



PL.05 15/16
Planning Committee
26 August 2015

Subject: Planning applications for determination

Report by:

Chief Operating Officer

Contact Officer:

Derek Lawrence
Interim Development Manager
01427 676640

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

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

x



1:2500



© Crown Copyright and database right 13 August 2015. Ordnance Survey 100018701

Officers Report

Planning Application No: 133064

PROPOSAL: Outline planning application for the erection of 12no. dwellings- access to be considered and not reserved for subsequent applications- resubmission of 132425

LOCATION: Land adj Dunholme Close Welton Lincolnshire

WARD: Dunholme and Welton

WARD MEMBER(S): Cllr M J W Parish, Cllr S England, Cllr Mrs D M Rodgers

APPLICANT NAME: Mr Charles Pickering

TARGET DECISION DATE: 25/08/2015

DEVELOPMENT TYPE: Small Major - Dwellings

RECOMMENDED DECISION: Refuse Permission

Introduction:

This application is presented to the Planning Committee as the proposal has received both objections and support during the consultation stage.

Site:

The site is located to the south of the defined settlement boundary of Welton and is therefore regarded as being within the open countryside on the Proposals Map associated with the West Lindsey Local Plan First Review (2006).

The site forms an irregular shaped parcel of land located at the north-western part of the wider area of land owned by the Applicant (as defined by the blue line associated with the Site Location Plan), involving approximately 1.2 Ha of land. Members are advised that a 2nd application has been submitted concurrently under Application Reference 132426, to change the wider area of land within the Applicant's ownership from agricultural land to public open space, which is also being reported to this Planning Committee Meeting.

The application form describes the current use of the site as 'agriculture and farm quarrying' however the site is currently overgrown and does not appear to be used. It is also understood that the wider site has recently been used as an unauthorised waste transfer station and a solid metal fence (approximately 2 metres in height) has been erected around the northern and eastern boundaries of the land within the ownership of the Applicant.

The western boundary of the application site is formed by a high level hedgerow. The wider site boundaries of the land within the Applicant's

ownership are formed by soft landscaped boundaries. The eastern boundary of the wider parcel of land (adjacent to Ryland Road) incorporates a number of mature trees. Similarly the northern and southern boundaries of the land are formed by mature hedgerows and trees.

There are a number of residential properties to the north of the application site (off Dunholme Close), which are predominantly bungalows or dormer bungalows. The Parish boundary of Welton runs approximately 90 metres north of the site, behind Roselea Close properties and the site is therefore located within the Parish of Dunholme.

Ryland Road is located east of the land within the Applicant's ownership and an open paddock is located off the eastern side of Ryland Road. Members are also advised that an outline planning application for up to 65 dwellings and associated works (reference: 132726) has been submitted on the field to the south of the site of this application. Finally, the land to the west of the application site is actively being used for arable purposes.

The site itself and wider break in development between Welton and Dunholme is allocated as 'Undeveloped breaks between settlements and green wedges around Lincoln' as defined on the Proposals Map associated with the West Lindsey Local Plan First Review.

Proposal

The proposal is for the erection of 12 dwellings and has been submitted in Outline form with access to be considered now. Matters relating to appearance, landscaping, layout and scale are reserved for subsequent approval. The proposed access is off the southern side of Dunholme Close, which is a cul-de-sac serving access to the properties located off the northern side of Dunholme Close.

An Illustrative Masterplan (Reference: 714.2/03C) forms part of the application. The indicative layout incorporates 6no 5 bedroom properties and 6no 4 bedroom properties, all of which are shown as detached properties. The layout is traditional in form and the properties sit in relatively spacious plots with on-plot parking.

The submitted Sustainable Design and Construction Statement identifies that the proposal will seek to develop homes that achieve a minimum Level 4 of Code for Sustainable Homes.. In addition the proposal seeks to service the Plots and offer them as self-build plots, which the Application highlights will support the West Lindsey District Council Right to Buy vanguard scheme.

Certificate B of the planning application has been signed (and notice served on the Lincolnshire County Council) as the proposal is understood to involve some land within the control of the County Council.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015.

For the purpose of the applying the Environmental Impact (EIA) Regulations, the 2 concurrent applications have been considered (applications 133064 and 132426). Cumulatively the site area associated with the 2 applications falls below the 5 Ha threshold for EIA Screening set out in Schedule 2 and the proposals are not considered to be EIA development accordingly.

Relevant history:

A number of planning applications have been submitted on the wider land within the Applicant's ownership, which have consistently been refused on the basis of the enclosure of the break and the coalescence of the 2 settlements. Members attention is drawn to the most recent planning application submitted under application reference number 130168 (Outline application for 74 dwellings, including 30 affordable dwellings), which was refused by West Lindsey District Council under Delegated powers and subsequently dismissed at appeal. The Decision Notice and Inspectors Decision are included in Appendix A to this report.

130168 – Outline application for 74 dwellings, including 30 affordable dwellings. Refused. (Reason for Refusal – loss of important gap between the settlements and archaeological issues). Subsequent appeal dismissed – 27th June 2014.

W24/97/95 – Outline planning application to erect 8 dwellings. Refused 25th May 1995 (Reason for refusal – loss of important break between defined settlements).

W24127/95 – Planning application to change the use of agricultural land to open space football pitch and to erect a clubhouse. Refused 25th May 1995 (Reason for refusal – loss of important break between defined settlements).

W24/1013/91 – Outline application to erect 5 dwellings, Refused 6th April 1989 (Reason for Refusal – loss of important gap between the settlements). Subsequent Appeal Dismissed – 20th October 1992.

WR/227/62 – Erect Dwellings. Refused 3rd August 1962 (Reason for refusal – result in coalescence of Welton and Dunholme).

Representations:

Chairman/Ward member(s): No comments received.

Welton-by-Lincoln Parish Council: Confirms that the Parish Council does not support the application.

Dunholme Parish Council: Confirms that it was agreed by the majority not to object to this application.

LCC Highways: Overall the Highways Authority considers that the access arrangements are acceptable, however a section of link footway will be required on Dunholme Close. The drainage details are also considered to be acceptable, however the Highways Authority has recommended that some clarity is sought in respect of the conveyance methods of surface water to the detention basin (drawing required to demonstrate).

Environment Agency: Confirms no objections.

Environmental Protection: Confirms that there is a recent history of an unauthorised waste site and inappropriate burning on this location. Confirms that a full contamination land assessment is required (including desk top study and intrusive survey). Confirm SUDS approval should be sought early in the process.

Archaeology: Confirms that the site was archaeologically evaluated in 2013 which confirmed that there is an area of archaeological sensitivity adjacent to Ryland Road. Notes this area of sensitivity is in the area proposed for open space and that the area of the proposed houses is in an area of low archaeological potential. Confirms no ground reduction/services should occur in the area of archaeological sensitivity.

Lincolnshire Police: Confirms no objections to the proposal. Provides advice for detailed design stages, which relates to: position of public footpaths; detailed design of footpaths; car parking design; definition of private/public space; garden/boundary treatment design; design of properties and security specification of windows.

Witham Third District Internal Drainage Board: confirms no objections.

Lincolnshire County Council Footpaths Officer: supports the overall treatment of the right of way within the development, but queries its alignment of and access to the northernmost plot which could create pedestrian/vehicular conflict. Queries if this is to be considered at this stage or at the RM stage.

NHS England: Confirms that the NHS will not be requesting contributions at this time.

Anglian Water: Concludes that there is adequate foul drainage capacity. Preferred option for surface water drainage is a sustainable drainage system (SuDS). Considers that the surface water strategy is considered to be unacceptable (particularly as surface water cannot be discharged to drainage ditches) and that the Applicant needs to consult with the Environment Agency/Anglian Water accordingly.

Natural England: NE has no comments to make.

Lincolnshire Wildlife Trust: no comments received.

Lincolnshire County Council: no comments received.

Local residents:

Occupant, 10 Eastfield Close, Welton: Supports. As a resident of Welton fully supports the application for 12 houses and land next to Dunholme to be publically owned. Considers this will be an excellent way for both villages to gain green space to provide an attractive gateway to both villages; considers that the housing appears to be well designed and will provide a much softer edge to Welton than currently exists and will allow residents to use/enjoy the open space. However concerned that the proposal only relates to the proposed housing and that there is no application for the open space. Understands that Dunholme Parish Council refused to comment on the application as they only had the application for 12 houses and no open space. Concerned if permission is granted for 12 houses that a subsequent application will be submitted on the remainder of the land and that the application will therefore encourage a further application on the rest of the land. Notes that there is confusion either from the applicant or WLDC to show that the applications are interlinked. Requests clarification, so can provide comments on facts and requests how long residents will have to make additional comments.

Occupant, 7 Dunholme Close, Welton: Objects. Highlights that the land is on land deemed to be an essential buffer between Dunholme and Welton to enable the villages to retain their separate identities and subject to Policy STRAT13. Notes that previous applications have been refused in line with Policy STRAT13 and expects the Council will maintain this consistent approach and refuse the application. Highlights that the emerging Dunholme and Welton Neighbourhood Plans also identifies the need to retain the villages separate identities and that this buffer zone will be an important part of the respective Neighbourhood Plans. Concerned that Dunholme Close is not of a satisfactory standard to serve more dwellings and concerned that this access will cut through the Public Right of Way. Concerned that this will be harmful to highway/pedestrian safety. Concludes that the application should be refused on the basis of conflict with STRAT13 (loss of buffer) and highways safety concerns.

Occupant, 9 Dunholme Close, Welton: Objects. 1. Land is subject to Policy STRAT13, which identifies the land as a buffer between the 2 villages. 2. Concerned that there are highways safety issues associated with the existing use of the Close and that there is likely to be highway conflict and impacts to highway safety/accidents. 3. Concerned about conflict with existing services (sewerage pipe/electricity cables).

Occupant, 11 Dunholme Close, Welton: Objects. Highlights that the land is part of the buffer between the settlements of Welton and Dunholme and that multiple previous applications have been refused on the basis of maintaining this essential buffer and the separate identities of the villages. Highlights that

the most recent Appeal decision of the 27th June 2014 reinforced this view. Also considers that the introduction of an access off Dunholme Close will change the character of the Close. Queries what guarantees would be given to ensure that 12 dwellings will not become 74 (as per the previous application). Notes that since the previous application an unsightly corrugated fence has been erected which serves no purpose, apart from to hide rubbish dumped on the land, rather than being used for security purposes.

Occupant,, 15 Dunholme Close, Welton: No objections. However considers that a give way must be clearly defined at the junction with Dunholme Close and the access widened. Concerned that the footpath requires attention as it is in a poor state of repair. Considers that the non-native leylandii should be removed and replaced with native planting.

Occupant,, Ashlin Farm, Ashling Lane: Supports. Considers the scheme will transform the awful mess into a lovely gap between the villages. Considers children will be able to play safely on the way back from school and the houses will make a more attractive village edge. Considers this is the only guarantee that the villages will stay apart.

Occupant, 51 Merlewen, Dunholme: Looking to move house and considers that the size of these properties looks ideal. Notes that the village needs this as there are no decent sized houses on decent sized plots.

Occupant, 14 Swan Close, Dunholme: Considers the proposal will benefit the village. Notes that the site is an eyesore and that the modest development of houses and provision of grasses area will be an improvement.

Occupant, 11 Edlington Close, Lincoln: Supports. Will be good for village.

Occupant,, 40 Ryland Road, Welton: Supported previous application which appeared to be rejected for no justifiable reason. The site is an eyesore and attracting vandalism.

Occupant,, 4639 Kristiansand, Norway: Moving back to UK in September and will be looking to buy a property in Dunholme. Consider the proposal will meet own/family needs.

Occupant,, 14 Elemdene, Scothern: Considers it will be great if the site is tidied up and the metal fencing removed. Considers the divide between the 2 villages would remain, that the proposal will create jobs and that the community will be benefitted greatly.

Occupant,, 11 Rawlinson Avenue, Caistor: Excellent development to create much needed houses and to support local employment.

Occupant,13 Merleswen, Dunholme: Supports. For a small development, the village will gain a valuable asset which will forever belong to the Council and its residents and continue to provide a permanent break between Dunholme and Welton.

Occupant,, 38 Eastfield Lane, Welton: Considers this to be a vast improvement on what is there now.

Occupant,, 10 Hughson Walk, Dunholme: Former Chair/Vice Chair of Dunholme Parish Council for the 25 years. Confirms has always supported the limited development on the site, with appropriate community gain which could be a great community asset and protect the gap between the 2 villages. Suggests the use of a Covenant for no domestic development for 99 years on land outside this development.

Occupant,, Lyndale, 48 Ryland Road, Dunholme: Supports and welcomes the proposal to turn potentially unsightly land into housing and a green space.

Occupant,, 14 Eagle Drive, Welton: Development will improve the look of the village and provide affordable housing.

Occupant,, 1 Manor Lane, Welton: Strongly objects. 1. Concerned that the application relates to land historically viewed as essential to retain the undeveloped land/separation between Dunholme and Welton as per Policy STRAT13. Notes that the Council has consistently refused applications relating to the development of this land. 2. Neighbourhood Plans for the 2 villages are at varying stages and each includes a policy to retain the separation of the 2 villages by resisting development within the gap. Clarifies that the Welton Neighbourhood Plan (WNP) is out for independent review, has been cited as part of other planning applications and is a material consideration. Highlights Policy EN5 of the WNP, which seeks the continued protection of the green buffer zone in line with the Saved Policy of the WLDC. Clarifies that the Dunholme Neighbourhood Plan (1b) states that arable land should be protected for food production and that the open spaces should be preserved to maintain the separate identities of Welton and Dunholme. Also highlights the conclusions of the Inspectors Decision associated with the previous application. Considers that these views should be upheld and the application refused accordingly. Given the recent approvals for major housing developments within the villages, considers that there is no requirement for additional housing in the villages. Disturbed to see the Dunholme Parish Council Members voting to support the application, contrary to emerging DNP and objections from residents. Concerned that views that the development would tidy up the land, will set a very dangerous precedent. Concerned that deliberate attempts have been made to make the land unattractive (i.e. by dumping rubbish and the 'iron curtain' perimeter fencing, which could be seen as holding the community to ransom. Strongly urges WLDC to uphold the Policies in the emerging Neighbourhood Plans to retain the green belt between the 2 villages. Finally concerned about the proposed vehicular crossing over the public footpath and the inappropriate influx of additional traffic onto Dunholme Close.

Occupant,, 51 Lincoln Road, Dunholme: Supports the proposal as the houses will be a great addition to the village, creating better footpaths and a safe area for children to play.

Occupant, 2 Vicarage Lane, Welton: Proposal will keep 2 villages separate, as the Parish Council will never build on the land. The proposal will make a great area for people to relax and children to safely play. Considers the wildlife corridor will be valuable, particularly with input from the Wildlife Trust.

Occupant,, 39 Honeyholes Lane, Dunholme: Supports. The proposal will offer a lot to an area which is lying dormant; is of the right size for the village and the open space will blend in well with the village and more than other proposals.

Occupant,, 57 Merlsewan, Dunholme: Supports. Will add character and provide a nice green open space for the village.

IDOX Checked: 6th August 2015.

Relevant Planning Policies:

National guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

West Lindsey Local Plan First Review 2006

STRAT1: Development requiring planning permission;
STRAT3: Settlement Hierarchy;
STRAT9: Phasing of housing development and release of land;
STRAT12: Development in the open countryside;
STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln;
STRAT19: Infrastructure Requirements;
SUS1: Development proposals and transport choice;
SUS4: Cycle and pedestrian routes in development proposals;
SUS7: Building materials and components;
RES1: Housing layout and design;
RES2: Range of housing provision in all schemes
RES5: Provision of play space / recreational facilities in new residential developments;
RES6: Affordable Housing;
CORE10: Open space and landscaping within developments;
NBE14: Waste water disposal;
NBE20: Development on the edge of settlements.

Dunholme Draft Neighbourhood Plan

The application site is located within the area of the Dunholme Draft Neighbourhood Plan, however the plan is at the first formal stage of evidence gathering and consultation, where limited weight can be applied. The Draft

June 2013 version of the Plan identifies that the open spaces between Welton and Dunholme should be preserved to protect the separate identities of the 2 villages.

Welton Neighbourhood Plan (Pre-Examination Consultation Draft – November 2014)

The Welton Neighbourhood Plan is at the Public Consultation stage on the draft policies and plan, where increasing weight can be applied. The site itself is located outside of the Welton Neighbourhood Plan area, however Policy EN5 of the Consultation Draft seeks to ensure the continued protection of the green buffer zone between Welton and Dunholme in line with the Policies of the West Lindsey Local Plan 2006.

Main issues

- **Principle of the development and loss of the undeveloped break between Welton and Dunholme (Policies STRAT1: Development requiring planning permission; STRAT3: Settlement Hierarchy; STRAT12: Development in the open countryside and STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln).**
- **Highway Safety (Policy STRAT1: Development requiring planning permission)**
- **Affordable Housing Provision (Policy RES6 – Affordable Housing)**
- **Ecology Considerations**
- **Flood Risk and Drainage Considerations (Policy NBE14 – Waste Water Disposal)**
- **Density of Development and Impact on Amenities (STRAT1 – Development Requiring Permission)**

Assessment

Principle of the development and loss of the undeveloped break between Welton and Dunholme (Policies STRAT1: Development requiring planning permission; STRAT3: Settlement Hierarchy; STRAT12: Development in the open countryside and STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln).

The site is located outside of the defined village settlement boundary of Welton and is therefore classified as being within the open countryside as defined on the Proposals Map associated with the West Lindsey Replacement Local Plan.

The site is allocated as 'undeveloped breaks between settlements and green wedges around Lincoln' on the Proposals Map associated with the West Lindsey Local Plan. STRAT13 seeks to preclude development involving buildings, means of enclosure or other works if the development would detract from the open rural character of undeveloped land which provides open

breaks, maintains the physical identity or prevents the coalescence of settlements.

A recently submitted planning application involving the development of the land associated with this application and the concurrent application 132426 to provide 74 dwellings (including 30 affordable units) and associated access arrangements and open space provision was refused by West Lindsey District Council by delegated powers on the 20th September 2013 (see Appendix A – Decision Notice). The main reason for refusal included loss of the gap which is important in sustaining the separate and individual identities and settings of the 2 villages and the associated perceived coalescence of the two settlements. In addition the proposal was considered to harm the archaeological significance of the site. This decision was subsequently dismissed at appeal on the 27th June 2014 (See Appendix A).

In dismissing this appeal, the Inspector agreed that the appeal site formed a discrete part of a much wider landscaped setting of the two villages and that its loss would significantly reduce the gap between the villages (paragraph 16). The scheme subject of the appeal, maintained a gap from Ryland Road and the dwellings to the west. However the Inspector placed a great deal of emphasis on the perceived open break in development from Ryland Road and the 'ability to perceive the open land beyond' (paragraph 18).

The development subject of this application is set back from Ryland Road to provide a gap in development of approximately 120 metres between Ryland Road and the proposed dwellings. Whilst it is acknowledged that this would help to maintain more immediate views of the 'perception' of the gap from Ryland Road, the perception of 'open land beyond' would be lost as a result of the development. In addition the Inspector emphasised the important perception of the gap from the Public Rights of Way (PROW) to the north (169) and the west (785) of the application site (paragraphs 20 and 21). The Inspector noted that an important perception of the gap is gained from footpath 169, where the role of the appeal site and the field to the south as a buffer to the northern limit of Dunholme can be readily appreciated. Similarly the appeal site and adjoining fields were considered to 'add depth to views' from footpath 785 (paragraph 20). Whilst the application scheme seeks to minimise the footprint and mass of development, the proposal will still reduce the actual and perceived gap between the settlements of Dunholme and Welton. The site subject of this application is located on part of the land which forms the narrowest gap between the two settlements and is highly sensitive in this regard. The overriding conclusions and reasoning of the dismissed planning appeal associated with application 130168 are considered to be of relevance to this application and it is not considered that there have been any significant material changes that would justify a different outcome in this case.

Members are advised that since the determination of the previous application a solid corrugated metal fence has been erected along the northern and eastern boundaries of the wider site within the Applicants ownership. The submitted Design, Access and Landscape Assessment advises that the fencing and existing boundary vegetation will obscure views into and across

the site. Whilst the fencing does detract from the open landscaped character of the field to some degree (i.e. obscuring immediate views), it is not considered that this overrides or justifies the development of the application site for residential purposes. The development of part of the site for residential purposes will have a significantly greater and irreversible impact than the existing fencing and boundary vegetation on this important open break. The proposed development will involve blocks of buildings and associated high level rooflines, which will undoubtedly involve a significant change in character of the land, from the soft landscaped views that currently exist from this un-developed land.

Whilst all planning applications are considered on their individual merits, if supported as a result of the introduction of fencing and tall landscaping, this could set a harmful precedent for the loss of other identified important breaks in development within the District.

Similarly the Application sets out the argument that there is a fallback position of the development of agricultural buildings under historical permitted development rights, which has commenced. The District Council considers that insufficient evidence has been put forward in this regard and does not accept this fall back position exists.

In considering the previous appeal the Inspector concluded that the site was well located to existing services and to public transport links to larger service centres.. It is nonetheless of some relevance that the District Council has subsequently approved the residential development of suitable sites within Welton and Dunholme. Of particular interest, there is a resolution to grant planning permission for 350 dwellings (under reference 131681) to the north of the existing settlement limit of Welton. Welton and Dunholme are identified as Primary Rural Settlements in the locational strategy associated with Policy STRAT3. Policy STRAT6 allows for some limited small scale and infill housing within the settlement limits in Primary Rural Settlements.

The development of appropriate sites have been supported by the District Council, to help address the identified shortfall of housing, however in this case the significant harm of the development would demonstrably outweigh its benefits. In dismissing the appeal associated with application (130168) the Inspector concluded that allowing the proposal could be a watershed moment in the pattern of development and that it would be increasingly difficult to resist development between the villages. It is concluded that a change of this significance ought to be subject to a formal policy review (paragraph 47) and that 'maintenance of the physical gap between the villages is the most obvious way of preserving the separate identities of the two communities' (paragraph 48). It is considered that these points of principle apply to the current scheme.

Overall the site will involve the unjustified development of land which is located within the open countryside. Furthermore the land forms part of a wider gap which is important in sustaining the separate and individual identities and setting of these two villages. Its development would mark the

beginnings of the coalescence of the two settlements. The proposal is therefore considered to be contrary to Policies STRAT12 and STRAT13 and the emphasis of sustainable development contained in the NPPF (particularly paragraphs 7, 14, 17, 49, 55, 61 and 109).

Highway Safety and Impacts on Public Right of Way (Policy STRAT1: Development requiring planning permission)

The site is submitted in Outline form, with Access to be considered. The access is proposed off the southern side of Dunholme Close. A Transport Assessment (TA) has been submitted as part of the application, which concludes that the development scheme is appropriate for the site in transport terms and that no severe impacts are anticipated to result from the proposals. The Highways Authority has concluded that the access arrangements are acceptable in principle, but that a section of footway will be required on Dunholme Close and that some clarification is required in relation to the conveyance methods of the surface water drainage arrangements to the detention basin.

Subject to clarification on a small crossing over the Public Right of Way, the proposal will preserve the PROW's adjacent to the site.

Overall the proposal is considered to be acceptable from a highway safety point of view, in accordance with Policies STRAT1 and the NPPF.

Affordable Housing Provision (Policy RES6 – Affordable Housing)

Policy RES6 requires 25% of housing to be provided as affordable housing, to meet the demonstrated need for affordable housing within the District.

Ecology Considerations

An Extended Phase 1 Survey has been submitted which concludes that the site does not support rare or uncommon plant assemblages, that it has a negligible ecological value and that no evidence of protected species was identified.

Overall the Survey identifies that some potential exists for positive ecological enhancements as part of the proposed development of the site, in line with the requirements of the NPPF.

Flood Risk and Drainage Considerations (Policy NBE14 – Waste Water Disposal)

The site is located within Flood Zone 1 which has a low probability of flood risk.

A Flood Risk Assessment (FRA) has been submitted as part of the application, which confirms that the proposal is not expected to increase flood

risk elsewhere. The FRA confirms that Sustainable Urban Drainage Systems (SUDS) will be incorporated to manage surface water run-off. The Highways Authority in their role as the drainage authority would require further details of the conveyance methods of surface water to the detention basins as part of agreeing the proposed drainage arrangements. In addition Anglian Water (AW) have recommended the inclusion of a condition to agree the precise means of surface water discharge. AW has confirmed that there is adequate capacity for foul sewerage disposal.

Subject to the agreement of specific details, the proposal is considered to accord with Policy NBE14 and the NPPF.

Density of Development and Impact on Amenities (STRAT1 – Development Requiring Permission)

The proposal seeks to achieve a low density of development (10 dwellings per hectare). Whilst only an Indicative Layout has been provided as part of the outline application, this does demonstrate that 12 dwellings could be accommodated within the site, without adversely harming the amenities of neighbouring residential properties through overlooking, overshadowing or massing impacts.

Other matters

The site has been archaeologically evaluated, which confirms that this application is in an area of low archaeological sensitivity. In addition the Health Authority has confirmed that no contributions are required as a result of the development.

Conclusion

In conclusion the proposal is considered to be unacceptable and it is recommended that the application be refused on the basis of the unjustified development of land located within the open countryside and the associated adverse harm to the important undeveloped break between settlements.

Recommendation: Refuse Permission

Reason 1:

The proposal is considered to represent unjustified residential development of land located within the open countryside. Furthermore the proposal will result in the partial development of land identified as an undeveloped break between settlements within the West Lindsey Local Plan First Review (June 2006), which is considered to significantly erode the significance of the gap in sustaining the separate and individual identities and setting of the villages of Welton and Dunholme and would lead to the perceived and actual coalescence of the villages. This significant and demonstrable harm would outweigh the benefits of the development. The proposal is therefore considered to be contrary to Local Plan Policies STRAT12 – Development in

the Open Countryside and Policy STRAT13 - Undeveloped Breaks between Settlements and Green Wedges Around Lincoln of the West Lindsey Local Plan First Review (June 2006) and the emphasis of sustainable development contained in the NPPF, particularly paragraphs 7, 14, 17, 49, 55, 61 and 109.

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.



1:2500



© Crown Copyright and database right 13 August 2015. Ordnance Survey 100018701

Officers Report

Planning Application No: 132426

PROPOSAL: Planning application for change of use from agricultural land to public open space

LOCATION: Land South of Dunholme Close Welton Lincolnshire

WARD: Welton and Dunholme

WARD MEMBER(S): Cllr M J W Parish, Cllr S England, Cllr Mrs D M Rodgers

APPLICANT NAME: Mr Charles Pickering

TARGET DECISION DATE: 01/06/2015

DEVELOPMENT TYPE: Large Major - Other

RECOMMENDED DECISION: Refuse Permission

Introduction:

This application is presented to the Planning Committee as the proposal has received both objections and support during the consultation stage.

Site:

The site is located to the south of the defined settlement boundary of Welton and is therefore regarded as being within the open countryside on the Proposals Map associated with the West Lindsey Local Plan First Review (2006).

The site incorporates 2 irregular shaped parcels of land located at the north-western and eastern parts of the wider area of land owned by the Applicant (as defined by the blue line associated with the Site Location Plan), involving approximately 3 Ha of land. Members are advised that a further application has been submitted concurrently under Application Reference 133064 (outline application), to re-develop the remaining land within the Applicant's ownership to provide 12 dwellings which is also being reported to this Planning Committee Meeting.

The application form describes the current use of the site as 'agriculture and farm quarrying' however the site is currently overgrown and does not appear to be actively used. It is also understood that the wider site has recently been used as an unauthorised waste transfer station and a solid metal fence (approximately 2 metres in height) has been erected around the northern and eastern boundaries of the land within the ownership of the Applicant.

The western boundary of the application site is formed by a high level hedgerow. The wider site boundaries of the land within the Applicant's ownership are formed by soft landscaped boundaries. The eastern boundary of the wider parcel of land (adjacent to Ryland Road) incorporates a number of mature trees. Similarly the northern and southern boundaries of the land are formed by mature hedgerows and trees.

There are a number of residential properties to the north of the application site (off Dunholme Close), which are prominently bungalows and dormer bungalows. The Parish boundary of Welton runs approximately 90 metres north of the site, behind Roselea Close properties and the site is therefore located within the Parish of Dunholme.

Ryland Road is located east of the land within the Applicant's ownership and an open paddock is located off the eastern side of Ryland Road. Members are also advised that an outline planning application for up to 65 dwellings and associated works (reference: 132726) has been submitted on the field to the south of this application. Finally, the land to the west of the application site is actively being used for arable purposes.

The site itself and wider break in development between Welton and Dunholme is allocated as 'Undeveloped breaks between settlements and green wedges around Lincoln' as defined on the Proposals Map associated with the West Lindsey Local Plan First Review.

Proposal

The application is a full application for the change of use from agricultural land to public open space. The application seeks to change the use of the land and does not include details of any proposed groundworks (i.e. landscaping, works to level the ground, creation of footpaths etc). However an Illustrative Masterplan (Reference 714.2.07A forms part of the application, which gives some indication for the future vision of this area of land. This indicatively shows a number of pedestrian footpaths which connect to nearby existing footpaths; the provision of the drainage lagoon associated with the proposed SUDS scheme which forms part of application 133064 and tree/shrub planting.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015.

For the purpose of applying the Environmental Impact (EIA) Regulations, the 2 concurrent applications have been considered (applications 133064 and 132426). Cumulatively the site area associated with the 2 applications falls below the 5 Ha threshold for EIA Screening set out in Schedule 2 and the proposals are not considered to be EIA development accordingly.

Relevant history:

A number of planning applications have been submitted on the wider land within the Applicant's ownership, which have consistently been refused on the basis of the enclosure of the break and the coalescence of the 2 settlements. Members attention is drawn to the most recent planning application submitted under application reference number 130168 (Outline application for 74 dwellings, including 30 affordable dwellings), which was refused by West Lindsey District Council under Delegated powers and subsequently dismissed at appeal. The Decision Notice and Inspectors Decision are included in Appendix A of the report associated with application 133064.

130168 – Outline application for 74 dwellings, including 30 affordable dwellings. Refused. (Reason for refusal – loss of important gap and archaeological issues). Subsequent appeal dismissed – 27th June 2014.

W24/97/95 – Outline planning application to erect 8 dwellings. Refused 25th May 1995 (Reason for refusal – loss of important break between defined settlements).

W24127/95 – Planning application to change the use of agricultural land to open space football pitch and to erect a clubhouse. Refused 25th May 1995 (Reason for refusal – loss of important break between defined settlements).

W24/1013/91 – Outline application to erect 5 dwellings, Refused 6th April 1989 (Reason for Refusal – loss of important gap between the settlements). Subsequent Appeal Dismissed – 20th October 1992.

WR/227/62 – Erect Dwellings. Refused 3rd August 1962 (Reason for refusal – result in coalescence of Welton and Dunholme).

Representations:

Chairman/Ward member(s): No comments received.

Welton-by-Lincoln Parish Council – no comments received.

Dunholme Parish Council – no comments received.

LCC Highways: confirms no objections.

Environment Agency: Confirms no objections.

Environmental Protection: No comments received.

Archaeology: Confirms no archaeological input required.

Witham Third District Internal Drainage Board – confirms no objections.

Lincolnshire County Council Footpaths Officer – no comments received.

Local Residents:

Occupier, 44 Ryland Road, Dunholme: Would like open space, as opposed to a tin fence which kids have defaced and dumping ground.

Occupier: 9 Dunholme Close, Welton: The land is covered by Policy STRAT13, which relates to land required as buffers between villages. Previous applications on/adjacent to this site have been refused on the grounds that the land is protected by STRAT13.

Occupier, 48 Ryland Road, Dunholme: Supports the proposal for 12 dwellings, particularly as own property overlooks the corrugated fencing which has been vandalised with graffiti. Keen to support open space with proposed pond/hedgerows. Seeks re-assurances that the existing fencing will be removed if and when the new build commences.

Occupier, Manor Lane, Welton: (Letter 1) Notes the planning application relates to land that is designated by STRAT13 as necessary to retain a buffer between Dunholme and Welton. Considers the application should be refused to be consistent with Council Policy and previous decisions. The formative Welton and Dunholme Neighbourhood Plans identify the need to retain the separate identities of the villages and the land should remain undeveloped. Expects the Council to refuse the application as it fails to accord with STRAT13. (Letter 2) Strongly objects as the proposal is intrinsically linked to 133064 (12 dwellings). Outlined views on why the application should be refused on the linked application (133064) and that these views apply equally to this application.

IDOX Checked: 11th August 2015.

Relevant Planning Policies:National guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

West Lindsey Local Plan First Review 2006

STRAT1: Development requiring planning permission;
STRAT12: Development in the open countryside;
STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln;
SUS4: Cycle and pedestrian routes in development proposals;
CORE10: Open space and landscaping within developments;
NBE20: Development on the edge of settlements.

Dunholme Draft Neighbourhood Plan

The application site is located within the area of the Dunholme Draft Neighbourhood Plan, however the plan is at the first formal stage of evidence gathering and consultation, where limited weight can be applied. The Draft June 2013 version of the Plan identifies that the open spaces between Welton and Dunholme should be preserved to protect the separate identities of the 2 villages.

Welton Neighbourhood Plan (Pre-Examination Consultation Draft – November 2014)

The Welton Neighbourhood Plan is at the Public Consultation stage on the draft policies and plan, where increasing weight can be applied. The site itself is located outside of the Welton Neighbourhood Plan area, however Policy EN5 of the Consultation Draft seeks to ensure the continued protection of the green buffer zone between Welton and Dunholme in line with the Policies of the West Lindsey Local Plan 2006.

Main issues

- **Principle of the development and loss of the undeveloped break between Welton and Dunholme (Policies STRAT1: Development requiring planning permission; STRAT3: Settlement Hierarchy; STRAT12: Development in the open countryside and STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln).**
- **Highway Safety (Policy STRAT1: Development requiring planning permission)**
- **Ecology Considerations**
- **Flood Risk and Drainage Considerations (Policy NBE14 – Waste Water Disposal)**
- **Density of Development and Impact on Amenities (STRAT1 – Development Requiring Permission)**

Assessment

Principle of the development and loss of the undeveloped break between Welton and Dunholme (Policies STRAT1: Development requiring planning permission; STRAT3: Settlement Hierarchy; STRAT12: Development in the open countryside and STRAT13: Undeveloped breaks between settlements and green wedges around Lincoln).

The site is located outside of the defined village settlement boundary of Welton and is therefore classified as being within the open countryside as defined on the Proposals Map associated with the West Lindsey Replacement Local Plan.

The site is allocated as 'undeveloped breaks between settlements and green wedges around Lincoln' on the Proposals Map associated with the West Lindsey Local Plan. STRAT13 seeks to preclude development involving

buildings, means of enclosure or other works if the development would detract from the open rural character of undeveloped land which provides open breaks, maintains the physical identity or prevents the coalescence of settlements.

A recently submitted planning application involving the development of the land associated with this application and the concurrent application 133064 to provide 74 dwellings (including 30 affordable units) and associated access arrangements and open space provision was refused by West Lindsey District Council by delegated powers on the 20th September 2013 (see Appendix A – Decision Notice). The main reason for refusal included loss of the gap which is important in sustaining the separate and individual identities and settings of the 2 villages and the associated perceived coalescence of the two settlements. In addition the proposal was considered to harm the archaeological significance of the site. This decision was subsequently dismissed at appeal on the 27th June 2014 (See Appendix A). In dismissing this appeal, the Inspector agreed that the appeal site formed a discrete part of a much wider landscaped setting of the two villages and that its loss would significantly reduce the gap between the villages (paragraph 16). The scheme, which was the subject of the appeal, maintained a gap from Ryland Road and the dwellings to the west. However the Inspector placed a great deal of emphasis on the perceived open break in development from Ryland Road and the ‘ability to perceive the open land beyond’ (paragraph 18 – Appendix A).

This application solely relates to the change of use of 2 parts of the land within the Applicant’s ownership to public open space. This includes the easternmost parts of the land and a smaller area of land to the south of Dunholme Close. As outlined above, the application relates to the change of use of the land and precise details of any landscaping works, fencing, ground works, footpaths, lagoons etc have not been submitted as part of the application. A letter included as part of this application indicates, that if the District Council was minded to support the application, that planning conditions could be used to agree the landscaping details. Whilst the precise proposed landscaping and associated ground works are somewhat unclear, the works identified on the Illustrative Masterplan (Drawing 714.2/07A) which includes the provision of footpaths, lagoons and potentially large ground works are likely to go beyond what could reasonably be agreed by planning conditions.

The application identifies that the development intends to maintain the perception of the gap in development from Ryland Road through the proposed change of use, however it is considered that the proposal will have a detrimental impact on the open break in development, which Policy STRAT13 seeks to protect. Specifically, a more formalised landscape is likely to appear as the beginning of the settlement of Welton and the perception of leaving Dunholme and entering Welton is likely to occur at the point of the southern boundary of the application site. This will undoubtedly reduce and undermine the perception of the already narrow open break in development between Welton and Dunholme, which the Inspector considered to be of fundamental

importance as part of the planning appeal associated with application 130168 (paragraph 17 – Appendix A).

Public open space characteristically incorporates 'urbanised features', such as fencing, play equipment, shelters, benches, formalised pitches, courts, bins, signage, lighting columns, footpaths, barriers and often a more formalised soft landscaped arrangements. Whilst the application is somewhat vague on the precise details of the physical works associated with the proposal, it is considered that there would be pressure for many of these urban features within the proposed public open space. If the ownership of this land is transferred to the Parish Council, the land would benefit from extensive Permitted Development Rights for development under Part 12 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In the event that permitted development rights were removed as part of any favourable permission or if the land remained in private control, the District Council would be likely to find it difficult to resist planning applications for development that would reasonably enable the area to properly function as public open space, but cumulatively this type of development is likely to result in urban paraphernalia which will undermine and harm this open break in development. Similarly any lighting within the open space would give the effect of the land being part of the urbanised/built up part of the village of Welton. Whilst the provision of additional public open space will be of significant social and community value to the residents of Welton and Dunholme, this is not considered to outweigh the harm of the development, particularly in terms of the perceived loss of the narrow and highly sensitive open break in development and the associated coalescence of settlements.

The overriding conclusions and reasoning of the dismissed planning appeal associated with application 130168 are considered to be of direct relevance to this application and it is not considered that there have been any significant material changes that would justify a different outcome.

Members are advised that since the determination of the previous application a solid corrugated metal fence has been erected along the northern and eastern boundaries of the wider site within the Applicant's ownership. The submitted Design, Access and Landscape Assessment advises that the fencing and existing boundary vegetation will obscure views into and across the site. Whilst the fencing does detract from the open landscaped character of the field to some degree (i.e. obscuring immediate views), it is not considered that this overrides or justifies the development of the application site for residential purposes or public open space provision, which will have a significantly greater and irreversible impact than the existing fencing and boundary vegetation on this important open break in development. The proposed public open space will undoubtedly involve a significant change in character of the land from the undeveloped character and soft landscaped views that currently exist.

Whilst all planning applications are considered on their individual merits, if the development is supported as a result of the introduction of fencing and tall landscaping, this could set a harmful precedent for the loss of other identified

important breaks in development within the District and other sensitive/important landscapes.

The Application suggests that there is a fallback position of the development of agricultural buildings under permitted development which has commenced. The District Council considers that insufficient evidence has been put forward in this regard and does not accept this fall back position exists.

In dismissing the appeal the Inspector concluded that allowing the proposal could be a watershed moment in the pattern of development and that it would be increasingly difficult to resist development between the villages. It is concluded that a change of this significance ought to be subject to a formal policy review (paragraph 47) and that 'maintenance of the physical gap between the villages is the most obvious way of preserving the separate identities of the two communities' (paragraph 48). It is considered that these points of principle apply to the current scheme.

Overall the land forms part of a wider gap which is important in sustaining the separate and individual identities and setting of these two villages. Its development would mark the beginnings of the coalescence of the two settlements. As such the proposal is considered to be contrary to Policy STRAT13 and the emphasis of sustainable development contained in the NPPF (particularly paragraphs 7, 14, 17, 61 and 109).

Highway Safety and Impacts on Public Right of Way (Policy STRAT1: Development requiring planning permission)

The proposal is considered to be acceptable from a highway safety point of view, in accordance with Policies STRAT1 and the NPPF.

Ecology Considerations

Overall it is considered that some potential exists for positive ecological enhancements as part of the proposed development of the site, in line with the requirements of the NPPF.

Flood Risk and Drainage Considerations (Policy NBE14 – Waste Water Disposal)

The site is located within Flood Zone 1 which has a low probability of flood risk. Subject to the agreement of specific details, the proposal is considered to accord with Policy NBE14 and the NPPF.

Density of Development and Impact on Amenities (STRAT1 – Development Requiring Permission)

Whilst the proposal will lead to the increase activity within the site, it is not considered that any adverse harm will occur to the amenities of the occupants of neighbouring residential properties as a result of the proposal.

Other matters

The Heritage Officer has confirmed that there is no objection to the proposed change of use. However it is of note that any future proposed landscaping/groundworks could impact on areas of archaeological sensitivity.

Conclusion

In conclusion the proposal is considered to be unacceptable and it is recommended that the application be refused on the basis of the adverse harm to the important undeveloped break between settlements.

Recommendation: Refuse Permission

Reason 1:

The proposed change of use to public open space will adversely harm the open and undeveloped character of land identified as an undeveloped break between settlements within the West Lindsey Local Plan First Review (June 2006). Specifically the public open space will be perceived as an extension to the village settlement limits of Welton and the application fails to demonstrate that the formalised landscape arrangements and associated urban paraphernalia associated with the use of the land as public open space will preserve the undeveloped and open character of the land. As such the proposal will substantially erode the significance of the already narrow gap in sustaining the separate and individual identities and setting of the settlements and will lead to the perceived and actual coalescence of the villages. This significant and demonstrable harm would outweigh the benefits of the development. The proposal is therefore considered to be contrary to Local Plan Policy STRAT13 - Undeveloped Breaks between Settlements and Green Wedges Around Lincoln of the West Lindsey Local Plan First Review (June 2006) and the emphasis of sustainable development contained in the NPPF, particularly paragraphs 7, 14, 17, 61 and 109.

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.

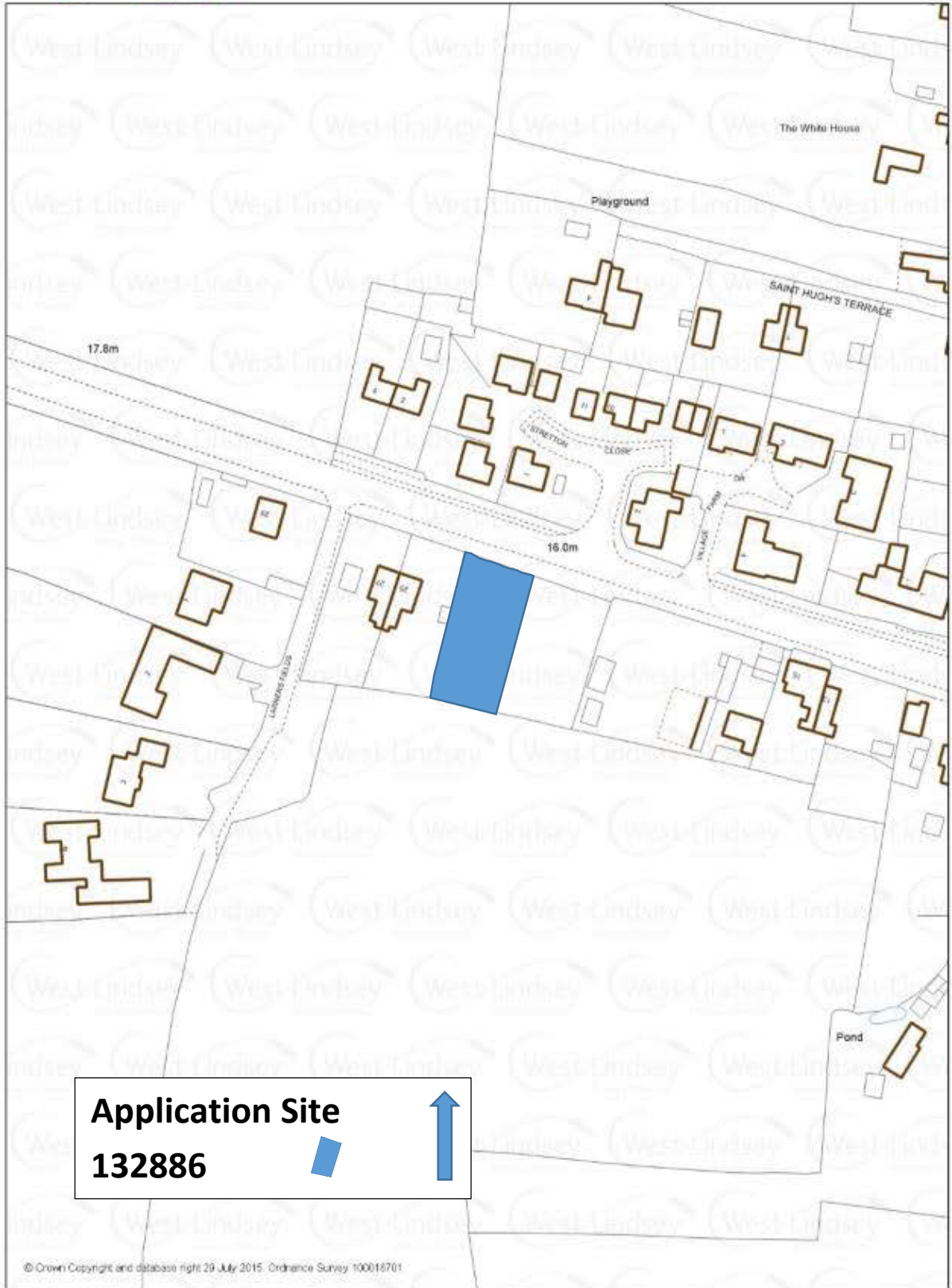
Legal Implications:

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



Map of West Lindsey District

1:1000



© Crown Copyright and database right 29 July 2015. Ordnance Survey 100018701

Officer's Report

Planning Application No: 132886

PROPOSAL: Application for approval of reserved matters for residential development following outline planning permission 131536 granted 23rd September 2014.

LOCATION: Plot 1 Land between 15 & 25 Marton Road Sturton By Stow Lincoln

WARD: Stow

WARD MEMBER(S): Cllr R A Shore

APPLICANT NAME: Mr S Kinch

TARGET DECISION DATE: 25/06/2015

DEVELOPMENT TYPE: Minor - Dwellings

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The application is referred to the Committee as the applicant is a Council Member.

Reserved matters application addressing Condition 2 of consent 131536. The application seeks approval of details in respect of appearance, layout, scale and landscaping at Plot 1 of land between 15 and 25 Marton Road, Sturton by Stow. A sister application (132885) has been submitted for Plot 2 adjacent.

The application site consists of a piece of grassland located on the southside of Marton Road on the west side of Sturton by Stow. The site's boundaries consist of hedging to the south and east. A post and rail fence with patchy hedging fronts the site. A line of trees also fronts the site. These are set within the grass verge adjacent to the highway.

To the east is a large residential property with a series of outbuildings. Plot 2 sits immediately to the west. Beyond this are semi-detached, two storey residential properties. To the south is open countryside and to the north (across the highway) is a contemporary residential development.

Plot 1 is 750sqm. A large single dwelling is proposed in a pastiche Georgian style. This will be set back approximately 16m from the highway. Within this setback, a large garage is proposed that would occupy the north eastern section of the subject site. The proposed house will be about 9.5m high to roof ridge (5.5m to eave). It will be two storey with a pitched roof. The frontage is 13.5m and the buildings depth is 7.5m. Over 3 floors (including attic storage) the gross floor area will be 303sqm.

Landscape proposals show permeable hard standing to the front of the proposed dwelling and a patio area to the rear. A lawn is proposed. Post and wire boundary treatments are shown to form the eastern and western boundaries. Existing northern and southern boundary treatments are retained. Some landscape is proposed to soften the impact of the proposed garage.

Relevant history:

Outline planning consent (131536) with all matters reserved granted for residential development on 23 September 2014.

Representations:

Chairman/Ward member(s): No comments received

Parish/Town Council/Meeting: No comments received

Local residents: 25 Marton Road commented on adverse impacts on residential amenity, retention of building line and other non-planning related matters. In particular:

1. The positioning of the proposed dwelling extended beyond the rear building line of 25 Marton Road adversely affecting residential amenity with regard to overlooking, overshadowing and overbearing.
2. The dwellings proposed for plots 1 and 2 should be swapped as this would reduce overlooking, overshadowing and overbearing at 25 Marton Road.
3. The building lines of the proposed dwelling should natch that of 25 Marton Road.
4. The proposed garage will adversely impact on residential amenity at 25 Marston Road by reason of overshadowing and overbearing and should be relocated.
5. The boundary hedge between Plot 2 and 25 Marton Road falls within the curtilage of 25 Marton Road.
6. A 1.6m high brick wall should be constructed between Plot 2 and 25 Marton Road.

LCC Highways: Requests that standard conditions be applied.

Environment Agency: No comments received

Archaeology: No comments

Building Control: No comments received

Relevant Planning Policies:

National guidance

National Planning Policy Framework

West Lindsey Local Plan First Review 2006

STRAT1 – Development Requiring Planning Permission

RES1 – Housing Layout and Design

CORE 10 – Open Space and Landscaping within Developments

Main issues

- Layout, scale and appearance
- Landscaping
- Residential amenity
- Access

Assessment:

On 23 September 2015, outline planning consent for residential development with all matters reserved at land between 15 & 25 Marton Road, Sturton By Stow was issued. This included a condition that:

“No development shall take place until, plans and particulars of the appearance, layout and scale of the building(s) to be erected and the landscaping of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.”

This applied to Plot 1 (of 2 plots) at the location. Plot 2 was granted an identical consent.

The issues to be considered in this reserved matters application are:

- Layout, scale and appearance
- Landscaping
- Residential amenity
- Access

These are discussed below.

Layout, Scale and Appearance

In considering layout and design at outline stage it was clearly established in the officer’s report “that the level of development on the site would be expected to be one, ideally of modest proportions.”

A large single dwelling is proposed in a pastiche Georgian style. This will be set back approximately 17m from the highway. Within this setback, a large garage is proposed that would occupy the north eastern section of the subject site. The proposed house will be about 8.5m high to roof ridge (5.5m to eave). It will be two storey with a pitched roof. The frontage is 13.5m wide and the buildings depth is 7.5m. Over 3 floors (including attic storage accessed from a full staircase) the gross floor area will be 303sqm.

Policy STRAT1 says that development must protect the Plan area's character and be satisfactory with regard to the number, size, layout, siting, design and external appearance of buildings. Further, policy RES1 establishes that planning permission will be granted on appropriate sites for new residential development provided that proposals are satisfactory with regard to: the nature of the local environment in terms of siting, layout, density, scale, massing, materials, design and detailing.

Given that the subject site is not within a sensitive location (eg. within a conservation area, affecting the setting of a listed building or within an Area of Outstanding Natural Beauty) a broad range of design standards would be acceptable including pastiche Georgian.

The density of the proposal is the equivalent of 13.33 dwellings per hectare. Clearly, this suggests a development that is not of modest proportions. There do not appear to be any specific design limitations to justify a low density. However, the proposal can be accommodated on the subject site and is satisfactory in all regards in its context. Consequently, the proposal accords with policies STRAT1 and RES1. It also conforms to the requirements of the NPPF.

Landscaping

Policy Core 10 – Open Space and Landscaping within Developments establishes that proposals will include landscaping that, amongst other things, help integrate the development and are integrally planned. The policy also seeks to retain and protect existing trees and hedgerows on site.

Landscape proposals show permeable hard standing to the front of the proposed dwelling and a patio area to the rear. A lawn is proposed. Boundary treatments will be the subject of consideration separately. However, for information post and wire boundary treatments are shown to form the eastern and western boundaries. Existing northern and southern boundary treatments are retained.

Landscape is proposed for the front of the plot to soften the impacts of the garage in the north-eastern corner of the plot.

The landscaping is a simple proposal. It allows future occupants to develop and stock a garden. The proposal conforms to policy CORE 10.

Residential Amenity.

The occupant of 25 Marston Road has expressed concerns with regard to adverse impacts on their residential amenity from proposals associated with Plot 2. This resulted in a reduction of height for the proposed garage from just over 6m to 5m. Given the agricultural character of 15 Marston Road adjacent to the subject site and the nature of the proposal (which does not present issues of overlooking, overshadowing or overbearing) there are no adverse effects on residential amenity.

The proposal has no residential amenity implications for the proposed dwelling on Plot 2 which is being considered separately.

The proposal conforms to policy STRAT1 and RES1 and the NPPF with regard to residential amenity.

Access

Access to the plot (and the adjacent plot) will be by drop kerb from the highway. The Local Highway Authority does not object to the proposal and seeks a condition to ensure access is provided as proposed.

Conclusion and Reason for Decision

The decision has been considered against saved policies STRAT 1, RES1 and CORE 10 of the adopted West Lindsey Local Plan First Review 2006 as well as all other material considerations, including the guidance contained within the NPPF and NPPG. In light of the above assessment, the proposal is acceptable subject to certain conditions with regard to layout, scale and design. It is not considered to unduly harm visual or residential amenity; nor highway safety.

Recommendation: Grant subject to the following conditions

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

None

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

1. This permission excludes the particulars of the materials to be used for the proposed dwelling and no development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and ensure the proposals uses materials and components that are in accordance with West Lindsey Local Plan First Review Policies STRAT1 and SUS 7.

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

2. 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 drawings TMA/1112/03 revA and TMA/1112/04.

Reason: To ensure the development proceeds as approved and to accord with Policy STRAT 1 – Development requiring planning permission 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:

3. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved drawing TMA/1112/03 RevA and retained for that use thereafter.

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

Note to Applicant

This decision shall be read alongside the outline planning consent of which the conditions should be adhered.

Prior to the submission of details of any access works within the public you must contact the Divisional Highway Manager on 01522 782070 for application, specification and construction information.

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.

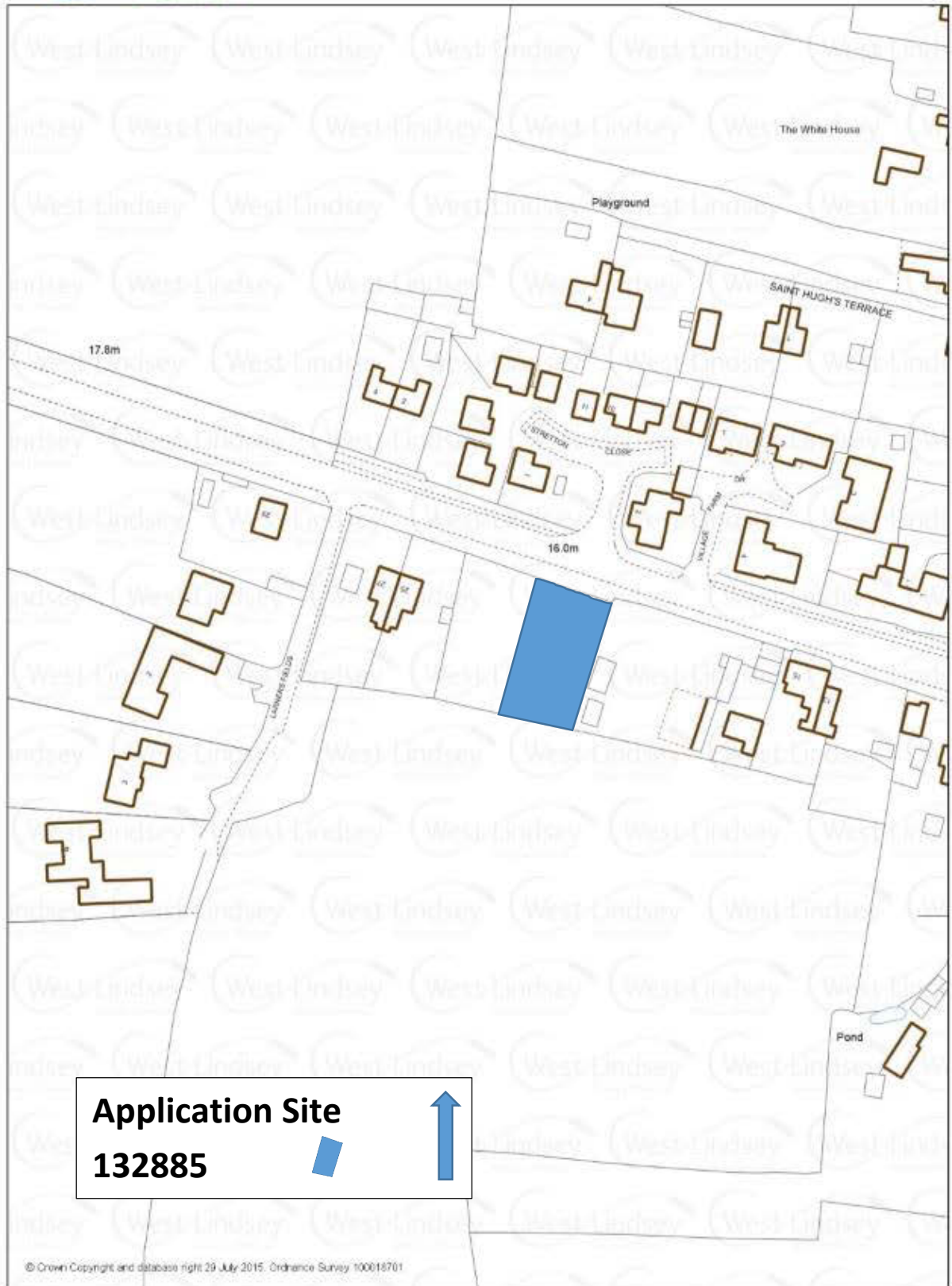
Legal Implications:

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



Map of West Lindsey District

1:1000



Officer's Report

Planning Application No: 132885

PROPOSAL: Reserved matters application for residential development following outline planning permission 131536 granted 23 September 2014

LOCATION: Plot 2 Land between 15 & 25 Marton Road Sturton By Stow Lincoln LN1 2AQ

WARD: Stow

WARD MEMBER(S): Cllr R A Shore

APPLICANT NAME: Mr S Kinch

TARGET DECISION DATE: 25/06/2015

DEVELOPMENT TYPE: Minor - Dwellings

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The application is referred to the Committee as the applicant is a Council Member.

Reserved matters application addressing Condition 2 of consent 130565. The application seeks approval of details in respect of access, appearance, layout, scale and landscaping at Plot 2 of land between 15 and 25 Marton Road, Sturton by Stow. A sister application (132886) has been submitted for Plot 1 adjacent.

The application site consists of a piece of grassland located on the southside of Marton Road on the west side of Sturton by Stow. The site's boundaries consist of hedging to the south and west. A post and rail fence with patchy hedging fronts the site. A line of trees also fronts the site. These are set within the grass verge adjacent to the highway.

To the west is a two storey, semi-detached residential property sitting within a large curtilage. Plot 1 sits immediately to the east. To the south is open countryside and to the north (across the highway) is a contemporary residential development.

Plot 2 measures 760sqm. A large single dwelling is proposed in a pastiche Georgian style. This will be set back approximately 17m from the highway. Within this setback, a large garage is proposed that would occupy the north western section of the subject site. The proposed house will be about 9m high to roof ridge (5.5m to eave). It will be two storey with a pitched roof. The frontage is 11.5m and the buildings depth is 13.5m. Over 3 floors (including attic storage) the gross floor area will be around 285sqm. The building is shaped as a squat T. The leg of the T is slightly off-set to the west

and has a height to roof ridge of 7.75m (5.5m to eaves). It is square with a depth and width of 5.5m.

Landscape proposals show permeable hard standing to the front of the proposed dwelling and a patio area to the rear. A lawn is proposed. Post and wire boundary treatments are shown to form the eastern boundary. Existing western, northern and southern boundary treatments are retained. Some landscape is proposed to soften the impact of the proposed garage.

Relevant history:

Outline planning consent (130565) with all matters reserved granted for residential development on 23 September, 2014.

Representations:

Chairman/Ward member(s): No comments received

Parish/Town Council/Meeting: No comments received

Local residents: 25 Marton Road commented on adverse impacts on residential amenity, retention of building line and other non-planning related matters. In particular:

1. The positioning of the proposed dwelling extended beyond the rear building line of 25 Marton Road adversely affecting residential amenity with regard to overlooking, overshadowing and overbearing.
2. The dwellings proposed for plots 1 and 2 should be swapped as this would reduce overlooking, overshadowing and overbearing at 25 Marton Road.
3. The building lines of the proposed dwelling should natch that of 25 Marton Road.
4. The proposed garage will adversely impact on residential amenity at 25 Marston Road by reason of overshadowing and overbearing and should be relocated.
5. The boundary hedge between Plot 2 and 25 Marton Road falls within the curtilage of 25 Marton Road.
6. A 1.6m high brick wall should be constructed between Plot 2 and 25 Marton Road.

LCC Highways: Requests that standard conditions be applied.

Environment Agency: No comments received

Archaeology: No comments

Building Control: No comments received

Relevant Planning Policies:

National guidance

National Planning Policy Framework

West Lindsey Local Plan First Review 2006

STRAT1 – Development Requiring Planning Permission

RES1 – Housing Layout and Design

CORE 10 – Open Space and Landscaping within Developments

Main issues

- Layout, scale and appearance
- Landscaping
- Residential amenity
- Access

Assessment:

On 23 September 2015, outline planning consent for residential development with all matters reserved at land between 15 & 25 Marton Road, Sturton By Stow was issued. This included a condition that:

“No development shall take place until, plans and particulars of the appearance, layout and scale of the building(s) to be erected and the landscaping of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.”

This applied to Plot 2 (of 2 plots) at the location. Plot 1 was granted an identical consent.

The issues to be considered in this reserved matters application are:

- Layout, scale and appearance
- Landscaping
- Residential amenity
- Access

These are discussed below.

Layout, Scale and Appearance

In considering layout and design at outline stage it was clearly established in the officer's report "that the level of development on the site would be expected to be one, ideally of modest proportions."

A large single dwelling is proposed in a pastiche Georgian style. This will be set back approximately 17m from the highway. Within this setback, a large garage is proposed that would occupy the north western section of the subject site. The proposed house will be about 9m high to roof ridge (5.5m to eave). It will be two storey with a pitched roof. The frontage is 11.5m and the buildings depth is 13.5m. Over 3 floors (including attic storage) the gross floor area will be around 285sqm. The building is shaped as a squat T. The leg of the T is slightly off-set to the west and has a height to roof ridge of 7.75m (5.5m to eaves). It is square with a depth and width of 5.5m.

Policy STRAT1 says that development must protect the Plan area's character and be satisfactory with regard to the number, size, layout, siting, design and external appearance of buildings. Further, policy RES1 establishes that planning permission will be granted on appropriate sites for new residential development provided that proposals are satisfactory with regard to the nature of the local environment in terms of siting, layout, density, scale, massing, materials, design and detailing.

Given that the subject site is not within a sensitive location (eg. within a conservation area, affecting the setting of a listed building or within an Area of Outstanding Natural Beauty) a broad range of design standards would be acceptable including pastiche Georgian.

The density of the proposal is the equivalent of 13.33 dwellings per hectare. Clearly, this suggests a development that is not of modest proportions. There do not appear to be any specific design limitations to justify a low density. However, the proposal can be accommodated on the subject site and is satisfactory in all regards in its context. Consequently, the proposal accords with policies STRAT1 and RES1. It also conforms to the requirements of the NPPF.

Landscaping

Policy Core 10 – Open Space and Landscaping within Developments establishes that proposals will include landscaping that, amongst other things, help integrate the development and are integrally planned. The policy also seeks to retain and protect existing trees and hedgerows on site.

Landscape proposals show permeable hard standing to the front of the proposed dwelling and a patio area to the rear. A lawn is proposed. Boundary treatments will be the subject of consideration separately. However, for information post and wire boundary treatments are shown to form the eastern boundary. The western boundary will be formed by a

retained hedge. Existing northern and southern boundary treatments are retained.

Landscape is proposed for the front of the plot to soften the impacts of the garage in the north western corner of the plot.

The landscaping is a simple proposal. It allows future occupants to develop and stock a garden. The proposal conforms to policy CORE 10.

Residential Amenity.

The occupant of 25 Marston Road has expressed concerns with regard to adverse impacts on their residential amenity from proposals associated with Plot 2. This resulted in a reduction of height for the proposed garage from just over 6m to 5m. The separation distance between the proposed dwelling and the existing house at 25 Marton Road is 14m. The western elevation of the proposed dwelling, addressing 25 Marton Road, does not contain windows of habitable rooms – at ground floor windows are for a wc/utility and at first floor an ensuite shower room. Despite the scale of the proposed dwelling, issues of overlooking, overshadowing or overbearing do not arise. There are no adverse effects on residential amenity.

The proposal has no residential amenity implications for the proposed dwelling on Plot 1 which is being considered separately.

The proposal conforms to policy STRAT1 and RES1 and the NPPF with regard to residential amenity.

Access

Access to the plot (and the adjacent plot) will be by drop kerb from the highway. The Local Highway Authority does not object to the proposal and seeks a condition to ensure access is provided as proposed.

Conclusion and Reason for Decision

The decision has been considered against saved policies STRAT 1, RES1 and CORE 10 of the adopted West Lindsey Local Plan First Review 2006 as well as all other material considerations, including the guidance contained within the NPPF and NPPG. In light of the above assessment, the proposal is acceptable subject to certain conditions with regard to layout, scale and design. It is not considered to unduly harm visual or residential amenity; nor highway safety.

Recommendation: Grant subject to the following conditions

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

None

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

1. This permission excludes the particulars of the materials to be used for the proposed dwelling and no development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and ensure the proposals uses materials and components that are in accordance with West Lindsey Local Plan First Review Policies STRAT1 and SUS 7.

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

2. 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 drawings TMA/1112/03 revA and TMA/1112/04.

Reason: To ensure the development proceeds as approved and to accord with Policy STRAT 1 – Development requiring planning permission 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:

3. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved drawing TMA/1112/03 RevA and retained for that use thereafter.

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

Note to Applicant

This decision shall be read alongside the outline planning consent of which the conditions should be adhered.

Prior to the submission of details of any access works within the public you must contact the Divisional Highway Manager on 01522 782070 for application, specification and construction information.

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



Officers Report

Planning Application No: 132906

PROPOSAL: Planning application for replacement of existing slate roof covering, replacement of downpipes and miscellaneous rainwater goods, local repairs to stonework, infilling of several existing clerestory windows and provision of solar panels.

LOCATION: Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

WARD: Gainsborough South West

APPLICANT NAME: West Lindsey District Council

WARD MEMBER(S): Cllr Mrs J. Rainsforth, Cllr T. Young

APPLICANT NAME: West Lindsey District Council

TARGET DECISION DATE: 09/06/2015

DEVELOPMENT TYPE:

RECOMMENDED DECISION: Grant Planning Permission

Description:

Trinity Arts Centre is Grade II listed and sits on the eastern side of Trinity Street, in what was the church yard when the building was a church. To the rear is a car park area, accessed from Sandsfield Lane. The principal frontage and setting of the Arts Centre is to Trinity Street, defined by a manicured grassed area with a pedestrian access. The wider setting is of terraced houses, with some businesses to the north, shops on Trinity Street and the railway line to the east.

This application for planning permission together with the application for listed building consent for the proposals (Ref 132837) is put before committee for a formal determination as the applicant is West Lindsey District Council.

Proposal: This is principally a programme of maintenance and repairs to the existing building and will incorporate new solar panels. It will involve:

- Renewal and replacement of existing roof with a mix of 75% reclaimed slate from the existing building and 25% new natural slate including the provision of new roof insulation.
- Two photo voltaic arrays with the appearance of traditional slate known as "solar slate" on two sections of the southern facing elevation.
- The removal of a series of narrow high level clerestory windows on the southern and western elevations and replacement with lead sheet cladding.
- Removal of UPVC rainwater down pipes and replacement with cast aluminium.
- Repairs to existing high level stonework principally to existing tower capping and parapet walls.

Relevant history:

Various applications in the late 1970's and 1980's relating to the conversion of Holy Trinity Church to an arts centre together with signage.

M00/P/0189 Consent to display name sign, two poster display boards and free standing sign. Granted consent 17/4/00

M02/P/0010 Planning application to construct disabled ramp, boundary treatment, railings and copings and tree works. Granted consent 3/4/02

M04/P/0189 Planning application to form a new disabled wc and changes to entrance. Granted time limit only 5/11/04

Representations:

Chairman/Ward member(s): No comments received

Parish/Town Council/Meeting: No comments received.

Local residents: No comments received.

Historic England: The consultation letter refers to infilling of several existing clerestory windows and this is not referred to or detailed in the accompanying Heritage Statement/Listed Building Statement, neither is it at all clear or apparent from the drawings. Therefore we recommend that you do not determine this application until you are satisfied that you have sufficient information and detail with which to properly assess the full impact of the proposal upon the significance of the heritage asset. We also note that the proposal includes the installation of photovoltaic panels to the south roof plane, and we would refer you to our published guidance, *Small-scale Solar Electric (photovoltaic) Energy and Traditional Buildings* (English Heritage 2010), for further detailed and technical guidance on the matter. We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Lincolnshire Historic Buildings Committee: We have no objection to this proposal.

Conservation (WLDC): The design and materials used are of a very high quality and therefore I feel that the alteration has had a high level of consideration to the original concept of the building as a church, whilst incorporating some modern features for economic and environmental reasons such as Photovoltaic slates and aluminium downpipes. I would therefore be pleased to give my approval and support for the design and details

Archaeology (LCC): No objections.

Relevant Planning Policies:**The 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 following policies are considered relevant.

West Lindsey Local Plan First Review 2006

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

National guidance

National Planning Policy Framework 2012 (NPPF)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

12. Conserving and enhancing the historic environment

Planning Practice Guidance 2014

<http://planningguidance.planningportal.gov.uk/>

Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/section/16/enacted>

Main issues

- Impact on the Listed Building

Assessment:

Section 66 of the Listed Buildings Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The original church was built in 1841 to 1843 to accommodate the growing population of Gainsborough. It was listed in 1977. The principal reasons for the designation were that; the tower and spire form an important local landmark and that the architect (T Johnson of Lichfield) had built a number of local churches in the Midlands area. It was repaired and the chancel enlarged in 1871, and there was further work in 1911. It became redundant in 1973 and was converted into an arts centre in 1982-4.

Additional information in relation to the clerestory windows has been submitted. The small scale solar guidance describes the different types of installations and in relation to “roof-integrated arrays” cautions that these systems are only compatible with certain types of roof tiles and slates.

The impetus for the works arises out of an ongoing maintenance programme to deal with the effects of the age of the building whilst at the same time incorporating the latest measures in terms of energy efficiency such as new and improved insulation and the use of solar panels to generate renewable energy that will help offset energy costs. The work involves improvements to

the internal and external fabric of the building which will help secure the long term future of this heritage asset and valuable community facility and venue, providing the only cinema venue in West Lindsey. The repairs to the external fabric in particular the stonework will enhance the appearance of this listed building. The infilling of the narrow windows at the top of the more recent extension are considered appropriate in visual terms and will not detract from the character of the building. "Solar Slate" photovoltaic units seek to emulate the visual appearance of a single standard roofing slate with a match to a Welsh "blue" slate grade. It is also installed in the same way as a traditional roofing slate, utilising stainless steel hooks. It will be necessary to require a sample to be submitted and approved prior to any works taking place. Subject to this there is no reason to withhold consent.

Conclusion and reasons for decision

Accordingly in light of this assessment, and, subject to the imposition of the conditions above, it is considered that the proposal is a well-considered and successful scheme which not only preserves the architectural significance of the heritage assets and secures their long term future it is also considered to enhance it within its setting and the wider area. This is considered to meet the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 to have special regard to the desirability of preserving listed buildings and their setting and is accordance with the guidance contained within the National Planning Policy Framework, in particular paragraph 131 which requires that Local Planning Authorities in determining applications to take account of the desirability of sustaining and enhancing the significance of heritage assets. Accordingly a grant of planning permission is considered appropriate.

Recommendation: Approval subject to 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 commenced:

2. No development shall commence until a sample of the proposed photovoltaic panels has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this Grade II Listed Building, in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework.

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

3. 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: RD:3432-06 REV E, RD:3432-07 REV B, RD:3432-08 REV C, RD:3432-9 REV C, RD:3432-10 REV B, RD:3432-11 REV A and RD:3432-13.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

4. The development shall be carried out in accordance with the approved photovoltaic panels as referred to by condition 2 above.

Reason: To safeguard the character and appearance of this Grade II Listed Building, in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework.



Officers Report

Planning Application No: 132837

PROPOSAL: Listed building consent for replacement of existing slate roof covering, replacement of downpipes and miscellaneous rainwater goods, local repairs to stonework, infilling of several existing clerestory windows and provision of solar panels.

LOCATION: Trinity Arts Centre Trinity Street Gainsborough Lincolnshire DN21 2AL

WARD: Gainsborough South West

WARD MEMBER(S): Cllr Mrs J. Rainsforth, Cllr T. Young

APPLICANT NAME: West Lindsey District Council

TARGET DECISION DATE: 09/06/2015

DEVELOPMENT TYPE: Listed Building - Alter/Extend

RECOMMENDED DECISION: Grant Listed Building Consent

Description:

Trinity Arts Centre is Grade II listed and sits on the eastern side of Trinity Street, in what was the church yard when the building was a church. To the rear is a car park area, accessed from Sandsfield Lane. The principal frontage and setting of the Arts Centre is to Trinity Street, defined by a manicured grassed area with a pedestrian access. The wider setting is of terraced houses, with some businesses to the north, shops on Trinity Street and the railway line to the east.

This application for listed building consent together with the application for planning permission for the proposals (Ref 132906) is put before committee for a formal determination as the applicant is West Lindsey District Council.

Proposal: This is principally a programme of maintenance and repairs to the existing building and will incorporate new solar panels. It will involve:

- Renewal and replacement of existing roof with a mix of 75% reclaimed slate from the existing building and 25% new natural slate including the provision of new roof insulation.
- Two photo voltaic arrays with the appearance of traditional slate known as “solar slate “on two sections of the southern facing elevation.
- The removal of a series of narrow high level clerestory windows on the southern and western elevations and replacement with lead sheet cladding.
- Removal of UPVC rainwater down pipes and replacement with cast aluminium.
- Repairs to existing high level stonework principally to existing tower capping and parapet walls.

Relevant history:

Various applications in the late 1970's and 1980's relating to the conversion of Holy Trinity Church to an arts centre together with signage.

M00/P/0189 Consent to display name sign, two poster display boards and free standing sign. Granted consent 17/4/00

M02/P/0010 Planning application to construct disabled ramp, boundary treatment, railings and copings and tree works. Granted consent 3/4/02

M04/P/0189 Planning application to form a new disabled wc and changes to entrance. Granted time limit only 5/11/04

Representations:

Chairman/Ward member(s): No comments received

Parish/Town Council/Meeting: No comments received.

Local residents: No comments received.

Historic England: The consultation letter refers to infilling of several existing clerestory windows and this is not referred to or detailed in the accompanying Heritage Statement/Listed Building Statement, neither is it at all clear or apparent from the drawings. Therefore we recommend that you do not determine this application until you are satisfied that you have sufficient information and detail with which to properly assess the full impact of the proposal upon the significance of the heritage asset. We also note that the proposal includes the installation of photovoltaic panels to the south roof plane, and we would refer you to our published guidance, *Small-scale Solar Electric (photovoltaic) Energy and Traditional Buildings* (English Heritage 2010), for further detailed and technical guidance on the matter. We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Lincolnshire Historic Buildings Committee: We have no objection to this proposal.

Conservation (WLDC): The design and materials used are of a very high quality and therefore I feel that the alteration has had a high level of consideration to the original concept of the building as a church, whilst incorporating some modern features for economic and environmental reasons such as Photovoltaic slates and aluminium downpipes. I would therefore be pleased to give my approval and support for the design and details

Archaeology (LCC): No objections.

Relevant Planning Policies:**The 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 following policies are considered relevant.

West Lindsey Local Plan First Review 2006

STRAT1: Development requiring planning permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

National guidance

National Planning Policy Framework 2012 (NPPF)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

12. Conserving and enhancing the historic environment

Planning Practice Guidance 2014

<http://planningguidance.planningportal.gov.uk/>

Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/section/16/enacted>

Main issues

- Impact on the Listed Building

Assessment:

Section 16 of the Listed Buildings Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The original church was built in 1841 to 1843 to accommodate the growing population of Gainsborough. It was listed in 1977. The principal reasons for the designation were that; the tower and spire form an important local landmark and that the architect (T Johnson of Lichfield) had built a number of local churches in the Midlands area. It was repaired and the chancel enlarged in 1871, and there was further work in 1911. It became redundant in 1973 and was converted into an arts centre in 1982-4.

Additional information in relation to the clerestory windows has been submitted. The small scale solar guidance describes the different types of installations and in relation to “roof-integrated arrays” cautions that these systems are only compatible with certain types of roof tiles and slates.

The impetus for the works arises out of an ongoing maintenance programme to deal with the effects of the age of the building whilst at the same time incorporating the latest measures in terms of energy efficiency such as new and improved insulation and the use of solar panels to generate renewable energy that will help offset energy costs. The work involves improvements to the internal and external fabric of the building which will help secure the long term future of this heritage asset and valuable community facility and venue.

The repairs to the external fabric in particular the stonework will enhance the appearance of this listed building. The infilling of the narrow windows at the top of the more recent extension is also considered appropriate and will not detract from the character of the building. "Solar Slate" photovoltaic units seek to emulate the visual appearance of a single standard roofing slate with a match to a Welsh "blue" slate grade. It is also installed in the same way as a traditional roofing slate, utilising stainless steel hooks. It will be necessary to require a sample to be submitted and approved prior to any works taking place. Subject to this there is no reason to withhold consent.

Conclusion and reasons for decision

Accordingly in light of this assessment, and, subject to the imposition of the conditions above, it is considered that the proposal is a well-considered and successful scheme which not only preserves the architectural significance of the heritage assets and secures their long term future it is also considered to enhance it within its setting and the wider area. This is considered to meet the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 to have special regard to the desirability of preserving listed buildings and their setting and is accordance with the guidance contained within the National Planning Policy Framework, in particular paragraph 131 which requires that Local Planning Authorities in determining applications to take account of the desirability of sustaining and enhancing the significance of heritage assets. Accordingly a grant of listed building consent is considered appropriate.

Recommendation: Approval subject to 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

2. No development shall commence until a sample of the proposed photovoltaic panels has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this Grade II Listed Building, in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

3. 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: RD:3432-06 REV E, RD:3432-07 REV B, RD:3432-08 REV C, RD:3432-9 REV C, RD:3432-10 REV B, RD:3432-11 REV A and RD:3432-13.

Reason: To ensure the work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

4. The development shall be carried out in accordance with the approved photovoltaic panels as referred to by condition 2 above.

Reason: To ensure the work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).