



PL.14 15/16
Planning Committee
date

Subject: Planning applications for determination

Report by:

Chief Operating Officer

Contact Officer:

Mark Sturgess
Chief Operating Officer
Mark.sturgess@west-lindsey.gov.uk
01427 676687

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

Key Decision:

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

Yes

No



Officer's Report

Planning Application No: 133848

PROPOSAL: Planning application to erect two storey extension to rear of property

LOCATION: 43 Gainsborough Road Lea Gainsborough DN21 5JN

WARD: Lea

WARD MEMBER(S): Cllr Mrs J Milne

APPLICANT NAME: Mr Shane Bailey

TARGET DECISION DATE: 16/02/2016

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: Charles Winnett

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

This application must be determined by the planning committee as the partner of the applicant is a West Lindsey District Council employee.

The application site is a two storey dwelling set within a triangular shaped plot, the dwelling is set back from the highway and is located within the settlement of Lea. The dwelling has a large front driveway to the northeast and southeast and a large triangular shaped rear garden to the southwest. An existing rear first floor extension and conservatory are located on the buildings southwest elevation. The sites north-western and north-eastern boundaries are high wooden fencing, whilst the south-western and south-eastern boundaries are high hedging. The sites adjoining land uses is residential on all sides save for the north-east, which leads onto Gainsborough road and then an open field. The application site also falls within an Area of Great Landscape Value.

The application seeks permission to erect a two storey rear extension.

The application was considered at planning committee on the 10th February 2016. Following this planning committee the application was deferred for a member site visit on the 22nd of February 2016 and is to be discussed at the next planning committee on 9th March 2016.

Relevant history:

Pre Application Enquiry - 133809 – Proposal considered acceptable in principle

Representations:

Chairman/Ward member(s):	No representations received to date
Parish/Town Council/Meeting:	No comments
Local residents:	41 Gainsborough Road – Objects to the proposal on for the following reasons:

	<ul style="list-style-type: none"> • Overlooking of property • Impact on levels of light • Scale of proposal • Impact on surrounding dwellings • Positioning of proposed windows • Value of their property • Incorrect site boundary shown on plans
Archaeology:	No objections
IDOX:	Checked on the 27/01/2016

Relevant Planning Policies:	
National guidance	National Planning Policy Framework (2012) https://www.gov.uk/government/publications/national-planning-policy-framework--2 National Planning Practice Guidance http://planningguidance.communities.gov.uk/
Local Guidance	West Lindsey Local Plan First Review 2006 (Saved Policies)
	STRAT 1 Development requiring Planning Permission http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm
	RES 11 Extensions to Dwellings Located within Settlements http://www.west-lindsey.gov.uk/localplan/written/cpt6.htm
	NBE 10 – Protection of Landscape Character in development Proposals http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm

POLICY RES 11 – Extensions to dwellings located within settlements
i. Does the proposal introduce a terracing effect in the street-scene?
As the proposal is a rear extension, it will not create a terracing effect in the street- scene.
ii. Is the proposal well designed in relation to the size, shape and materials of the building to be extended, and is subordinate to the existing property?
<p>Scale and Size - The proposed extension is to the rear of the property and will not have a detrimental impact on the street-scene as it will only be partially visible form the highway. Rear extensions in the sites surrounding area are not uncommon, however they are mainly ground floor only and not of the same scale as the proposal. In most cases they have hipped roofs, therefore of this the proposed extension would contrast with the design of the adjacent dwellings. Whilst the design of the proposal would contrast with surrounding dwellings, its positioning to the rear of the property means that any visual impact will not be significantly harmful.</p> <p>Subordinate to existing property – due to the differing needs of applicants and the individual nature of each site, Policy RES 11 does not impose any specific volume</p>

increase rules to extensions , because of this and the fact that the roof height of the existing property will not be increased, the proposal is considered to be subordinate to the existing property.

The possibility of changing the proposal to a hipped roof was discussed with the applicant to help reduce its impact on the surrounding area particularly the neighbouring dwelling to the south east, however the agent stated in the email dated on the 27/01/2016 that the applicant did not wish to change to the plans, and preferred to have the application assessed as it was submitted.

Materials -The materials to be used for the extension will match those of the existing dwelling and are considered to be acceptable.

iii. Does the proposal adversely affect the amenity of the residents of neighbouring properties by virtue of over-dominance or appearance?

Overlooking of Property and Positioning of windows – The proposed windows on the southeast elevation of the extension would be obscure glazed, as stated in the submitted plans and so would not provide any overlooking onto neighbouring properties. Further to this, whilst an existing window will be increased in size it too shall be obscure glazed which will likely improve the privacy of the occupants of number 41, which is the neighbouring dwelling.

Impact on Light/Overbearing- Due to the position of the proposed extension, and the sun's trajectory from east to west, the only area that might be impacted by a change in the level of light would be to the rear of number 45, and this impact would be minimal. The other neighbouring dwelling to the southeast is approximately 12 metres from the proposal and will not be overshadowed by the proposal or experience any significant loss of light.

iv. Does the proposal prejudice the retention of any significant trees or other important features?

There are no protected trees or important features that the proposal will affect.

v. Does the proposal enable adequate off-street parking space to remain for at least one vehicle to park?

The proposal is a rear extension and will not affect the driveway space to the front of the property.

vi. Does the proposal enable an adequate amount of private garden space to remain?

A suitable amount of garden space will still remain on the application site.

vii. Does the proposal have a significant impact on the supply, availability and subsequent affordability of smaller properties as part of the overall mix of properties within the locality?

This part of the policy is not compliant with the NPPF and has not formed part of the assessment.

Other considerations:

Area of Great Landscape Value

The design, position and size of the proposal will not have an adverse impact on the appearance and setting of the Area of Great Landscape Value.

Conclusion and reasons for decision:

The decision has been considered against the policies STRAT1 Development Requiring

Planning Permission, RES11 Extensions to Dwellings Located Within Settlements and NBE10 Protection of Landscape Character in development Proposals of the adopted West Lindsey Local Plan Review 2006 in the first instance and guidance contained within the National Planning Policy framework 2012 and the National Planning Practice Guidance 2014. In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the dwelling, nor the living conditions of neighbouring occupiers. The proposal will not have an adverse impact on the appearance and setting of the Area of Great Landscape Value.

RECOMMENDED DECISION: Grant permission 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:

NONE

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 the following drawings: VE/LE/MF/01 and VE/LE/MF/03, dated 28/10/2015 and VE/LE/MF/04 dated 18/12/2015. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

3. All external materials used in the development shall match those of the existing building in colour, size, coursing and texture.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and saved policies STRAT 1, RES 11 and NBE10 of the West Lindsey Local Plan First Review 2006.

4. The two first floor ensuite windows to the south east side elevation shall be obscure glazed and retained thereafter.

Reason: To protect the neighbour's private garden area from undue loss of privacy from overlooking to accord with the National Planning Policy Framework and saved policies STRAT 1 and RES 11 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:

NONE

Signed: Charles Winnett

Date: 27/01/2016

Signature: *Charles Winnett*

Authorising Officer:

A handwritten signature in black ink, appearing to read 'I Elliott', written over a faint horizontal line.

Date: 27/01/16



— Gross site area 19.84 Ha

Land off Willingham Road Lea Gainsborough - Site Location Plan

scale 1-2500@A3 Dwg.No. 15-186-02A April 2015



Officers Report

Planning Application No: 133236

PROPOSAL: Outline planning application for residential development of up to 450no. dwellings, including up to 300sqm of A1 and A2 use-access to be considered and not reserved for subsequent applications.

LOCATION: Land at Willingham Road Lea Gainsborough

WARD: Lea

WARD MEMBER: Cllr Mrs J B Milne

APPLICANT NAME: Lea Lincs Properties Ltd

TARGET DECISION DATE: 15/10/2015 (Extension of time agreed 11 March 2016)

DEVELOPMENT TYPE: Large Major - Dwellings

RECOMMENDED DECISION: Refuse Planning Permission

Description:

The application seeks planning permission, in outline, for a residential development of up to 450no. dwellings, and including up to 300sqm of A1 (shops) and A2 (financial and professional services) use. Permission for access is sought with this application.

Matters of layout, scale, appearance and landscape are all reserved for subsequent approval ('reserved matters').

Vehicular access would be taken from Willingham Road (B1241), on the eastern boundary of the site. Additional pedestrian access would be taken alongside 14 Willingham Road to the north of the site, along the existing Public Right of Way (PRoW).

The site measures 19.84 hectares, is immediately to the south of the village of Lea and is currently used as agricultural land. Lea is identified as a subsidiary rural settlement in the West Lindsey Local Plan First Review 2006.

Adjoining the north-eastern corner of the site are eleven residential properties – 16 to 26 (Meadow View) Willingham Road. A residential property (Keepers Cottage) sits adjacent to the northern boundary. 14 Willingham Road adjoins the site at the point of entry from the Public Right of Way (PRoW) which traverses the site.

Definitive Footpath (Lea) no.1053 runs through the eastern half of the site in a broadly north to south direction. The PRoW crosses the site's northern boundary, immediately alongside 14 Willingham Road.

To the west are the Lea Park playing fields.

The site contains one group of trees (comprising 3x oak, 1x beech, 1x horse chestnut) and four individual trees (3 x oak trees and 1 x Lime tree) subject of a Tree Preservation Order (TPO).

The site is within an Area identified as an Area of Great Landscape Value (AGLV) in the extant development plan.

The western half of the site (all land to the west of the right of way) is designated as Historic Park and Gardens in the development plan.

Town and Country Planning (Environmental Impact Assessment) Regulations 2011:

In his screening direction dated 17 April 2015 (reference NPCU/EIASC/N2535/7531) the Secretary of State directed that a development of approximately 400 dwellings on the site is not 'EIA Development' within the regulations.

The application seeks permission for up to 450 dwellings – a 12.5% increase in numbers. Nonetheless, it is considered that the addition of a further 50 dwellings would not lead to having significant effects that would mean the development would now otherwise qualify as EIA Development.

Relevant history:

W57/795/88 Change the use of agricultural land to golf course in accordance with amended details contained in a letter dated 5 October 1988. **Granted 17/10/1988.**

W57/658/90 - Outline application to erect 64 dwellings, hotel, indoor bowls centre, elderly car unit, pavilion, golf clubhouse and formation of new vehicular access points. **Refused 16/11/1990.**

W57/753/91 - Outline planning application to construct golf course, erect hotel, clubhouse, elderly care unit, 43 dwellings and form new vehicular access points. **Granted 03/04/1996.**

99/P/1016 - Application under the provisions of Section 73 of the Town and Country Planning Act 1990 to extend the period for the submission of the reserved matters, re. Outline Planning Permission Ref. W57/753/91 to construct Golf Course, erect Hotel, elderly care unit, 43 dwellings and form new vehicular access points. **Granted 07/04/2000.**

Representations (In summary):

Lea Parish Council: The proposed development is inappropriate, contrary to existing national planning policy guidance, existing and emerging Local Planning policies and should be refused planning permission. Key points, in summary:

1. At the heart of the National Planning Policy Framework (NPPF) policies is the need to achieve sustainable development - "The purpose of the planning system is to contribute to the achievement of sustainable development." (para.6).

The substantial housing development proposed is within an area of open countryside remote from employment opportunities and other necessary social facilities, of a scale unrelated to the achievement of a more natural and acceptable form of organic growth and in a location not well served by public transport infrastructure. Furthermore it is considered that if approved the development would prejudice the achievement of more appropriate, properly planned and sustainable development within the nearby urban area of Gainsborough.

2. In the West Lindsey Local Plan First Review (June 2006) Lea is identified as a Subsidiary Rural Settlement (policy STRA T3) wherein new housing development is limited to infill housing provided it meets a local need. (policy STRAT7).

The development proposed is clearly completely contrary to the spirit, terms and objectives of adopted West Lindsey Local Plan First Review policy STRAT7.

3. In the emerging Central Lincolnshire Local Plan Preliminary Draft (October 2014) Gainsborough is defined as a main urban area wherein it is proposed to accommodate around 15% of Central Lincolnshire's new housing growth. Most of this growth is proposed within large scale sustainable urban extensions (SUEs) "that can be master-planned and integrated into the town". Emerging policy LP33: A Growing Gainsborough proposes the consideration of three such SUEs which have been well researched on a comprehensive basis and one of which already has the benefit of planning permission. Some West Lindsey Members will well recall 'Gainsborough Regained – The Masterplan' and the concurrent success in achieving Growth Point Status, in July 2008. In addition, more recently, West Lindsey has been selected as a potential housing zone, which initiative is seen as an opportunity to get some momentum behind plans to increase housing opportunities in Gainsborough. These initiatives were as a consequence of a recognition of the need to address Gainsborough's relative lack of prosperity and continuing deprivation. The solution was seen as a need to grow the town to a point where it could be self-sustaining in social and economic terms, as well as being environmentally renewed and regenerated. The proposed development can only prejudice and frustrate these objectives.

The development proposed will result in a substantial housing development inappropriately attached to a small village, which is lacking in the necessary supporting services and facilities to enable a sustainable development to be achieved. Furthermore, the development has not been properly master-planned and

cannot realistically be properly integrated into the nearby Gainsborough urban area. As such the development is contrary to, and would be likely to prejudice the implementation of the emerging Central Lincolnshire Local Plan Preliminary Draft (Oct 2014) core policy LP33 which has evolved as a consequence of a number of master-planning initiatives over the last ten years or so.

4. Lea village is defined in the emerging Central Lincolnshire Local Plan Preliminary Draft as a 'small village' (policy LP2) "where development will normally be of a very limited nature and normally limited in scale to residential infilling on small sites (3 dwellings/0.1 hectares maximum)".
The proposed development is clearly contrary to Central Lincolnshire Local Plan Preliminary Draft (Oct 2014) emerging policy LP2 and if approved would thus prejudice the fundamental provisions of an emerging Local Plan.
5. Traffic. The area as a whole could not cope with the increased volume of vehicles coming and going along Willingham Road and the impact that this will inevitably have on the junction between Gainsborough Road and Willingham Road. Households have an average of 2 vehicles owned at the moment which would mean, in phase one of the development, a possible extra 900 vehicles. The junction of Willingham Road and Gainsborough Road (A156) currently suffers major congestion at peak periods with several accidents over recent times (unreported due to no injuries) and agitated and irate drivers a regular feature. The increased volume of traffic will only add to this problem. For those that chose to leave the area by other routes this will lead to congestion and increased potential for accidents in neighbouring villages (part of the Lea Ward).
6. Drainage. The village is currently served by two main sewage lines both of which are only 150mm (6 inch) in diameter. These lines are currently inadequate for the existing housing, with regular 'outflows' occurring causing damage to property and possessions. If the development is allowed to proceed it intends, according to the available plans, to tap into the current sewage lines. We fail to see how the sewage lines will cope with 450 extra homes (anticipated approximately 900 – 1800 people) discharging into them when they cannot currently cope with the waste from the existing ones. These lines cannot be increased in size as they run through and under many homes in the village.
7. Schooling. The current schools are at capacity (save for 20no. year 5 places) and could not cope with a possible extra 900 children moving to the area. The proposals do not allow for an extra school or expansion of the existing one. It would appear that no account has been made for the increase in traffic and therefore congestion around the existing school, putting the children in increased danger of being hit

by vehicles, particularly as tempers fray while trying to get in and out of the area of the school.

8. Surface water clearance. The village suffers flooding on a regular basis at all times of the year. The building of a development on this particular piece of land will only serve to send rainwater down hill to add to the existing problem at the bottom of Willingham Road. We do not feel that the proposed system of cascading ponds will deal with the problem. Severn Trent Water has previously conducted tests to determine the viability of soakaways on this site and found that in the trenches they dug there was no significant dispersion of water after 24 hours, thus concluding that soakaways would not be a suitable method for surface water disposal.
9. Need. The developers would have us believe that there is a need for this quantity of new homes in the area. The homes that are currently for sale in Lea are not selling quickly, in fact are remaining on the market for some considerable time. If there were a need for housing, those that came up for sale would sell quickly. Furthermore, there is a site nearer Gainsborough that has current planning permission for 2000 odd houses that has not been developed. If the need existed then this site would surely have been developed.
10. Medical facilities. We heard representation from Willingham Medical Practice at the public meeting and were informed that the practice is currently at capacity. If there were to be a further influx of people requiring registration at a medical practice then Willingham Medical Practice would not cope and would therefore be seen as a failing practice and be subject to closure. Even if the developers had proposed to build a new facility, we are informed that there is a national shortage of GPs and there is a distinct possibility that the new facility would not be able to recruit GPs to staff it.
11. Woodland and Wildlife. There is a considerable amount of wildlife that inhabits the proposed site, ranging from snakes (including at least one Grass Snake) through several protected/threatened species of birds, badgers and Deer. We feel it would not be desirable to 'evict' the wildlife that inhabits this area. The development would also require the removal of a large number of trees, something that in a rural area such as this, should be avoided due to the harmful effect on wildlife that they house. Not to mention the beneficial effect on the atmosphere that trees provide.
12. Access. The proposed access to the site is on Willingham Road near a bend. We feel that this is inviting an increase in accidents due to vehicles pulling out onto an unsighted area and queues of traffic trying to get onto the site. This will be further compounded by the fact that there is a farm on Willingham Road near the access point and farm traffic may further hold up the increased volume of traffic causing tempers to fray and increasing the possibility of accidents. We also

have concern over the potential access (or lack of) for emergency vehicles as there appears to be only one access route into the development. Should this be blocked by residents/visitors vehicles at any time the access to those needing of any of the 3 services will be severely hindered.

LCC Highways: Recommend conditions to secure improvements to public highway (by means of a Ghost Island Right Hand turn Facility on Willingham Road, and also a Ghost Island Right Turn Facility with pedestrian island on the A156 Gainsborough Road junction with Willingham Road. Two Bus Stops are also required in the vicinity of The Grove exact location to be agreed with LCC prior to the occupation of any dwellings); to require street phasing and completion plan; measures to ensure roads are built and maintained to an approved standard; full constructional details of the roads; to secure full details of the surface water drainage scheme.

LCC – Rights of Way: The Definitive Map and Statement shows Definitive Footpath (Lea) No.1053 affecting the site although this initially appears to be amply catered for in the proposed development. It is expected there will be no encroachment (permanent or temporary) onto the right of way. Development should pose no dangers or inconvenience to footpath users. Alterations to existing, or new stiles and gates, will need prior permission.

Environment Agency: Note that a small area of the site is within flood zone 2 and support the decision to avoid built development in this area. There appears to be no other issues within our remit and have no further comments to make.

Anglian Water: Wastewater Treatment – Upton Water Recycling Centre does not have capacity to treat flows from the site. AW are obliged to accept foul flows from development and would take necessary steps to ensure there is sufficient treatment capacity if planning permission is granted.

Foul Sewerage Network – development will lead to an unacceptable risk of flooding downstream. A foul water drainage strategy will need to be prepared in consultation with AW – request a condition to secure drainage strategy. Discharge of trade effluent to a public sewer will require AW consent.

Archaeology: Whilst some geophysical survey work has been undertaken – large areas not surveyed due to crop coverage. Recommend further survey work in form of geophysical survey is undertaken – which will inform whether any features of archaeological interest are present and whether intrusive investigation is required.

(09/02/2016) - should permission be granted, further archaeological investigation, in the form of monitoring and recording should take place in the area around trenches 3 and 4. The precise area for investigation will be dependent upon the final layout (it is acknowledged that areas of open space have been indicated within this area).

Trees: I have no objections to the idea of development in this area, but any layout needs to fully consider the large, old TPO trees and their sensitivity to

their growing environments around them. Any layout in a RM or Full application should be altered to allow suitable space around the trees, and not just their calculated RPA's, to avoid excavations, ground compaction or any changes in ground drainage around these trees as their size and ages mean they are sensitive to any changes in their growing environment.

TPO oak T1 is at risk of significant damage from the road and swale construction on the indicative map. T2 lime is at risk of decline due to insufficient space around it with little to no expected wear and ground compaction. T3 oak is at risk of removal due to children's play equipment proposed to be placed around it.

A scheme of landscaping, and aftercare/maintenance will be required. Details of tree planting pit preparation, support, and protection measures will be required.

No underground utilities should run through a Tree's RPA.

Existing ground levels should not be changed around the trees, especially within their RPA's.

Natural England: Site is in close proximity to Lea Marsh Site of Special Scientific Interest (SSSI). Given nature and scale, satisfied proposal is not likely to have an adverse effect, subject being carried out in strict accordance with details. SSSI is notified as floodplain meadow and wet grassland – main concern would be with surface water run-off from development. Recommend condition to secure further details of sustainable drainage methods. Strongly supports Green Infrastructure (GI) proposals, particularly green corridors along western and southern boundaries to connect deciduous woodlands. Recommend conditions to secure GI and method statements. The areas identified as 'public open space' would benefit from priority habitat creation.

Should consider securing measures to enhance biodiversity.

Lincolnshire Wildlife Trust: (06/08/15) Should ensure all surveys recommended by Phase 1 survey have taken place. Generally happy with level of provision of open space – recommend a landscape strip is included to buffer northern woodland (buffer would prevent light disturbance to bats). Support use of SUDS features to provide wildlife habitats. Would encourage more widespread incorporation of species rich grassland throughout the areas of green space. Habitat links should be provided wherever possible. Strongly encourage the inclusion of features for bats.

(14/10/15) Note bat emergence survey identifies two trees with bat roosts.

Strongly support report recommendations to avoid disturbance to roosts.

Layout should take account of foraging and commuting routes serving the roosts.

Concerned indicative plan shows tree 2 surrounded by development.

Phase 1 Habitat Survey had recommended bat activity surveys are carried out and breeding bird surveys - have these been completed?

Lincolnshire Police: Appreciates application is in outline but recommends following should be considered when drawing up detailed proposals: Overall permeability causes some concern as a number of pathways and connecting

routes appear unnecessary; Properties should be orientated to face streets and public areas; Car parking should ideally be located within the curtilage of the property at the front; Research shows rear parking courts are vulnerable to crime; Space should be clearly delineated between public, semi-private and private space; front gardens on all through roads should be defined using low walls, railings or planting; In vulnerable locations (i.e. entrances, parking areas and footpaths), low planting should not exceed 1m high and tree canopies no lower than 2m from ground. Important to highlight that low cost / affordable housing must be pepper-potted throughout the development rather than concentrated in one area or isolated from the general housing market – social inclusion promotes a sense of ownership, respect and territorial responsibility within the community.

Lincolnshire Fire and Rescue: Object on the grounds of inadequate water supply for fire fighting purposes. To overcome, recommend fire hydrants be installed (at the developers expense) – not possible at this time to determine the number of hydrants required.

LCC Education: This development would result in a direct impact on local Schools. In this case both the primary schools and the school-based sixth form at Lea and Gainsborough are projected, notwithstanding the proposed development, to be full in the future to the permanent capacity of the school. A contribution is therefore requested to mitigate against the impact of the development at local level. At present projections show that, excluding the effect of the development in question, Lea Frances Olive Anderson CE Primary School will have no permanent surplus places and Gainsborough school-based sixth forms will have no surplus permanent places by 2018 when it is reasonable to presume this development would be complete or well on the way. Calculate the development would generate a need for up to 90 primary places, 85 secondary places and 17 school-based sixth form places, and seek a capital contribution of £1,329,639 to address shortfall.

NHS England: Seek capital contribution of £425 per dwelling (up to £191,250) towards health infrastructure. The surgery that will be directly affected by the increased population is the Caskgate Street surgery, Gainsborough. The practice premise is an old listed building. The practice already has capacity issues and no longer has the ability to meet the demands of the patients. The registered population is circa 10,500 and as at 1 April 2015 it held 44% of the total registration list for Gainsborough. The building is now inadequate for the current services required, it was not purpose built. Due to patient choice patients can register at any practice if they live within the practice boundary. Any further increase in practice population will add additional pressure to the GPs and put the existing infrastructure and patients at risk. Practices cannot normally close their patient list to new registrations unless there are extenuating circumstances. Caskgate Street made an application to close their list which was accepted and it has been closed for the last four months. The s106 contribution would provide capital for a specific solution to the problem. A plan would be to relocate the practice premises, therefore to utilise the funding towards the part

refurbishment of an existing local authority building when a particular property comes on stream.

The Surgery (Willingham by Stow): Anticipate residents will seek registration for GP services at our surgery for the most part, with the remainder seeking services from Gainsborough practices. We are a small 3-doctor surgery with stable elderly patient population – such a dramatic influx would in our view undoubtedly affect the nature of services and negatively impact the quality of our care. Understand neighbouring Gainsborough practices are already struggling with demand outstripping capacity and at least one local surgery has sought temporary protection by closing their list to new registrations. It seems inevitable that GP services may increasingly have to restrict their services to the detriment of good patient care.

Residents

Letters of support received from:

- **Woodlands Causeway Lane.**

In summary:

- we need more housing and facilities in Lea;
- Lea is the perfect place to build quality homes and starter homes;
- Lea is crying out for new blood, it is not a retirement village;
- The country is crying out for houses, why not Lea?

Objections received from:

- **4, 10, 15, 26, 32, 34 Anderson Way;**
- **18, 20 Cavendish Drive;**
- **5, 7, 8 Church View;**
- **5, 6, 8, 9, 10 Churchill Way;**
- **3, 4, 5, 6, 7, 8, 11, 12, 16, 18, 19, 24 Cromwell Avenue;**
- **Pasture Cottage, Potters Cottage Crowgarth Lane;**
- **4, 9 (Holly House), 16, 17A, 19, 20, 24 (Gideon House), 35, 37, 41, 57, 57A, Mellow Cottage, Gainsborough Road;**
- **2, 7, 12, 13, 14A, 17, 20 Green Lane;**
- **14 Heynings Close (Knaith Park);**
- **19 High Street (Gainsborough);**
- **Walford House, Hillside (Knaith);**
- **2 Klonydike Cottages, Kexby Lane (Kexby);**
- **2 Langsdale Avenue;**
- **4, The Old Schoolhouse, Lea Park;**
- **5, 15, 22, 28 Meadow Rise;**
- **2, 3 Park Close;**
- **10, 17, 19, 21 Priory Way;**
- **The Beeches, Rectory Lane;**
- **25 Station Road (Knaith Park)**
- **6, 14, 26 The Crescent;**
- **2, 6, 9, 12, 13, 14, 15, 19, 27, 29 The Grove;**
- **4, 7, 13, 19, 21 Trehampton Drive;**
- **1 (The Old Office House), 2A, 3B, 3D, 4, 5, 7, 10 (Church Croft), 12 (The Four Oaks), 13, 14, 16, 16A, 17, 20, 20A, 20B, 22, 22A, 23, 27B,**

29, 29A, 31B, 59A, 60, Keepers Cottage, Lea Grange Farm, The Lodge (Moor House Farm), Meadow View, Willingham Road.

In summary:

- We want to remain a village;
- Doubling village size will change whole way of life, and completely change character of village beyond all recognition;
- Will become more like a town;
- Too many houses proposed;
- Semi-detached homes and flats with small gardens are not in keeping with Lea character;
- Infrastructure of the village (i.e. drainage, sewerage, width of roads) is not adequate;
- Lack of local amenities such as shops. Village hall is not big enough;
- Village does not have regular bus service;
- Hourly bus service is already often standing room only;
- Not sustainable location – basic facilities and shops are not nearby;
- Proposed access is not safe, on a bend, and will conflict with school traffic;
- One access is not enough and could hamper emergency vehicles;
- Too much additional traffic through the village;
- Already issues at junction of Willingham Road with A156;
- Traffic is diverted up Willingham Road when A156 is closed;
- Lack of parking provision being proposed;
- Not enough capacity at local schools;
- Not enough capacity at local GP surgeries;
- Gainsborough GP has closed waiting list;
- Land should be used for arable crops;
- Contrary to National planning policy approach to achieve sustainable development;
- Development is contrary to the local development plan's approach to locating development;
- Contrary to emerging plans approach to focus growth on Gainsborough and treat Lea as a 'small village';
- Loss of green fields;
- Preference should be given to brownfield sites in Gainsborough;
- Should develop Gainsborough SUEs first;
- No demand for housing in area;
- Lack of employment in area – householders will all commute;
- There are numerous houses already for sale in Lea and Gainsborough;
- It is an Area of Great Landscape Value;
- Plan describes site as 'Historic Park';
- Public right of way is frequently used. Pleasant walks along Public Right of Way will now be through a housing estate;
- ProW is used by 'Gainsborough Health Walks' – we have a lot of vulnerable people who cannot cope with change;
- Lea Park is much loved and well used, an area of natural beauty, flora and fauna to be protected for existing and future generations;
- Wildlife reports are flawed – site is used by badgers and reptiles, and deer;

- Will have a detrimental effect on Lea Marshes SSSI;
- Certain parts of site is prone to flooding;
- Does development meet flood risk exceptions test?
- Drainage proposals are poor and will not cope;
- Construction traffic and noise will affect residents;
- Granting permission will set a precedent – application documents indicate a phase 2 of 2500 properties;
- Will adversely affect amenities enjoyed at 14 and Keepers Cottage, Willingham Road;
- Visual coalescence between Lea and Knaith Park would begin;
- Will affect property values in Lea.

Relevant Planning Policies:

National Planning Policy Framework, March 2012 (NPPF)

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

Planning Practice Guidance

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

West Lindsey Local Plan First Review 2006

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the **West Lindsey Local Plan First Review 2006** (WLLP) remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF), a material consideration, 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).

- **STRAT1:** Development requiring planning permission;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>
- **STRAT3:** Settlement Hierarchy;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>
- **STRAT9:** Phasing of housing development and release of land;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat9>
- **STRAT12:** Development in the open countryside;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>
- **STRAT19:** Infrastructure Requirements;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat19>
- **SUS1:** Development proposals and transport choice;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus1>
- **SUS4:** Cycle and pedestrian routes in development proposals;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus4>

- **RES1:** Housing layout and design;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>
- **RES2:** Range of housing provision in all schemes
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res2>
- **RES5:** Provision of play space / recreational facilities in new residential developments;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res5>
- **RES6:** Affordable Housing;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res6>
- **CORE9:** Retention of Important Open Space / Frontages
<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core9>
- **CORE10:** Open Space and Landscaping within Developments
<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>
- **CRT9:** Public Rights of Way
<http://www2.west-lindsey.gov.uk/localplan/written/cpt9.htm#crt9>
- **NBE8:** Historic Parks and Gardens
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe8>
- **NBE10:** Protection of Landscape Character in development proposals;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe10>
- **NBE14:** Waste water disposal;
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>
- **NBE20:** Development on the edge of settlements.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe20>

Although not forming part of the statutory development plan, the **West Lindsey Landscape Character Assessment (1999)** (<http://www.westlindsey.gov.uk/residents/planning-and-building/planning-policy/evidence-baseand-monitoring/landscape-character-assessment/104847.article>) is a background document which forms a material planning consideration, particularly relevant to policies NBE10 and NBE20.

Emerging Planning Policy

The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.

The **Preliminary Draft Central Lincolnshire Local Plan** (PDCLLP) was released in October 2014 and has been subject to public consultation. The second **Further Draft Central Lincolnshire Local Plan** (FDCLLP) ran its formal six week public consultation period between 15 October and 25 November 2015.

The final adopted CLLP will replace the West Lindsey Local Plan. The latest live timetable (January 2016)¹ anticipates publication of the Pre-submission (3rd) draft in March / April, prior to being submitted for examination in May, with adoption towards the end of the year. However, at this stage in its development, the Central Lincolnshire Local Plan should still only be afforded limited weight, in accordance with NPPF paragraph 216.

The FDCLLP identifies Lea as a medium village (policy LP2). Policy LP4 proposes a 15% village growth during the plan's lifetime.

Main issues

- Provisions of the West Lindsey Local Plan First Review
- National Policy
- Emerging Local Policy
- Housing Delivery and Affordable Housing Provision
- Landscape Character and Visual Impact
- Highways Impact and Safety
- Accessibility and Public Transport
- Local Infrastructure
- Design, Layout and Landscaping
- Archaeology
- Ecology
- Flood Risk and Drainage

Assessment:

(i) Provisions of the West Lindsey Local Plan First Review

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the West Lindsey Local Plan First Review 2006 (WLLP) remains the statutory development plan for the district.

The site is outside the settlement of Lea. The entirety of the site is allocated as within an Area of Great Landscape Value (AGLV) – policy NBE10 applies.

Policies NBE10 and NBE20 seek to protect landscape character and the rural character of the settlement edge, noting “*Areas of particularly high local landscape value because of their distinctive characteristics have been identified on the Proposals Maps as Areas of Great Landscape Value.*”

¹ <http://www.lincolnshire.gov.uk/central-lincolnshire/local-plan>

The western half of the site (to the west of the public footpath) is allocated as Historic Park and Gardens – policy NBE8 applies. NBE8 states that:
“Development will not be permitted which would harm the character, appearance, setting or features of:
i. The historic parks and gardens within the list compiled by English Heritage;
ii. Other parks, garden and formally laid out areas identified by the Local Planning Authority as being worthy of protection.”

The site is not allocated for residential development. Lea is identified as a Subsidiary Rural Settlement within the Local Plan’s settlement hierarchy (policy STRAT3).

Paragraph A100 explains *“For the Subsidiary and Small Rural Settlements no settlement boundary is shown. The assessment of what is either within the settlement or within the open countryside is a subjective matter which needs to be considered on an individual case by case basis.”*

The application site comprises open fields in active arable use, bounded to the north and south by woodland, and traversed by a public right of way. It is considered to be in the open countryside and policy STRAT12 is applicable.

Policy STRAT12 does not support development proposals in the open countryside *“unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, or otherwise meets an objective supported by other Plan policies.”*

The application is proposed on previously undeveloped, or greenfield, land. It falls on the bottom rung of policy STRAT9’s sequential approach towards the phasing of housing development and release of land.

The application seeks permission to develop up to 450 dwellings within this location, along with a 300sqm A1/A2 use.

Large residential development is not in compliance with policy STRAT12. Residential development of this scale is considered contrary to policy NBE8. It is at the bottom rung of policy STRAT9 and, subject to a more detailed landscape and visual impact assessment, has the potential to be contrary to policies NBE10 and NBE20.

The principle of development as proposed on this site is contrary to the provisions of the statutory development plan, and the application falls to be refused planning permission unless there are material considerations which indicate otherwise.

(ii) National Policy

The National Planning Policy Framework (NPPF) and online Planning Practice Guidance, are material considerations to take into account alongside the development plan.

The NPPF post-dates the Development plan and requires² Councils to *“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.”* The buffer raises to 20% where there is a consistent record of under delivery.

The latest Housing Land Availability Assessment (October 2015) identifies a need of 11,225 dwellings across five years, which includes a 20% buffer and previous undersupply. The assessment identifies a land supply of 5.37 years (12,059 dwellings) in the five year period 2016/17 to 2020/21. The assessment includes:

- sites under construction;
- sites with full planning permission, but development has not started;
- sites where there is a resolution to grant planning permission;
- sites with outline planning permission;
- sites allocated in an adopted Local Plan; and
- sites not allocated in a Local Plan or without planning permission and which have no significant infrastructure constraints to overcome
- A windfall allowance (of 141 dwellings a year)

Planning Practice Guidance³ states that *“Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints.”*

The latest (October 2015) released five year supply figures are based upon an overall housing requirement for the plan period of 36,960 dwellings - this figure is based on a published Strategic Housing Market Assessment (SHMA). It is acknowledged that the methodology employed is yet to have been formally tested within the Local Plan examination – this is expected to be held in the Summer 2016. However, substantial evidence reports have been published, including sustainability appraisal of all such sites, which intend to justify the selection of such sites.

² Paragraph 47

³ [Paragraph: 030 Reference ID: 3-030-20140306](#)

Paragraph 49 of the NPPF states that “Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.” As the identified five year supply relies upon departures from the West Lindsey Local Plan Review 2006, then the extant plan no longer meets the objectively assessed housing needs of the Authority – its housing supply policies should nonetheless still be considered to be out of date in accordance with NPPF paragraph 215.

The application should therefore be considered against the second bulletpoint of the NPPF’s presumption in favour of sustainable development⁴, which for decision-taking means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
 - *specific policies in the Framework indicate development should be restricted.*

(iii) Emerging Local Policy

The emerging Central Lincolnshire Local Plan is a material consideration to take into account against the policies of the statutory development plan. The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.

ok

The (2nd) Further Draft (FDCLLP) Plan concluded its public consultation in November. The latest live timetable (January 2016)⁵ anticipates publication of the Pre-submission (3rd) Draft in March / April, prior to being submitted for examination in May.

Draft Policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. Lea is designated as a Medium Village – Category Five of six hierarchical categories. This is an uplift from the Preliminary Draft CLLP which allocated Lea as a “small village” – the settlement hierarchy was

⁴ Paragraph 14

⁵ <http://www.lincolnshire.gov.uk/central-lincolnshire/local-plan>

reviewed to ensure consistency and in the case of Lea, due to its proximity to Gainsborough.

The Further Draft CLLP (policy LP2) states that Medium villages: *“will accommodate a limited amount of development in order to support their function and/or sustainability... Typically, development proposals will be on sites of up to 9 dwellings... However, proposals may exceptionally come forward at a larger scale on sites of up to 25 dwellings... where proposals can be justified by local circumstances.”*

Policy LP2 should be read alongside LP4: Growth in villages. This acknowledges that some growth in smaller settlements lower down the hierarchy *“Will help to enhance or maintain the vitality of rural communities”*. Growth is typically limited to 10% across the Plan Period unless expressly stated otherwise. Lea is envisaged for 15% growth – due to its proximity to Gainsborough.

Appendix B sets out that Lea has a base number of 473 dwellings. 15% growth would account for an additional 71 dwellings. Minus recent completions and planning permissions, it gives an allowance of 67 additional dwellings within the plan period to 2036.

At 450 dwellings, the application proposes to effectively double the number of dwellings already within Lea (a 95% increase on the base number). It would be 6.7 times greater than that envisaged for Lea during the whole of the Plan’s lifetime (up to 2036).

The development is therefore considerably in excess of the moderate growth for Lea envisaged by the emerging draft Plan, and such an uplift would conflict with the planned growth strategy set out in the Local Plan.

(iv) Housing Delivery and Affordable Housing Provision

The development would contribute up to 450 dwellings towards an identified need for housing within Central Lincolnshire. This can be attached positive weight.

However, it should be noted that the October 2015 5yr HLS Statement, and emerging Central Lincolnshire Local Plan, both recognise a five year supply of housing land without the inclusion of the application site.

The applicant suggests they could deliver the full 450 homes within the five year period, although this would require a delivery rate far greater than is typical in this region and seems a very ambitious statement.

Saved WLLP policy RES6 states, “Where there is a demonstrated need the provision of affordable housing will be sought, the Council will seek to negotiate in the region of a 25% contribution towards affordable housing”.

The Lincs Homefinder CBL Partnership, of which West Lindsey is one of 4 partners, provides evidence of a demonstrable need for affordable housing with in excess of 1500 households registered for affordable housing in the district and in excess of 5000 households requiring affordable housing across the partnership area of Central Lincolnshire.

The emerging Further Draft Central Lincolnshire Local Plan also identifies a need, evidenced in the Strategic Housing Market Assessment (SHMA) for 17,400 affordable dwellings across the plan period (2012-2036). It sets a 20% requirement to meet this need (draft policy LP11).

The S106 Heads of Terms submitted with the application proposes up to 113 no. dwellings (including up to 40 no. affordable retirement properties) would be delivered by LACE Housing Association as Affordable Housing. This would equate to 25% of the overall development of 450 dwellings, and is therefore in accordance with saved policy RES6.

The contribution of 25% affordable homes can be afforded significant positive weight in the overall planning balance.

(v) Landscape Character and Visual Impact

The site is within an area allocated as an Area of Great Landscape Value (AGLV) in the WLLP 2006. It is also recognised as a Historic Park and Garden.

Saved WLLP policy NBE10 states that:

“High priority will be given to conserving the distinctive landscape features, landscape character and the landscape amenity value of the District. Development will not be permitted if it is likely to have an adverse impact on the features, setting or general appearance of the Landscape Character Areas as defined in the Landscape Character Assessment and amplified in the Countryside Design Summary.”

It sets out criteria where development is permitted and qualifies *“Areas of particularly high local landscape value because of their distinctive characteristics have been identified on the Proposals Maps as Areas of Great Landscape Value.”*

The site was once part of the grounds of Lea Hall. Lea Hall was rebuilt in early 17th Century Jacobean style, and remodelled in the 1850's. In the 1950's the Hall was used as a convent and school but fell into disrepair and was mostly demolished in 1973. Whilst the grounds are not on the national Register of Parks and Gardens, the site is locally designated in the WLLP (a 'non-designated' heritage asset) and subject of policy NBE8 which states:

Development will not be permitted which would harm the character, appearance, setting or features of:

- i. The historic parks and gardens within the list compiled by English Heritage;*

ii. Other parks, garden and formally laid out areas identified by the Local Planning Authority as being worthy of protection.

Policy NBE8 prohibits any harm, but should be read alongside paragraph 135 of the NPPF which reads:

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

The site is presently used as arable land and is bounded by woodland groups to the north and south. The site is intersected by a Public Right of Way – Lea/1053/1.

Four trees (3no. Oak; 1no. Lime) are interspersed throughout the site and are protected by Tree Preservation Orders. A TPO group of trees (comprising 3xoak, 1xbeech, 1xhorse chestnut) are in the north-eastern part of the site.

The site lies within local landscape character area ‘Trent Valley’ as defined by the West Lindsey Landscape Character Assessment 1999 (WLLCA).

A Landscape and Visual Assessment (LVIA) has been submitted with the application.

It sets out the following landscape receptors as being most likely to be affected by the proposals:

- Historic parkland (locally designated)
- Woodland groups (representative of the landscape character area, historic elements)
- Individual trees (key landscape features, historic elements)
- Public amenity of footpaths
- Arable farmland (current land use)

The LVIA, in summary and conclusions, sets out the following landscape impacts:

Landscape receptor	Sensitivity of receptor	Magnitude of effects	Significance of effects	Positive/neural /negative
Historic parkland	Medium-Low	Medium	Moderate	Negative
Woodland groups	Medium	Negligible	Not significant	Positive
Individual trees	Medium	Negligible	Not significant	Neutral
Public amenity of footpaths	Medium	Medium	Moderate	Neutral
Arable farmland	Low	High	Moderate	Negative
Table 1 – Significance of effects on landscape receptors				

It concludes that the value of the historic parkland 'is very limited' as historic characteristics have been lost through the site's use as agricultural land, and that the remaining value is within residual elements – the individual trees and woodland groups.

It states that the proposed development incorporates a buffer area between the woodland groups and the new buildings, "which will mitigate direct effects and maintain a clear area in the immediate surroundings. Although this may not be exceptionally beneficial, it prevents the effects from being markedly adverse."

It acknowledges that "As with the woodland groups, the individual trees on site are valuable as they are significant features in the landscape and are key remaining elements of the historic parkland." But it concludes that as the trees will be retained the effect would be neutral.

The LVIA concludes there will be a negative impact on the historic parkland and arable farmland. It concludes a neutral effect on individual trees and the PRow, and a positive effect on the woodland groups (it development would provide the opportunity to maintain and enhance the woodland groups through the proposed management plan).

Whilst the development would appear to indicate that the retention of the PRow and individual trees would be feasible, in reality, rather than features within an open arable landscape – enclosed by woodlands, and with a historical context – these features would be enveloped by a suburban residential environment. Their relevance within the landscape would surely be diminished and thus an assessment of a neutral or positive effect is therefore questioned.

Development is contrary to the provisions of NBE8 which seeks to avoid harm to historic parks. In accordance with NPPF paragraph 135 this harm should be balanced against the benefits of development. This harm would also run counter to saved policies NBE10 and NBE20.

The Visual Impact Assessment takes up six viewpoints around the periphery of the site. It concludes a moderate significance of visual effects to pedestrians on Willingham Road to the east (VP1), and users of the public footpaths to the south of the site (vp 3 & 4).

Whilst it is acknowledged that the woodland planting will reduce the visual impacts of development, the LVIA curiously does not quantify the visual impacts experienced by users of the main PRoW running north to south through the site (Lea/1053/1). On site it was evident that this was a well-used footpath. In the absence of any contrary statement, it could be expected that the sensitivity of such users would be high, and the magnitude of effect would be significant as the PRoW would thereafter traverse a tightly knit residential environment.

(vi) Highways Impact and safety

The application seeks permission for site access now (it is not a reserved matter). A singular point for vehicular access is proposed – directly off Willingham Road (B1241) on the eastern boundary of the site. Pedestrian only access would be gained to the site along the existing Public Right of Way (the revised indicative masterplan says it would be improved with lighting).

Residents have raised concerns with the proposed location of the site access, and capacity of local junctions to accommodate further traffic.

The NPPF (paragraph 32) states that *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

A Transport Assessment (TA) has been submitted with the application. Appendix E (drawing 14553/001) shows the access will be a priority junction with 6.75m carriage width and junction radii of 10.5m. A visibility splay of 2.4m x 125.7m would be provided. Due to the traffic it anticipates will be generated by the development (2381 vehicles a day), it proposes road widening within Willingham Road in order to provide a “ghost island right turn lane”. This would prevent traffic turning right into the site from blocking the carriageway.

A 1.8m wide footway would be provided on both sides of the junction to link up with the existing footway. A 3m wide verge between the carriageway and footpath is proposed in order to maintain emergency access, should the entrance stem be blocked.

As improvements are needed to take place outside the application site within the public highway, a “Grampian condition” should be considered which

prohibits occupation of any dwellings, unless the highway improvements have been undertaken.

The Local Highways Authority has raised no objections on highway safety grounds, but does request such a Grampian condition be applied.

The TA has used TRICS survey data to estimate the vehicular trips to be generated by the development, as follows:

Peak Hour	Trip rates (per dwelling)		Trip Generation (450 dwellings)	
	In	Out	In	Out
AM (0800-0900)	0.151	0.420	68	189
PM (1700-1800)	0.384	0.240	173	108
Daily (0700-1900)	2.600	2.691	1170	1211

Of this it anticipates that

- 4.5% of traffic will travel south-east along Willingham Road;
- 55.84% will travel south along A157 Gainsborough Road;
- 39.66% will travel north along A157 Gainsborough Road.

The TA anticipates that the proposed junction off Willingham Road will operate within substantial capacity with a maximum queue of one vehicle.

Residents have raised concerns with the capacity of the A156 Gainsborough Road/ B1241 Willingham Road to accommodate the additional traffic generated by the development. The TA has modelled this junction and concludes that the junction will act comfortably within capacity by the base year of 2025 (traffic queuing to turn north onto Gainsborough Road will extend from one to two queuing vehicles).

It is concluded that, subject to conditions, the cumulative transport effects of development would not be severe.

(vii) Accessibility and Public Transport

Saved WLLP policy STRAT1 permits development subject to a number of criteria which includes being satisfactory in regards to:

- *The scope for providing access to public transport;*
- *The scope for reducing the length and number of car journeys;*
- *The provision of vehicular and cycle parking facilities;*

A core NPPF principle (paragraph 17) is to “*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable*”.

Acceptable walking distances suggested by the Institution of Highways and Transportation⁶ are set out below:

	Town Centres (metres)	Commuting / School (metres)	Elsewhere (metres)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

As previously advised, Lea is allocated as a subsidiary rural settlement in the WLLP (policy STRAT3) and a medium village in the Further Draft CLLP (policy LP2) on account of its scale and limited infrastructure / facilities.

The TA sets out that the Frances Olive Anderson Primary School is approximately 500m (6 minutes) walking distance away. The Village Hall is approximately 950m (11 minutes walk).

As the TA acknowledges, there are no retail / convenience shops within Lea. The application seeks planning permission for an on-site A1 (shops) or A2 (financial / professional services) 300sqm unit to counter this. Whilst permission is sought for such a unit, the applicant has given no evidence of a food or convenience retailer having been secured or committed to accommodating the unit. There is no guarantee that the A1/A2 unit would be delivered, kept operational in perpetuity, or indeed used for convenience retailing purposes. Only limited weight should be given to this aspect.

The nearest food retailer is likely to be the Aldi Store along the A156 within Gainsborough. The TA calculates it is a distance of approximately 3km (35 minute walk or 11 minute cycle).

Lea is served by bus services to Lincoln and Gainsborough (and Scunthorpe). The hourly 100/101/601 service would reach Gainsborough bus station within 7 minutes, Scunthorpe bus station in 1hr 12m, and Lincoln Bus station in 38 minutes. The earliest (taking the 08:13 bus) one could arrive in Gainsborough would be 0820, Scunthorpe would be 0925. The 0735 bus would get into Lincoln for 0820.

Currently, the nearest bus stops are along Gainsborough Road, approximately 850m from the centre of the site. The TA proposes the addition of two new bus stops within the vicinity of the Willingham Road / The Grove junction, close to the PRow entrance – to serve both the proposed and existing community. The stops would comprise a raised kerb, flag, pole and

⁶ Guidelines for Providing for Journeys on Foot (IHT, 2000)

timetabling. This would bring the majority of the site within 400m of a bus stop⁷.

The TA nonetheless envisages (derived from 2011 census data for the ward of Lea) a multi-modal split with 91.5% car drivers / passengers and only 1.9% of journeys using public transport.

Table 6.2: Multi-Modal Trip Generation

Mode	Split (%)	AM Peak		PM Peak	
		In	Out	In	Out
Car Driver	85.5%	68	189	173	108
Car Passenger	6.0%	5	13	12	8
Pedestrians	3.6%	3	8	7	5
Public Transport	1.9%	2	4	4	2
Bicycle	1.6%	1	4	3	2
Other	1.4%	1	3	3	2
Total	100.0%	79	221	202	126

This suggests therefore that, even with a regular bus service, it is nonetheless anticipated that the majority of the new residents will still be overly dependent on the use of private vehicles to access employment, shops and services.

A Travel Plan (TP) has been submitted with the application as is encouraged by the NPPF (paragraph 36). It sets out measures to reduce the need to travel and encourage Public Transport take-up. This includes publicising information and providing a one week 'bus taster ticket'. The TP nonetheless sets a provisional target of reducing the percentage of car drivers 'by 5%' over five years (it suggests a final target is set following the results of an initial travel survey). Thus, even with proactive measures on the part of the applicant to encourage take up of public transport, it is still anticipated the development will be heavily car driver dependent.

(viii) Local Infrastructure

WLLP saved policy STRAT19 states:

“Proposals for the development and other use of land must take account of the need to provide on- and off-site service and social/community infrastructure and other services in accordance with the requirements of statutory undertakers and other providers of essential services. Development that increases demand on infrastructure that cannot be satisfactorily provided for within the existing capacity of on- and off-site service and social/community infrastructure or other services will not be permitted unless extra capacity will be provided to serve the development.”

⁷ As recommended by the Institute of Highways and Transportations Guidelines for Planning for Public Transport in Developments (IHT, 1999)

The Local Education Authority, Lincolnshire County Council, has advised that the development would result in a direct impact on local schools. They advise that present projections show, excluding the effect of the development in question, Lea Frances Olive Anderson CE Primary School will have no permanent surplus places and Gainsborough school-based sixth forms will have no surplus permanent places by 2018 when it is reasonable to presume this development would be complete or well on the way.

A contribution is therefore requested to mitigate against the impact of the development at a local level. LCC calculate the development would generate a need for up to 90 additional primary places, 85 additional secondary places and 17 additional school-based sixth form places. They seek a capital contribution of £1,329,639 to address shortfall. Following further discussion, the Education Authority has agreed to negate the request for sixth form contributions, making the requirement £1,014,879 for 450 dwellings.

Although the LCC's assessment is greater than the application's Socio-Economic Assessment, the applicant has agreed to make a "Requisite contribution, to be agreed following consultation with the Lincolnshire County Council." The applicant has agreed to a contribution of £1,014,879 based on 450 dwellings (£2,255.29 per dwelling).

The Surgery at Willingham by Stow objects to the development, citing concerns with their capacity to accommodate the increased patient population. NHS England also identify a lack of capacity within existing surgeries to accommodate the anticipated increase in the patient population of 1,035 patients. They identify concerns most particularly with the Caskgate Street Surgery, Gainsborough, which has already had to close its patients list to new patients (a circumstance which is only permitted in extenuating circumstances). They seek a contribution of £425 per dwelling (up to £191,250) to provide capital towards a solution – they indicate a plan would be to relocate the practice premises, therefore to utilise the funding towards the part refurbishment of an existing local authority building when a particular property comes on stream.

Although the application's socio-economic assessment did not take into account the Caskgate Street Surgery and concludes development will have a negligible effect, the applicant nonetheless has agreed to make a "Requisite contribution to be agreed following consultation with the National Health Service (NHS)." The applicant has agreed to a contribution of £425 per dwelling (up to £191,250 for 450 dwellings).

(ix) Design, Layout and Landscaping

The NPPF (paragraph 73) states that *"Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities."*

WLLP policy RES5 states that schemes for residential development will be permitted where as long as informal recreational land or play space and/or

associated equipment and/or built facilities are provided conforming to 10% of the total site, for development of over 5 hectares.

Emerging CLLP policy LP26 and its appendix C sets out a requirement for local provision of park & garden and amenity green space within 5 minutes' walk and formal equipped play areas within 10 minutes' walk.

Matters of scale, appearance, layout and landscaping are all reserved for subsequent approval ('reserved matters'). The applicant has nonetheless provided an indicative masterplan, accompanied by a Design and Access Statement (DAS).

This indicates that 'a green corridor' would be made available on the western and southern sides of the site, with the western side forming a large area of public open space (this area is in flood zone 2). It seeks to integrate the protected trees within the scheme, including the group within the north-east of the site. The Public Right of Way running north to south would be integrated without apparent modification / variation. The Indicative Masterplan would suggest development would comply with saved WLLP policy RES5.

The site sits adjacent to the Lea Park Playing Fields – although direct connection between the two sites is not indicated. Whilst the Travel Plan states that these facilities are within 500m, without direct connection it will be an approximate 1km walk around Willingham Road. Using the public footpath network would be considerably shorter (less than 500m) but would entail an unlit woodland walk – a less realistic option in poor light or visibility.

The DAS envisages 450 dwellings at a density range of between 25-35 dwellings per hectare 'with lower density around the southern edges'. The DAS explains that *"Given the close proximity of The Keepers Cottage, which is set amongst woodland along the northern boundary of the site and area of open space has been created with dwellings turned side on in order to retain openness and preserve the amenity of this dwelling."*

It is considered that, at reserved matters stage, care would be necessary to ensure that amenities presently enjoyed at neighbouring properties, most particularly Keepers Cottage and Meadow View (both Willingham Road), would not be unduly harmed by development. Nonetheless, at the scale involved, it is considered that development which does not unduly harm neighbouring properties can be achieved.

Development will undoubtedly increase pedestrian footfall making use of the public right of way and passing 14 Willingham Road, and this would be likely to have a detrimental effect upon the amenities presently enjoyed there.

(x) Archaeology

Paragraph 128 of the NPPF states that *"Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to*

submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

A desk based assessment was submitted with the application. It concludes that the archaeological potential for the site is considered to be moderate, with the greatest potential being for prehistoric and Roman activity.

Consequently, the County Archaeology team have advised that further archaeological investigation, in the form of a geophysical survey across the site should be undertaken, followed by targeted intrusive evaluation if required.

The applicant has undertaken on-site investigations with twelve trenches excavated on site. The findings are reported in the Archaeological Evaluation Report submitted in January 2016.

The investigation found a ‘small assemblage of locally produced roman pottery’ in trenches towards the western part of the site (trenches 3 & 4). It concludes “The generally low density of finds recovered from the features suggests they are more likely to be boundary features for fields or stock enclosures, rather than a focus of settlement or industrial activity.”

Small quantities of medieval material (tile fragments) was also recorded (trenches 5 & 8 towards the centre of the site).

The County Archaeology team advise that should permission be granted, further archaeological investigation, in the form of monitoring and recording should take place in the area around trenches 3 and 4. The precise area for investigation will be dependent upon the final layout (it is acknowledged that areas of open space have been indicated within this area).

(xi) Ecology

‘The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures’(NPPF paragraph 109).

Natural England has confirmed that the proposed development is not likely to have an adverse effect on the Lea Marsh Site of Special Scientific Interest (SSSI). The SSSI is notified as floodplain meadow and wet grassland and their comments are subject to ensuring surface water run-off is managed through a planning condition to secure full surface water drainage details.

A Phase 1 Habitat and Protected Species Assessment (June 2015) was submitted with the application. The survey covers a much larger area than the application site.

The Phase 1 study concludes that the site supports a number of habitat types included on both National and Local Biodiversity Action Plans as being of broad habitat type or priority habitat type.

It advises that the habitats have the potential to support a number of protected and/or notable species and further species surveys are required for breeding and wintering birds; bats; badgers; great crested newts; reptiles and botanical interest.

Breeding and wintering birds – The Phase 1 Habitat Study concludes that the site contains suitable nesting bird habitat in the form of woodland, mature trees, hedgerows and bordering areas of scrub. In addition, arable fields provide suitable breeding habitat for some ground-nesting farmland birds, for example lapwing and skylark. Depending on the farming regime, it is possible that the large arable fields could support potentially significant numbers of overwintering species.

Consequently, a Wintering Birds Survey (March 2015) has been submitted. The survey concludes that *“A total of 34 species were recorded during the surveys of which 17 are listed as Birds of Conservation Concern (BoCC) (8 Red and 9 Amber species). With the exception of Linnet, all notable species were recorded at relatively low levels and / or sporadically across the surveys; subsequently the site is considered to be of only local relevance to those species recorded. The site contains several public footpaths that has encouraged high level of disturbance on site from dog walkers which is not conducive to attracting large numbers of wintering birds; specifically waders and wildfowl. Further to this, the arable land and associated habitats (stubble / standing water) on site are not considered to be of a quality that would attract or support significant numbers of wintering birds. That said these habitats are not currently managed to encourage wintering birds. Overall, the most notable records are that of the consistent numbers of feeding Linnets, winter thrushes, Meadow Pipits and Skylarks.”*

The report concludes that wintering birds will benefit from the area set aside on the western section of the application site for ecological enhancements. It recommends that an Ecological Management Plan will be necessary – this can be secured by a planning condition.

The Breeding Birds Survey (June 2015) similarly notes that *“Activity was heavily concentrated to boundary features and woodland habitats with no evidence of breeding ground-nesting species within the application site. Several public footpaths located on site encourage high levels of disturbance from dog walkers which is not conducive to attracting ground nesting birds. Hedge and tree-dwelling bird species were dominant.”*

In evaluation it states that *“From the 34 species recorded it is expected that 15 of these are probable breeders on site. Many of these species are common, widespread breeders and were expected to be present in the identified habitats. The most significant records from the surveys are that of song thrush, willow warbler, whitethroat, dunnoek, starling, linnet and yellowhammer. No ground nesting birds were recognised as confirmed or probable breeders within the application site or study area. House sparrow were possible breeders within the application site. The proposals offer*

excellent scope to improve nesting opportunities for these species within the application site.

The report makes a series of recommendations in terms of vegetation clearance and a 3m exclusion zone during construction (March to August), artificial nest provision and native planting. These should be secured by planning condition.

Bats – The Phase 1 Habitat Survey recognises that the site possess a range of features, notably woodland and hedgerow, that have the potential to act as important flight paths and foraging resources for local bat populations. It also identifies several mature trees have high potential to support roosting bats and recommends further survey work.

Further bat surveys (September 2015) confirm that trees T2 (Mature Oak – brown long-eared bats) and T3 (Mature Oak – Common Pipistrelle, Soprano Pipistrelle) were used by bats for roosting. Both trees are covered by the Tree Preservation Order (TPO trees T3 and T4 respectively).

The report recommends four trees to remain in situ (T1, T2, T3 and T4), and trees T2 and T3 cannot be cut back or pruned without ecologist supervision. T2 and T3 should be permanently fenced off. During construction, a 3m buffer should be established. There should be no direct light or light spillage onto trees T2 and T3. Substantial bat boxes should be erected on mature trees in vicinity. Native hedgerows to encourage foraging bats should be considered. Measures to protect the existing trees containing bat roosts, and to ensure biodiversity enhancement should be secured through planning conditions. Whilst the Lincolnshire Wildlife Trust (LWT) supports the reports recommendations, they point out the need to have foraging/commuting corridors from the roosts.

As the layout is indicative only, it is expected that this could be accommodated within the final layout.

Badgers - Whilst the Phase 1 study concluded that the site supports habitats highly suitable for badgers, the ensuing Badger Survey (April 2015) found no evidence of badger activity. It concludes that “Despite the absence of field signs and potential deterrence from public activities, the site does provide suitable habitats and connective links that badgers, a highly transient species, may use intermittently. It is confidently assessed that badgers are not dependent on the application site.” It recommends that “An ecological ‘toolbox talk’ should be provided to all site personnel by a suitably qualified ecologist prior to development works commencing.”

Great Crested Newts (GCN) – The Great Crested Newt Survey (June 2015) advises that a small population of GCNs were recorded in one pond within 100m of the proposed site boundary to the south east. It concludes the potential impacts upon individual GCN are considered to be negligible (no impact) given the small population and the distance GCNs would have to commute along suboptimal habitat to reach the area proposed for clearance. 0.032 ha (320m²) of suboptimal GCN habitat, in the form of a species poor defunct hedgerow along the eastern boundary is to be temporarily lost. Within this same eastern boundary an estimated 0.01 ha (1002m²) of sub-optimal GCN habitat will be permanently lost to provide an access (road) to the

application site from the eastern boundary. new beneficial habitats in the areas designated as SUDS/Swale, Water balancing areas, and soft landscaping, will provide long term beneficial impacts and enhanced habitat (in terms of quality and area) as compensation.

Recommendations are made for site clearance for the access point and eastern boundary hedgerow; creation of swales and balancing ponds; soft landscaping along southern and eastern boundaries and protection during construction.

Reptiles – The Reptiles Survey (June 2015) encountered a single grass snake on the southern boundary but no other reptiles, and concludes reptiles are scarce. It states that the area considered for development consists principally of arable land where reptiles will not be impacted upon, although there are patches of suitable habitat on the site - if the proposed development impinges into woodland fringes and field margins on the site then a 'destructive search' by a suitably qualified ecologist is required before any engineering work can proceed.

It recommends measures which “could simply involve retention of unmanaged grassland and the creation of hibernacula’s at the borders around the site boundary and also establishing other green corridors consisting of rank grassland to the islands retained within the sites development.”

Botanical interest – The Phase 1 Habitat Survey acknowledges that “Owing to the range of features on site (notably the wet woodland, southern wet ditch and some field margins) there is potential for the site to possess botanical species of interest and / or substantial diversity”.

A subsequent Botanical Survey (July 2015) has been submitted. It records Nine Distinct Habitat types across the study site (application site and land to the south), all of which are considered widespread across the British Isles. No species / assemblages were found onsite which are listed within the Lincolnshire Biodiversity Action Plan (LBAP) or Local Wildlife Site selection criteria. The application site itself “has been classified as being of low importance for the local population.” The land to the south is identified as having a higher value.

It recommends “Where amenity grassland has been proposed within the plans, the integration of a range of other grassland would be encouraged to enhance diversity e.g. wildflower grassland or tall grassland. Connectivity with a mixture of sward height will greatly enhance the local diversity on site.”

(xii) Flood Risk and Drainage

A Flood Risk Assessment (FRA) has been submitted as part of the application.

The FRA confirms the majority of the site is in flood zone 1 (low probability), with an area to the west in flood zone 2 (medium probability). The indicative plan shows that the development can be achieved without encroaching into the flood zone area. This approach would accord with the NPPF sequential test with the aim of steering new development to areas at lowest probability of

flooding. The Environment Agency confirms it accepts the approach being taken by the applicant.

The Exceptions Test is not required in Flood Zone 1.

Nevertheless, flood risk from surface water remains an important material planning consideration. A number of residents have stated that parts of the site are often marshy and prone to flooding.

The FRA acknowledges this and explains that *“At the time of the site walk over survey it was found that the majority of the site contained a dry sandy topsoil. However, there were some isolated parts of the site which were marshy with water standing at ground level. In summary the ground underlying the site consists of dry sandy top soil at existing surface level, below which is largely saturated sand, overlaying clay at approximately 1.8m below existing ground levels.”* The site, as existing does not appear to benefit from positive land drainage (although a 100mm diameter land pipe was found that appeared to be draining one area of marshy ground).

The FRA concludes that due to the geology, ground infiltration will be impractical for the most part – although it does recommend further testing for the detailed surface water drainage design to see if there are any potential localised areas.

It proposes that the site is drained through a combination of permeable surfacing, adopted surface water sewers and under-drained swales.

The proposed sewers and swales will connect with a series of proposed cascading ponds, indicated along the southern boundary. These will have capacity for a 1 in 100 year return period event (plus 30% climate change allowance). The ponds will contain at least 1.2m depth of permanent water.

This would be discharged at an attenuated rate offsite to the existing ditch network (an existing ditch runs to the south of the site).

Lincolnshire County Council, as Lead Local Flood Authority, accept the principle of the scheme proposed, and recommend a condition to secure full drainage details.

The developer has indicated that foul water could be routed to the 150mm diameter sewer to the north of the site within Willingham Road. If a connection to Willingham Road is feasible there will be a requirement to include an adopted foul pumping station, and associated rising main, within the development owing to the fall of the site to the south.

Anglian Water have raised questions over capacity at the Upton Water Wastewater Treatment works, but acknowledge that they are obliged to accept foul flows from development and would take necessary steps to ensure there is sufficient treatment capacity if planning permission is granted.

They raise that there could be an unacceptable risk of flooding downstream and recommend that a planning condition is applied to secure a foul water drainage strategy.

Other matters

The effect on local property values is not a material consideration in the determination of this planning application.

Lincolnshire Fire and Rescue object on the grounds of an inadequate water supply for fire fighting purposes. To overcome this, they recommend fire hydrants be installed (at the developers expense), stating it is not possible at this time to determine the number of hydrants required. The application is in outline only - and the consultee advises that the developer is able to address the matter.

Many residents have noted that many of the applications assessments include a far greater site than the application site, and are understandably concerned that permission would set a precedent to even further expand development. Whilst these concerns are fully understood, the application seeks permission for up to 450 dwellings within the application site. Proposals for any further development would be subject of separate applications for planning permission which would be assessed on its merits and within the policy context of that time.

Overall Balance and Conclusions

The development seeks to erect up to 450 dwellings and a 300sqm A1/A2 unit within open countryside outside of the settlement of Lea.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development would run contrary to the provisions of the statutory development plan, the West Lindsey Local Plan First Review 2006. It would be contrary to saved policies STRAT12, NBE8, NBE10 and NBE20 which seek to protect the intrinsic character of the countryside, historic parkland settings and West Lindsey's landscape character, most particularly its designated Areas of Great Landscape Value (AGLV).

Whilst the Authority is able to demonstrate a deliverable supply of housing land to meet need over five years, this is dependent upon departures from the extant plan. The spatial application plan is therefore considered to be out of date and the second bulletpoint of the NPPF presumption in favour of sustainable development is engaged which is:

- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.*

The development would contribute market housing towards an identified need (although the applicant's claim that they could deliver the whole 450 units within five years would seem to be an ambitious claim). Nevertheless, delivery of the site is not essential in order to maintain a deliverable 5yr supply of housing land.

25% of the development would be designated as Affordable Housing, of which there is a District wide need.

The delivery of housing (including a policy compliant percentage of affordable housing) can be attached positive weight in the overall balance.

Nonetheless, Lea is a subsidiary rural settlement in the Local Plan – and designated a medium village in the emerging Central Lincolnshire Local Plan. Lea has basic facilities (a primary school, village hall, playing fields) – it does not have any shop, post office, public house or other facilities (health clinic, secondary school etc.) – it is truly subsidiary to Gainsborough. It is not an area in which significant growth is envisaged.

Lea benefits from its close proximity to Gainsborough and does have a regular bus service. Accounting for this, the draft Plan envisages Lea could accommodate 15% growth over the plan period, rather than the standard 10% for medium villages.

In comparison, the application proposes 95% growth for the village– in effect it would double the size of the village. This is considerably far in excess of the levels of development that could be expected for a medium village with such limited facilities as Lea.

Development would conflict with and potentially undermine the growth strategy being advocated by the emerging Central Lincolnshire Local Plan.

There are little facilities within convenient walking or cycling distance of the development. The application concludes that most users (greater than 85%) will be using private car to access employment, retail and other facilities. It does not anticipate that despite positive measures to increase public transport take-up, that this would significantly shift modal choice.

Whilst the development proposes the inclusion of a 300sqm A1/A2 unit, there is no commitment to deliver this infrastructure, or that it would provide onsite convenience goods that would reduce the need to travel. This should only be attached limited weight.

The development would take place within a sensitive Area of Great Landscape Value (AGLV) and locally allocated Historic Parkland (non-designated heritage asset). Harm would take place to these landscape settings, which would be readily perceptible from the public footpath network which both traverses and adjoins the site.

In view of the proposed location of development, it is questionable whether the three strands of sustainable development (social, economic and environment) are achieved.

It is concluded that, in view of the scale of development envisaged, and its sensitive location alongside a subsidiary rural settlement, that the adverse impacts of development would significantly and demonstrably outweigh the benefits of development.

Development does not comply with the policies of the West Lindsey Local Plan First Review (2006), most particularly policies STRAT9, STRAT12, NBE8, NBE10 and NBE20. Development does not meet the NPPF presumption in favour of sustainable development.

It is therefore recommended that planning permission is refused.

Recommendation

That planning permission is refused on the following grounds:

1. The development is proposed within an Area of Great Landscape Value (AGLV) and Historic Parkland, alongside a subsidiary rural settlement. Development at the scale proposed would result in the growth of this subsidiary rural settlement at unsustainable levels in view of its limited facilities, being heavily dependent on private vehicles to access employment, retail and other basic facilities. It would adversely harm the sensitive landscape setting and character of this rural village. Development would conflict with and potentially undermine the growth strategy being advocated by the emerging Central Lincolnshire Local Plan. The adverse impacts of development would significantly and demonstrably outweigh the benefits of development and the development does not meet the NPPF presumption in favour of sustainable development. Development does not comply with the policies of the West Lindsey Local Plan First Review (2006), most particularly policies STRAT9, STRAT12, NBE8, NBE10 and NBE20.

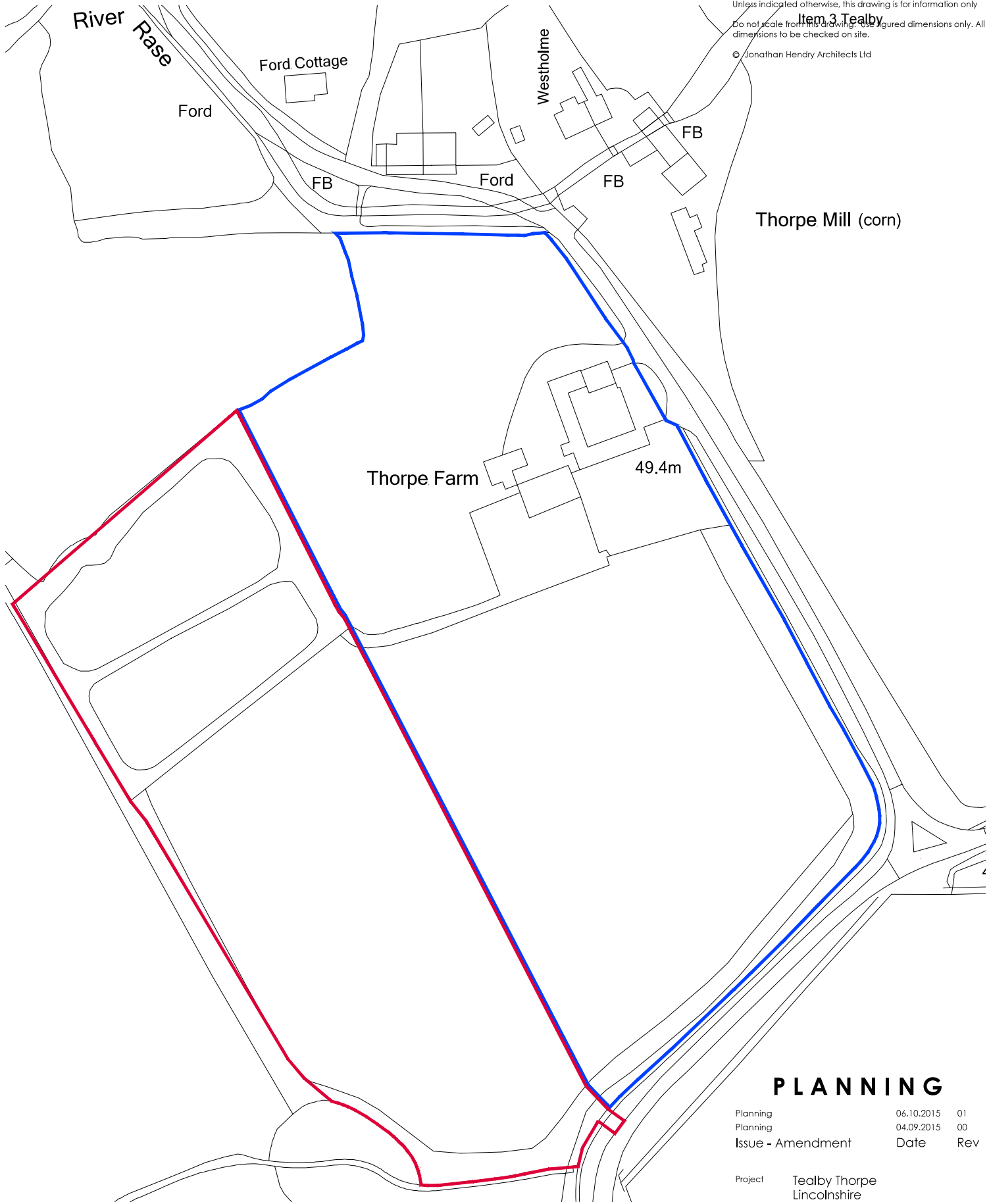
Human Rights Implications:

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:

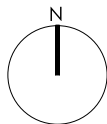
Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report



Unless indicated otherwise, this drawing is for information only
 Do not scale from this drawing. Use figured dimensions only. All dimensions to be checked on site.
 © Jonathan Hendry Architects Ltd

Item 3 Tealby

SITE LOCATION PLAN



PLANNING

Planning	06.10.2015	01
Planning	04.09.2015	00
Issue - Amendment	Date	Rev

Project **Tealby Thorpe**
Lincolnshire

JONATHANHENDRYARCHITECTS Ltd

Holton Business Park
Holton-le-Clay
Lincolnshire
DN36 5EE

T. 01472 828320
F. 01472 826081
W. www.jonathanhendryarchitects.com

Subject Existing Site Location Plan
 Scale 1:1250 Date 04.09.2015

Original Size A4
 Drawing No. EX_100¹ Revision 01

Officers Report

Planning Application No: 133466

PROPOSAL: Planning application to erect 1 no. exemplar single dwelling, including outbuilding and new access drive.

LOCATION: Land adj to Thorpe Farm Thorpe Lane Tealby LN8 3XJ
WARD: Market Rasen

WARD MEMBERS: Councillors Marfleet, J McNeill and Smith
APPLICANT NAME: Mr Robert Addison

TARGET DECISION DATE: 01/12/2015 (extension of time agreed to 11/3/2016)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Fran Bell

RECOMMENDED DECISION: Grant planning permission with conditions.

Introduction:

A pre Committee site visit took place on Monday 22nd February to gain an appreciation of the site context for this proposal and where the dwelling would be sited in relation to the woodland, the paddock and the host dwelling.

Description:

The application seeks consent for a single dwelling, set into an existing woodland on the edge of a paddock. It is near the hamlet of Tealby Thorpe and within sight of Thorpe Farm, a Grade II listed farmhouse. It is within an Area of Great Landscape Value and within sight of the Lincolnshire Wolds Area of Outstanding Natural Beauty. It would include a new access drive to run to the side of the field and an outbuilding at the north east of the site.

The dwelling consists of three, two storey, vertical cylindrical forms of varying heights to reflect the varying height of the tree canopy of the wood, with a rectangular single storey element to the rear. The dwelling will be clad in vertical timber lats at first floor level. The base of the building is glazed. The line of the glass is chamfered like the edge of a leaf. The building sits on a plinth which takes into account the slope of the land and delineates the paddock from the house, stopping sheep getting into the domestic setting. There will be photovoltaic panels on the roof along with an air source heat pump. The roof will be grass, providing a good level of insulation. Rainwater harvesting will be incorporated. The Design and Access Statement states that local products and trades will be used wherever possible to increase the sustainability.

Relevant history:

132294 Pre application discussion regarding principle of this proposal. Advised unlikely to gain consent except if exemplar design under paragraph 55 of the NPPF.

Design Review Panel Meeting held on site 15th December 2015. Response attached at Appendix A – In summary “The Panel considered the scheme to be intelligent, sensitive and strong and [has] the potential to achieve the parameters set out in paragraph 55 of the NPPF for sustainable development in rural areas.”

Representations:

Chairman/Ward member(s): None received to date

Tealby Parish Council:

- The location of this application is of concern, which will be situated in the grounds of a listed building.
- It is in an area of AONB.
- It is also in a Conservation Area.
- Any new development or building should enhance the character of the village, and should be designed of a high standard, with local characteristics reflected within the development.
- Designs should be in sympathy with the style and scale of existing buildings. Whilst some councillors felt that the contemporary design was impressive, it was not considered appropriate, given the highly protected status of the location.
- We would like to acknowledge that it is outside of the village development curtilage.

Tealby Society: We wish to object to the above planning on the grounds that it does not fit in with a village comprising mainly of old stone and brick buildings.

Local residents: Objections received from Thorpe Mill, Waterside Cottage, Stone Cottage and Ford Cottage. Points summarised below. (NB. Not all points raised by each objector.)

- No objection to building a new eco friendly house on the proposed site, however, strongly object to the current proposed design.
- It is too close to and will have an adverse impact on the Tealby Thorpe Conservation Area, the Lincolnshire Wolds AONB and the Grade II listed farmhouse, Thorpe Farm, all of which are under 100 metres from the proposed building.
- Despite the site being just outside the present conservation area what is built there must harmonize with what already exists.
- Surprised applicant has plans to build such a proposal on the ancient, pre Enclosure Act pasture land known as Dial Garth, when he has taken care on the restoration of Thorpe Farm.
- The Conservation Area protects the historic interest of this ancient agri-industrial settlement, with its listed buildings, from detrimental development. It is known world-wide by mill historians and industrial archaeologists.
- The Conservation Area Appraisal document states that only development that is essential in the interests of agriculture or some other special local need will be allowed and new uses will only be granted permission if it is considered that the proposed use will not

detract from the appearance and character of the Conservation Area (WLDC 1979)

- Thorpe Farm is the only elevated building with the rest of the settlement down by the waterside. Any development that will be seen from Sandy Lane would be detrimental to the listed building and the rest of the settlement.
- Existing buildings in this area are of stone/brick and slate/tile construction with pitched roofs. Glass walls and wooden cladded walls do not exist, nor do flat roofs with what we have heard described as having three upturned toilet rolls on top of part of them. It is not in harmony with the traditional properties of the Conservation Area.
- Very concerned about the amount of light pollution resulting from the design of the house. There are no street lights in Tealby or Tealby Thorpe so at present light pollution is minimal. The amount of light shining out from the glass box that constitutes the ground floor of the house will ensure that it stand out like a sore thumb making it totally at odds with its surroundings.
- The large glazed areas on 2 floors will create significant light pollution especially in winter after the trees have lost their leaves, impacting on residents of Tealby Thorpe and the numerous walkers using Thorpe Lane and the public footpath barely 50 metres from the property.
- Vector analysis and photographs submitted imposing proposal onto landscape with comments (see website).
- If the property is granted consent, additional tree planting is required to the north east and east of the site. Additional TPO's should be made on the small copse at grid reference TF 14971 89981.
- The applicant cites several precedents elsewhere in the country as justification for building and success will be a precedent for more inappropriate properties in and around Tealby including Tealby Thorpe. It should be noted that none of the precedents quoted were within 100 metres of a Conservation Area, an AONB or a Grade II listed building. At least one of the properties was built after demolishing recently disused farm buildings.
- There are only five properties in Tealby Thorpe, one of which is let by the applicants. Whilst the volume of correspondence is not large, due to the locality, it does not make the opposition less valid.

LCC Highways: Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Conservation: I think that the architect has responded sensitively to the site, and has designed an elegant and understated house that addresses the context well. Through its singular language and form as an innovative living solution, I believe that it also meets the policy criteria for an exemplar country residence.

The key to the projects is the building's simplicity and its discernible links to the natural environment. The use of thin, vertical timber cladding takes from the trees that screen the site, whilst the silo-like elevated elements do acknowledge the modern agricultural structures in the local area. The rounded form is also sympathetic to natural curves generally, and redolent of great oaks etc. When there is so much timber on show, it is good that the architects have opted to specify local timber species for this.

There is a limit, of course, to how many new such dwellings can be accommodated within Tealby Thorpe, being such a small hamlet. However, a great deal of thought has been put into the siting and screening of the new house and the impact of a one-off dwelling will be minimal. The development is very low density and will make use of energy-saving technologies such as solar and rainwater harvesting. I did a page search on "biomass", but it doesn't look like a biomass heating system is being looked at. Considering the amount of trees in the vicinity, and the significant numbers of them that will be sacrificed for this project, this is perhaps an omission.

The plinth will also need careful consideration, as will the landscaping generally – it would be good to preserve as many of the undulations and variable topography of the site as possible. It may be an idea to remove permitted development in order to prevent garages etc. springing up on the site in future. I would rather take issue with Opun's contention that the nearby listed building should not be a significant driver for the design, looking at the surroundings it would seem to be a constraint.

All in all, however, this is a conscientious example of how we should be living now, and in the future - in a low-energy, individually crafted structure, close to nature and responsive to it. I see that there is a public footpath nearby and walkers may get a view of the house in winter – hopefully they can take away some impressions of why this is a good piece of architecture, and can then apply and interpret this thinking elsewhere.

Recommendation: APPROVAL, with materials conditions and maybe others for lighting, access road etc.

Environmental Protection: The applicant's attention should be drawn to General Binding Rules (GBRs) concerning septic tanks and sewage treatment plants. Otherwise I have no comment.

Archaeology: Although there is no archaeological impact associated with this development, it is very close to the Grade II listed Thorpe Farm and as such may affect the setting and / or curtilage. I recommend that further advice on this matter is sought from your conservation officer.

Relevant Planning Policies:

National guidance

National Planning Policy Framework

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

National Planning Practice Guidance

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

West Lindsey Local Plan First Review 2006 (saved policies - 2009).

This plan remains the development plan for the district although the weight afforded to it is dependent on whether the specific policies accord with the principles contained within the National Planning Policy Framework. In terms of the proposed development, the named policies are considered to still be relevant:

STRAT1 – Development Requiring Planning Permission

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

STRAT3 - Settlement Hierarchy

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>

STRAT12 – Development in the Open Countryside

<http://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat12>

SUS7 – Building Materials and Components

<http://planning.west-lindsey.gov.uk/planning/localplan/written/cpt4.htm#sus7>

RES1 – Housing Layout and Design

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>

NBE9 – The Lincolnshire Wolds Area of Outstanding Natural Beauty

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe9>

NBE10 – Protection of Landscape Character and Areas of Great Landscape Value

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe10>

NBE14 – Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

NBE18 – Light Pollution

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe18>

NBE20 – Development on the Edge of Settlements

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe20>

Further Draft Central Lincolnshire Local Plan 2015

The Further Draft of the CLLP has finished one consultation phase (Oct/Nov 15), will be the subject of another consultation in late spring 2016 and will be the subject of a Local Plan Examination before adoption. As a result policies could be deleted or modified. In accordance with paragraph 216 of the NPPF it is considered that the policies of the Further Draft can only be given limited weight. The policies that are considered applicable are:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP17: Landscape, Townscape and Views

LP23: Biodiversity and Geodiversity

LP24: The Historic Environment

LP25: Design and Amenity

[http://central-lincs.objective.co.uk/portal/central lincolnshire/further draft/fdlp?tab=files](http://central-lincs.objective.co.uk/portal/central%20lincolnshire/further%20draft/fdlp?tab=files)

Main issues

- Principle including design
- Setting of heritage assets
- Impact on locality including AGLV and AONB
- Ecology
- Drainage and flooding
- Highways

Assessment:

Principle including design

The site is in a small woodland to the east of the main farmhouse of Thorpe Farm, a grade II listed building. It is outside the Tealby Thorpe Conservation Area. In settlement hierarchy terms, the site is in open countryside, where development is restricted to that which is essential (policy STRAT12). However, the NPPF was published following the adoption of the Local Plan and carries more weight than the Local Plan. Paragraph 55 of this document states,

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.”

This proposal seeks to comply with the exceptional quality of design element of the NPPF. As this is the first of its type in the District, it was considered necessary to seek independent design advice and a Design Review Panel

was held on site on 15th December 2015. The Panel's findings are attached at Appendix A.

The Design and Access Statement explains the process behind the design. Trees, both in the woodland, along field edges and in occasional groups are a key element in the immediate landscape. There are also tall agricultural silos found in such a landscape, often on the edge of woodland. The house seeks to replicate the forms found in the wood, with more solid structures above open structures, such as a canopy and trunks. The main part will be three cylinders of varying heights, clad in vertical larch lats at first floor, left to weather to silver grey, with chamfered glazing set back beneath with an additional single storey wing to the rear. The projection of the first floor over the glazing will also create solar shade when required and will give depth and shadow to this level, than glass on one plane would. A terrace will include additional cylindrical shapes that are meant to be similar to the self-set trees at the edge of woodland. These will include seating areas and a wood fired oven. There will be an outbuilding and garage set in the north east corner of the site, accessed from a new driveway, to the edge of the paddock. The building will be set on a plinth, partly to provide a level surface and partly to delineate between domestic and agricultural use, such as a ha-ha wall. This will stop the sheep getting into the domestic setting but the paddock to the front will continue to be grazed. The larch lats will be thin and will stretch above the roof line. This will enable the photovoltaic panels on the sedum roof to be screened from view. Terraces will be hidden behind the larch screens at first floor, also hiding the glazing for the rooms, to overcome the impact conventional window shapes would have on such a design. In order to achieve this, every other larch lat will be missed out to allow views through whilst maintaining the overall vertical wood appearance.

The design, whilst not traditional, is considered to sit neatly on the edge of the woodland and is considered to meet the criteria required under paragraph 55. It is innovative, incorporating wood cladding with the unusual shape and many sustainable features. It is a high standard of architecture, with a well thought out design process behind it, reflecting the characteristics and shapes of the area. The woodland will be managed; by letting more light through the canopy to the woodland floor, more flora will become established, enhancing the biodiversity on site. Whilst some of the defining characteristics of the area are stone, brick and pantile buildings, the milling history of the village and farm buildings, another characteristic is the amount of trees, woodland, along field edges and in occasional groups, enabling this development with the curved elements and wood cladding to reflect the immediate forms found on site.

Judgements on what constitutes good design is subjective by nature and is not simply a matter of whether one likes it or not. It is important to consider whether it has been carefully thought through including in terms of incorporation of quality materials, a high level of sustainability and a good relationship between form and function. It is considered that this design does this and is therefore, considered acceptable.

Many sustainable elements have been incorporated into the design. The glazing along the south elevations will enable solar gain to take place with low level winter sun yet the overhanging second storey will provide solar shade in the summer. The windows will also be double glazed and will allow cross ventilation through the building. The walls will be an insulated timber construction that will exceed current building regulations with its U-value and will help the building to keep a stable temperature. The roof will be sedum, using species found at ground level and providing further insulation. The construction elements and design will all reduce the need for heating or artificial cooling with air conditioning units.

Concrete will be used for some elements including the plinth. Whilst this is not thought of as a sustainable product, it will be locally sourced, including locally sourced aggregate and will have a long lifespan. It can also be recycled as hardcore or aggregate.

The use of locally sourced materials that in themselves have a long lifespan increases the sustainability of the project, as does the use of local trades and businesses, reducing the travel distance to site.

Rainwater harvesting will be incorporated into the design and this, together with the sedum roof that will hold a large volume of water, will reduce the need for mains water. Photovoltaic panels will be situated on the roof, hidden from view by the parapet. The aim is to provide sufficient electricity to meet the needs of the house and sell any excess back to the grid, making the dwelling carbon neutral.

Heating will be via an air source heatpump, which will still produce heat even in cold temperatures. This type of heatpump does not require excavation or pipework underground. Unlike a biomass boiler, it will not require a fuel store either, for which the architect considers there isn't a suitable space on site.

Lighting across the site will have low energy light fittings reducing the electricity demand.

Whilst the location of the dwelling is not sustainable, the sustainability of the proposal is still considered to be high, due to the design, materials and use of local labour.

Setting of heritage assets

The Grade II listed Thorpe Farm is to the east of the site. Although the listed building will be seen from the site, the buildings will be separated by approximately 57 metres and will be within separate settings, with the existing house and converted farm buildings sitting within an established garden with more formal tree planting to the front (south) and the main approach from the east whereas the proposed dwelling will sit within the woodland setting beyond the paddock and will be approached from the south. The Design Panel did not consider that the proposal would have an adverse impact on the listed building.

The site is outside the Conservation Area and the boundary runs around the edge of the Thorpe Farm garden. It is not thought that the proposal will adversely affect the setting of the Conservation Area. It will be glimpsed from Thorpe Farm and will not be seen from the hamlet due to the topography and other trees within the view.

It is noted that the Conservation Area Appraisal states that development should be essential to agriculture or other special local need. This was written in 1979. Subsequently, there have been several changes in planning policy, and whilst the Conservation Area Appraisal is still a material consideration, the NPPF is more up to date and takes precedence.

Impact on locality including AGLV and AONB

The site is within the AGLV but the boundary of the Lincolnshire Wolds AONB is the other side of the road. Whilst the building will be seen within the context of both landscape designations, given the material palette and design, it is not thought that it will have an impact on the appearance or enjoyment of the landscape, as the dwelling will not stand out within its context.

There are several footpaths in the area, which is popular with walkers. However, the proposal will not have an impact on the footpath network. Whilst it will be seen, the woodland around the proposal will be a backdrop, so that the dwelling will not sit starkly against the landscape. A footpath runs near the rear of the site. It may be possible to see the garage / outbuilding but the dwelling will be largely screened by the rest of the wood.

Ecology

The site is a mixture of woodland to the north and grassland to the south. The better management of the woodland will include the clearing of many of the young self-seeded saplings allowing the better quality trees to mature. Additional native tree planting is proposed, the details of which can be conditioned as can the detail of which trees will be cleared.

Drainage and flooding

The River Rase is to the north west of the site. The north west corner of the site is within flood zone 3 but the site of the dwelling is in flood zone 1 and there would be access away from the site in a flood situation.

The intention is for no surface water to require drainage away from the site as it would be used in the sedum roof and the rainwater harvesting.

The foul drainage would be to a package treatment plant on site

It is not considered that the proposal will adversely affect the flood risk of the site or the surrounding area or the drainage of the land, due to the permeability of the materials proposed.

Highways

A new access will be formed through a gap in the hedge. The Highways Authority has no objection to the proposal, as, even though the visibility splays

are less than standard (2.4m x 106m looking to the right and 2.4m x 115m looking left) they are better than the existing junction 90m to the east (2.4m x 115m looking right and 2.4m x 35m looking left.)

Conditions relating to the approval of details for the new access point will be added to the consent, including how the ditch will be bridged. There will also be conditions requiring the design of the access to take account of the tree roots nearby.

Other matters

One of the objectors expressed surprise that such an application had been put forward on this ancient pasture. Planning applications can be submitted on any land, regardless of its historic status.

Light Pollution has been raised by objectors as a potential issue. It is noted that there are no street lights in Tealby Thorpe or Tealby. However, the ground floor is set back under the first floor, allowing shadows to fall across the glazing and minimizing the uplighting effect. Some light will be seen, but the majority of the surrounding vicinity will still be dark, minimising the impact of the ground floor. The light from the first floor will be baffled by the positioning of the larch lats. Unlike the photomontages submitted by an objector, the dwelling will be set more within the woodland than within the paddock and it is not considered that it will be prominent within the setting. It is not thought that light will be seen from the village, due to the topography, the siting of the dwelling and the existing trees, that even in winter, will shield the development.

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

Recommendation: Grant planning permission subject to the following conditions:

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

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

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

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

2. No development shall take place until details of the external facing materials including the width of the larch lats, the colour and profile of the aluminium frames and plinth to be used have been submitted to and approved in writing by the local planning authority

Reason: To ensure a satisfactory external appearance of the development in accordance with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review.

3. No development shall take place until the details relating to the vehicular access to the public highway and the access track, including materials, method of protecting the tree roots, final surface, specification of works and construction method have been submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the dwelling is first brought into use and thereafter retained at all times.

Reason: To ensure the safety of the users of the public highway and the safety of the users of the site in accordance with the National Planning Policy Framework and saved Policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review.

4. No development shall take place until a landscaping scheme to include details of the size, species and position or density of all trees and shrubs to be planted and any fencing and walling, details of the trees to be removed including self-sown trees and measures for the protection of trees to be retained has been submitted to and approved in writing by the local planning authority. The scheme shall also include a timetable for the implementation of the landscaping and a methodology for its future maintenance including the existing woodland.

Reason: To ensure that an appropriate level and type of soft landscaping is provided within the site to accord with the National Planning Policy Framework and saved policies STRAT 1, RES 1, CORE 10 and NBE20 of the West Lindsey Local Plan First Review 2006

5. No development shall take place until details of any external lighting to include type, position and light intensity has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that there is minimal light spill from the site which would have an impact on this mostly unlit night environment and in accordance with the National Planning Policy Framework and saved policies STRAT1, RES1 and NBE10 of the West Lindsey Local Plan First Review 2006.

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

6. 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: TT_001 Rev 02 Sketch Scheme Site Plan, TT_100 Sketch Scheme Plans, TT_101 Sketch Scheme Elevations, TT_102 Sketch Scheme Elevations, TT_103 Sketch Scheme Outbuilding, TT_104 Section A-A, Roof Plan.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

7. The development shall be carried out only using the materials approved in condition 2 of this permission and shall be so retained.

Reason: In the interests of the visual amenity of the area and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

8. No works shall take place involving the loss of any hedgerow, tree or shrub between 1st March and 31st August in any year until a detailed survey shall be undertaken to check for the existence of nesting birds. Where nests are found, a 4 metre exclusion zone shall be created around the nests until breeding is completed. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any works involving the removal of the hedgerow, tree or shrub take place.

Reason: In the interest of nature conservation in accordance with the National Planning Policy Framework and saved policy NBE10 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:

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

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the

interests of the visual amenities of the locality and in accordance with the National Planning Policy Framework and saved policies STRAT 1, STRAT 12 and CORE 10 of the West Lindsey Local Plan First Review 2006.

10. Notwithstanding the provisions of Classes A, B, C, D, E, F, G and H of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no satellite dishes shall be affixed to the dwelling, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the architectural integrity of the development and to safeguard the character and appearance of the building and its surroundings and in accordance with West Lindsey Local Plan First Review Policies STRAT1, RES1, NBE9 and NBE10.

Notes to the Applicant

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

2. Please note that whilst the woodland is in the applicant's ownership, a felling license may be required from The Forestry Commission. adminhub.eem@forestry.gsi.gov.uk or 01842 815544

Appendix A – Design Review Panel Response. See below



Jonathan Hendry Architects
10 Nickerson Way
Peacefields Business Park
Holton le Clay
Lincolnshire
DN36 5HS

Monday 21st December 2015

Dear Jonathan,

**Re: Opun Design Review Panel (121) – Tuesday 15th December 2015
Design Review of Land adjacent to Thorpe Farm - Tealby Thorpe (Our Ref: DR2015-048).**

We write following the design review of Land adjacent to Thorpe Farm in Tealby Thorpe, Lincolnshire and would like to take this opportunity to thank the team for utilising the Opun Design Review Service. We hope that they found the process to be a constructive one, which will be of benefit to the team in taking the project forward.

The Opun Design Review Panel reviewing the scheme consisted of Nils Feldmann (Panel Chair), Fiona Heron and Dharmista Patel (Panel Manager) and followed the ten principles of Design Review.

Site Context

The site is located in Tealby Thorpe in Lincolnshire. The site is rectangular in shape and is bounded to the north by open landscape and the River Rase beyond including footpath, to the east by Thorpe Farmhouse (Grade II), Thorpe Lane and cluster of buildings, to the south by Sandy Lane and open landscape beyond and to the west by open landscape.

The site itself includes a woodland to the north of the site, a stream to the south and west boundaries of the site and mature landscaping to the boundaries including both hedgerows and trees. The topography of the site falls slightly from east to west.

The Proposal

The scheme proposes a new family home and is seeking to provide a development that is of architectural exemplar.

The proposed house is located to the north of the site on the edge of the woodland. The house

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



is of contemporary design taking the form predominantly of a three cylinders vertical forms of various heights and scale depending on function (two storeys) and a square form (single storey). The building proposes living accommodation and two bedrooms to the ground floor including outdoor spaces and three bedrooms with terraces and bathrooms to the first floor. The building is accessed from Sandy Lane along a driveway to the eastern edge to an outbuilding connected to the house by a pathway. The material proposed for the building is hardwood timber, glazing and a sedum roof.

The Parameters of NPPF Paragraph 55 Approval

As the scheme is within an Area of Great Landscape Value and within sight of the Lincolnshire Wolds Area of Outstanding Natural Beauty the development will be covered by Paragraph 55 of the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012. Paragraph 55 states that;

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- The exceptional quality or innovative nature of the design of the dwelling.
- Such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

The Panel's Comments

The Panel make the following comments and recommendations for your consideration:

Design Philosophy and Site Analysis

The team was praised for the coherent philosophy / design concept, quality of information, comprehensive site analysis in particular referencing and reinforcing the geometry of the grain silos, woodland canopy and field patterns. The information presented demonstrated a good

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



understanding of the site context which has played a key role in informing what the Panel believe to be a strong, elegant, bold project of exceptional design.

Architecture

The Panel highlighted the importance of introducing a new building into the countryside, (inparticular a non- traditional building) and the impact of the building citing Paragraph 55 of the NPPF which states a design should 'significantly enhance its immediate setting'. The Panel commended the quality and contribution that the building will make to the site and considered the scheme to have the potential to achieve the highest standards in architecture.

The language and form of the design were considered to be an effective and strong concept referencing the geometry and characteristics of other structures that have been added to the local landscape over time. The team were encouraged to provide clarification on which of the two forms (grain silos and woodland canopy) is driving the design to assist in further reinforcing the design concept.

The team were also recommended to undertake additional work to refine the design suggestions included: further consideration to the proposed plinth and exploring whether the building should sit on a plinth, the visibility of the plinth or whether the building should be embedded into the site; strengthening the approach to the building by connecting / relating the driveway with the water course which runs parallel to the site boundary and extending the woodland along the driveway; and clarification on the juncture between the square single storey and the curved two storey forms i.e. exploring whether the forms should be more separate to each other or connect more strongly utilising the staircase. In addition, there was recognition that the proposed palette of materials (timber) to be appropriate for the site.

The positioning / siting of the dwelling was considered to be sensible and the Panel felt that the building benefited from not being hidden / tucked away in the site.

Landscape Strategy

The Panel commented on the need to develop a comprehensive landscape strategy to demonstrate how the building connects and interacts with the landscape to ensure a strong relationship between the built and natural form. The team was encouraged to undertake the same level of rigour and narrative for the landscape as for the building i.e. a detailed site analysis of the existing green infrastructure including the stream, woodland, hedgerows, tree species, ground flora etc. which will assist in evidencing an in-depth understanding of the green character and special qualities of the site.

In terms of the woodland the Panel encouraged for a management plan to be produced which provides a short, medium and long term approach identifying where existing areas of the woodland / specific trees should be allowed to reach maturity, where selective felling should be

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



undertaken i.e. non traditional species; where new / replacement trees will be planted including potentially extending the area of woodland by planting along the driveway which would also assist in strengthening the sense of arrival to the house i.e. driving through a woodland, and how the management plan / scheme will assist in enhancing the woodland i.e. planting of traditional species.

With regard to the building further consideration should be given to what happens at the building edges e.g. Is this a building that sits within the landscape? How does the building plinth relate to the ground / landscape?; clarifying the design approach for the proposed open space areas to the house e.g. how are these spaces accessed? How do they relate to each other and the wider landscape strategy?; ensuring that the quality of the building is incorporated into the landscape with the proposed materials utilised for the hard landscaping i.e. pathway to the house, and how the boundaries will be treated specifically the existing hedgerow between the farmhouse and new dwelling the Panel questioned whether this would be substantial enough to provide privacy and if the land were to be retained for grazing how would the fencing be treated.

The Panel guarded against providing landscape that is not characteristic to the area i.e. a wildflower meadow, Acer trees and also did not consider it necessary to plant multiple trees within the open space and suggested one mature native tree would be more appropriate.

Listed Farmhouse

As proposed the Panel did not consider the Grade II listed building to be a significant design driver and that both the new building and farmhouse can exist together on site. Additional information needs be provided to explain how the dwelling responds and relates to the farmhouse.

Meeting the Parameters of Paragraph 55

The proposal was considered to be exciting, of high quality and very promising in terms of its design approach and architecture and to have the potential to achieve the parameters set out in paragraph 55 of the NPPF for sustainable development in rural areas. The Panel felt that more work needed to be done in strengthening the overall justification for the scheme including highlighting the aspirations for sustainable living making clear reference to building being 'green'; detailed explanation of the design concept and site analysis; how the scheme responds to the listed building / farmhouse and how the proposal contributes to and improves the setting of the landscape etc.

Summary

The Panel thanked the team for an informative site visit and presentation, and for the opportunity to comment on the scheme.

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



In summing up, the Panel considered the scheme to be intelligent, sensitive and strong and the potential to achieve the parameters set out in paragraph 55 of the NPPF for sustainable development in rural areas.

A number of issues were highlighted to be addressed which include the provision of a comprehensive the landscape strategy to ensure a robust relationship between the natural and built form i.e. how the building edges interact with the landscape, the provision of a management plan for the woodland; undertaking design refinements to the architecture and building form i.e. exploring whether the plinth is the best approach, the relationship between the single and double storey forms etc. and providing justification to demonstrate on how the scheme meets the Paragraph 55.

We trust that the feedback provided within this letter will prove to be of benefit to you in seeking a successful resolution and outcome for this scheme and provide an opportunity for further discussions with the determining authorities. We would be happy to provide further design advice on the project including detailed design elements and, where possible, we will seek to ensure that the composition of the Panel remains the same throughout any ongoing review process.

Yours sincerely,

Dharmista Patel
Head of Opun Design Support Services
On behalf of the Opun Design Review Panel

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



Opun Design Review adheres to Design Council CABE's ten principles for design review as follows:

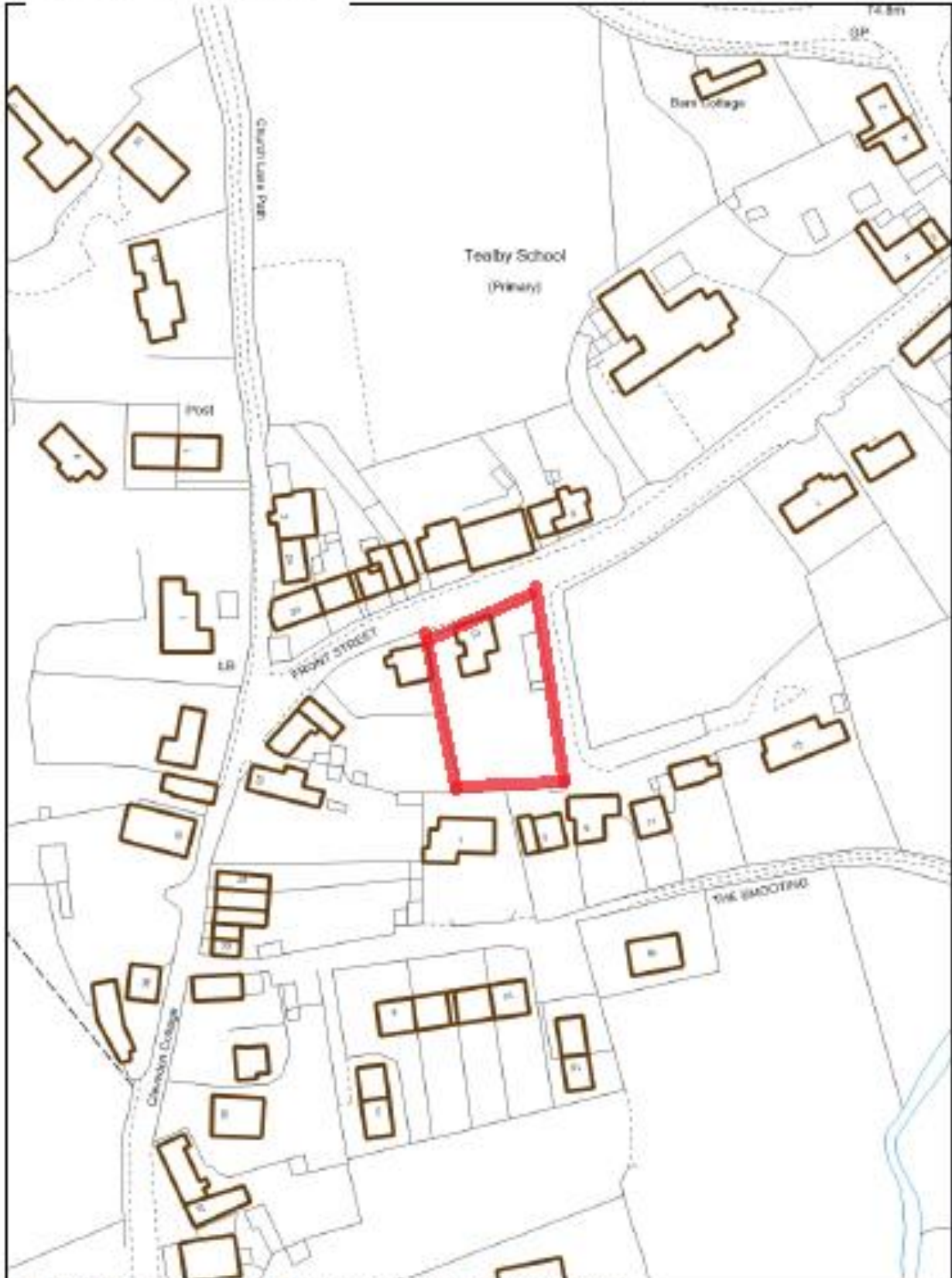
1. Independent: It is conducted by people who are separate from the scheme promoter and decision-maker, and it protects against conflicts of interest.
2. Accountable: It records and explains its advice and is transparent about potential conflicts of interest.
3. Expert: It is conducted by suitably trained people who are experienced in design and know how to criticise constructively. Review is usually most respected where it is carried out by professional peers of the project designers, as their standing and expertise will be acknowledged.
4. Advisory: It does not make decisions. It acts as a source of impartial advice for decision-makers.
5. Accessible: Its findings are clearly expressed in terms that decision-makers can understand and use.
6. Proportionate: It is used on projects whose significance warrants the public investment of providing design review at national, regional and local level, as appropriate. Other methods of appraising design quality should be used for less significant projects.
7. Timely: It takes place as early as possible in the life of a design because this saves the most time and costs less to make changes. If a planning application has already been made, it happens within the timeframe for considering it. And it is repeated when a further opinion is required.
8. Objective: It appraises schemes in the round according to reasoned, objective criteria rather than the stylistic tastes of individual panel members.
9. Focussed on outcomes for people: It asks how this building or place can better meet the needs of the people using it, and of the public at large who are affected by it.
10. Focussed on improving quality: It constructively seeks to improve the quality of architecture, urban design, landscape, highway design and town planning.

Opun is the trading name for Architecture East Midlands Ltd., Charity Number 1143920

Opun | South Annex | PERA Business Park | Nottingham Road | Melton Mowbray | Leicestershire | LE13 0PB
| w: www.opun.org.uk | e: info@opun.org.uk



1:1250



© Crown Copyright and database right 26 February 2018. Ordnance Survey 100018701

Committee Report **Application No's: 133759 (Planning) and 133760** **(Listed Building Consent)**

PROPOSAL:

A: 133759 Planning application to erect rear extension and alterations to include conversion of existing outbuilding

B: 133760 Listed building consent to erect rear extension and alterations to include conversion of existing outbuilding

LOCATION: Crown House 15 Front Street Tealby Market Rasen LN8 3XU

WARD: Market Rasen

WARD MEMBER(S): Councillors Marfleet, J McNeill and Smith

APPLICANT NAME: Hugo Marfleet (also Elected Member – see above)

TARGET DECISION DATE: 22/01/2016

DEVELOPMENT TYPE: Householder Development and Listed Building Consent

CASE OFFICER: Fran Bell

RECOMMENDED DECISION:

A: Grant planning permission

B: Grant listed building consent

Introduction:

These applications have to come before Planning Committee for determination as the applicant is an Elected Member.

The proposal has been amended twice during the life of these applications.

Site Description:

15 Front Street is a grade II listed building with an outbuilding set back from the road to the east. The house is whitewashed brick with yellow paint detail around the fenestration. There is a modern extension to the rear and had an established garden, although this has been cleared by the applicant. It is within the Tealby Conservation Area and the Lincolnshire Wolds AONB.

To the west is 17 Front Street, a former chapel converted to a dwelling. There are three windows in the gable facing the site. One is a high level narrow window for the dining room, another, an obscure glazed casement, is the only window to the kitchen and one serves a bedroom at first floor level. To the east is the access to The Smooting with a sloping piece of open space beyond, separated from the roadway by a well maintained hedge. To the north is the former tea room, with a variety of cottages and houses. To the south is the garden with the rear of the cottages on The Smooting beyond.

Proposal

It is proposed to remove the single storey rear extension and replace it with a glass conservatory with a small, brick and pantile, gabled extension attached to the west. The existing outbuilding to the east would be converted into accommodation that can be used as an annexe in future. This would be attached to the main house with a stone wall attached to the rear corner of the house and set back from the gable end of the outbuilding. A glass corridor would be added beyond the wall to connect the house and the annexe together. A door, to appear as a garden gate, will be inserted into this wall to make another access point. A 1.8m brick garden wall would be added to the west between 15 and 17 Front Street with a ledged and braced gate to access the rear garden. The existing blocked up opening on the front elevation above the front door will be unblocked and a new timber sliding sash window, to match others on the same elevation, will be inserted. An existing casement window in the west elevation will be replaced with a traditional horizontal Yorkshire sliding sash window. The window above the side door in the west elevation will be changed to match the existing style on the front and the side door will be altered to a timber door to match the front door.

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011:

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

Relevant history:

133081 Pre application discussions about similar proposals. – suggested alterations to the designs.

Representations:

Chairman/Ward member(s): None received to date (one of the Ward Members is the applicant).

Tealby Parish Council: As impressive as it is, the parish council feel the extensions are too large and dominate the Listed Building rather than being subservient. Concern is also present in regard to the issue of a very limited off road parking space proposed.

The original building appears to become an extension to the proposed addition. The new frontage would appear to be mainly stone or brick. Whilst the Parish Council is sure the building materials and design would be to a high standard, it doesn't appear 'in keeping' with its surroundings.

In addition, the amended application doesn't look to be so much different to the original application, the main change being is to reduce the height of the external wall – the layout and size is unchanged.

The Parish Council therefore feel that this application and extension is too dominant and the car parking arrangements are inappropriate.

Local residents: Objections received from 16, 17 and 20 Front Street, Tealby and 70b Greenwood Road, London in response to the applications and the various alterations. Summary of objections received below. (NB. not every comment is made by each objector)

- No objection to the renovation of the house but do object to the extensions in their current form.
- If approved it would destroy the detached, characterful appearance of the streetscene and would cause significant harm to the setting of the listed building and wider conservation area.
- Impact on the setting of other listed properties on Front Street, particularly the listed former Primitive Chapel at 17 Front Street.
- Agree with Historic England regarding size and bulk of the proposed rear extension being disproportionate.
- Extending either side of the building is incongruous and overbearing on the original building.
- Contrary to various policies in the Local Plan, the NPPF and the Tealby Village Design Statement.
- Doesn't respond positively to the original form. The size and scale of the extensions are too dominant to the original house.
- No heritage statement or details about alterations of internal historic fabric.
- Impact on the character and setting of the AONB and Conservation Area.
- Will not preserve or enhance the historic and cultural settings.
- Openness and scenic beauty currently enjoyed by pedestrians and properties along Front Street will be severely impacted.
- Gaps between the buildings prevent terracing effect and enable views to countryside beyond. To add walls will form a barrier, blocking the public view to the tree line and ridge beyond, affect the public realm and harm the streetscene.
- Seems to be a desire to 'fortify' the building. This could be resolved on the western side with a lower wall, perhaps with railings, as seen at other properties along the street, or a simple hedge. This would help reduce the terracing effect and would retain some views.
- Height of the walls will harm the village landscape and are out of keeping with neighbouring properties. Existing fences, walls and hedges are low in height.
- The continuous building line would be 4 times the length of the original building as it will visually be joined to the former Chapel.
- Putting a wall between the former pub and the former chapel is contrary to their historic and cultural settings.
- How will the wall be attached to 17 Front Street?
- The applicant has already commenced demolition and removal of the perimeter walls. This is contrary to s74 of the Planning (Listed Building and Conservation Area) Act 1990.
- Very disappointed that the rose tree surrounding the front façade has been removed. This was an integral part of the character of the property. The Local Authority has a duty to protect trees.
- The annexe does not need to be linked to the building. Policy RES13 allows self-contained annexe.

- Inappropriate to introduce new access between 15 and 17 Front Street as it opens onto the road and might be a safety hazard to pedestrians.
- Side extensions too large and overbearing for this building that has stood for over 150 years as a detached dwelling. It was formally a public house.
- Alterations to proposal not sufficient to overcome concerns.
- The street scene has not changed significantly over time and this will alter the character of the variety of sizes and styles on view. Other historic properties have only extended to the rear.
- The mix of materials (stone and brick) will not blend in with the existing white painted building.
- Parking is already congested along Front Street. This development will allow only 2 spaces when there should be at least 3 spaces plus room for visitors.
- Errors, inconsistencies and lack of clarity in the application.
- Will not protect quality of life of local residents.
- There will be overlooking of adjacent properties.
- It will be visually overbearing.
- There will be a loss of privacy.
- The extensions are not subordinate to the style of the original building. The small side extension, whilst not beautiful, blends in due to its small size and that it is white painted. The new extension is significantly larger and will be red brick, making it more visually prominent and out of character.
- The new western extension will harm 17 Front Street by affecting light and privacy by over dominance and overshadowing. Light into the kitchen will be significantly reduced due to the positioning, design, and increased size and height with a pitched roof.
- The use of red brick for the western extension and wall is not in keeping with the main building or the neighbouring property and will further reduce light in to 17 Front Street.
- (Later comment) Whilst the movement of the western most extension back toward the principal property is noted, there are still a number of issues with the proposal that have not been addressed and do not meet planning criteria.
- The gap is still less than the previous and the proposed building is still larger and taller so there remains a significant light reduction into our kitchen through the window that will face out directly onto the new extension.
- There could be loss of privacy in the garden of 17 Front Street, due to the south facing windows of the western extension, the new pathway between the buildings and the raised glass linkage. The existing windows are set back, not causing intrusion.
- The same spatial footprint can be realised without the impact on the surroundings.
- There will be an increased impact on the public services for sewage and drainage. There are no details of where the waste outlets will be placed on the external walls of the building.
- There is sometimes a pool of water outside 17 Front Street.
- Concern over structural works close to neighbouring property and any adverse effects on ground stability and drainage. The new design is on

higher ground – will there be structural disturbance or future drainage implications?

LCC Highways: None received to date.

Conservation: I think that the designers have produced something that acknowledges the character and significance of the listed building and its setting. The extension is subordinate to the main house, and nicely detailed – the only conditions would be materials, finishes etc. I am therefore happy to recommend approval for the project, and would be pleased to review sections etc. for the windows; archaeological mitigation may apply too for the groundworks.

Historic England:

Summary

The proposal concerns Crown House, Front Street, Tealby, which is a Grade 2 listed dwelling that lies within the Tealby Conservation Area. The proposal is the erection of rear extensions and conversion and alteration of an existing outbuilding to link it to the main dwelling. While we have no objection to the broad principle of extension to the rear per se, we have concerns over the size and appearance of the proposed extension and consider that it would be harmful to the significance of the listed building, and the character and appearance of the conservation area. However we believe that our concerns could be overcome by way of a suitably amended scheme that reduces the impact upon the host building.

Historic England Advice

Significance

Crown House is listed at Grade 2 in recognition of its special architectural and historic interest within the national context. The building is a modest vernacular house that dates the early C19, that has been extended to the rear at various times. There is also a small single-storey outbuilding to the east side which is not listed in its own right, but is of historic interest, and the relationship between the two buildings as a historic ensemble contributes to the overall significance of the heritage asset, and to the character and appearance of the conservation area. The significance of the conservation area is set out in the Tealby Conservation Area Appraisal, which describes the *informal nature* of Tealby's street patterns and *overall looseness of its development*. The appraisal also makes specific reference to Crown House as a building of interest.

Impact

The proposed extension entails a single-storey extension to the rear that links to both a new outbuilding to the west of the dwelling, and to the existing outbuilding on the east side. The extension features extensive, full-height glazing, and creates an irregular E-shaped plan. The form and design of the rear extension, in our view overwhelms the modest vernacular form of the original building and its relationship with the existing outbuilding, such that we consider the proposals to be harmful to the significance of the listed building. We would advise that the proposals are amended to provide a more modest form of extension, which would better reflect the historic character of the existing building.

Policy context

As the proposal affects listed buildings and their settings and the setting of the conservation area, we draw your attention to the statutory requirements to have special regard to the desirability of preserving the building and their setting (s.16 and 66 of Planning (Listed Building and Conservation Areas) Act 1990) and to pay special attention to the desirability of preserving and enhancing the character and appearance of the Conservation area (s.72, Planning (Listed Building and Conservation Areas Act 1990), which must be taken into account by your authority when making its decision.

The NPPF also states that heritage assets are an irreplaceable resource (para. 126) and when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation (para.132). Paragraph 132 also says that significance can be harmed or lost through alteration of the heritage asset and that as heritage assets are irreplaceable, any harm or loss should require '*clear and convincing justification*'.

Paragraph 134 reminds us that where harm to significance is found to be *less than substantial, this harm should be weighed against public benefits of the proposal*.

Historic England's Position

While we are not opposed in principle to the extension of the existing building, we consider that the proposed design, fails to respond positively and sympathetically to its architectural form and character, and its historical site context. Historic England therefore considers that the proposal in its current form would be harmful to the significance of the heritage asset. We are not convinced that the level of harm is justified and Historic England therefore regrets that it is unable to give its full support to the proposal.

Recommendation

Historic England recommends that your authority seeks to negotiate an amended scheme to address the concerns that we have outlined above.

Further comment:

We note the minor amendment to the link between the cottage and the existing outbuilding. We do not consider that this revision addresses the concerns that we raised previously and we therefore refer you back to the advice that we provided your authority of 17th December 2015.

Additional further comment:

Historic England Advice

We note the minor amendment to the rear extension and have no further comments to add to our previous advice.

Recommendation

We urge you to address the above issues, and recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice. It is not necessary for us to be consulted again. If you feel you need further advice, please let us know why.

Please re-consult us if there are material changes to the proposals beyond those necessary to address the issues we have raised. We will then consider whether such changes might lead us to object. If they do, and if your authority is minded to grant consent, you should notify the Secretary of State of this application in accordance with the above Direction.

Environmental Protection: Mapping indicates an appreciable drop in levels from north to south alongside significant increase in non-permeable surface. Accordingly I would recommend that the applicant be required to demonstrate ability to discharge surface water from all new and converted surfaces to soakaway in a 1:100 storm event + 30% climate change.

I also note raised potential for Radon Gas and would suggest that Building Control measures may be required to address this.

Archaeology: Recommendation: A programme of historic building recording is undertaken, the work to be undertaken in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction.

The historic building recording should include the following: a textual history of the listed building Crown House and its associated outbuilding; plan and elevation drawings and detailed descriptions of fabric, construction, fittings and fixtures backed by annotated photographs; and a full photographic survey cross referenced to an existing ground plan, the photographs to include all external elevations, roof structures and any original or historic internal features. Effort should be made to understand and record the relationship between the two buildings.

The final report should be submitted to the local planning authority and deposited in the Historic Environment Record prior to any alteration of the building, so that any necessary amendments to the report can be undertaken before the building is altered.

Please ask the developer to contact this office for further details. A brief will be produced by this department which will lay out the details above.

Relevant Planning Policies:

Statute (planning and listed building consent)

The statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account in determining these applications

As the site is within a conservation area (Tealby Conservation Area), the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, 1990 Act) must also be taken into account in determining the applications.

Development Plan

West Lindsey Local Plan First Review 2006 (saved policies - 2009).

This plan remains the development plan for the district although the weight afforded to it is dependent on whether the specific policies accord with the principles contained within the National Planning Policy Framework. In terms of the proposed development, the named policies are considered to still be relevant:

STRAT1 – Development Requiring Planning Permission

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

STRAT3 - Settlement Hierarchy

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>

RES1 – Housing Layout and Design

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>

NBE9 – The Lincolnshire Wolds Area of Outstanding Natural Beauty

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe9>

NBE14 – Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

Further Draft Central Lincolnshire Local Plan 2015

The Further Draft of the CLLP has finished one consultation phase (Oct/Nov 15), will be the subject of another consultation in late spring 2016 and will be the subject of a Local Plan Examination before adoption. As a result policies could be deleted or modified. In accordance with paragraph 216 of the NPPF it is considered that the policies of the Further Draft can only be given limited weight. The following policies are considered to be relevant.

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP17: Landscape, Townscape and Views

LP24: The Historic Environment

LP25: Design and Amenity

<http://central->

lincs.objective.co.uk/portal/central_lincolnshire/further_draft/fdlp?tab=files

National (planning and listed building consent)

National Planning Policy Framework

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

National Planning Practice Guidance

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

Other

Tealby Village Design Statement

Main issues

- Principle
- Design and Impact on Heritage Assets
- Impact on the AONB
- Residential Amenity
- Highways and access
- Drainage and Flood Risk

Assessment:

Principle (planning only)

The West Lindsey Local Plan saved policy STRAT1 is the keynote policy and requires development to be satisfactory with regard to various criteria including the design and external appearance of buildings, safe access to the highway, the provision of parking facilities, the impact on the character, appearance and amenities of neighbouring, and where relevant, other land, including visual encroachment into the countryside, the impact on the character, appearance and setting of historic assets including Conservation Areas and Listed Buildings and the impact on the neighbouring uses. Saved policy RES11 allows extensions to dwellings provided that it is well designed in relation to the size, shape and materials of the building to be extended, and is subordinate to the existing property, it would not have an adverse effect on the amenity of the residents of neighbouring properties by virtue of over-dominance or appearance, does not prejudice the retention of any significant trees or other important features, allows off-street parking for at least one vehicle to remain and retains an adequate private garden space. Saved policy RES13 allows for the conversion of existing buildings into self-contained annexes.

The National Planning Policy Framework at chapter 7, Requiring good design, requires development to contribute positively to making places better for people. Chapter 12, Conserving and enhancing the historic environment, requires local planning authorities to take account of the particular significance of any heritage asset that may be affected including on the setting of any heritage asset and to consider the desirability of sustaining and enhancing the significance of those heritage assets and putting them to viable uses consistent with their conservation.

In this case, the development will enable the dwelling to be refurbished and lived in. The design and impact on the heritage assets is considered below, as is residential amenity, highway impact and impact on the AONB.

Overall, on balance, as considered below, the proposal is considered to be acceptable.

Design and Impact on Heritage Assets (planning and listed building consent)

The outbuilding to be converted is a brick built single storey structure with an eaves height of 1.4m. This is to be connected to the existing house by a stone wall 2.3 m tall, set back from the corner of the outbuilding by 0.6m and runs to the rear north east. The wall hides the glazed corridor which connects to a single storey, glass extension, 2.9m in height. Beyond this to the west will be a single storey, brick extension with a pitched roof (2.2m to the eaves

and 4m to the ridge). This has been moved further east during the course of determination of the applications. The ridge will run north - south. Part of the north gable end will be seen from the street. Attached to this will be a 1.8m garden wall in brick with a wooden plank gate.

Many of the objectors had concerns about the potential terracing effect. However, as the walls and new extensions are staggered, rather than in a straight line, and as these new elements have varying heights, it is not considered that there will be a terracing effect that will be detrimental to the setting of the listed building or the Conservation Area. There is a variety of materials used on Front Street, as recognised in the Conservation Area Appraisal, and the use of brick for the new extension reflects the gable end that is seen in the street of the existing outbuilding.

The Conservation Area Appraisal says that, "The village owes much of its charm to its natural setting, to the informal nature of its street pattern and the overall looseness of its development, to the commanding position of its Church and to the largely unspoiled character of the older parts of the settlement." The wider natural setting will not be removed as part of the development, even if a view point through to the trees and ridge beyond will not be seen. The street pattern will not change. The grain of development contributing to the looseness described, will not alter sufficiently to harm the setting as there will still be spaces in front of walls and the tree between 15 and 17 Front Street will remain.

17 Front Street, a former Primitive Chapel, constructed of stone and pantiles, is not listed but is mentioned in the Tealby Village Design Statement and the Conservation Area Appraisal. It is noted that historically and culturally, a chapel and a public house would not have been physically joined. However, the proposed garden wall between the two properties is set back, with a tree in front of it. Looking along the street, the properties will still appear detached until looking at the gap between the properties.

The modern design is considered to compliment the listed building due to the simple lines and forms and the single storey nature means that it is subordinate to the original mass of the house. The proposals enable a poor, flat roofed, extension to be removed. The glazing also allows views through to the original walls. It is not considered that the proposals overwhelm the existing relationship between the buildings on site as the host dwelling is a two storey house, which will still be seen as the main focus on site. The component parts to the rear will look like two outbuildings, the original one and the new, gabled extension. The glazed corridor and conservatory will be enclosed within the outbuildings as end stops to the design and will not be seen within the street scene. The Conservation Officer agrees that the proposal can be recommended for approval subject to suitable conditions.

Historic England has expressed concerns about the proposal, including about the harm to the significance of the listed building but has not formally objected. The case officer has checked directly with Historic England and as

they have not stated that they formally object, then it is not required that the application be called in to the Secretary of State.

The scheme has been amended during the consideration of this application by moving the western extension in towards the dwelling and reducing the height of the connecting walls. Historic England was consulted about each amendment but consider that the changes are not sufficient for them to give their support to the proposal.

The relationship between the outbuilding and the main building will still be understood in that the gable end of the outbuilding and the main house will still be viewed together, as will the rear wall of the outbuilding. The roofline will still be seen, including the traditional catslide roof to the rear. The significance of the dwelling in the street scene will not be diminished given the setting back and angle of the walls. The front elevation will still have its symmetrical appearance. It is your officer's opinion that whilst there is an impact on the significance of the listed building, this is not harmful and the proposal will bring the building back into use, securing its future maintenance.

The wall linking the existing outbuilding to the main house will block the view over the private garden to the rear to the trees on the edge of the village. However, there will still be glimpses and views through to trees from elsewhere on Front Street and it is not considered that the loss of this view is of significant detriment to the character of the Conservation Area, the setting of the listed building or the setting of the Area of Outstanding Natural Beauty.

Residential Amenity (planning only)

The proposals have been altered during the life of the application to try and move the new gabled extension further from the neighbouring property of 17 Front Street. The distance between the two is now 4.6m at the narrowest point and there are no plain glazed windows facing the property. The new extension will be 0.8m closer to the property. The light into the kitchen of 17 Front Street should not be compromised to an unacceptable degree at this distance. It is not considered that the privacy of the garden of 17 Front Street will be compromised given the relationship between the two dwellings, the existing beech hedge and the evergreen tree. The rear garden of 15 Front Street backs onto properties on The Smooting. The closest part of the new development to the boundary is 23m away. Even though 15 Front Street is on higher ground, it is not considered that the residential amenity of the properties on The Smooting will be compromised due to distance separation.

Highways and access (planning only)

There will still be space at the front of the property for two cars. The other part of the space is gravelled and could also be used for overflow parking; this has been discussed with the applicant and agent on site.

Concern has been raised regarding the introduction of a new pedestrian access to the west in the new garden wall, that this will be a safety hazard to users. However, the low number of pedestrians using this access together

with the slower traffic speed along Front Street, means that the risk of injury is very low.

It is not considered that the extensions and alterations will cause a detrimental impact on highway safety.

Drainage and flood risk (planning only)

Where the drainage pipes will go will be conditioned to ensure that there is minimal impact on the fabric. Whilst there is an increase in the bathroom provision, it is not considered that this will have an adverse impact on the ability of the site to drain. It is a legal requirement that the water companies have to take what the site generates.

It is understood that during heavy rain fall, water collects in the road outside 17 Front Street. It is not considered that this proposed development will add to this, as the topography of the site will mean that the water drains south not north. Surface water is due to be dealt with via soakaways, for which there is sufficient space on site. However, it is considered reasonable to condition the details of the soakaways to show that there will be sufficient capacity.

Other matters

Annexe

Saved policy RES13 allows for self-contained annexes. The converted outbuilding is being designed to become an annexe in the future. It is accepted that an annexe could stand alone, without being occupied as a separate planning unit, within this site. However, linking the outbuilding to the main house will enable both parts to be used without going outside. The wall from the street will look like a garden wall as the roof of the glazed link corridor is set below the top of the wall.

Demolition in Conservation Area

One of the letters of objection raises s74 of The Planning (Listed Building and Conservation Area) Act 1990, and queries why the front garden walls have been demolished. The walls which were removed from site during the consideration of this application, were less than 1m high and their removal is not considered to cause substantial harm to the setting of the listed building or the Conservation Area. Furthermore, s74, which relates to demolition in conservation areas, does not apply to listed buildings, as stated at s75 of the same Act. However, Listed Building Consent should have been applied for the demolition of the walls if they touched the house. Photographs suggest that the one to the west did touch the house wall but the one to the east did not.

Removal of rose from around the front door.

In discussion with the Tree Officer, it was confirmed that roses are classed as shrubs, even though there was one trained over the front door. They would not be subject to tree preservation orders or protected by the Conservation Area legislation.

Structural works and ground stability

The neighbour has raised concern about structural disturbance during construction works. This is not considered to be a planning consideration but can be taken into account at building control stage.

Application documents

It is considered that sufficient information has been submitted with the applications to enable an informed recommendation to be made.

Recommendation

A: 133759 Grant planning permission subject to the following conditions:

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

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

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

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

2. No works shall take place until details of the schedule of works including specification and methodology where appropriate have been submitted to and approved in writing by the Local Planning Authority in relation to the following:

- Repairs and structural works to the existing fabric including floors, ceilings, walls, plasterwork, architraving and roof structures including replacement timber work.
- Joinery details including doors, windows and screens to include drawings and sections at 1:5 scale and details of finish.
- Profile and colour details of the aluminium frames and cladding panels.
- Details of the rooflight and roof above glazed elements.
- Rainwater goods including material, profile and method of fixing.
- Drainage route details including siting of external pipe work.

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)

3. No works shall take place until full historic building recording, to include photographs and an annotated plan, been submitted to and approved in writing by the Local Planning Authority.

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

4. No works shall take place until a 1m square sample panel of brickwork for the extension, a 1m square sample panel of brickwork for the garden wall, both with mortar in the ratio 1:3 hydraulic lime: sand and showing the brick bond and a 1m square sample panel of stonework with mortar in the ratio of 1:3 hydraulic lime: sand have been provided on site for the inspection and approval in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials for this grade II listed building in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

5. No works shall take place until samples of the roofing materials have been provided on site for the inspection and approval in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials for this grade II listed building in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

6. No development shall take place until a scheme for the disposal of surface waters, to include percolation details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage facilities are provided to serve the development and in accordance with the National Planning Policy Framework and saved policies STRAT1, RES1 and NBE14 of the West Lindsey Local Plan First Review Policies 2006.

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

7. 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 drawing: LDC1329-PL-02C Proposed. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

8. The new windows, doors and screens shall be installed in reveal by a minimum of 20mm or to match existing whichever is the greater.

Reason: To safeguard the character and appearance of this grade II listed building in accordance with the National Planning Policy Framework and

saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

9. The works shall be carried out in accordance with the approved schedules of work, methodologies and specifications required by condition 2, the approved sample panels required by condition 4 (which shall remain on site as a point of reference for the duration of the works) and the approved roof materials as required by condition 5.

Reason: To ensure the use of appropriate materials for this grade II listed building and to safeguard its character and appearance in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

10. The dwelling shall not be occupied until the surface water drainage has been implemented. The system shall thereafter be retained and maintained.

Reason: To avoid flooding in accordance with the National Planning Policy Framework and saved Policy STRAT 1 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:

11. The proposed future annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Crown House, 15 Front Street, Tealby.

Reason: To ensure that the development is not used unlawfully as a separate unit of accommodation as the annexe would constitute a sub-standard unit of living accommodation if occupied as a dwelling because there would be insufficient land to provide for a satisfactory standard of private open space and outlook and privacy could not be safeguarded for both residential buildings and in accordance with the National Planning Policy Framework and saved Policies STRAT 1, RES1 and RES13 of the West Lindsey Local Plan First Review 2006.

Notes to the Applicant

1. Please contact the Historic Environment Team at Lincolnshire County Council for a brief for the Historic Building Record (condition 3) on 01522 782070

2. Please be aware that the surface water soakaways must have sufficient capacity to cope with a 1 in 100 year + 30% storm event.

Recommendation B: 133760 Grant listed building consent subject to the following conditions:

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

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

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 works shall take place until details of the schedule of works including specification and methodology where appropriate have been submitted to and approved in writing by the Local Planning Authority in relation to the following:

- Repairs and structural works to the existing fabric including floors, ceilings, walls, plasterwork, architraving and roof structures including replacement timber work.
- Joinery details including doors, windows and screens to include drawings and sections at 1:5 scale and details of finish.
- Profile and colour details of the aluminium frames and cladding panels.
- Details of the rooflights and roof above glazed elements.
- Rainwater goods including material, profile and method of fixing.
- Drainage route details including siting of external pipe work.

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)

3. No works shall take place until full historic building recording has been submitted to and approved in writing by the Local Planning Authority

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

4. No works shall take place until a 1m square sample panel of brickwork for the extension, a 1m square sample panel of brickwork for the garden wall, both with mortar in the ratio 1:3 hydraulic lime: sand and showing the brick bond and a 1m square sample panel of stonework with mortar in the ratio of 1:3 hydraulic lime: sand have been provided on site for the inspection and approval in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials for this grade II listed building in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

5. No works shall take place until samples of the roofing materials have been provided on site for the inspection and approval in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials for this grade II listed building in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

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

6. 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 drawing: LDC1329-PL-02C Proposed. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

7. The new windows, doors and screens shall be installed in reveal by a minimum of 20mm or to match existing whichever is the greater.

Reason: To safeguard the character and appearance of this grade II listed building in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

8. The works shall be carried out in accordance with the approved schedules of work, methodologies and specifications required by condition 2, the approved sample panels required by condition 4 (which shall remain on site as a point of reference for the duration of the works) and the approved roof materials as required by condition 5.

Reason: To ensure the use of appropriate materials for this grade II listed building and to safeguard its character and appearance in accordance with the National Planning Policy Framework and saved policy STRAT1 of the West Lindsey Local Plan First Review (June 2006).

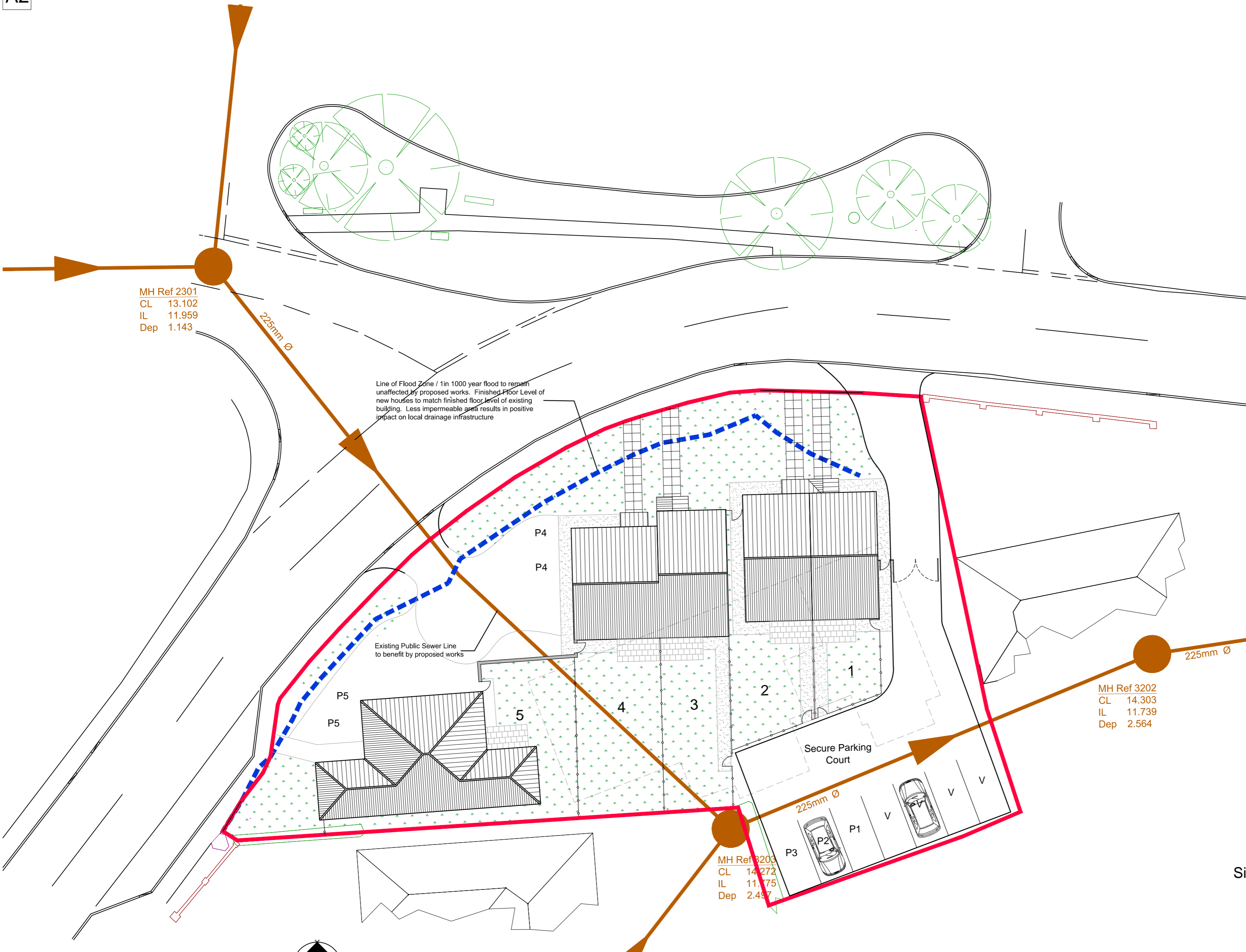
Conditions which apply or relate to matters which are to be observed following completion of the development:

None

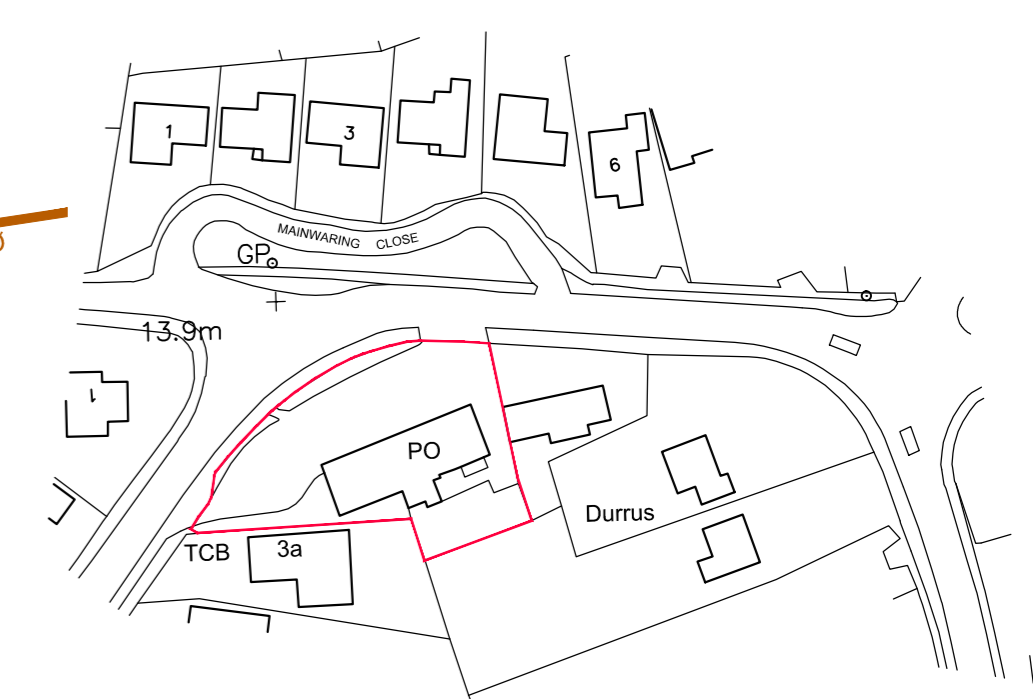
Notes to the Applicant

1. Please contact the Historic Environment Team at Lincolnshire County Council for a brief for the Historic Building Record (condition 3) on 01522 782070

A2



Proposed Site Layout (1:200)



Site Location Plan (1:1250)



Client: Damac Estates Ltd

Project Title: Proposed Re-Development of Spar Shop & Post Office site, Dunholme

Dwg Title: Proposed Site Layout

Scale: as stated Date: 05/2015 Drawn: JC Project No. JLC Drawing No. PL/A2/02 Rev No. B

Do not scale this drawing. All dimensions must be checked on site All rights reserved No reproduction in any material form is permitted without consent.

Building By DESIGN
Architectural Services

21 High Street
Sturton by Stow
Lincoln
LN1 2AE

Tel: 01427 788708
Mob: 07733 411211

www.planmyhouse.co.uk

Officers Report

Planning Application No: 133203

PROPOSAL: Planning application for demolition of existing Spar Shop and erection of 5no. dwellings

LOCATION: Spa Shop Lincoln Road Dunholme Lincoln LN2 3NL

WARD: Dunholme and Welton

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

APPLICANT NAME: Damac Estates Ltd

TARGET DECISION DATE: 21/08/2015

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER:

RECOMMENDED DECISION: Grant subject to conditions

Description:

This application has been referred to the Planning Committee, at the request of the Local Ward Member.

The application site is a former Spar shop and post office (use class A1) with first floor living accommodation and associated off street car parking. The site sits in a prominent location on the opposite side of the road to the Lincoln Road and Ryland Road junction. The building on the site is currently unoccupied and is set back and above Lincoln Road. Apart from the building the site is primarily hardstanding with a small area of rear grassed garden space serving the buildings living accommodation. Off street parking areas sit to the front (north) and side (west) of the building. There is a vehicular access between the building and the neighbouring building to the east. The site is open to the front north, east and north west boundaries. The east side boundary is open to the west gable end elevation of the hairdressers building which has two secondary windows at ground floor level. The rear east, south, south west and west boundaries are screened by a mix of fence panels and hedging of different heights. Neighbouring dwellings sit adjacent or opposite to the north, south and west. A hairdressing business with residential accommodation above sits to the east. Part of the site to the front and west side is located within flood zone 2.

The application seeks permission for the demolition of the existing Spar Shop and erection of 5no. dwellings.

Relevant history:

Site

None relevant

Former Lord Nelson site

130093 - Planning application for demolition of existing vacant public house and erection of convenience food store, together with associated car parking – 25/10/13 - Granted time limit and other conditions

Representations

Chairman: No representations received to date

Ward Members:

Cllr England - Objections

The proposal will deprive Dunholme of the only available retail/commercial land in the centre of the village which could give provision to housing growth already consented. Its scale will do nothing to help the land supply and the loss of the site will outweigh any advantages. This application should be determined by the planning committee in view of the potential harm it could cause if allowed.

No other Ward Member comments.

Dunholme Parish Council: Comments

- What height is planned for the fencing?
- Has a valuable assessment been done on the 2nd access as this is on a rather big corner and so will have restricted views for both road users and people leaving the development?
- This is the last viable commercial property within the village. Once the site has gone then the village will have no space for commercial growth – especially with the already growing number of houses being built in the area.
- It is felt it should be used for something for the community. This is backed up by a recent consultation to our neighbourhood plan

Local residents: Representations received from (all Dunholme):

16 Market Rasen Road

6 Monckton Way

Redroof, Lincoln Road

3a Lincoln Road

11 Woods End

Willow Farm, Ashing Lane

- The site should remain a commercial site and not result in the loss of a commercial site with the large number of new dwellings being planned in the area.
- Impact on the medical services as more is needed with growth of village. The Welton Neighbourhood Plan offers the site as a potential solution to the healthcare problems of both villages.
- The site boundary appears to incorporate the highway verge that was block-paved a number of years ago.

- How high will the parking court walls be and how much my garden will be overlooked from the dwellings bedrooms (Redroof).
- There is a lack of safe parking for any visitors causing highway safety concerns
- The bungalow will overcrowd the site.
- The bungalow will have an overbearing impact on 3a Lincoln Road.
- Loss of daylight on 3a Lincoln Road particularly to the kitchen window.
- Loss of privacy on 3a Lincoln Road through view into three ground floor rooms.

Supporting comments received from 6 Mainwaring Close, Dunholme:

- The existing spar is in such a state of disrepair that I gladly welcome the proposal of a new residential development in its place.

LCC Highways: No objection subject to conditions regarding the Parking/Turning/Manoeuvring/Loading/Unloading of vehicles and informative to Contact Divisional Highways Manager

Environment Agency: No objections but comments

Response received on 9th July 2015:

The site is partly within flood zone 2 (medium probability) with the remainder in flood zone 1 (low probability). The submitted flood risk assessment confirms that the dwellings will be located in flood zone 1, which we support, so we have no further comments.

Response received on 19th February 2016:

We have overlain the site layout map and our Flood Map and confirm that the bungalow to the west of the site is in Flood Zone 2 (medium probability). The two dwellings to the east are partly in Flood Zone 2. We are confident of the accuracy of the Flood Map in this location. The application should therefore be determined in line with our national flood risk standing advice. We consider it essential that the bungalow has finished floor levels at least 300mm above ground level. Similar mitigation is recommended for the other, two-storey, dwellings.

Archaeology: No objection subject to conditions

It is recommended that, prior to development, the developer should be required to commission a Scheme of Archaeological Works, according to a written scheme of investigation to be agreed with, submitted to and approved by the LPA. Initially this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features and heritage assets.

Public Protection Officer: Comments

Surface Water and flooding

The existing substantial impermeable surface drains to the road and ought to be prevented as and when the site is developed. The road is subject to a raised potential for flooding and is in flood zone 2.

Infiltration potential has yet to be established. The flood risk assessment states that the foul only sewer is likely to be subject to infiltration and as such

can be treated as a combined sewer if permeability characteristics do not allow adequate infiltration. The foul sewer should be regarded as such until such time as, and if a surface water component can be legitimately introduced.

Contamination

A suitable land contamination condition ought to be conditioned to any permission as indication is that a petrol station or similar used to be at or next to the applicant site.

Witham Third District Internal Drainage Board: Comments

Section 12 of the application form shows a sustainable drainage system is proposed, yet in sections 5.3 and 5.4 of the flood risk assessment it is stated to be by means of soakaways with favourable ground conditions, or stormwater sewer if not.

Housing and Communities Project Officer: Comments

Response received 17th September 2015:

An off-site affordable homes contribution of £53,277 is required.

Response received 27th January 2016:

I have reviewed the viability appraisal submitted in relation to the above application and based on the information provided would agree that an affordable housing contribution would make the scheme unviable and therefore can conclude that no contribution will be required.

Lincolnshire Police: No objections with comments

Response received 29th September 2015:

Concerns regarding the design and layout of the proposed parking provision. Car parking provision should be by way of locked garages or on a hardstanding within the dwelling boundary (overlooked). Courtyard parking should be avoided and general in curtilage parking should be the norm throughout this development. Where communal parking areas are necessary they should be in small groups, close and adjacent to dwellings and within view of active rooms in dwellings. This may necessitate additional surveillance through windows to accommodate this requirement. The proposed layout would cause some concern with residents and visitors parking nearer the properties in an inconsiderate and possibly dangerous manner.

Further advice provided on the perimeter, gates, landscaping, lighting, external doors, windows, door chains and viewers, letter plates, party walls, intruder alarms and dwelling frontages,

Response received 8^h February 2016:

Whilst not perfect the solution offered is a good improvement of course provided that these gates are automated with remote control or keypad/ fob part of the access control. I would fear that if the gates are simply left for the occupiers to shut and/or open each time of entry the likelihood is that they will not bother?

The site does benefit from being in a generally low crime area so in this instance it is not an overwhelming issue but vehicles are usually our second most expensive investment and need security and safety.

Relevant Planning Policies:

West Lindsey Local Plan First Review 2006 (saved policies):

STRAT 1 Development Requiring Planning Permission

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

STRAT 3 Settlement Hierarchy

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

STRAT 6 Windfall and Infill Housing Development in Primary Rural Settlements

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

STRAT 9 Phasing of Housing Development and Release of Land

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

RES 1 Housing Layout

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 6 Affordable Housing

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 10 Open Space and Landscaping within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm>

CRT 4: Protection of Community Post Offices, Convenience Stores and Public Houses

<http://planning.west-lindsey.gov.uk/planning/localplan/written/cpt9.htm>

NBE 10 Protection of Landscape Character and Areas of Great Landscape Value

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE 14 Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

Further Draft Central Lincolnshire Local Plan 2011-2036 (October 2015)

The second phase of public consultation for the draft local plan ran between 15th October 2015 and 25th November 2015. The draft local plan should only be given limited weight at this stage, in accordance with paragraph 216 of the NPPF. Weight can be given to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the

degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). In terms of the proposed development, the following policies are considered relevant:

LP1: A presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP11: Meeting Housing Needs

LP14: Managing Water Resources and Flood Risk

LP15: Community Facilities

LP17: Landscape, Townscape and Views

LP25: Design and Amenity

<http://central->

lincs.objective.co.uk/portal/central_lincolnshire/further_draft/fdlp?tab=files

National Guidance

National Planning Policy Framework (NPPF)

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

National Planning Practice Guidance (NPPG)

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

Main issues:

- Principle of the Development
- Assessment of CRT 4
- Visual Amenity
- Residential Amenity
- Highway Safety
- Archaeology
- Flood Risk
- Foul and Surface Water Drainage
- Affordable Housing
- Landscaping
- Contamination

Assessment:

Principle of the Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Local Plan Review contains a suite of strategic (STRAT) and residential (RES) policies that are designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's housing provision objectives.

The site is primarily a brown field site with a small area green field garden space to the rear and lies within the settlement of Dunholme. Therefore policies STRAT 3, STRAT 6 and STRAT 9 are relevant to be considered.

The National Planning Policy Framework (NPPF) is a material consideration to be considered against the provisions of the statutory Development Plan. It sets out (paragraph 49) that *“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*.

The latest five year supply assessment for Central Lincolnshire was published in October 2015. Taking into consideration all current sites with planning permission for Housing, all emerging allocations in the CLFDLP and windfall allowance (see section 4 of Central Lincolnshire Five Year Land Supply Report) Central Lincolnshire is able to identify a deliverable five year supply of housing land to deliver 12,059 dwellings which equates to a deliverable supply of 5.37 years.

This is a material change from the previous (September 2014) assessment which could only identify a 3.5 year supply of deliverable housing land. The NPPF states that housing supply policies should not be considered up-to-date where a five year supply cannot be demonstrated. Whilst the Authority can now identify a five year deliverable supply, it is acknowledged that the spatial strategy of the current Local Plan is still out of date – it does not have sufficient allocations to meet the five year supply and departures from the Plan are necessary to make up that shortfall. Consequentially, its housing supply policies are still considered to be out of date therefore saved policies STRAT 3 and STRAT 9 cannot be given full weight in consideration of this application. This current position is corroborated in paragraph 31 of a recent planning appeal (APP/N2535/A/13/2207053) for housing at land west of Ryland Road, Dunholme. The application should be considered against the NPPF presumption in favour of sustainable development.

Nonetheless, when applying the presumption balance test, the ability of the Authority to demonstrate a five year supply means that the ability of the applicant to contribute towards the five year supply may still carry weight, this is less significant than previously found. The development will contribute five dwellings which will be afforded the appropriate weight in the decision making process.

The NPPF presumption test is, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

STRAT 3 of the West Lindsey Local Plan Review 2006 identifies Dunholme as a Primary Rural Settlement and policy LP2 identifies Dunholme as a Large Village. The NPPF defines the three roles of sustainability as economic, environmental and social and whilst the Draft Central Lincolnshire Local Plan is not afforded weight itself, policy LP2 provides a series of criteria against which the development can be assessed for such sustainability. These criteria are also amongst the criteria cited within policies STRAT 1, RES 1, CORE 10 and NBE 14 of the Local Plan Review:-

Location in or adjacent to the existing built up area of the settlement (environmental and social sustainability)

The site is within the settlement of Dunholme.

Accessible and well related to existing facilities and services (social and environmental sustainability)

The village of Dunholme and its close relationship with Welton means there is a good level of local facilities and services available. Therefore the dependency on a vehicle to travel is reduced.

Accessible by public transport, or demonstrate that the provision of such services can be viably provided and sustained (environmental sustainability)
Dunholme has a main public transport bus route providing regular services to Lincoln and Welton. The nearest railway is in Lincoln approximately 6.5 miles away.

Sustainable in terms of impacts on existing infrastructure or demonstrate that appropriate new infrastructure can be provided to address sustainability issues (environmental, social and economic sustainability)

The level of housing is not considered to have a significant impact on local infrastructure which would trigger the requirement for contributions to local facilities.

Loss of locally important open space, playing field etc. unless adequately replaced elsewhere with no detriment (social sustainability)

The site is primarily previously developed land for a spar shop and post office with associated hardstanding parking. The site has no special designation or is not an important open space.

Appropriate sequential testing and other planning requirements in relation to flood risk (environmental sustainability)

A large percentage of the site sits within flood zone 1 with an area to the front and west in flood zone 2. All of the dwellings according to the Environment Agency (EA) response will be within flood zone 1. After further discussion the EA have stated that the bungalow will be in flood zone 2 and plots 3/4 are partly in flood zone 2. The EA have recommended that all dwellings are constructed 300mm above flood level to protect the dwellings and the future residents. The proposal will not increase the risk of flooding providing the dwellings are built to this specification and if suitable methods of surface water disposal are utilised.

It is considered that the principle of the development is acceptable due to its sustainable location, the need for housing in such locations and the low risk of flooding providing floor levels are increased. Therefore the principle of the development can be supported providing all other material considerations are satisfied including its conformity to local policy CRT4.

Assessment of CRT 4

Local policy CRT 4 states that '*Planning permission will not be granted for new development or a change of use which results in the loss of a community post office, essential community convenience store or public house*'.

The last use of the site was as a spar shop and post office but this closed down due to the recent opening of a nearby Co-op store (see Lord Nelson planning history). Therefore a general food store is still available within the village. It is stated in the planning statement that the scheme was initially to include a post office but this was not possible as a post office has to be run alongside another complimentary business. The lost post office facility is not ideal to the residents but there is a post office in Welton which can be accessed via a regular bus service.

The site has not been marketed by the applicant but has been marketed according to the applicant by the previous owners, although no evidence has been forwarded to support this claim. The most likely use of the site for business purposes is the continuation of the site as a general store/post office. This is not a viable or attractive proposition to prospective purchasers due to the recent Co-op general store development (see planning history) 140 metres to the east. The use of the site for other retail uses is still a possibility, however given the close proximity of Dunholme to Lincoln this is unlikely.

It is therefore considered that although no proof to date has been put forward regarding previous marketing of the site it would be questionable whether the site will sell retaining the A1 use class subsequently meaning the site could be left unoccupied for a considerable amount of time. This along with the existing services nearby in Dunholme and Welton the development of the site for housing is considered acceptable.

Visual Amenity

The site sits in a prominent location above the highway at the junction of Lincoln Road and Ryland Road. The site and building has no historical or architectural significance. The site is currently unoccupied and the building has a tired appearance but this could be improved through minor refurbishments.

The development proposes to demolish the existing building and add five dwellings of mixed scale and type. There will be 4 brick built semi-detached dwellings (3no. two bed and 1no. three bed) and a detached bungalow. Although there is a hairdresser's salon (first floor accommodation) next door the site will be situated in an otherwise predominantly residential area. The proposal will soften the appearance of the site by introduce some grassed spaces to the front.

On balance it is considered that the site has no significant visual importance within its setting and the proposal is likely to improve and will not have a significant harmful visual impact on the site or the surrounding area.

Residential Amenity

The proposal shares its boundaries with two residential dwellings (3a Lincoln Road and Limbus, Scothern Lane) and the hairdressing salon (Redroofs, Lincoln Road) which has first floor living accommodation. It is reminded that the Spar Shop building has first floor living accommodation with a window to the east side and rear plus a rear garden space.

The rear garden space of Limbus is approximately 16.4 to 20 metres from the rear elevation of proposed plots 1, 2 and 3 and screened by fence panels. The proposal will therefore not be expected to have a significant detrimental impact on the residential amenity of Limbus, due to the separation distance.

The rear garden space of Redroofs is screened by fence panels and its first floor windows are already visible from the garden space to the rear of the site therefore no worse than what will be viewed from the secure parking court. The proposed first floor windows to plot 1 and 2 will be the closest to the rear garden of Redroofs and will be approximately 10 to 18 metres away. Plots 1 and 2 are set further forward than the existing building on site therefore the west gable end of Redroofs will provide some screening to the immediate garden space of Redroofs due to the angle. There is already overlooking of the rear garden space of Redroofs from the rear and east side windows of the existing building on site. Redroofs has two secondary ground floor windows in the west gable end but these are already in clear view from the vehicular access. The proposal will therefore not be expected to have a significant detrimental impact on the residential amenity of Redroofs due to the separation distance, existing boundary screening and the overlooking which exists from the existing building.

The rear south elevation of the detached bungalow will sit approximately 2.2 metres from the north rear elevation of 3a Lincoln Road which has four windows including a large kitchen window. The occupants of 3a Lincoln Road have objected on the grounds of the proposal causing overlooking, a loss of light and having an overbearing impact. At the site visit it was observed that 3a Lincoln Road sits above the level of the position of the proposed bungalow and the shared boundary currently has low fence panels as screening. This part of the site was used for car parking and anyone parking in this area would be able to see into the windows of 3a Lincoln Road. The proposed bungalow will only have one rear window serving a bedroom and this will be positioned away from the main kitchen window of 3a Lincoln Road.

The bungalow will be constructed 300mm above ground level as recommended by the EA. The proposed bungalow along with the separation distance will have a roof which falls away from 3a Lincoln Road and will sit at a similar ground level. It is considered that the position of the detached bungalow will cause some limited harm due to its relatively close proximity, however on balance the proposal will not have a significant detrimental impact

on the residential amenity of 3a Lincoln Road due to the combination of the separation distance, existing boundary screening, the similar ground level and the scale of the proposed bungalow.

The proposed vehicular access to the parking court will run past the west gable end and west garden boundary of Redroofs. The parking court spaces will sit adjacent the rear garden boundaries of Redroofs, 3a Lincoln Road and Limbus. These parking spaces will service plots 1-3 with additional visitor parking.

The access to the parking court will be secured by an automated remote controlled gate which will open and close only when authorised individuals arrive at and leave the site. The presence of the gate will provide a means of reducing the speeds of the vehicles as they will have to wait for them whilst they open and close. Therefore any cars arriving and leaving the site will do so in a low gear.

The garden spaces of the neighbouring dwellings will be screened by fence panels which will reduce any noise and headlight glare. The two secondary windows to the west gable end of Redroofs will get some headlight glare particularly when vehicles are leaving the site but not to an extent which would significantly impact on the residents of Redroofs.

The parking court could attract congregating people but this will be restricted to the residents and visitors by the secure gating. The siting of the parking court is in a similar location to the existing garden space where people will socialise and cause noise through conversation.

It is considered that the vehicular access and parking court will not have a significant impact on the living conditions of neighbouring dwellings due to the amount of journeys, the low speed of the vehicles, the secure gating and the boundary screening.

To restrict the impact of the construction phase the development will be only take place from times required to be specified and agreed in the demolition and construction method statement which will be conditioned on the permission. However it is recommended that the times are as follows:

- Monday-Friday: 9am-5pm (excluding bank holidays)
- Saturday: 9am-1pm

No construction work will take place on a Sunday/Bank Holidays.

Highway Safety

The proposal includes a single off street parking space for plots 1-3 (2 bed dwellings) plus four visitor spaces. Plot 4 and 5 (both 3 bed dwellings) have two off street parking spaces. These are considered as acceptable to serve the individual dwellings.

The site will utilise the existing vehicular access to serve the parking court and use the other drop down kerb which sits further to the east for plots 4 and 5.

This drop down kerb is fairly short and may need to be lengthened to be made appropriate for vehicular use. From the site visit it was noted that both of these dropped kerb have good observation views and should not cause any highways safety issues even though they are near or adjacent the junction. This assessment has been supported by the Highways Officer at Lincolnshire County Council subject to conditions being attached to the permission.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objections to the proposal but has recommended a Scheme of Archaeological Works to be submitted prior to development. This is considered as acceptable and will be added as a condition to the permission.

Flood Risk

Part of the application site sits within flood zone 2 and this covers the detached bungalow and part of plots 3 and 4. The EA have not objected to the proposal providing the ground floor level of the dwellings are 300mm above ground level. This has been agreed by the applicant/agent in writing and will be conditioned to the permission. The proposal will therefore not cause a risk of flooding.

Foul and Surface Water Drainage

Foul drainage will be disposed of to the mains sewer with the surface water being dealt with through a sustainable drainage system. Apart from the garden space to the rear the site is covered by buildings or impermeable hardstanding. The built form of the site will be increased by the proposal but so will the impermeable nature of the site by the introduction of more grassed areas. A condition will be attached to the permission to ensure the foul and surface water methods are appropriate for the constraints and location of the site.

Affordable Housing

Saved policy RES 6 of the West Lindsey Local Plan Review 2006 sets out the criteria for the provision of affordable homes within West Lindsey. This particular site meets criteria ii as the population of Dunholme is below 3,000 and the proposal intends to construct 5 dwellings.

In this application the Housing and Communities Project Officer stated that an off-site contribution will be acceptable and based on West Lindsey SPG off site contributions for Affordable Housing (2010 update) the contribution equates to £53,277. The agent has submitted a viability assessment to assess the impact of the payment on the viability of the development. On assessment of this appraisal the Housing and Communities Project Officer has agreed that an affordable housing contribution would make the scheme unviable and that no contribution will be required.

Landscaping

The proposal will include the introduction of boundary treatments and landscaping to the front and rear of the dwellings. This will include adding soft landscaping to the front to replace the existing impermeable hardstanding. A

pre-commencement condition will be attached to the permission to ensure the external landscaping is done appropriately.

Contamination

The Public Protection Officer has recommended a suitable contamination condition should be attached to the permission. It is considered sufficient to add a condition ensuring the development ceases if contamination is found during the construction phase and remediated before works commence.

Other Considerations:

Garden Spaces

The proposal will include sufficient garden space to serve each dwelling.

Conclusions and reasons for decision:

The decision has been considered against saved policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement Hierarchy STRAT 6 Windfall and Infill Housing Development in Primary Rural Settlements, STRAT 9 Phasing of Housing Development and Release of Land, RES 1 Housing Layout and Design, RES 6 Affordable Housing, CORE 10 Open Space and Landscaping within Developments, CRT 4 Protection of Community Post Offices, Convenience Stores and Public Houses, NBE 10 Protection of Landscape Character and Areas of Great Landscape Value and NBE 14 Waste Water Disposal of the adopted West Lindsey Local Plan First Review 2006 in the first instance and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

On balance it is considered that the benefit of the development will outweigh any potential harm and will positively contribute five dwellings towards the housing supply in Central Lincolnshire. The proposal will mean the loss of a site for a convenience store but this is made understandable and justifiable taking into account the close proximity of the Co-op general store which has recently opened,. The site is in a location considered as sustainable due to its position in Dunholme and the close relationship to Welton which has numerous services and facilities. The proposal will not have an adverse visual impact or have a significant detrimental impact on the living conditions of neighbouring dwellings. The proposal will not have an adverse impact on highway safety, increase the risk of flooding or have any adverse archaeology impacts. The proposal is therefore acceptable subject to satisfying a number of pre-commencement conditions.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

Standard Letter **Special Letter** **Draft enclosed**

Recommendation: Grant planning permission subject to the following conditions;

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

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

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

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

2. No development shall take place until details of the external materials listed below have been submitted and agreed in writing by the Local Planning Authority.

- Brick
- Roof materials
- All windows and domestic doors

Reason: To ensure the use of appropriate materials in the interests of visual amenity to accord with the National Planning Policy Framework and saved Policies STRAT 1 and NBE 20 of the West Lindsey Local Plan First Review 2006.

2. No development shall take place until details of the automated security gate has been submitted and agreed in writing by the Local Planning Authority. Details to include the position, height and appearance of the gate and its method of use specification.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to secure the parking court to the rear to accord with the National Planning Policy Framework and saved Policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

3. No development shall take place until details of a scheme for the disposal of foul/surface water (including soakaway/percolation tests if appropriate) from the site and a plan identifying their position has been submitted to and approved in writing by the local planning authority.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006.

4. No development shall take place until a landscaping scheme has been submitted including details of the height and materials used for the boundary treatments and the surface material of the parking spaces and have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the appearance of the site to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006.

5. No development shall take place until a demolition and construction method statement has been submitted and agreed in writing by the local planning authority. The approved statement(s) shall be adhered to throughout the construction period. The statement shall provide for:

- (i) the routing and management of traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

6. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework (2012) and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

7. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 8 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

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

8. 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: PL/A2/02 Revision B, PL/A2/03 Revision B and PL/A1/04 Revision B dated May 2015. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy

Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

9. The development shall only be carried out in accordance with the details approved in condition 2, 3, 4, 5, 6 and 7 of this permission and shall be so retained.

Reason: In the interests of the visual amenity of the area and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

10. Before the dwellings are occupied the foul and surface water methods shall be completed in accordance with the details approved in condition 5 of this permission.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006.

11. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

12. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 8.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

13. Following the archaeological site work referred to in condition 15 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

14. The report referred to in condition 16 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

15. The finished floor level of each dwelling shall be constructed 300 millimetres above ground level.

Reason: To reduce the risk of flooding on the residents to accord with the National Planning Policy Framework and saved policies STRAT 1 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:

16. No occupation shall occur until the off street car parking areas shown on approved plan PL/A1/03 Revision A dated May 2015 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework and saved Policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

17. No occupation shall occur until foul and surface water drainage approved in condition 5 has been completed.

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

18. The arrangements shown on the approved plan PL/A1/03 Revision A dated May 2015 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Lincoln Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

Informative

Highways

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

Archaeology

The written scheme required by condition 8 shall be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor (Telephone: 01522 554823)

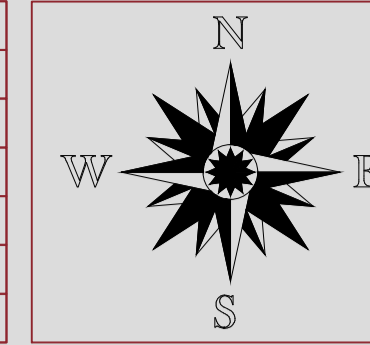
Lincolnshire Police

Advisory comments on security in relation to the perimeter, landscaping, lighting, external doors, windows, door chains, letter plates, intruder alarms, dwelling frontages, CCTV

Proposed Residential Development | 25 & 27 Mill Lane | Saxilby | Lincoln | LN1

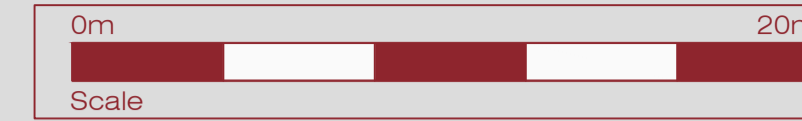
Proposed Site Plan

Point	Easting	Northing	Elevation
8000	489888.901	375316.798	9.338
8002	489922.180	375338.440	10.530
9003	489833.964	375316.282	9.497
9004	489821.207	375375.635	10.782
9000	489838.388	375297.880	9.122
9002	489851.897	375247.943	8.220



This Drawing is the property of Ryland Design. Copyright is reserved by them and the Drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person either wholly or in part without the written consent of Ryland Design.

- Notes
1. All dimensions to be verified on site prior to any fabrication or site works being commenced.
 2. Any discrepancies to be reported to Ryland Design before any work is put in hand.
 3. Do not scale from this Drawing, use figured dimensions only, contractors are responsible for taking and checking all site dimensions.
 4. All dimensions are in millimeters unless stated otherwise.
 5. This Drawing is to be read in conjunction with relevant Consultant and Specialists Drawings.
 6. This Drawing is to be read in conjunction with Drawing Nos.



Revision	Date	Amendment	Amendments made ref email
D	20/01/16		18/01/16
C	27/11/15		No27 roof plan amended
B	25/11/15		Planning drawing
A	12/11/15		House types updated

RDS RYLAND DESIGN SERVICES LTD
 ARCHITECTURAL DESIGN AND PLANNING

Located | Woodlands Business Centre, Lincoln Road, Welton, Lincoln, LN2 3PZ
 Tel | 01673 860100 Fax | 01673 863344 Web | www.rylanddesign.co.uk
 E-mail | info@rylanddesign.co.uk Twitter | Ryland_Design_3

Title	Proposed Site Plan
Date	October 2015
Scale	1:200 @ A1
Client	Bentley Homes Ltd
Project	Proposed Residential Development, Mill Lane, Saxilby
Drawing Number	RDS 11097 / 05 D

Officers Report

Planning Application No: 133835

PROPOSAL: Planning application to demolish existing dwelling no. 25 and erection of 5no. new dwellings served off a private drive including the alteration and extension to the retained property no. 27

LOCATION: Land R/O 25 Mill Lane Saxilby Lincoln LN1 2QD

WARD: Saxilby

WARD MEMBER(S): Cllr D Cotton and Cllr J Brockway

APPLICANT NAME: Highgate Homes Ltd

TARGET DECISION DATE: 16/02/2016

DEVELOPMENT TYPE: Minor - Dwellings

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

This application has been referred to the planning committee because the proposal is balanced and has been subject to concerns during the consultee process.

The application site is a 0.29ha plot of land which includes 25 and 27 Mill Lane (semi-detached dwellings) plus their garden spaces. The site is situated near to the eastern edge of Saxilby. The dwellings are set back from and below the level of the highway with reasonable front gardens, off street parking provision and a large combined rear garden space. The rear garden slopes gently upwards from west to east and is in an untidy condition with piles of chopped trees and overgrown grass/vegetation. The front garden is screened by hedging to all boundaries with a tree to the front west boundary. The rear garden area is screened mainly by low hedging and low wire fencing to the north boundary with a small section of high hedging. Fence panels screen the east boundary. Low wire fencing runs along the west boundary with some hedging. The south boundary is initially screened by low wire fencing then fence panels to the rear. Neighbouring dwellings sit adjacent or opposite each boundary with the telephone exchange building to the south.

The application seeks permission to demolish the existing dwelling at no. 25 and for the erection of 5no. new dwellings, served off a private drive, and including the alteration and extension to the retained property no. 27

Relevant history:

None applicable.

Representations

Chairman/Ward member(s): No representations received to date.

Parish Council: Object to the application. In summary:

- Character of the area - No.27 is out of character;
- Cumulative impact – This will set a precedent;
- Road safety and impact on traffic due to its proximity to the Daubeney Avenue junction;
- Design, layout and appearance of the proposal.

Local residents: Representations received from 29, 31, 33 Mill Lane and 3 Maiden Court (All Saxilby):

Objections, in summary:

- The proposal will introduce a further access onto an already busy Mill Lane used by various vehicle types (HGV's, farm vehicles, school buses etc.) and at least a further 10 cars trying to get onto Mill Lane plus visitors and service vehicles. This will mean 3 accesses onto Mill Lane in 50 yards. The proposal will have highway safety impacts and impacts on all pedestrians who use the footpath on Mill Lane;
- Access should be from Maiden Court;
- Overlooking and loss of sunlight on 3 Maiden Court;
- Overlooking and noise impact on 33 Mill Lane;
- Overshadowing on the rear garden of 33 Mill Lane;
- 29 Mill Lane will view a brick wall at the end of the garden which will block light and impact on the view;
- Garden grabbing and the proposal will increase the feeling of being cramped in. The proportion of housing density for Mill Lane and the village has already been compromised by the Daubeney Estate;
- The proposal will impact on wild birds and badgers which use the site.
- Question the accuracy of the north boundary;
- The boundary treatment to the north boundary is uncertain and should be uniform with the rest of the development.

LCC Highways: No objections subject to conditions and advisory notes

- Where private drives are proposed as part of any development you should be aware of the requirements laid down in Manual for Streets and Manual for Streets 2.
- Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
- This road is a private road and will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.
- Prior to any of the buildings being occupied the private drive shall be completed in accordance with the details shown on drawing number RDS 11097/05C dated OCTOBER 2015.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

Archaeology: Has no objections

Public Protection: Comments:

Drainage

A surface water strategy is requested in respect of this application.

1. Reference on the application to surface water being discharged to a SuDS system in a location where good infiltration is perhaps unlikely would suggest probable need to discharge to a watercourse or sewer.

a. Percolation test ought to demonstrate or negate suitability of infiltration

b. The presence of a surface water sewer servicing the Daubeney Avenue Estate suggests that the presence of a suitable watercourse is unlikely and access to the surface water sewer is perhaps questionable.

c. There remains the foul only sewer running north to south at the rear of the Mill Lane properties would suggest that this option might be defaulted to, would require permission and ought to be avoided.

2. As with the SuDS system, infiltration appears key as it is noted that the access is intended to remain private, it is narrow and whilst the following drainage strategy is proposed and suggested in will be line with '*the design storm*'; drainage calculations would need to demonstrate suitability.

Noise

It is apparent that the narrow drive with limited scope for passing, albeit there will be limited traffic, is likely to give rise to an element of nuisance noise.

Access and egress to the south onto Daubney Avenue would eliminate this potential, failing this, acoustic fencing ought to be considered, along with a tie to responsibility for its maintenance. Access and egress to the east or south would eliminate the need for yet another direct access onto Mill Lane would also be eliminated

Internal Drainage Board: Comments

I note that the applicant indicates the use of SUDS these would have to be agreed with the LPA and AWS. Is discharge to a foul sustainable drainage? Where Surface Water is to be directed into a Foul Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept the additional Surface Water.

Housing and Communities Officer: Comment

There will be no affordable housing requirement as this proposal falls under the threshold of 15 units.

IDOX checked: 23rd February 2016

Relevant Planning Policies:

West Lindsey Local Plan First Review 2006 (saved policies):

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the **West Lindsey**

Local Plan First Review 2006 (WLLP) remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF), a material consideration, 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).

STRAT 1 Development Requiring Planning Permission

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

STRAT 3 Settlement Hierarchy

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

STRAT 6 Windfall and Infill Housing Development in Primary Rural Settlements

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

STRAT 9 Phasing of Housing Development and Release of Land

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

RES 1 Housing Layout

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 3 Backland and Tandem Development

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 6 Affordable Housing

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 10 Open Space and Landscaping within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm>

NBE 10 Protection of Landscape Character and Areas of Great Landscape Value

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE 14 Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

Further Draft Central Lincolnshire Local Plan 2011-2036 (October 2015)

The second phase of public consultation for the draft local plan ran between 15th October 2015 and 25th November 2015 therefore the draft local plan should only be given limit weight at this stage, in accordance with paragraph 216 of the NPPF. Weight can be given to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging

plan to the policies in the Framework, the greater the weight that may be given). In terms of the proposed development, the following policies are considered relevant:

LP1: A presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP11: Meeting Housing Needs

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP25: Design and Amenity

http://central-lincs.objective.co.uk/portal/central_lincolnshire/further_draft/fdlp?tab=files

National Guidance

National Planning Policy Framework 2012 (NPPF)

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

National Planning Practice Guidance 2014 (NPPG)

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

Main issues

- Principle of the Development
- Visual Amenity
- Residential Amenity
- Highway Safety
- Archaeology
- Flood Risk
- Foul and Surface Water Drainage
- Ecology
- Affordable Housing
- Landscaping
- Garden Space
- Off Street Parking

Assessment:

Principle of the Development

The proposal comprises two separate distinct parts. These are:

1. The demolition of 25 Mill Lane and extension of 27 Mill Lane.
2. The introduction of 5 dwellings on garden land to the rear.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Local Plan Review contains a suite of strategic (STRAT) and residential (RES) policies that are designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's housing provision objectives.

The site lies within the settlement of Saxilby and is a mix of brownfield land (25 and 27 Mill Lane) and green field garden space to the rear. Therefore policies STRAT 3, STRAT 6 and STRAT 9 are relevant to be considered.

Local policy STRAT 6 permits limited small scale and infill housing developments within primary rural settlements, subject to meeting criteria on amenity, affordable housing, impact on local services and phasing and release of land. Local policy STRAT 6 also states that *'all proposals must be on previously developed land'*, however this is considered not to conform with guidance contained within the National Planning Policy Framework. However the proposed 5 dwellings are on greenfield land therefore this part of the development does not wholly comply with STRAT and is on the bottom rung of STRAT 9.

The National Planning Policy Framework (NPPF) is a material consideration to be considered against the provisions of the statutory Development Plan. It sets out (paragraph 49) that *"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*.

The latest five year supply assessment for Central Lincolnshire was published in October 2015. Taking into consideration all current sites with planning permission for Housing, all emerging allocations in the CLFDLP and windfall allowance (see section 4 of Central Lincolnshire Five Year Land Supply Report) Central Lincolnshire is able to identify a deliverable five year supply of housing land to deliver 12,059 dwellings which equates to a deliverable supply of 5.37 years.

This is a material change from the previous (September 2014) assessment which could only identify a 3.5 year supply of deliverable housing land. The NPPF states that housing supply policies should not be considered up-to-date where a five year supply cannot be demonstrated. Whilst the Authority can now identify a five year deliverable supply, it is acknowledged that the spatial strategy of the current Local Plan is still out of date – it does not have sufficient allocations to meet the five year supply and departures from the Plan are necessary to make up that shortfall. Consequentially, its housing supply policies are still considered to be out of date therefore saved policies STRAT 3, STRAT 6 and STRAT 9 should not be applied full weight in relation to this application. This current position is corroborated in paragraph 31 of a recent planning appeal (APP/N2535/A/13/2207053) for housing at land west of Ryland Road, Dunholme. The application should still be considered against the NPPF presumption in favour of sustainable development.

Nonetheless, when applying the presumption balance test, the ability of the Authority to demonstrate a five year supply means that the ability of the

applicant to contribute towards the five year supply may still carry weight, this is less significant than previously found. The development will remove a dwelling to the front but add five dwellings to the rear. Therefore the proposal will contribute four additional dwellings which will be afforded the appropriate weight in the decision making process.

In this context, there should be a presumption in favour of sustainable housing development, even if it located on green field land. This is provided that the development is sustainable, viable, delivered early (a condition can secure an earlier than normal commencement) and is acceptable when considered against other material planning considerations.

The NPPF presumption test is, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

STRAT 3 of the West Lindsey Local Plan Review 2006 identifies Saxilby as a Primary Rural Settlement and policy LP2 identifies Saxilby as a Large Village. Draft Policy LP2 states that such settlements will be a focus for accommodating an appropriate level of growth, mostly “through sites allocated in [the] plan, or the intensification or renewal of the existing urban area”. The NPPF defines the three roles of sustainability as economic, environmental and social and whilst the Draft Central Lincolnshire Local Plan is not afforded weight itself, policy LP2 provides a series of criteria against which the development can be assessed for such sustainability. These criteria are also amongst the criteria cited within policies STRAT 1, RES 1, CORE 10 and NBE 14 of the Local Plan Review:-

Location in or adjacent to the existing built up area of the settlement (environmental and social sustainability)

The site sits within the settlement of Saxilby

Accessible and well related to existing facilities and services (social and environmental sustainability)

The village of Saxilby has a good level of local facilities and services available. Therefore the dependency on a vehicle to travel is reduced.

Accessible by public transport, or demonstrate that the provision of such services can be viably provided and sustained (environmental sustainability)
Saxilby has a main public transport bus route providing regular services to Lincoln and Gainsborough. The nearest railway is in Saxilby approximately 0.6 miles away.

Sustainable in terms of impacts on existing infrastructure or demonstrate that appropriate new infrastructure can be provided to address sustainability issues (environmental, social and economic sustainability)

The level of housing is not considered to have a significant impact on local infrastructure which would trigger the requirement for contributions to local facilities.

Loss of locally important open space, playing field etc. unless adequately replaced elsewhere with no detriment (social sustainability)

The site has no special designation and is not an important open space.

Appropriate sequential testing and other planning requirements in relation to flood risk (environmental sustainability)

The site sits within flood zone 1 therefore the proposal will not increase the risk of flooding particularly if suitable methods of surface water disposal are utilised.

It is considered that the principle of the development is acceptable due to its sustainable location, the need for housing in such locations and the low risk of flooding. Therefore the principle of the development can be supported providing all other material considerations are satisfied including the criteria within local policy RES 3 and the impact of the demolition of 25 Mill Lane and subsequent extension to 27 Mill Lane.

Visual Amenity

Removal of No.25 and side extension:

Mill Lane is a long straight highway which comprises a mix of dwellings types, designs and sizes. 25 and 27 Mill Lane are semi-detached two storey hip roofed dwellings which sit between similar pairs of dwellings on either side. The proposal will remove No.25 to make room for a private drive to the side but in turn will increase the size of No.27 by way of a two storey side extension. The side extension will reduce the width of the built form currently covered by the two dwellings but will respect and recognise the existing street scene by retaining the hipped design. It is not considered that the proposed alteration to the existing dwellings to the front will have a significant harmful impact on the character and visual appearance of the site or the street scene.

Rear dwellings:

The proposed dwellings to the rear would only be visible from the rear of the surrounding dwellings and the telephone exchange building to the south. This part of the site is not in a very tidy condition but this in itself is not a reason to allow dwellings as it could easily be cleared and visually improved. The proposed design and scale of the dormer bungalows is considered acceptable although materials will need to be approved through pre-commencement conditions. The site does not have any visual importance or have any special designation attached to it. Any visual impact would be very limited to the adjacent surrounding buildings. Given this it is considered that the dwellings to the rear will not have a harmful visual impact on the site, the surrounding area or the street scene due to its position, layout and design.

Residential Amenity

Removal of No.25 and side extension:

There have been no objections to the alterations to change the front dwellings to a larger single dwelling. The side extension will project the south gable end and the nearest first floor window further away from 23 Mill Lane therefore reducing overlooking, decreasing overshadowing and decreasing any loss of light. It is considered that the proposed extension to the front will in fact improve the residential amenity of 23 Mill lane.

Rear dwellings:

Objections have been received from residents regarding the adverse impact the proposal will have on their living conditions.

The proposed dormer bungalows have the potential to cause overlooking from the first floor living accommodation on each other and the existing neighbouring dwellings. During the life of the application amendments have been made so that all but two of the rear dormer windows have been replaced with rooflights which have a cill level of 1.8 metres (6ft) above first floor level.

The remaining two dormer windows to the rear are on plot 1. One of these dormers sits on the east roof plane of the rear projections and faces the telephone exchange building. The second dormer serves a bedroom and sits on the rear south roof plane of plot 1. This dormer window will be able to see the rear garden spaces of 21 and 23 Mill Lane. However given the use of the room, the angle to No.21 and the separation distance to No.23 (approximately 10.5 metres) it is considered that any overlooking caused will not be significant.

Plot 1 will additionally have a bedroom dormer window to the right (facing the front elevation) of the front north roof plane. This will be able to see the rear garden spaces of 27 and 29 Mill Lane. Again given the use of the room, the angle to No.27 and the separation distance to No.29 (approximately 10 metres) it is considered that any overlooking caused will not be significant.

The west gable end of Plot 5 will sit approximately 1.4 metres from the shared boundary with 29 Mill Lane which is screened by a 2 metre hedge. The dormer bungalow at its highest point facing 29 Mill Lane will be approximately 7.1 metres high but this will be gradually reduced by the slope of the roof planes. The proximity of the dormer bungalow will have some impact on the amount of light received to the bottom section of No.29's rear garden from early to mid-morning and may have a slight overbearing impact. It is considered that the proposed dormer bungalows are separated enough from one another and the existing neighbouring dwellings not to have a significant adverse overbearing impact or cause a significant loss of light.

Access:

The proposed access has the potential to have a noise disturbance on the living conditions of 23 and 27 Mill Lane. This has been commented on by the public protection officer who recommends acoustic fencing is installed to reduce any impact.

The south gable end of the proposed extension to 27 Mill Lane will be approximately 1.4 metres from the private drive but will have no windows on this elevation. The rear garden space of No.27 will be 1 metre from the private drive. The north gable end of 23 Mill Lane will be approximately 3.8 metres from the private drive with the main rear garden space approximately 2.5 metres away. If each proposed dwelling has two vehicles then the private drive will be used by 10 vehicles plus visitors, however it is a short stretch of single carriageway used at a low speed. No.23 and No.27 will already be subject to vehicle noise from the busy highway to the front. It is acknowledged though that the use of the private drive will have some impact on the residents of the neighbouring dwellings particularly the rear garden areas.

The proposal does provide hedgerow or fencing to either side of the private drive. In light of the public protection officers comments it would be recommended that both sides of the private road are screened by acoustic fencing with some hedging to soften the appearance. The use of the private road would be relatively small but the acoustic fencing would reduce the impact of vehicle noise to an even more acceptable level. The use of acoustic fencing will be required by planning condition.

It is therefore considered that the proposal will not have a significant adverse impact on the living conditions of neighbouring dwellings.

To restrict the impact of the construction phase the development will be only take place from times required to be specified and agreed in the demolition and construction method statement which will be conditioned on the permission. However it is recommended that the times are as follows:

- Monday-Friday: 9am-5pm (excluding bank holidays)
- Saturday: 9am-1pm

No construction work will take place on a Sunday/Bank Holidays.

Highway Safety

Objections have been received from the Parish Council and local residents on highway and pedestrian safety grounds.

The proposal will introduce a new vehicular access off Mill Lane which is a long straight busy highway with good observation views in both directions. The private road is wider for the first 10 metres to allow vehicles to safely wait off Mill Lane for oncoming traffic and this wider section provides better views for pedestrians walking up to the access and looking east. There are a couple of other vehicle accesses nearby on the same side of the road to the telephone exchange building and onto Daubeney Avenue.

It is considered that the proposal will not have an adverse impact on highway or pedestrian safety which is supported by the Highways Officer at Lincolnshire County Council subject to conditions and advisory notes being attached to the permission.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objections to the proposal.

Flood Risk

The site sits within flood zone 1 therefore the proposal will not increase the risk of flooding particularly if suitable methods of surface water disposal are utilised.

Foul and Surface Water Drainage

Foul drainage will be disposed of to the mains sewer with the surface water being dealt with through a sustainable drainage system. The proposed new dwellings to the rear will increase the impermeable quality of the site which is currently garden space. However the private drive will be constructed from a permeable material. Some concern has been raised by the Public Protection Officer in relation to the infiltration capabilities of the site and the use of the foul only public sewer. The submission of a drainage strategy was recommended. A condition will be recommended to ensure the foul and surface water methods are submitted in a drainage strategy to ensure the methods are appropriate for the constraints and location of the site.

Ecology

Paragraph 118 of the NPPF clearly states that '*Opportunities to incorporate biodiversity in and around developments should be encouraged*'

Following comments from local residents the applicant arranged a phase 1 walkover ecology survey to be performed on the site by a professionally qualified ecologist. This was completed during January 2016 by Ecology Consultant Andrew Chick and subsequently submitted. The survey made the following recommendations:

Bats

- All contractors to follow procedure stated in appendix 2 of the submitted ecology report.
- Installation of bat bricks, bat roost units or bat boxes would benefit the conservation status of bats in the local area.
- It is recommended that the any proposed security lighting on site is placed as far from the boundary as possible, and that light spillage onto gardens and the surrounding landscape is avoided by using shields to direct the light. The impact on bats can be minimised by the use of low pressure sodium lamps or high pressure sodium instead of mercury or metal halide lamps. The height of lighting columns in general should be as short as is possible as light at a low level reduces the ecological impact. A sensor should also be used, to provide some dark periods on site.

Birds:

- Any site clearance should be undertaken outside the bird breeding season, i.e. from late-August and be completed by late March. If work is to be carried out in the breeding season then an ecologist should be consulted.

- If it is necessary to carry out site clearance works such as shrub removal during the bird breeding season, then a nesting bird survey must be carried out by a qualified ecologist prior to works going ahead to ensure that no active nests will be affected. If active nests are found then work will have to be delayed until all chicks have fledged.
- A positive conservation recommendation would be the installation of sparrow nest boxes on the site.

Other:

- An ecological walk-over survey should be carried out approximately one month prior to proposed works commencing. This will update the present survey results and ascertain whether any badgers have dug setts on the site in the intervening period.
- If it is necessary to carry out site clearance works such as shrub removal during the bird breeding season, then a nesting bird survey must be carried out by a qualified ecologist prior to works going ahead to ensure that no active nests will be affected. If active nests are found then work will have to be delayed until all chicks have fledged.

The ecology survey has made a number of recommendations which will be secured with planning conditions.

Affordable Housing

The Housing and Communities Project Officer has commented that there is no affordable housing requirement under policy RES6 as this proposal falls under the threshold of 15 units in settlements of over 3,000 people.

Landscaping

The proposal will include the introduction of landscaping such as boundary treatments, garden spaces, construction of the private drive and driveways. This will include a mix of soft and hard landscaping. A pre-commencement condition will be recommended to agree landscaping details at a later date.

Garden Space

The development includes a suitable amount of garden space for each dwelling including No.27 Mill Lane.

Off Street Car Parking

The proposal includes at least two off street parking spaces and a single garage which is sufficient for 3/4 bed dwellings.

Other Considerations:

None

Conclusions and reasons for decision:

The decision has been considered against saved policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement Hierarchy STRAT 6 Windfall and Infill Housing Development in Primary Rural Settlements, STRAT 9 Phasing of Housing Development and Release of

Land, RES 1 Housing Layout and Design, RES 3 Backland and Tandem Development, RES 6 Affordable Housing, CORE 10 Open Space and Landscaping within Developments, NBE 10 Protection of Landscape Character and Areas of Great Landscape Value and NBE 14 Waste Water Disposal of the adopted West Lindsey Local Plan First Review 2006 in the first instance and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

On balance it is considered that the benefit of the development will outweigh the harm and will positively contribute four additional dwellings towards the housing supply in Central Lincolnshire. The site is in a location considered as sustainable due to its position in Saxilby which has numerous services and facilities. The proposal will not have an adverse visual impact or have a significant detrimental impact on the living conditions of neighbouring dwellings. The proposal will not have an adverse impact on highway safety, increase the risk of flooding or have any adverse archaeology impacts. The proposal will provide ecology enhancements through bat and bird boxes. The proposal is therefore acceptable subject to satisfying a number of pre-commencement conditions.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

Standard Letter **Special Letter** **Draft enclosed**

Recommendation: Grant planning permission subject to the following conditions;

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

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

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

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

2. No development shall take place until details of the external facing materials listed below to construct plots 1-5 have been submitted and agreed in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the agreed details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity to accord with the National Planning Policy Framework and saved Policies STRAT 1 and NBE 20 of the West Lindsey Local Plan First Review 2006.

3. No development shall take place until a details of a scheme for the disposal of foul/surface water (including soakaway/percolation tests if appropriate) from plots 1-5 and a plan identifying their position has been submitted to and approved in writing by the local planning authority

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006.

4. No development shall take place until a landscaping scheme has been submitted including details of the height and materials used for the boundary treatments and the surface material of the parking spaces and private drive have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the appearance of the site to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006.

5. No development shall take place until details (including the colour) of the position, type and height of the acoustic fencing have been submitted to and approved by the Local Planning Authority.

Reason: To protect the amenity of the adjacent neighbour's from undue noise to accord with the National Planning Policy Framework and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

6. No development shall take place until a demolition and construction method statement has been submitted and agreed in writing by the local planning authority. The approved statement(s) shall be adhered to throughout the construction period. The statement shall provide for:

- (i) the routing and management of traffic;
- (ii) the parking of vehicles of site operatives and visitors;

- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) wheel cleaning facilities;
- (vi) measures to control the emission of dust and dirt;
- (vii) details of noise reduction measures;
- (viii) a scheme for recycling/disposing of waste;
- (ix) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

7. No development shall take place until details of the position of three bat boxes and three swallow nest boxes, as per the recommendations of the Ecological Assessment completed by Andrew Chick dated January 2016. has been submitted to and approved by the Local Planning Authority.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

8. No development, demolition or site clearance shall take place during the bird breeding season (1st March to 31st August) in any year unless, a detailed survey is undertaken to check for the existence of bird nests. Any active nests shall be protected until the young fledge. Completion of bird nest inspection shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any demolition works commence.

Reason: In the interest of nature to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

9. An ecology survey shall be carried out by a suitably qualified person one month before the construction of plots 1-5 begins and a report submitted to and approved in writing by the Local Planning Authority before any works commence.

Reason: In the interest of nature particularly badger sets to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

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

10. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- RDS 11097/05D - Proposed Site Plan dated October 2015.

All below plans dated November 2015

- RDS 11097/06D Proposed Floor Plans to Plot 1.
- RDS 11097/07F Proposed Front Elevation and Sections to Plot 1.
- RDS 11097/08D Proposed Elevations and Section to Plot 1.
- RDS 11097/09E Proposed Floor Plans and Front Elevation to Plot 2.
- RDS 11097/10C Proposed Elevations and Sections to Plot 2.
- RDS 11097/11F Proposed Floor Plans and Front Elevation to Plot 3.
- RDS 11097/12C Proposed Elevations and Sections to Plot 3.
- RDS 11097/13F Proposed Floor Plans and Front Elevation to Plot 4.
- RDS 11097/14C Proposed Elevations and Section to Plot 4.
- RDS 11097/15E Proposed Floor Plans and Front Elevation to Plot 5.
- RDS 11097/16D Proposed Elevations and Section to Plot 5.
- RDS 11097/17B Proposed Single Garage to Plot 3.
- RDS 11097/18A Proposed Single Garage to Plot 4.
- RDS 11097/20B Proposed Floor Plans and Elevations to 27 Mill Lane.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

11. The development shall only be carried out in accordance with the details approved in condition 2, 3, 4, 5, 6, 7 and 8 of this permission and shall be so retained.

Reason: In the interests of the visual amenity of the area and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

12. All external materials used to extend 27 Mill lane, Saxilby shall match those of the existing building in colour, size, coursing and texture.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and saved policies STRAT 1 and RES 11 of the West Lindsey Local Plan First Review 2006.

13. Before the dwellings are occupied the foul and surface water methods shall be completed in accordance with the details approved in condition 4 of this permission.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006.

14. All rooflights on plots 1-5 shall have a cill level of 1.8 metres above first floor level and shall be so retained.

Reason: To protect the neighbour's private garden area from undue loss of privacy from overlooking to accord with the National Planning Policy Framework and saved policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review 2006.

15. The development shall be completed in accordance with appendix 2 (procedure to follow if bats are discovered during works) and paragraph 5.2.4 (lighting) of the Ecological Assessment completed by Andrew Chick dated January 2016.

Reason: In the interest of nature to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

16. Prior to the occupation of plots 1-5 the private drive and driveways shall be completed in accordance with the details shown on drawing number RDS 11097/05D dated October 2015.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

17. No occupation of plots 1-5 shall occur until foul and surface water drainage approved in condition 4 has been completed.

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

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

18. Any external lighting shall be installed in accordance with paragraph 5.2.4 (lighting) of the Ecological Assessment completed by Andrew Chick dated January 2016.

Reason: In the interest of nature to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

Informatives

Highways

Where private drives are proposed as part of any development you should be aware of the requirements laid down in Manual for Streets and Manual for Streets 2.

This road is a private road and will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.

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

Ecology

The responsibility is with the land owner to make any contractors aware of the need to be aware of and follow Appendix 2 (procedure to follow if bats are discovered during works) and paragraph 5.2.4 (lighting) of the Ecological Assessment completed by Andrew Chick dated January 2016.

Drainage board

Where Surface Water is to be directed into a Foul Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept the additional Surface Water.