed at appeal.

99/P/0063 Outline application for a detached house. Refused and dismissed at appeal

## **Representations:**

Chairman/Ward member(s): No response received but asked to be kept informed of progress

Parish/Town Council/Meeting: raise concerns over flooding and drainage, character of area and loss of trees. Similar to previous refusals and appeals.

Local residents: Objections: 9 Beck Close, 8 (x2), 19 & 21 Riby Road -Proposals would overlook the adjoining dwellings including bedrooms. The proposal would also dominate and over shadow the adjoining bungalows and gardens. Loss of wildlife particularly if land close to the beck is developed. The area floods with standing water on the site. Also the site access forms a significant runoff from the highway easing flooding for this part of the village. If the site is developed the water will have nowhere to go and could affect the drainage of adjoining properties particularly to the east and north. The main drain for approximately 900 dwellings is located beneath the access drive and is over capacity already. This drain cannot be renewed at this time but any development which prohibits its upgrade will seriously erode the ability of the wider area to be adequately drained. This pipe includes both surface and foul sewerage. The close proximity of the proposed dwelling to existing bungalows is a concern in terms of general activity and noise which was not there before. Access is poor being very narrow and would detract from highway safety. Proposals would detrimentally affect a number of trees and require their removal including a TPO tree to the entrance of the site.

7 Rowan Drive & 5 Mulberry Close. Support the application on the basis of the lack of appropriate dwellings for disabled people, the sites situation within the village close to services and the proximity of the site to family and friends for support.

LCC Highways: Request conditions relating to the improvement of the access to Riby Road.

Archaeology: This development falls within the medieval settlement area of Keelby. The village was in existence by the Domesday survey, when seven

manors, three mills and a saltpan were recorded. The population was at least 62. The church is close by to the development, and there are crop marks associated with the medieval village nearby. The location of this application indicates that there is a potential that archaeological remains may be disturbed by the proposed development.

Recommendation: Prior to any ground works the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook (2012)) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve monitoring of all ground works, with the ability to stop and fully record archaeological features.

"[Local planning authorities] require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible." Policy 141. National Planning Policy Framework (2012).

A brief will be produced by this department which will lay out the details above, and the specification for the work should be approved by this department prior to the commencement of works. Please ask the developer to contact this office for further details.

Environmental Protection: Connection to Caddle Beck but due to the extent of hard surfacing an attenuation scheme should be proposed. Concern that ability to alleviate major surface water flooding problems through improved infrastructure could be compromised. Discussions with Lincolnshire County Council advised.

Steve Wiles: Lincolnshire County Council – Proposed location of pipe work needed to improve surface water runoff in the area could be protected by covenant ensuring future access to this area to do works.

Tree Officer: Impact on TPO tree to front would not be an issue due to previous works to the driveway which occurred historically. Oak tree close to entrance is in poor health and there is no objection to its removal. There are two larch trees to the north western corner of the site which would be removed. One is in poor condition and adds little to the character of the area. There is no objection to the loss of this tree. The other tree, however, is in good condition and adds to the character of the garden at 19 and 21 Riby Road. Despite its back garden position it is visible above the bungalows and would have potential to grow further. It is not currently suitable for protection under a TPO due to its position and height. It is preferable to retain this tree for its amenity value. It is, however, in close proximity to the proposed dwelling which would make its retention difficult.

#### **Relevant Planning Policies:**

## National guidance

National Planning Policy Framework (NPPF) http://planningguidance.planningportal.gov.uk/wp-content/themes/planningguidance/assets/NPPF.pdf

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 10. Meeting the challenge of climate change, flooding and coastal change
- 12. Conserving and enhancing the natural environment

#### West Lindsey Local Plan First Review 2006

STRAT1: Development requiring planning permission <u>http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1</u>

STRAT3: Settlement hierarchy http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3

RES1: Housing layout and design http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1

RES3: Backland and tandem development http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res3

CORE9: Retention of important open spaces and frontages within settlements http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core9

#### Preliminary Draft Central Lincolnshire Local Plan (2014)

Whilst policies within this plan are relevant they have limited weight on account of the early stage the plan is along the adoption process. Such a stance accords with paragraph 216 of the National Planning Policy Framework.

#### Main issues

- Principle of housing in this location (STRAT1, STRAT3, CORE9)
- Residential amenity (STRAT1, RES1 and RES3)
- Drainage and highway access (STRAT1, RES1 and RES3)
- Trees & nature conservation

## Assessment:

#### Principle of housing in this location

The NPPF indicates a presumption in favour of sustainable development and instructs decision makers to "approve development proposals that accord with

the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

— any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted.

The NPPF seeks to significantly boost housing supply and authorities should ensure a 5 year supply of readily available land (plus a buffer of an additional 20% where there has been a persistent under supply of housing). Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date, however, if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The National Planning Practice Guidance (NPPG) advises that housing figures in up-to-date Local Plans should be used as the starting point for identifying the five year requirement. As the Local Plans for the three Central Lincolnshire authorities are outdated and the policies in the emerging joint Local Plan are at an early stage, these can only be afforded limited weight.

The East Midlands Regional Spatial Strategy (RSS) was formally revoked in April 2013 and can therefore no longer be relied on to provide housing targets for Central Lincolnshire as it may not adequately reflect current housing needs.

The NPPG goes on to state that "Where there is no robust recent assessment of full housing needs, the household projections published by the Department for Communities and Local Government (DCLG) should be used as the starting point, but the weight given to these should take account of the fact that they have not been tested."

The latest housing requirements published by DCLG for Central Lincolnshire is 1,230 dwelling per year or 6,150 over the five year period (2015/2016 to 2019/2020). However, to meet the requirements of the NPPF an additional 5% buffer must be added to the requirement. The total requirement increases to 6,458 dwellings (6,150 +308) or 1,292 per year.

It has been identified that there is a land supply for 4278 houses currently (April 2015 to March 2020) which using the DCLG Central Lincolnshire position indicates that there is only 3.5 years' deliverable supply.

In this context, there should be a presumption in favour of housing development, even within defined settlement limit, provided that the development is delivered early (a condition can secure an earlier than normal commencement), sustainable and is acceptable when considered against other material planning considerations.

The NPPF defines the three roles of sustainability as economic, environmental and social and development proposal must be assessed against these criteria to ascertain whether it is sustainable or not. These roles are also amongst the criteria cited within policies STRAT1, STRAT3, RES1, RES3, and CORE9 of the Local Plan Review and are consistent with principles of the NPPF itself.

The site is located within Keelby which has a good number of facilities, services and public transport links to the surrounding areas. These facilities and links have led to the current Local Plan designation under STRAT3 as a primary rural settlement where small scale infill property is possible. Equally, the settlement has been designated within the policy LP2 of the Central Lincolnshire Local Plan (Preliminary Draft for Consultation) as a small town/ growth village which would accommodate new development. Whilst this policy has limited weight it is worthy of note. The additional of a new dwelling within this settlement would therefore accord with sustainable principles.

## Open space

The site, however, forms part of designated open space with the settlement which is important characteristic of the village. Saved Policy CORE9 indicates that development will not be permitted on areas of open character to remain undeveloped. The site is part of a wider open area of land to the rear of Riby Road which then follows the course of Caddle Beck on the proposals maps out to the open countryside beyond. This proposal would nestle within an irregular plot of land to the rear of 19 and 21 Riby Road which is surrounded on three sides by residential properties. The land is in private ownership and the single dwelling proposed would be seen within the context of surrounding property and would not have a significant or demonstrable impact on the character of the wider open area. Given the housing shortfall within the district and the minimal impact the proposal would have on the open space (in effect rounding off the built environment) this proposal for a single dwelling is considered to be acceptable despite being contrary to saved policy CORE9.

#### Residential amenity

The site is irregular in shape and is in close proximity to the adjoining bungalows fronting Riby Road. It is the limited scale of the site and its proximity to the adjoining properties which makes any recommendation finely balanced as any proposal would have a tangible impact on these properties. The question, therefore, is whether these impacts would be of such significance to demonstrably harm residential amenity.

The detached dwelling would be positioned at 90 degrees to these bungalows at Riby Road and would be two storeys in height. The western elevation facing the bungalows would include a first floor window but this would serve a bathroom and could be conditioned to be obscure glazed. Facing windows to the rear would face south westwards. Such a direction would allow oblique views of the adjoining gardens at 19 and 21 Riby Road limiting its impact. Views to the north into 15 Riby Road would be limited by the 10.8m distance and a 2m high hedge to the boundary. To the south east is an open paddock area. Whilst the owner of this property has raised concerns over privacy in this area, it is designated as open space which if is visible from a considerably number of other dwellings on higher ground to the south east. It is not considered therefore that privacy would be significantly impacted upon and would not prohibit further development.

The two storey detached dwelling would be positioned 3m from the boundary with the bungalow property at 19 Riby Road. The proposal would represent a significant mass to the adjoining properties to the west. The applicant has sought to be mindful of this and the main two storey element of the dwelling would not be directly positioned to the rear the actual bungalows but slightly to the north east. There would also be a 12.65m gap between the rear elevation of the facing bungalow and the side elevation of the proposal. Whilst not a significant distance it is considered that this would be sufficient, together with the dwellings position and 1m difference in ground levels to limit the impact on the amenities of the adjoining bungalow. The space between properties whilst limited would also allow a reasonable level to light and sunlight to be maintained.

The existing access drive between 15 and 19 Riby Road would be utilised maintaining the character of the area. Although the access is in close proximity to both properties, no. 19 has a sizeable side garden whilst the high hedge and 4.5m gap to the side elevation of 15 Riby Road would be sufficient to maintain the amenity levels in terms of noise and nuisance from traffic and pedestrians. It is likely, however, that additional planting would be needed which can be conditioned. In addition to this, the traffic from one dwelling, in addition to the use of the site by the existing occupier of the wider area, is unlikely to cause significant nuisance. The turning area could also be screened by planting or fencing further reducing nuisance.

The applicant suffers significant health issues which leads to extended "flare ups" when she is confined to a wheel chair, bed or requires hospital admission. The likely prognosis for this disease is that such flare ups will become more frequent and permanent paralysis is an unfortunate but realistic prospect. Equally, however, the applicant currently enjoys long periods in remission where she can partake in reasonably normal family and work tasks. The proposal therefore seeks to balance these two completing pressures for the applicant in the most appropriate manner. Whilst such a matter does not outweigh other planning matters it is material consideration which needs to be taken into account in this finely balanced case.

## Drainage and highway access

The access to the highway at Riby Road is an existing access serving the open space. The highways authority has not objected to this access being utilised but has recommended conditions to improve the access to the highway. Revisions to the proposal have maintained the highway tree protected by a preservation order and a site visit with tree officers have shown that an improved access could be formed without harm to this tree. A

condition however, should be imposed to agree the detail of such works. In a similar manner conditions would require the provision of the turning area shown on plans to allow vehicles to enter and leave in a forward gear. Again details can be agreed through conditions.

The site is located within a zone 1 flood area, although it is known that significant surface water flooding occurs through water running from the highway at Riby Road down the access drive to the area to the east. Surface water is also known to stand on the site. Environmental Protection officers have indicated that the proposed dwelling would not add significantly to the surface water flows within the area. Similarly, the internal drainage board has not raised an objection to surface water flows being directed into Caddle Beck. Similarly, a condition requiring the actual detail of a drainage scheme for the development is also proposed. Conditions relating to the construction of the access and turning area would ensure the construction of these areas was porous again limiting surface water runoff.

It is known that the majority of the issues at the site relate to surface water flows from the highway. These flows are existing and would not be significantly affected by the construction of the dwelling. The highways authority have outlined that a drainage connection from the highway to Caddle Beck is located beneath the access. A meeting with a highway drainage officer has also concluded that works to improve the access would not preclude the future improvement of the main drain and subject to detailed designs would ensure current surface water runoff from Riby Road would be maintained. Conditions are therefore recommended to ensure the detail of this access is agreed before development commences.

#### Trees & nature conservation

The site has a number of trees within it and a number of species which are located within adjoining garden areas. There are also two trees to the front of the site close to the access. One of these trees is protected by the Tree Preservation Order. The applicant is proposing to maintain the TPO tree immediately to the south of the access. As noted above a site visit with tree officers has concluded that this tree could be retained subject to detailed designs of the access being first agreed. The second tree to the rear of this is of a poor condition and its removal would not be objected to.

To the north western corner of the site are two further mature trees. Neither of these trees is protected by a preservation order but one is of value. The applicant had looked to retain the better tree but is now wishing to remove it and replace it with two new trees. This is regrettable and would detract from the character of the immediate area. New trees would also take a significant time to grow to a comparable size. Whilst the loss of this tree is regrettable it is not suitable for protection by a preservation order and as a result the owner of the site could remove it without permission. On balance therefore it is not considered appropriate to resist the proposal on this basis. A condition is therefore recommended to ensure that replacement trees are planted and maintained.

The site has not been identified as being of value with respect to wildlife consideration and the wider site would not be affected by the proposal. On this basis the proposals are deemed acceptable and would not be contrary to Saved Policy STRAT1 of the Local Plan.

### Other matters

It is noted that two previous applications and appeals for one and two houses respectively on this site had been resisted in the 1990's. The 1999 appeal is particularly relevant as it was for one modest detached dwelling in a similar location to the application proposal. This was refused on its detrimental impact on the character and appearance of the attractive open land designated within the Local Plan as important open space. In dismissing the appeal the Inspector noted the site was not accessible to the public and that the majority of the designated space would be retained but nevertheless the site formed part of an important open break between the original village and new residential estates. Approval would detract from this gap and would set a precedent for further development of the wider area.

Since this decision, the policy environment has changed with the need for additional housing land a key consideration. A recent appeal decision at Ryland Road, Welton has also shown that the decision maker should consider the actually impact on the role of the open space whether it should prevent coalescence or retention of a particular character. In the appeal decision there was significant concern that the proposal would set a precedent for future development, however, this is not something which should be considered as each application should be dealt with on its merits and the current proposal is predicated by a specific need. For these reasons it is considered that there has been a material change in circumstance to allow a recommendation for approval.

#### Conclusion and overall balance

The determination of planning applications is one of balance between the positives of approving a scheme compared to the limiting impacts it may have.

In this instance, the proposal would provide an additional dwelling which would assist to reduce, in a limited way, housing need within the district. Such a consideration should be given significant weight given the sustainable nature of Keelby and its position close to local amenities. In addition to this, the proposal would also provide specially designed accommodation to meet a very specific need close to family support. Such a consideration should also be given significant weight.

The proposal however has been shown to reduce the amount of designated open space within the centre of Keelby. Whilst not ideal, the application site is surrounded by existing housing on three sides with the boundaries of gardens extending to a similar distance out into the designated open space reducing its impact. Similarly, it has been shown that the dwelling would have a significant mass and would be positioned in close proximity to the adjoining bungalows impacting on amenity. The remaining distance between structures, the position and the difference in ground levels would, however, assist to limit the impact on dominance, light, sunlight and general nuisance. The area is affected by surface water flooding but subject to the imposition of conditions it is considered that these impacts could be mitigated. Finally, it has been shown that the development would require the loss of three trees. Whilst two would have a limited impact, the loss of the second birch tree would detract from the character of the area and limit amenity particularly in the future as the tree could have grown into a significant species. The significance of this loss is reduced, however, by the fact that the tree is not currently worthy of protection in its own right and could be removed without consent.

The recommendation is therefore finely balanced but it is considered that the benefits of this specialist residential unit would weight the limitations outlined.

## Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

# Conditions which apply or require matters to be agreed before the development commenced:

2. No development shall commence until a scheme detailing the disposal of surface and foul water drainage from the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment in accordance with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006

3. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be planted and measures for the protection of trees to be retained during the course of development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1, CORE 10 and RES 1.

4. No development shall take place until details of all external and roofing materials to be used have been submitted to and approved in writing by the

Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact in accordance with West Lindsey Local Plan First Review Policy STRAT 1.

5. No development shall commence until, full details of the treatment of all boundaries of the site, including where appropriate, fencing, walling hedgerows to be retained, or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior the dwelling being first occupied.

Reason: To ensure the provision of appropriate boundary treatment in the interest of the visual and residential amenity of the area in accordance with West Lindsey Local Plan First Review Policies STRAT 1, CORE 10 and RES 1.

6. No development shall take place until, details of the form and position of fencing for the protection of trees on the site have been submitted to and approved in writing by the Local Planning Authority and such fencing shall be erected in the positions approved before the development is commenced and thereafter retained until completion of the development. Nothing shall be stored or placed in any area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and CORE 10.

7. No development shall take place until, a plan showing the position and depth of all existing and proposed services has been submitted to and approved in writing by the Local Planning Authority. The installation of services shall be carried out in accordance with the approved details.

Reason: To ensure that trees are not affected by the installation of services in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and CORE 10.

8. Prior to any ground works the developer should commission a Scheme of Archaeological Works (including a timetable for their completion) in accordance with a written scheme of investigation submitted to and approved in writing by the Local Planning Authority. The works approved shall thereafter be completed in accordance with these details and timescales.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and recording in accordance with the National Planning Policy Framework.

9. Before development commences on site further details relating to the vehicular access to the public highway, turning and parking area including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter retained as such at all times.

Reason: To ensure that highway safety, drainage and the health of trees is fully considered and maintained in accordance with Saved Policies STRAT1, RES1 and CORE10 of the West Lindsey Local Plan First Draft.

## Conditions which apply or are to be observed during the course of the development:

10. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: F2501-01C. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006

11. Prior to the first occupation of the dwelling hereby approved the first floor bathroom window within the western elevation shall be obscure glazed and shall be retained as such thereafter.

Reason: To maintain the residential amenities in accordance with Saved Policy STRAT1 and RES1 of the West Lindsey Local Plan First Draft.

12. Prior to the first occupation of the dwelling the agreed drainage scheme approved under condition 2 above shall be completed in accordance with approved plans and the driveway and access shall be completed in accordance with the details approved under condition 9 and shall be retained as such thereafter.

Reason: To ensure an adequate drainage system is in place and that the access would maintain safety but ensure surface water drainage and tree health would not be compromised in accordance with saved Policies STRAT1 and RES1 of the West Lindsey Local Plan.

## Conditions which apply or relate to matters which are to be observed following completion of the development:

13. Notwithstanding the provisions of Classes A, B, C, E and F of Schedule Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the living conditions of adjoining dwellings/the resulting amount of space around the dwelling, to safeguard the character and appearance of the building, surface water flooding and its surroundings and in accordance with West Lindsey Local Plan First Review Policies STRAT1 and RES1.

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1, STRAT 12 and CORE 10.

#### Informatives

The archaeological investigation required under condition 8 is initially likely to take the form of monitoring ground works with the ability to stop works and fully record any archaeological features found. Further advice on this can be found in the Lincolnshire Archaeological Handbook 2012. A brief is available from Lincolnshire County Council Archaeology Department.

#### Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

#### Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

#### Representors to be notified -

(highlight requirements):

Standard Letter	Special Letter	Draft enclosed	

**Prepared by :** Jonathan Cadd

Signed: ....

R. acksm

**Authorising Officer** 

Date: 28 November 2014

**Decision Level** (tick as appropriate)

Delegated

Delegated via Members

Committee X



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## Planning Application No: 131591

**PROPOSAL:** Planning application for a glamping-camping site.

LOCATION: Land to the rear of The Old Smithy, Mulberry Road, Claxby, Market Rasen, Lincolnshire LN8 3YS WARD: Wold View WARD MEMBER(S): Cllr Regis APPLICANT NAME: Mr Jackson

TARGET DECISION DATE: 26/09/2014 DEVELOPMENT TYPE: Change of Use CASE OFFICER: Vicky Maplethorpe

**RECOMMENDED DECISION:** Grant permission subject to conditions

**Description:** The application site comprises a parcel of land to the rear of The Old Smithy in the small village of Claxby. The land is currently grassed with a public footpath running along the north boundary of the site.

Directly to the north of the site is a vineyard, to the east of the site are the grounds to Langham House, to the south of the site is land in the applicant's ownership beyond which is the rear garden of The Birches (formerly Karibou) and to the west of the site is The Old Smithy and Linden Lea.

The site is located within an Area of Outstanding Natural Beauty (AONB).

The application seeks permission to change the use of the site to a glampingcamping site which involves the siting of two canvas tents with the existing access and driveway used for parking at The Old Smithy.

## Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999:

The development is within a 'sensitive area' as defined in Regulation 2(1) of the Regulations (the Lincolnshire Wolds Area of Outstanding Natural Beauty) and has therefore been assessed in the context of Schedule 2 of the Regulations. After taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Therefore the development's not 'EIA development'.

## Relevant history: None

## **Representations to original plans:**

**Chairman/Ward member(s):** Cllr Regis requests the application be determined by the Planning Committee, the reasons given are; 'The AONB, further to discussions with Stephen Jack of Lincs AONB we feel the site is not suitable for these purposes and do not fall within the remit of how the Lincs Wolds want to embrace boosting the local economy; Parking, access and egress are also of concern for this facility and now the application may affect the existing right of way/footpath and immediate roadways adjacent to the site; With the situ so close to existing dwellings in a quiet rural village there

are also concerns with regard to noise and disruption of privacy overlooking residents.'

**Parish/Town Council/Meeting:** Object to the proposal on the grounds that 'It is backland/tandem development which is not permitted under RES3; The site is in the centre of the village surrounded by at least five properties. If permission is granted these will be overlooked, resulting in loss of privacy; noise and disturbance resulting from use, particularly as the topography of the land is bowl shaped with ascending land on three sides which will amplify the sound; cooking smells and fumes; Adverse impact on nature. Close proximity to nesting owls and bats/request biodiversity survey; Inadequate landscaping and boundaries; Visual impact on surrounding properties; Insufficient information in application: occupancy? Seasonality? Intensity of site? Position/details of cesspit? Water disposal? Car parking?'

**Local residents:** six e-mails of support, seven letters of objection and one letter of comments have been received.

Letters of support have been received from Surrey; North Owersby; and Claxby.

7 letters of objection received from The Birches, Mulberry Road; Linden Lea, Mulberry Road; 1 Mulberry Road; Sunnyside, Normanby Rise; Swallows Barn, St Marys Lane; 42 Kenwood Road, Sheffield; 4 Cherry Lea, Mulberry Road, Claxby. Comments mainly relate to noise and disturbance from people, dogs, electrical equipment, generators, BBQs, vehicle movements, grass cutting, light pollution; dog mess; danger from uncontrolled dogs; impact on wildlife; difficulty of access to the village due to narrow roads; financial viability of proposal; lack of prior disclosure to and discussions of the proposal with residents; additional costs to neighbours having to screen the site; security issues for residents and campers; lack of facilities within Claxby; impact on the character of the AONB; increased traffic; flooding; intrusive and inappropriate change of use in the middle of the village; loss of light/overshadowing; effect on PROW.

One letter of comments received from Crossways, Mulberry Road, Claxby.

**LCC Highways:** Requested further information be submitted including a small Transport Statement and drawings indicating a formal layout for the car park.

Archaeology: No objections

LCC Footpaths Officer: No objections

**Lincolnshire Wolds Countryside Service:** 'Usually we would not comment on applications of this nature due to the scale of the development proposal. However we have been approached by a number of concerned residents...In principle we would welcome small additional small scale camping facilities that could help to widen the opportunities for visitor stays across the AONB, whilst still ensuring that the development proposals are at a location that would minimise and indeed enhance the special qualities of the designation. The proposed application is however a concern owing to its close proximity to a number of residential properties within the settlement of Claxby and the lack of seclusion for both visitors and residents alike. I have further concerns with the limited information supplied in terms of supporting services, for example water supply, waste and effluent disposal, car parking, basic environmental information for the current site, and the market evidence to demonstrate the need and viability for a facility of this nature. In respect of the latter, the site is very close to an existing visitor facility, The Viking Way centre, with a range of further camping/caravan touring provisions at locations near Walesby, Binbrook and Caistor and further afield. On balance I have concerns with the proposed development at the site, which is in the heart of the village of Claxby. To my mind glamping-camping sites work best at scheduled locations where facilities can be developed sustainably and promoted in tandem with additional tourism/recreation facilities. The development proposed would appear to offer none of these benefits and would conflict with the very open landscaped character of this area of Claxby, within the nationally protected AONB.'

**Lincolnshire Wildlife Trust:** Consider the application to be low risk as there are no works proposed to any existing buildings or trees on site and no bright lighting proposed or any major ground works proposed and therefore they do not expect any significant impacts on bats or other protected species.

**Environmental Protection:** 'Whist I have no objections in principle to this application I am concerned that potential nuisance impact from glamping activities appears to have been located to the rear of the neighbouring property and as such more likely to go unnoticed or unmanaged by the applicant and more impacting upon the neighbour.'

### **Representations to amended plans:**

Chairman/Ward member(s): As above.

**Parish/Town Council/Meeting:** 'Whilst council acknowledges some of previous concerns have been addressed by the applicant, the objections of tandem development and inappropriateness of site in centre of village still stand as amplification of sound remains due to topography of land and disturbance to surrounding properties.

#### Local residents:

One further e-mail of support received from The Laurels, Mulberry Road, Claxby stating that the revised plans appear to address the concerns raised by some villagers regarding privacy and safety issues.

Two further letters received from Linden Lea, Mulberry Road, Claxby with supplementary comments to their original letter and from The Birches, Mulberry Road, Claxby. Comments/objections relate to; correction of errors regarding property boundaries; new red line still overlaps the eastern boundary of our property; no indication of any hedge/fence to be placed along red line and whole paddock will still be accessible to occupants of campsite; no information as to the routing of sewerage pipes or water supply; cannot imagine any camper being remotely attracted by proposal; the lack of mains electric will mean residents will encounter significant hazards from uneven ground.

LCC Highways: No objections, request conditions

Archaeology: No further comments received

LCC Footpaths Officer: No further comments received

Lincolnshire Wolds Countryside Service: No further comments received

**The Ramblers Association:** 'It has come to my attention that there will probably be no boundary hedge or fence erected between the footpath and the car park area. However, photographs indicate that it is very likely that some vehicle parking or at the very least manoeuvring could occur on the public footpath. Can you assure me this will not happen? If you cannot then, on behalf of the Ramblers Association I must formally oppose this planning application.'

Environmental Protection: 'Much improved.'

**Tourism Development Officer:** 'In principle, and subject to normal planning considerations, West Lindsey Growth Team is supportive of the above application from both an economic and tourism viewpoint.

Tourism is a major sector in West Lindsey bringing into the area around £101m in revenue and supporting c1653 full time jobs (STEAM data 2013). The provision of quality accommodation for visitors is an important element for future sustainable development within the district and any initiative which promotes this will add value to the current product as well as supporting the local authority aspiration of being a prosperous and enterprising district where an increased number of businesses and enterprises can grow and prosper.

In this application it is important to acknowledge the provision of quality accommodation as a support facility for visitors, which will undoubtedly aid in the economy of the district for local businesses and the quality of life for its residents.'

## <u>Relevant Planning Policies:</u> National policy

- National Planning Policy Framework 2012
  <a href="http://planningguidance.planningportal.gov.uk/wp-content/themes/planning-guidance/assets/NPPF.pdf">http://planningguidance.planningportal.gov.uk/wp-content/themes/planning-guidance/assets/NPPF.pdf</a>
- National Planning Practice Guidance 2014
  <a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>

## **Development Plan**

• West Lindsey Local Plan First Review 2006 (saved policies - 2009). This plan remains the development plan for the district. However, paragraph 215 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The site is in the countryside. Therefore the relevant policies to be considered for their consistency with the NPPF are:-

STRAT1 – Development requiring planning permission <u>http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1</u>

STRAT12 – Development in the open countryside <u>http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12</u>

NBE9 – The Lincolnshire Wolds – Area of Outstanding Natural Beauty http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe9

NBE14 – Waste water disposal http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14

NBE18 – Light pollution http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe18

## • Central Lincs Local Plan Preliminary Draft (LPG)

LP6 – A sustainable visitor economy

NPPF paragraph 216 states that from the day of publication, decisiontakers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

#### Main issues:

- Principle of tourist use in this location
- Residential amenity
- Access and highway safety
- Drainage and flooding
- Visual impact (including impact on AONB)
- Protected species
- Impact on PROW
- Other matters

## Assessment:

## Principle of tourist use in this location

The central theme of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development with para 28 addressing development in rural areas. There is a strong emphasis on assisting economic growth in order to create jobs and prosperity by taking a positive approach to sustainable new development. This includes supporting sustainable rural tourism and leisure developments. Whilst it has now been cancelled the Good Practice Guide on Planning for Tourism did acknowledge that planners need to recognise that the wide variety of developments that are inherent in the tourist industry means that there are some developments (eq camping sites) that are car dependent. In this case, it is thought that the majority of users will first arrive at the site by car. Once at the site, it is acknowledged that there are no facilities within Claxby and most if not all trips from the site will be by car, not only to access tourist attractions but also to get basic provisions. However, there is a Public Footpath which runs directly from the site connecting it with the surrounding countryside and villages like Tealby which offer additional facilities like tea rooms and public houses and the market towns of Market Rasen and Caistor are only 4 miles away.

The "Visit Lincolnshire" commissioned report 'Generating Strategic Insight for Lincolnshire: Current and Potential Visitor Profiling (2009)" found that Lincolnshire is attracting the older independent minded leisure visitor who like their holidays at a more relaxed pace. They do value the personal service they receive at smaller more independent accommodation sites and tend to go for holidays in more rural locations. The report also found that one disadvantage Lincolnshire has is that scenery is important for rural holidays and the scenery is not seen as being impressive in Lincolnshire, so the product offer and the activities that are available need to be enhanced to give people a reason to visit. In this context, the proposal offers a small independent site in a rural location. In this regard, it is considered that the proposal has the potential to contribute to the rural economy and respond to the market identified in the 2009 report and be different to the existing tourist accommodation offered in the locality.

It is considered that the principle of the proposal is accepted and supported; however, its acceptability rests in part on detailed consideration in particular the impact on the character and appearance of the existing countryside and AONB and on the residential amenities of neighbouring properties.

## Residential amenity

It is noted that there are a number of properties in close proximity to the site, Linden Lea and The Birches, and that these neighbours (along with others) have raised objections to the application.

Objections from the neighbours have raised concerns with respect to noise and nuisance from people, dogs, electrical equipment, generators, BBQs, vehicle movements, grass cutting, light pollution; dog mess; danger from uncontrolled dogs; security issues from for residents and campers; loss of light/overshadowing. Concerns have been raised with respect to noise and disturbance from campers. The proposal involves the siting of two tents within a field to the rear of the applicant's dwelling. The field extends up to the boundaries with Linden Lea and The Birches but has been reduced in size following concerns with regard to the proximity to neighbouring gardens. In order to protect the amenities of the neighbouring properties a condition will be attached to any permission requiring some boundary treatment to be erected along the southern boundary of the site to ensure the use stays within the application site.

Furthermore the applicant has indicated the two tents will sleep four people in each giving a maximum of eight people on site at any one time. This is not considered to be a significant number considering that the tents are located 30 metres from the rear boundary with The Birches and 60 metres from their rear wall and 20 metres from the side boundary with Linden Lea and 47 metres from their rear wall and they are to be sunk into the ground with a 1.5 metre half-moon grass bank surrounding them to provide further screening/seclusion. A condition will also be attached to any permission restricting the number of tents on site to two.

It is accepted there may be more maintenance of the site, with regard to grass cutting but it is not considered that it will have an undue adverse impact on neighbouring properties in terms of noise and disturbance.

The environmental protection officer has viewed the amended plans and does not raise any objections.

Concerns have also been raised by the occupants of The Birches with regard to loss of light/overshadowing. Due to the size, scale and location of the tents they will not result in any loss of light or overshadowing to neighbouring properties.

#### Access and highway safety

Concerns have been raised with regard to increased traffic, the difficult access to the village, vehicle noise and parking arrangements.

The highways officer requested additional details with regard to a small transport statement indicating potential numbers and a drawing indicating a formal layout for the car park. The applicant predicts there will be a maximum of four cars at any time, but the driveway can accommodate up to eight vehicles. Highways have no objections to the proposal but request conditions. Claxby is reached via a country road just off the A46.

The provision of four parking spaces is considered appropriate to serve two tents and, even if the cars used Mulberry Road in the same period of the week (such as on Friday evening arrival for a weekend break), this level of flow is not considered to be detrimental to highway safety. Specifically, whilst Mulberry Road is lightly trafficked, the flow to and from the site is not going to be continuous throughout the day given the small scale of the proposal and the fact that tourists are likely to spend much of the time away visiting the area rather than making multiple trips to and from the site during a single day. Vehicle noise is also less likely to be an issue as parking is to be on the existing driveway of The Old Smithy, which is considered to be of adequate size to accommodate the visitors to the site, and due to this location it will limit impact on the neighbouring properties.

### Drainage and flooding

Concerns have been raised with regard to drainage for the proposed tents and flooding at the site. The site is located within floodzone 1 which, according to the Environment Agency, has a low probability of flooding. Therefore the proposal is not considered to be at risk from flooding.

To ensure there is adequate drainage at the site a condition will be attached to any permission requiring details of foul water drainage.

## Visual Impact (including impact on AONB)

The site is located within the centre of this rural village to the rear of The Old Smithy which fronts on to Mulberry Road. It is surrounded by gardens and a vineyard which are very rural in nature. Concerns have been raised by residents and The Lincolnshire Wolds Countryside Service Manager that the tents will have an adverse impact on the character of the surrounding landscape. The tents measure 5 metres by 5 metres with a 2.4 metre by 5 metre veranda to the front and are 3.55 metres in height. The proposal involves sinking the tents slightly into the ground and creating a grass bank at 1.5 metres in height around the tents. Due to the low key nature of the proposal and the size and scale of the two tents and given their backdrop against existing dwellings, it is considered that they will not harm or de-value the natural beauty of the landscape or AONB. Furthermore the "construction" of the tents also means that they will leave no permanent footprint if moved or removed.

As stated above car parking for the site is to be on the existing driveway of The Old Smithy. This ensures that the car parking area does not visually intrude into the space where the tents are to be sited.

## Protected species

Concerns have been raised with regard to wildlife habitats on site. No wildlife survey has been carried out on the site. However as there are no works planned to existing buildings or trees and given the proposal is only for the siting of two tents (with no major ground works proposed) and no bright lighting installed it is not expected that there will be any significant impact on protected species. Lincolnshire Wildlife Trust have been consulted and they state that the application is relatively low risk.

## Impact on Public Right of Way

Public Right of Way (PROW) Clax/106/1 runs along the north and east boundary of the site. The Ramblers Association have expressed concerns regarding vehicle manoeuvring on the public footpath. The proposal does not change the existing situation with the footpath. The Lincolnshire County Council Footpaths Officer has stated 'the Definitive Map and Statement shows Definitive Footpath (Claxby) no.106 skirting the site although this would not appear to affect the proposed development.' It is also considered that due to the low key nature of the proposal it would not affect the setting or amenity of the PROW.

#### Other matters

Lack of prior disclosure to and discussions of the proposal with residents, additional costs to neighbours having to screen their site, residents encountering uneven ground and the proposal being a fire hazard are not material planning considerations.

Potential danger from uncontrollable dogs and dog mess in the surrounding area are also not material planning considerations as this is always possible and fall outside the scope of planning legislation and considerations.

## **Conclusion**

The probability that occupiers of the tents will usually travel to and from the site by car does not count towards its sustainability. Nevertheless, given the small scale nature of the proposal, smaller in fact than a certificated exempt site, it is considered that it is acceptable. It provides a different type of holiday accommodation that will respond to the identified need for accommodation in countryside locations and therefore should contribute to the rural economy. The size, scale and location of the tents minimises the impacts on residential amenity, visual impact and highway safety. Therefore having considered the proposal against the provisions of saved policies STRAT1, STRAT12, NBE9, NBE14 and NBE18 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework (NPPF) as well as against all other material considerations including Generating Strategic Insight for Lincolnshire: Current & Potential Visitor Profiling (2009) it is considered that the proposal is acceptable.

# **RECOMMENDATION:** Grant permission subject to the following conditions:

## Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

# Conditions which apply or require matters to be agreed before the development is commenced:

2. A scheme of landscaping including details of the size, species and position or density of all trees to be planted shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the tents.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with West Lindsey Local Plan First Review 2006 policies STRAT 1, NBE9 and NBE18.

3. Full details of the amenity embankment shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the tents.

Reason: To protect residential the residential amenity of occupiers of The Birches and Linden Lea with West Lindsey Local Plan First Review 2006 policies STRAT 1.

4. Notwithstanding the submitted details no development shall commence until, a scheme for the disposal of foul water has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent water pollution of the water environment in accordance with West Lindsey Local Plan First Review 2006 policies STRAT1 and NBE14.

5. Before the site is first brought into use, details of boundary treatment of the southern and western boundaries of the site shall be submitted to and approved in writing by the local planning authority. The approved treatment shall thereafter be retained.

Reason: To define the site boundaries and protect the residential amenity of occupiers of The Birches and Linden Lea, specifically in terms of noise and disturbance in accordance with West Lindsey Local Plan First Review 2006 policy STRAT1.

# Conditions which apply or are to be observed during the course of the development:

6. No more than two tents shall be pitched within the site in accordance with the approved layout drawing received on 23 September 2014 and they shall be occupied for holiday purposes only, not be occupied as a person's sole, or main place of residence and the owners/operators shall maintain an up-todate register of the names of all owners/occupiers of individual tents on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: The occupation of the tents unencumbered by such a condition would result in an unsustainable form of development that would neither contribute to the rural economy nor would result in sustainable travel patterns to and from services and facilities. The acceptability of the proposal is dependent upon its contribution to the rural economy through tourism. As such the condition is necessary to accord with policies STRAT1 and STRAT12 of the West Lindsey Local Plan First Review 2006.

# Conditions which apply or relate to matters which are to be observed following completion of the development:

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants within the whole site which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1 and NBE9.

8. The tents shall only be occupied from the 1<sup>st</sup> March to the 30<sup>th</sup> September.

Reason: The occupation of the tents unencumbered by such a condition would result in an unsustainable form of development that would neither contribute to the rural economy nor would result in sustainable travel patterns to and from services and facilities. The acceptability of the proposal is dependent upon its contribution to the rural economy through tourism. As such the condition is necessary to accord with policies STRAT1 and STRAT12 of the West Lindsey Local Plan First Review 2006.

9. Within 1 week of the end of the season (no later than 7<sup>th</sup> October) the tents shall be removed from site and shall only be erected 1 week in advance of the season starting (no earlier than 22<sup>nd</sup> February).

Reason: The tents are temporary structures and should be removed from site outside of the camping season in accordance with policy STRAT1 and STRAT12 of the West Lindsey Local Plan First Review 2006.

10. The minimum width of the access shall be 4.5 metres.

Reason: To ensure safe access to the site in the interests of convenience and safety and in accordance with policy STRAT1 of the West Lindsey Local Plan First Review 2006.

11. The arrangements shown on the approved plan showing the parking layout received 23<sup>rd</sup> September 2014 shall be available at all times when the camp site is in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Mulberry Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety and in accordance with policy STRAT1 of the West Lindsey Local Plan First Review 2006.

#### Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

#### Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.

## Representors to be notified -

(highlight requirements):

Standard Letter	Special Letter	Draft enclosed	
Prepared by :		Date: 21/11/14	

R. askim

**Authorising Office** 

Date: 27 November 2014

**Decision Level** (tick as appropriate)

Committee

Item 2 Claxby