



PL.15 15/16
Planning Committee
6 April 2016

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

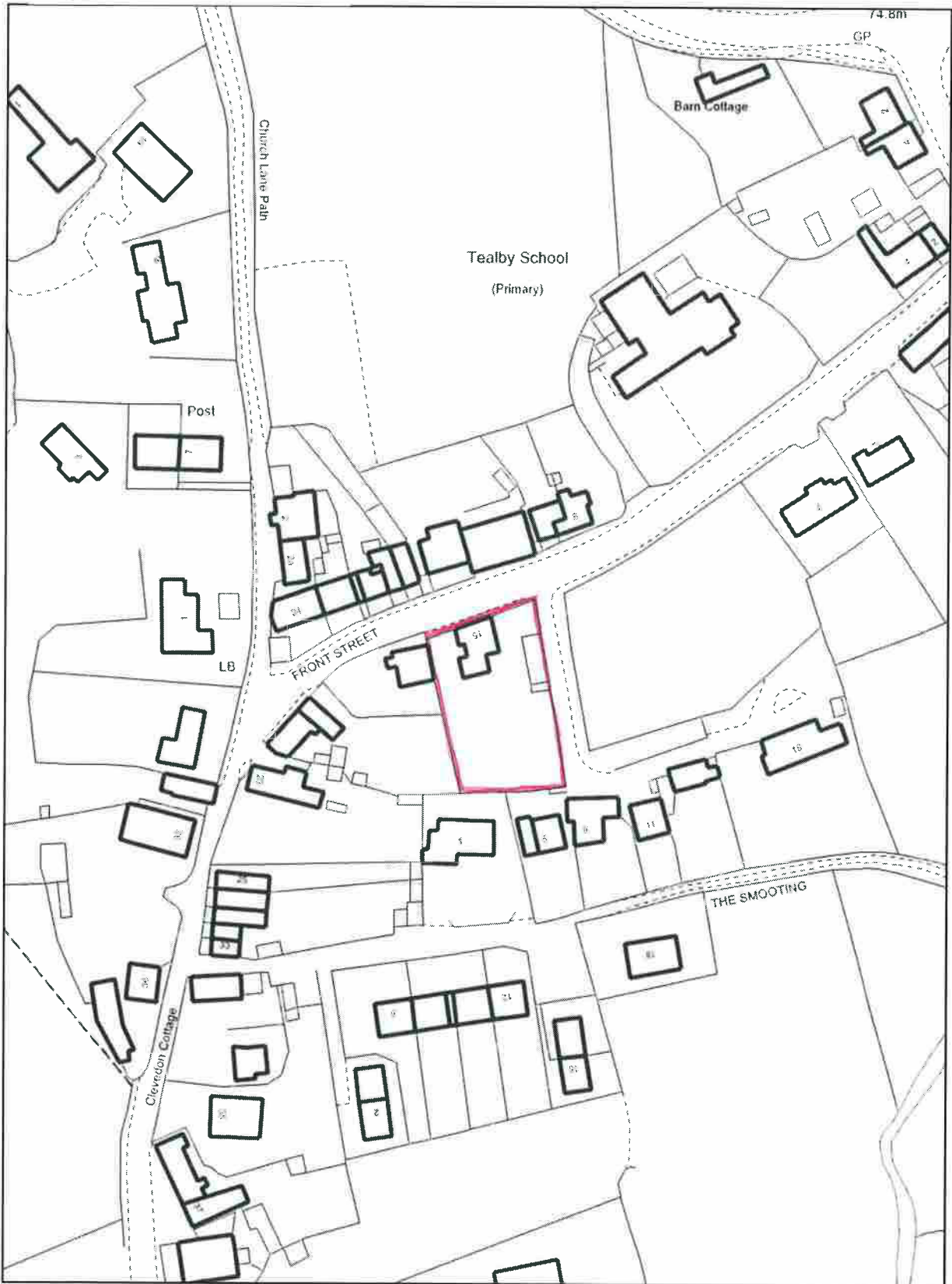
No

Key Decision:

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

Yes

No



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

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.

These applications came before the Planning Committee on 9th March 2016, when they were deferred for a site visit to take place on 4th April 2016.

Since the last Planning Committee, the application has been further amended to remove the proposed wall between 15 and 17 Front Street and replace it with a 1m tall garden hedge. The report reflects this alteration.

The policy section of the report has also been updated, as the Proposed Submission Central Lincolnshire Local Plan was considered by the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) on 14 March 2016 where it was decided it could proceed to public consultation. Some of the policies have been updated since the previous draft of the plan and some policy numbers have been altered.

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 an extension of glass 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 hedge is now proposed, to grow up to one metre, between 15 and 17 Front Street. 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: Comments and objections:

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. Issues raised not addressed.
- 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. It is not the same view when glimpsed from further along the street.
- 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 (30.24 square metres) 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?
- Until the death of the previous owner, the building was in full use as a domestic residence. The planned changes are not required for it to continue as a residence. Modernisation of the existing facilities would be sufficient to create a comfortable family home.

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.

Lincolnshire Historic Buildings Committee: No objection

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.

The Applicant: This is the summary from the Applicant's response to the above representations. His full response is attached at appendix A to this report:

The applicant has had an open mind throughout. Seeking advice from the start with the planning team at WLDC and then corresponding throughout the year taking advice from the WLDC planning team. The existing house has been modified badly / inappropriate over the last period and now wants to improve the house in keeping with the period but by using some contemporary design making it suitable for a modern living but keeping the traditional look and feel. The applicant has children and his mother who lives away need to move back to be near her son due to age and health reasons – hence converting the outbuildings into a granny annex which is in line with current policies.

Tealby is a conservation village which also represents houses throughout different periods which consist of a mix of brick and stone, with alterations also throughout the periods.

By close working with the planning team and conservation team the officers have recommended approval with local knowledge, who have visited the site, know the area and not just looking at the house in isolation, hence why planning sits with the district authorities. The applicant has listened too, acknowledged local concerns, addressed and amended plans accordingly.

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>

Central Lincolnshire Local Plan 2012-2036

The Submission Draft Local Plan was approved by members of the Central Lincolnshire Joint Strategic Planning Committee on 14 March 2016 and will be subject to a final public consultation in April/May 2016 before formal submission for examination to the Secretary of State. This version of the Local Plan will carry more weight in determining planning applications than the earlier draft versions and is expected to be published shortly (for reference the proposed Submission Draft that members considered is available online on the Central Lincolnshire Local Plan website). 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

LP4: Growth in Villages

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

<https://nkdc.moderngov.co.uk/ieListDocuments.aspx?CId=729&MId=6553&Ver=4>

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. A hedge is now proposed

between 15 and 17 Front Street, which is an alteration to the previously proposed 1.8m wall.

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. Furthermore, the use of a lower hedge, rather than a garden wall between 15 and 17 Front Street, removes one element of new build from the scheme. 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. A hedge is now proposed, giving a softer boundary between the two properties. Looking along the street, the properties will still appear detached.

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. A further amendment of replacing one proposed wall with a hedge was submitted since the last Planning Committee.

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 secure the long term use of this building as a domestic residence.

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 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 polies 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-02D 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 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-02D 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

Appendix A – Applicant’s response to representations received:

Crown House, Tealby.

Applicant’s response to issues raised.

Summary:

The applicant has had an open mind throughout. Seeking advice from the start with the planning team at WLDC and then corresponding throughout the year taking advice from the WLDC planning team. The existing house has been modified badly / inappropriate over the last period and now wants to improve the house in keeping with the period but by using some contemporary design making it suitable for a modern living but keeping the traditional look and feel. The applicant has children and his mother who lives away need to move back to be near her son due to age and health reasons – hence converting the outbuildings into a granny annex which is in line with current policies.

Tealby is a conservation village which also represents houses throughout different periods which consist of a mix of brick and stone, with alterations also throughout the periods.

By close working with the planning team and conservation team the officers have recommended approval with local knowledge, who have visited the site, know the area and not just looking at the house in isolation, hence why planning sits with the district authorities. The applicant has listened too, acknowledged local concerns, addressed and amended plans accordingly.

Please see responses to local issues raised below and appendix A summarizes the dialog between the design consultants and the planning team.

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.

There is one proposed extension, the remainder is already there. As for the building materials they can be decided by the planning team but we are happy to use Tealby stone which can match the existing house. The existing wall of the outbuildings facing the road are of Modern brick. There are car parking bays for 2-3 cars on the east side of the property. The extension cannot be seen from the road and get rid of a flat roof extension which is certainly not in keeping with the house and the outbuildings already exist. The amended application has moved the proposed

building much closer/tighter to the existing and therefore it is not deemed as dominant.

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)

Two of the objections are from the same person who had a grievance with planning re the sale of her property – she has now left the village.

- 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.

Destroy which means “end the existence of” – I do not think this is applicable as the house is kept and made to stand out in its current form and character by the wall link to the outbuildings.

- Impact on the setting of other listed properties on Front Street, particularly the listed former Primitive Chapel at 17 Front Street.

There is little representation to a former Primitive Chapel due to current domestic use and the extension added.

The existing house is not being altered but enhanced by replacing existing in correct period windows back to the correct period.

- Agree with Historic England regarding size and bulk of the proposed rear extension being disproportionate.

The actual size increased is very small. The existing floor area of the house is 141m² and that of the outbuilding is 43.5m², giving 184.6m² total. The proposal has a floor area of 219m² giving a modest difference of 34.8m². We are demolishing a flat-roofed inappropriate extension in the 60/70's and replacing it with an extension which is more in-keeping.

- Extending either side of the building is incongruous and overbearing on the original building.

It is only a wall which is set in line with the rear wall of the house so as to look like a walled garden which is in keeping with the period.

- Contrary to various policies in the Local Plan, the NPPF and the Tealby

Village Design Statement.

Incorrect.

- Doesn't respond positively to the original form. The size and scale of the extensions are too dominant to the original house.

The original form is very much kept alive and distinct from the additions.

- No heritage statement or details about alterations of internal historic fabric.

Very little internal historic fabric – not a wealthy big house, but has been a residency and a pub and when built was not of a grand design.

- Impact on the character and setting of the AONB and Conservation Area.

There is very little change to the house.

- Will not preserve or enhance the historic and cultural settings.

The existing house is kept and made to stand out.

- Openness and scenic beauty currently enjoyed by pedestrians and properties along Front Street will be severely impacted.

Referring to old photos there was a garage in the front of the existing out buildings.

- 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.

You cannot view the countryside from Front Street, and the wall to the east blocks out at the bottom of the garden a 1970's bungalow and a neighbouring brick extension which is certainly not in the spirit of a Conservation Area.

- 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.

We have listened to the neighbouring comments on the west side and replaced the proposed wall with a hedge – see amended plans.

- 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 wall on the east side has been evaluated, altered / amended to be as low as possible.

The west side wall, having listened to concerns has been amended to a hedge.

- The continuous building line would be 4 times the length of the original building as it will visually be joined to the former Chapel.

Amended - now not relevant.

- Putting a wall between the former pub and the former chapel is contrary to their historic and cultural settings.

Amended – now not relevant.

- How will the wall be attached to 17 Front Street?

Amended – now not relevant.

- 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.

The perimeter walls were damaged and not safe.

- 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.

They were rose shrubs which had out grown themselves and will be replaced when the house is painted. The other plants had grown around the services and needed to be removed.

- The annexe does not need to be linked to the building. Policy RES13 allows self-contained annexe.

My mother who needs to move into the annexe due to health reasons does not want to get wet just to get into the house and I have a dog who likes to roam in the garden and I do not want him on the road.

- 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.

This is not public access and will have minimal effect on the safety of the road.

- 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.

Been amended.

- Alterations to proposal not sufficient to overcome concerns.

Re-amended.

- 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 planned extension is to the rear. The building was a public house, the garage on the front has gone, but the existing house will not alter.

- The mix of materials (stone and brick) will not blend in with the existing white painted building.

The stone and brick are taken from the existing material palette of the street and are chosen to complement the existing house rather than imitate it.

- 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.

Parking is actually only an issue at School drop-off & collection times. There is room to park 3 cars if needed. This erroneously refers to highways guidance for new dwellings which suggests a MAXIMUM of 3 spaces for a dwelling of this size.

- Errors, inconsistencies and lack of clarity in the application.

We are listening and modifying to views & concerns.

- Will not protect quality of life of local residents.

How? Why? – not relevant.

- There will be overlooking of adjacent properties.

The only new window facing a neighbouring property will be a small obscure glazed bathroom window and this will replace a larger clear glazed kitchen window.

- It will be visually overbearing.

The mass of the extension will not be visible from the street and will only affect the rear aspect.

- There will be a loss of privacy.

The neighbour has smoked / obscured glass windows and cannot see through into the applicant's property.

- 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 existing outbuilding is not being altered, and the new extension uses traditional contrasting red bricks is in keeping with the local area and period.

- 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 new extension will not affect the light, it is still approximately 4.7m from the neighbouring property while the existing extension is approximately 5.5m away. The Eaves of the proposed extension facing the neighbouring property are also approximately 1.2m lower than the existing eaves. The existing house is painted white which reflects light.

- 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.

The correct brick will represent the period, which will be agreed with the planning team.

- (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.

Now amended.

- 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.

The light will not be affected, see above. Through pruning of existing trees, it is therefore now lighter.

- 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 shape of the extension screens the glazed link from the neighbouring garden, and the south facing windows at ground floor are approximately level with the south facing windows at the rear of the neighbouring property.

- The same spatial footprint can be realised without the impact on the surroundings.

There is no impact as the neighbours do not overlook Crown House due to smoked out windows and there is very little difference between the existing building and the proposed.

- 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.

It is a family house and is staying a family house. There is existing drains and sewage and no additional impact. Any issues in this area can be dealt with through planning condition.

- There is sometimes a pool of water outside 17 Front Street.

A low spot in the road that has nothing to do with Crown House.

- 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?

This is unlikely as the foundations will be over 4m from the neighbouring property. Any concerns can again be dealt with through planning condition.

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.

The Conservation officer is happy to recommend approval.

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.

The applicant has tried to contact Historic England, left his telephone numbers but they have not returned the calls.

Historic England have looked at this proposal in generic terms without looking in-depth, the applicant has been led to believe that they have not been to Tealby and feels that they are not taking into account the surrounding houses, some period houses but some built in the 1960's, 70's, 80's & 90's which with their close proximity (to the east and south) are contrary to what they say and they have taken no notice of the local qualified conservation & planning officers who have very good knowledge of the location, planning guidance & policies and have recommended "approval".

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.

Now amended.

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.

Now amended - the link has been removed and substituted with a hedge.

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.

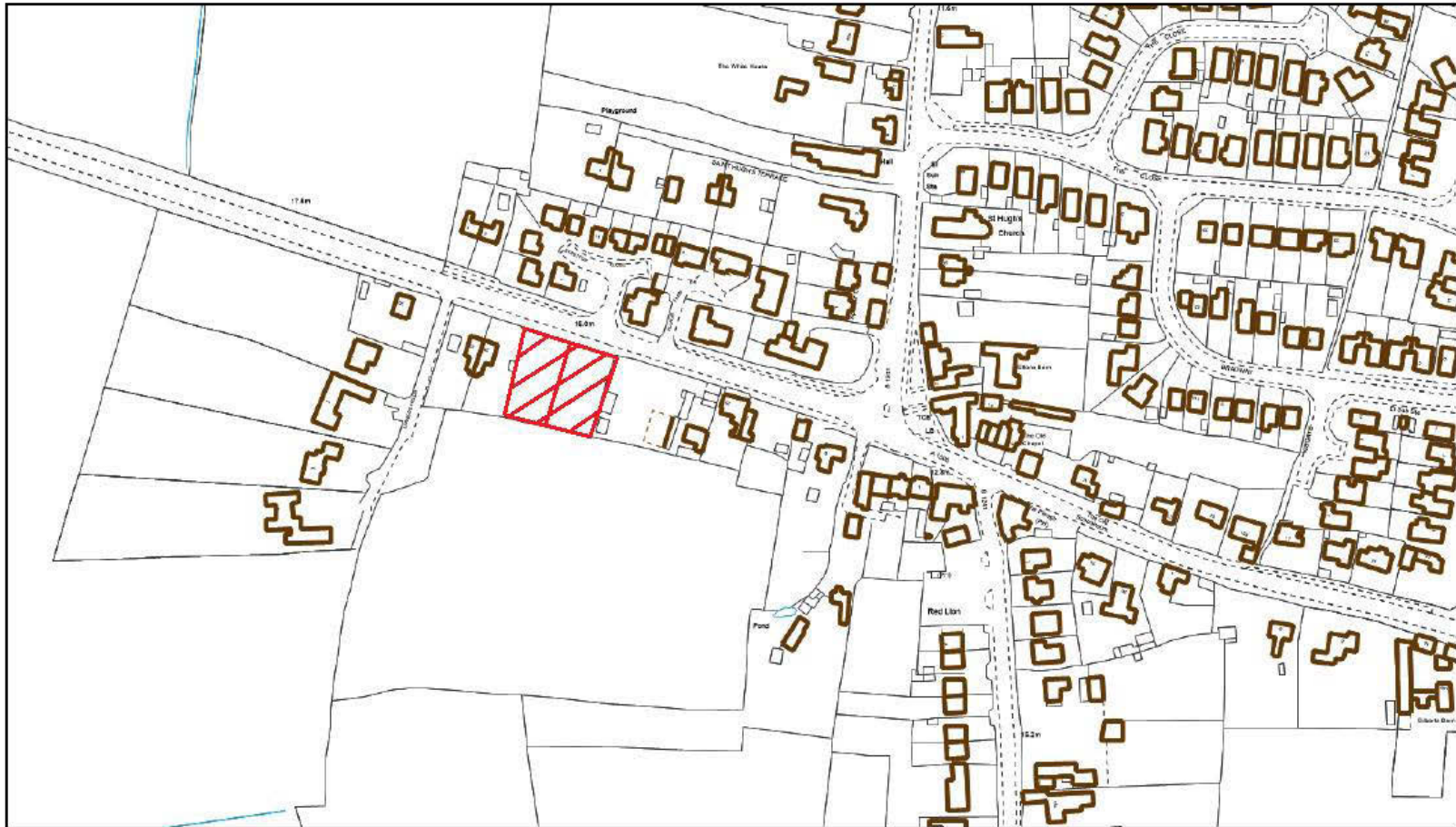
Recommendation

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.



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Officers Report

Planning Application No: 133932

PROPOSAL: Application for approval of reserved matters for residential development following outline planning permission 131536 granted 23rd September 2014-resubmission of previous approved scheme 132886

LOCATION: Plot 1 Land between 15 & 25 Marton Road Sturton By Stow Lincoln
WARD: Stow
WARD COUNCILLOR: Cllr R Shore

TARGET DECISION DATE: 17/03/2016
DEVELOPMENT TYPE: Minor - Dwellings
CASE OFFICER: Joanne Sizer

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The application is referred to the Committee as the applicant is a Council Member. Works have commenced on site but relate to the original permitted schemes.

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

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

This application is a reserved matters application addressing Condition 2 of outline consent ref no. 131536. The application seeks approval of details in respect of appearance, layout, scale and landscaping at Plot 1 of land between 15 and 25 Marton Road, Sturton by Stow and contains amendments to previously approved reserved matters application ref. no. 132886.

A sister application (133933) has been submitted for Plot 2 adjacent and is also on this agenda.

The amendments for plot one consists of

- Provision of an additional ground floor window on the east side elevation
- Provision of an additional first floor window on the west elevation serving a master bedroom
- Addition of a sun lounge with balcony above to the south elevation

- Enlarged garage: 7.5 metres in width, 7.2 metres in length, 2.57 metres to the eaves and 5.74 metres to the ridge (previously approved 6.5 metres in width and length, with an eaves height of 2.5 metres and overall ridge height of 5 metres)..
- Boundary treatments and materials have been noted on the amended plans.

Relevant history:

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

130565 Outline planning consent for Plot 2 (next door site) - Granted

132886 Reserved matters for residential development – Granted

132885 Reserved matters for residential development for Plot 2 (next door site) - Granted

133933 Reserved matters for residential development for Plot 1 (next door site) - to be determined

Representations:

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: No objections/comments

Local residents: None received

LCC Highways: No objections subject to an advisory note and standard conditions:

- HI03 - 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.
- HP17 - Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan drawing number TMA/1112/03 Rev E dated 31MAR15 and retained for that use thereafter.

Environment Agency: None received

Archaeology: No objections/comments

Building Control: None received

Relevant Planning Policies:

National guidance

National Planning Policy Framework

West Lindsey Local Plan First Review 2006

STRAT1 – Development Requiring Planning Permission

RES1 – Housing Layout and Design

CORE 10 – Open Space and Landscaping within Developments

Central Lincolnshire Local Plan

The Submission Central Lincolnshire Local Plan (SCLLP) was approved by the Central Lincolnshire Joint Strategic Planning committee on 14th March 2016 for the purpose

of public consultation. It is therefore classified as an “emerging” plan. The NPPF clarifies the position on the status of emerging plans. It states in Para 216:

From the day of publication, decision makers 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 can 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 policies in this framework the greater the weight that may be given).

The SCLLP is the third and final consultation version of a new Local Plan to eventually replace the current Local Plans for West Lindsey. In accordance with the NPPF paragraph 216, the policies contained within this emerging plan will be used (alongside the current development plans and other material considerations) in determining planning applications. In helping determine proposals, the amount of weight to be given to the content of this emerging plan in comparison with the amount of weight given to other plans, strategies and materials considerations, will be a matter for the decision maker to decide. As the SCLLP was approved by the committee on the 14th March, the plan is in its final draft stage and no changes are expect to be made to it before examination by a Planning Inspector. On this basis it is considered that that weight to be given to it is much greater than for previous stages.

In stating this, however, the SCLLP has not been through its examination and is not adopted and so cannot be given full weight. The West Lindsey Local Plan (WLLP) remains the adopted development plan and proposals should be assessed against its policies. The provisions of the NPPF are a significant material consideration in any application determination however. Where the WLLP is silent on particular matters or its policies are deemed out of date, the NPPF indicates applications should be granted 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 if the Framework indicate development should be restricted.

Policies:

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

LP26: Design and amenity

Main issues

- Principle of development
- Layout, scale and appearance
- Landscaping

- Residential amenity
- Access

Assessment:**Principle of Development:**

On 23 September 2014, outline planning consent for residential development with all matters reserved at land between 15 & 25 Marton Road, Sturton By Stow was issued through application number 131536. This applied to Plot 1 (of 2 plots) at the location. Plot 2 was granted an identical consent given under 130565.

On 27th August 2015 Reserved matters consent for the erection of one dwelling at Plot 1 land between 15 & 25 Marton Road, Sturton by Stow was issued through application number 132886 in connection with outline consent 131536. (Plot 2 was granted consent under 132885).

As such, the site benefits from extant planning consent for the erection of a two storey dwelling with detached garage. Consequently the principle of developing a similar dwelling on site is already established and the effect on the housing land supply locally will be neutral. Consequently, the main items for consideration in this application relates to the amendments and additional information submitted/included on the plans.

Layout, scale and appearance:

The additional windows are of a proportion that are considered acceptable in vernacular terms. The addition of the sun room with balcony above is clearly subservient to the main dwelling and due to its rear positioning and screening provided by boundary treatments, any additional visual impact above that previously approved is considered to be limited.

The expanded size and scale of the garage in its position would, however, increase its visual presence within the street scene. This element of the previously approved application had in fact been reduced through negotiation, so the current proposal is in part reversing that agreement. With this in mind the crucial point in assessing the acceptability of this element of the amended proposal relates to the increased presence and associated visual impact of the garage compared to that previously approved. Would the enlarged garage significantly and demonstrably detract from the visual amenity of the area; thereby outweighing the sustainable development principles otherwise supporting the application. Marton Road at this point has a variety of housing types some of which are positioned forward of the site, whilst others sit back away from the road. Designs include gable ended designs that face the highway. The site to the east also includes a number of agricultural buildings which also form a context for the proposal. In this light the enlarged garage and resultant impact on visual amenity, when considering the fall-back position of the previous scheme, is not considered to be so different or detrimental to the character and appearance of the area to tip the balance against of the presumption in favour of sustainable development; and is thereby deemed acceptable in this regard.

Materials for the development have been annotated on the proposed drawings and are deemed to be acceptable, their implementation shall be secured through a standard approved plans/details condition. Boundary treatments are also noted and considered acceptable. They however are subject to a pre commencement condition on outline application 131536 and will need to be formally discharged.

Landscaping:

No amendments proposed from previously approved scheme.

Residential amenity:

The ground floor east side windows are of a height that could be screened by a boundary treatment and is at a significant distance away from the neighbouring residential dwelling. The upper floor west side window will predominantly sit adjacent to the blank gable end of Plot 2 and consequently forms part of the developing relationship between the two proposed dwellings. As such the additional windows are not considered to be unacceptable in residential amenity terms.

The sun lounge with balcony above is of a size and scale that is not considered to result in any undue adverse impact to neighbouring residential amenity. The balcony is also at a satisfactory distance not to cause significant overlooking or loss of privacy to the existing neighbouring properties. This in part is due to the agricultural buildings to the east which would screen views of that adjoining site. It is also considered that the balcony again forms part of the developing relationship between the two proposed dwellings (plots 1 & 2) reducing its significance with respect to residential amenity. Views being afforded from first floor windows within the main dwelling have also been considered in this regard.

The positioning of the enlarged garage and the separating distance from neighbouring properties limits any impact to residential amenity.

Overall, the amendments are not considered to result in undue adverse impacts on the residential amenity of neighbouring properties.

Access:

The access is as previously approved. Lincolnshire County Council Highways have requested that the application if approved should be subject to standard conditions in relation to construction and provision of the access/driveway.

Other matters:

Drainage:

Details of drainage are secured through a pre commencement condition of outline consent 131536 and will need to be considered through an alternative condition discharge application.

Conclusion and Reason for Decision

In light of this assessment, the proposals are considered acceptable as the principle of developing this site has already been established through extant planning consents 131536 and 132886. This application deals with amendments to application 132886, all of which are considered acceptable in terms of appearance and character of the street scene, residential amenity, highway safety and drainage subject to the imposition of conditions. Consequently the proposals comply with policies STRAT 1, RES 1, CORE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and accords with national guidance in the form of the National Planning Policy Framework and National Planning Practice Guidance; and a grant of approval is considered appropriate.

Recommendation: Approval subject to conditions

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

None

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

None

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

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with drawings TMA/1112/02 REV B, TMA/1112/03 REV E, TMA/1112/04 and TMA/1112/05. 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 Policy STRAT 1 – Development requiring planning permission of the West Lindsey Local Plan First Review 2006

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

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

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

Note to Applicant

This decision shall be read alongside the outline planning consent 131536 of which the conditions should be adhered to.

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

Human Rights Implications:

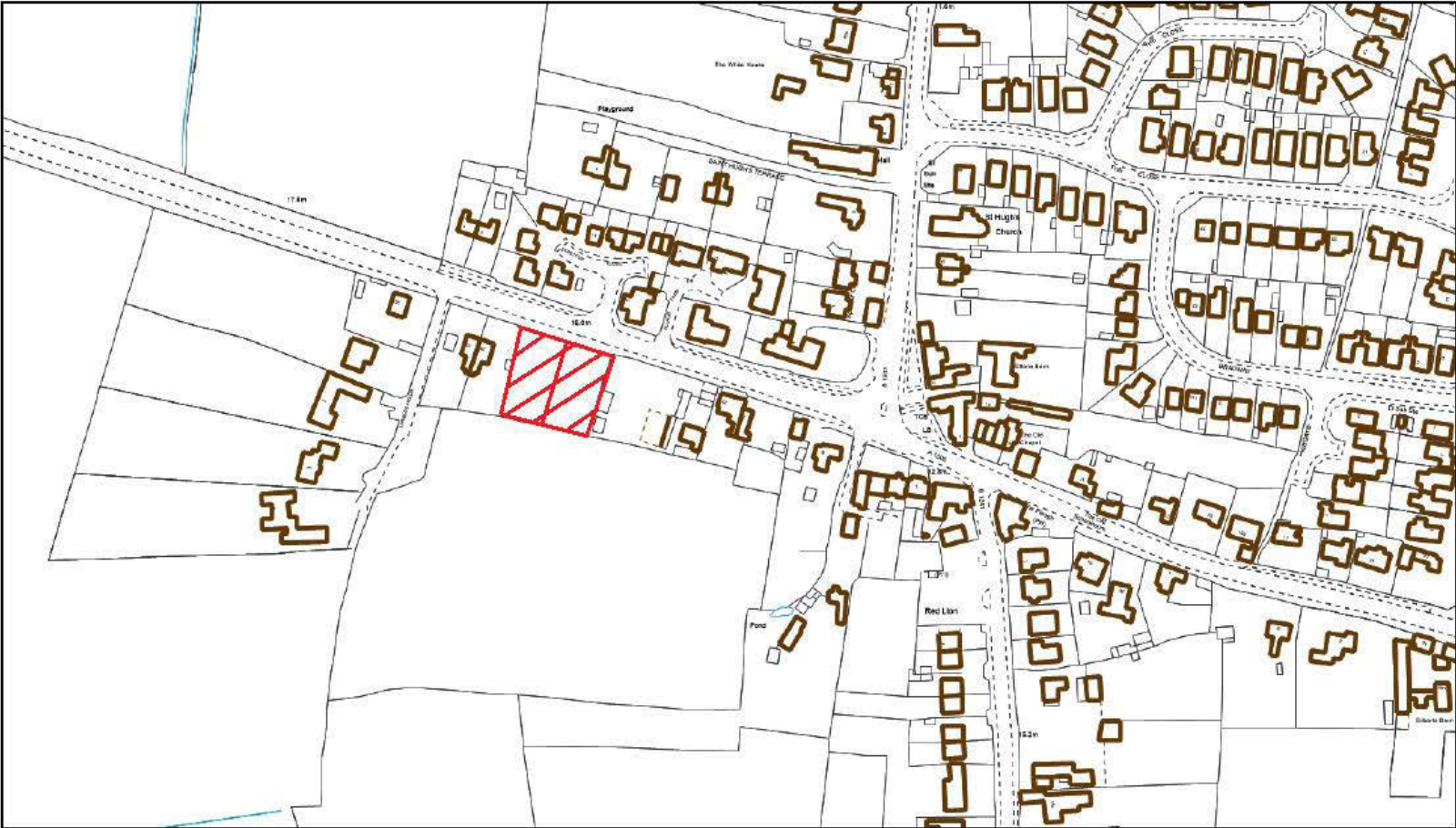
The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

Legal Implications:

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



1:2500



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Officers Report

Planning Application No: 133933

PROPOSAL: Application for approval of reserved matters for residential development following outline planning permission 130565 granted 12 June 2014-resubmission of previously approved scheme 132885

LOCATION: Plot 2 Land between 15 & 25 Marton Road Sturton By Stow Lincoln
WARD: Stow
WARD COUNCILLOR: Cllr R Shore

TARGET DECISION DATE: 17/03/2016
DEVELOPMENT TYPE: Minor - Dwellings
CASE OFFICER: Joanne Sizer

RECOMMENDED DECISION: Grant consent subject to conditions

Description:

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

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

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

This application is a reserved matters application addressing Condition 2 of consent 130565. The application seeks approval of details in respect of appearance, layout, scale and landscaping at Plot 2 of land between 15 and 25 Marton Road, Sturton by Stow and contains amendments to previously approved application 132885.

A sister application (133932) has been submitted for Plot 1 adjacent and is also on this agenda.

The changes to plot two compared to the original consent (132885) consists of:

- Addition of a sun lounge to the south elevation.
- Boundary treatments and materials have been noted on the amended plans.

Relevant history:

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

131536 – Outline planning consent for Plot 1 (next door site) - Granted

132885 – Reserved matters for residential development – Granted

132886 – Reserved matters for residential development for Plot 1 (next door site) - Granted

133932 – Reserved Matters for residential development for Plot 1 (next door site) - Granted

Representations:

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: No objections/comments

Local residents: None received

LCC Highways: No objections subject to an advisory note and standard conditions:

- HI03 - 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.
- HP17 - Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan drawing number TMA/1112/03 Rev E dated 31MAR15 and retained for that use thereafter.

Environment Agency: None received

Archaeology: No objections/comments

Building Control: None received

Upper Witham Internal Drainage Board: The Board has no comments on this application which refers to Condition 2 of 132885 for a minor alteration of the dwelling.

Relevant Planning Policy

National guidance

National Planning Policy Framework

West Lindsey Local Plan First Review 2006

STRAT1 – Development Requiring Planning Permission

RES1 – Housing Layout and Design

CORE 10 – Open Space and Landscaping within Developments

Central Lincolnshire Local Plan

The proposed submission Local Plan was approved by the Central Lincolnshire Joint Strategic Planning committee on 14th March 2016 for the purpose of public consultation. It is therefore classified as an “emerging” plan. The NPPF clarifies the position on the status of emerging plans. It states in Para 216:

From the day of publication, decision makers 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 can 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 policies in this framework the greater the weight that may be given).

This proposed submission Local Plan is the third and final consultation version of a new Local Plan to replace the current Local Plans for West Lindsey. In accordance with the NPPF paragraph 216, the policies contained within this emerging plan will be used (alongside the current development plans and other material considerations) in determining planning applications. In helping determine proposals, the amount of weight to be given to the content of this emerging plan in comparison with the amount of weight given to other plans, strategies and materials considerations, will be a matter for the decision maker to decide. Once the submission plan has been published the weight to be given to its policies will be greater than for previous stages.

In stating this, however, the SCLLP has not been through its examination and is not adopted and so cannot be given full weight. The West Lindsey Local Plan (WLLP) remains the adopted development plan and proposals should be assessed against its policies. The provisions of the NPPF are a significant material consideration in any application determination however. Where the WLLP is silent on particular matters or its policies are deemed out of date, the NPPF indicates applications should be granted 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 if the Framework indicate development should be restricted.

Policies:

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

LP26: Design and amenity

Main issues

- Principle of development
- Layout, scale and appearance
- Landscaping
- Residential amenity
- Access

Assessment:

Principle of Development:

On 12 June 2014, outline planning consent for residential development with all matters reserved at land between 15 & 25 Marton Road, Sturton By Stow was issued through

application number 130565. This applied to Plot 2 (of 2 plots) at the location. Plot 1 was granted an identical consent given under 131536.

On 27th August 2015 Reserved matters consent for the erection of one dwelling at Plot 1 land between 15 & 25 Marton Road, Sturton by Stow was issued through application number 132885 in connection with outline consent 130565. (Plot 1 was granted consent under 132886).

As such, the site benefits from extant planning consent for the erection of a two storey dwelling with detached garage. Consequently the principle of developing a similar dwelling on site is already established and the effect on the housing land supply locally will be neutral. Consequently, the main items for consideration in this application relates to the amendments and additional information submitted/included on the plans.

Layout, scale and appearance:

The addition of the sun lounge is clearly subservient to the main dwelling and due to its rear positioning and screening provided, any additional visual impact it results in is considered to be overall limited in comparison to that of the main dwelling. The addition of the sun lounge is therefore considered acceptable.

Materials for the development have been annotated on the proposed drawings and are noted to be acceptable, their implementation shall be secured through a standard approved plans/details condition. Boundary treatments are also noted and considered acceptable. They however are subject to a pre commencement condition on outline application 130565 and will need to be formally discharged.

Landscaping:

No amendments proposed from previously approved scheme.

Residential amenity:

The sun lounge is of a modest size and scale and is positioned as not to result in any undue adverse impact to neighbouring residential amenity.

Access:

The access is as previously approved. Lincolnshire County Council Highways have requested that the application if approved should be subject to standard conditions in relation to construction and provision of the access/driveway.

Other matters:

Drainage:

Details of drainage are secured through a pre commencement condition of outline consent 131536 and will need to be considered through an condition discharge application.

Conclusion and Reason for Decision

In light of this assessment, the proposals are considered acceptable as the principle of developing this site has already been established through extant planning consents 130565 and 132885. This application deals with amendments to application 132885, all of which are considered acceptable subject to conditions. Consequently the proposals comply with policies STRAT 1, RES 1, CORE 10 of the West Lindsey Local Plan First Review

Recommendation: Approval subject to conditions

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

None

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

None

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

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with drawings TMA/1112/07 REV B, TMA/1112/08 REV E, TMA/1112/09 and TMA/1112/10. 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 Policy STRAT 1 – Development requiring planning permission of the West Lindsey Local Plan First Review 2006

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

2. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved drawing TMA/1112/08 Rev E and retained for that use thereafter.

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

Note to Applicant

This decision shall be read alongside the outline planning consent 131536 of which the conditions should be adhered to.

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

Human Rights Implications:

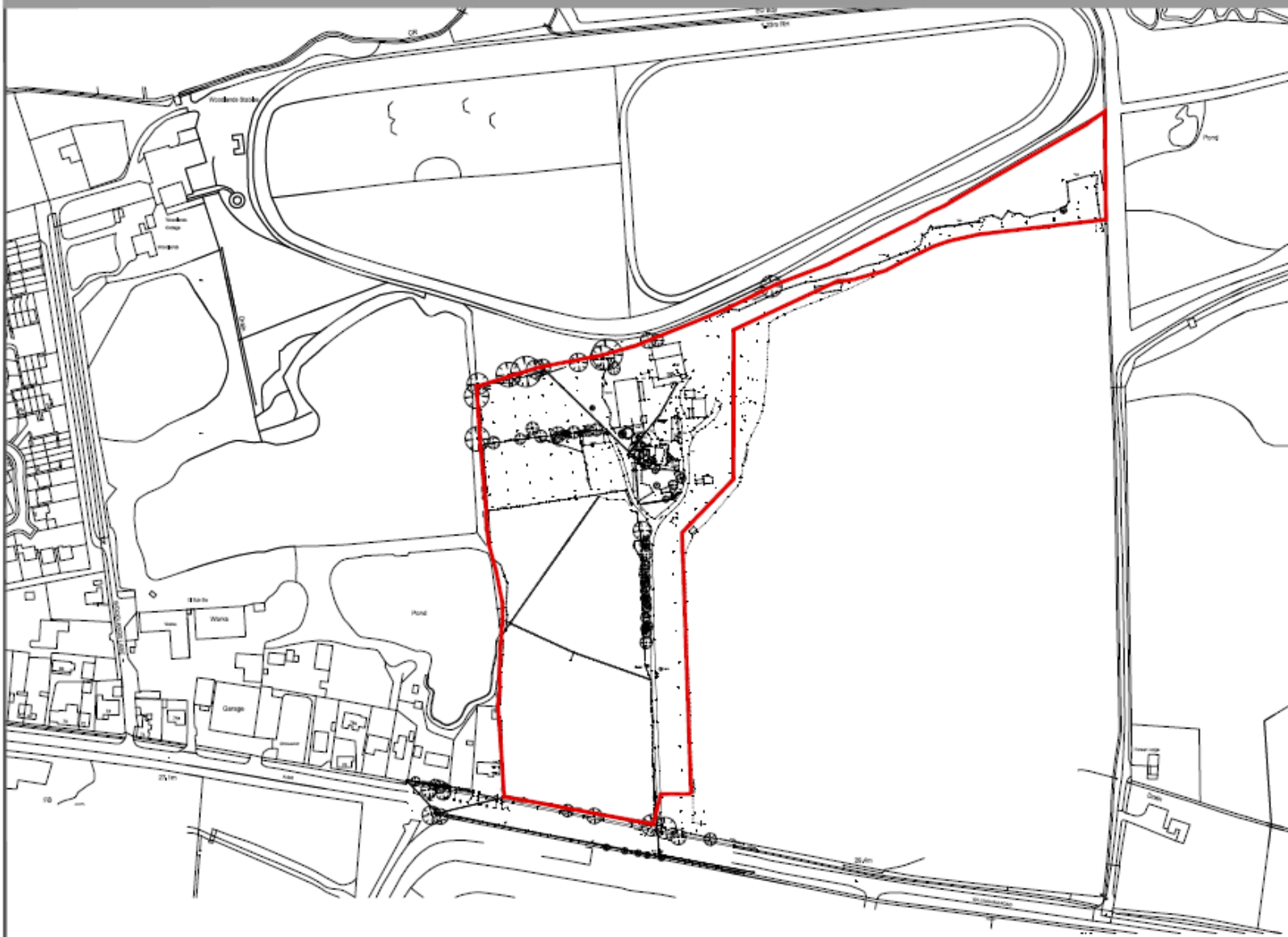
The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

Legal Implications:

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

WOODLAND WALK DEVELOPMENT, WILLINGHAM ROAD, MARKET RASEN.

SITE LOCATION PLAN



DRAWING ISSUES AND REVISIONS

12 Vickers Lane South Lincolnshire LN11 9PT



01509 611165 | londonandco@londonandco.com

PROJECT | RESIDENTIAL DEVELOPMENT
WILLINGHAM ROAD
MARKET RASEN

DATE | December 2015

TITLE | SITE LOCATION PLAN

SCALE | 1:2500

ORIGINAL SIZE | A3

DRAWING NUMBER | LDC1252-02



SITE LOCATION PLAN

scale 1:2500

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Officers Report

Planning Application No: 133864

PROPOSAL: Outline planning application for proposed development consisting of the creation of a highly landscaped woodland walk, public green space and 48no. dwellings-access and layout to be considered and not reserved for subsequent applications.

LOCATION: Glebe Farm Willingham Road Market Rasen Lincolnshire LN8 3RQ

WARD: Market Rasen

WARD MEMBER(S): Cllr Smith

APPLICANT NAME: Mr Tom Pickering

TARGET DECISION DATE: 24/03/2016

DEVELOPMENT TYPE: Small Major - Dwellings

RECOMMENDED DECISION: That planning permission be granted subject to conditions stated below upon the completion and signing of an agreement under section 106 of the planning Act 1990 (as amended) pertaining to:-

- a. 25% of the dwellings to be delivered on-site as affordable housing;
- b. Provision of Open Space including woodland walk to be managed in accordance with an open space management plan;
- c. A contribution of £101,487.00 towards primary education

And, in the event of the s106 obligation not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

Description:

This application has been referred to the committee at the request of the ward member.

Glebe Farm is a combination of different agricultural buildings and a dwelling. The host dwelling is a detached two storey property that is rendered with red roof tiles on apex roof. The property has a single storey element to the east side and a single storey porch to the north (rear). The property has a two storey flat roof extension to the rear. To the west of the house is a field which gained permission for a holiday caravan site. There is currently about 10 caravans on site but these don't appear to be in use.

There is a portal framed building with corrugated roof to the north of the caravan site and various portal framed buildings to the rear of the house. There are some metal shipping containers scattered to the rear of the site. There is also a single storey brick built building to the rear of the house.

Access is gained off the A631 with open fields to the north-west, east and south of the site. Further to the east is Willingham Woods; Market Rasen Ponds are to the west of the site.

The application seeks outline permission for proposed development consisting of the creation of a highly landscaped woodland walk, public green space and 48 dwellings – access and layout to be considered and not reserved for subsequent applications. Matters of scale, appearance and landscaping are all reserved for subsequent approval (reserved matters).

Relevant history:

MR/48/69 Erect bungalow. Refused

MR/52/73 Use land for a holiday caravan site. Permission granted

W61/274/76 Erect agricultural building. Permission granted 22/06/76

W61/656/78 To use building for storage of fertilizer. Permission granted 06/09/78

W61/856/88 Extend dwelling. Permission granted 19/08/88

W61/210/94 Planning application to erect entrance extension and alter existing building and provide 90 car parking spaces. Permission granted 24/05/94

M02/P/0420 Erect building to form farm shop with refrigerated store and carpark. Permission granted 21/01/03

Representations:

Chairman/Ward member(s): Cllr Smith – would like the application seen at committee. Concerns about the proximity to ponds and open water. Limited employment in Market and Middle Rasen meaning realistically travelling to Gainsborough or Lincoln by car.

Parish/Town Council/Meeting: Has no comments

Local residents: 47 The Ridings - This proposal lies alongside Mkt Rasen Fishing club lake that has been in existence for over 85 years.

I point out that the level of this field is a lot higher than the lake and seek assurances that any building is sufficient distance from the drop not to erode the bank or indeed slip into the lake.

Because of this drop and the very deep water here I also would like to see secure high fencing to prevent any danger to any children who will live here because the temptation to investigate will be an almost certainty.

I would also seek assurances that no noxious substance is tipped into the drainage ditch along the sites Northern boundary which runs into the lake whilst building is in progress or when completed to the detriment of the wildlife in this rare local wildlife refuge.

The Sonnets – The A631 has become increasingly busy with cars and heavy traffic. The long stretch from Duckworth's to Willingham Wood leads traffic to dangerously increase speed on leaving the town while passing the development.

This danger may be exacerbated by the weekly and week-end meetings by 'bikers' at their Willingham Woods meeting place when they 'race' at high speeds along this stretch in spite of the occasional police presence.

Race Days at the racecourse opposite may also cause traffic problems for the cars entering and leaving the development and some means of traffic calming and control will have to put in place.

My other concern is the effect of surface water falling on the built up area, formerly farmland, and draining into the two adjacent lakes which may well cause flooding in the area

In conclusion, following a recent article in Rasen Mail claiming that 'Market Rasen tops national list for slump in number of home buyers' I would ask do we need another large housing development on the outskirts of Market Rasen?

Edelweiss - I would like to offer the following comments.

My property borders the proposed development and while appreciating the creation of a woodland walk and a public green space there are some issues which causes me concern

- 1) The A631 to Louth has become increasingly busy with cars and heavy traffic and the long straight stretch from Duckworth's to Willingham Woods leads traffic to dangerously increase speed on leaving the town while passing the proposed development.
- 2) Motorbike traffic to Willingham Woods starts April to October, 10am onwards Wednesday and Weekends none stop. Noise is constant, we cannot enjoy our garden which we love so our quality of life drops considerable. Restrict these meetings to once a month.
- 3) Race days at Market Rasen Racecourse opposite also cause traffic problems which will cause more problems for the proposed development, some traffic calming and control will need to be put in place.
- 4) Street Lights currently finish at Kexby Cottage they would need to be extended to the new proposed development.
- 5) Another concern is the affect of surface water falling on the built up area formerly farmland, draining into adjacent lakes which could cause local flooding.

In conclusion, following a recent article in the Local paper (Rasen Mail) claims MARKET RASEN tops national list for a slump in home buyers.

Does Market Rasen need another large Housing Development. Schools are full.

NHS struggles as it is.

LCC Highways: No objection in principle, access is acceptable. Development road will require building to an adoptable standard. The Highways and Lead Local Flood Authority (HLLFA) require the following information:

- Confirmation of consent for discharge and discharge rate from the relevant water authority
- Private drives shown require some turning provision.
- A 1.8m wide footway will be required on the West side of the carriageway/swale to provide a pedestrian link for the properties on that side of the development.

Following amendments, there were no further requests for information. Conditions regarding estate streets development plan, full engineering, street lighting and constructional details, surface water, footways and visibility splays will be attached.

Natural England: No comments.

NHS England: Will not be commenting on the application.

Housing and Communities: The affordable housing requirement would be for 25% (12 units) to be delivered as affordable housing. House type and tenure to be agreed with the Housing and Communities team at reserved matters.

LCC Education: At present projections show that, excluding the effect of the development in question, Market Rasen Primary School will have no permanent surplus by 2018 when it is reasonable to presume this development would be complete or well on the way. Seeks capital contribution of £101,487 for an additional 9 primary places.

Forestry Commission: No legal right to create a new access to Willingham Woods. However following discussions with the applicant they do have a right of access through the woods.

Environment Agency: Flood risk management

We understand that surface water runoff from the proposed development site will be discharged to the existing watercourse at the northern boundary of the site. This watercourse is not a main river, so we have no further comments on this aspect.

Groundwater protection and hydrogeology

The Site Investigation Report has concluded that the blown sand, which overlies the Kimmeridge Clay, has sufficient permeability to accept soakaway drainage; however measured groundwater levels were as high as 1m below ground. The base of any infiltration drainage should be at least 1m above groundwater level, taking into account any seasonal variations. We would expect the highest groundwater levels to occur around February to March after the winter recharge. The site investigation took place in September and thus is likely to reflect the lowest groundwater levels, so it is expected that groundwater levels will rise higher than those observed.

It appears that the groundwater level at this site means that infiltration drainage is potentially unsuitable. The 1m provision for the unsaturated zone

allows for attenuation of any pollutants, and also helps prevent flood risk. We would advise that a more sustainable and lower risk option would be to consider SuDS drainage which ultimately discharges to surface water.

General advice

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SuDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SuDS, which encourages infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Soakaways for the disposal of clean uncontaminated surface water will be acceptable in principle.

Lincolnshire Fire and Rescue: No objections, seeks informatives on water supply and access.

Tree Officer: Further information on the existing trees is required before it can be assessed how the proposals are likely to impact on the trees. A tree survey in accordance with BS5837:2012 should be carried to provide the required info. about tree species, ages, crown spreads, stem diameters, RPA's, and brief description on their structure/condition, etc.

If the proposals eventually gain permission, tree protection measures should be conditioned to be provided for prior approval to avoid damage to existing trees to be retained. Further information was provided with regards to the tree protection areas and a condition is to be imposed for tree protection measures.

A scheme of landscaping should also be required, with improved landscaping down the easterly side (although in the current layout some of the property positions do not leave adequate space up to the easterly boundary for much landscaping). The landscaping will be looked at in detail at reserved matters with different species along the easterly boundary to provide screening. The concern with regards to the easterly boundary is mainly with the frontage property. However as this is a frontage property it will have less of an impact as it will be seen as a continuation of the houses on Willingham Road. The main bulk of the screening will be concentrated throughout the rest of the boundary to mitigate impacts. Other properties close to the easterly boundary have plenty of circulation space so whilst these properties won't be fully screened, landscaping can be provided within the spaces so as to soften the boundary and approach appearance.

Archaeology: An archaeological evaluation was required prior to determination. Following this report further investigation was required with trial

trenching. No further archaeological investigation was required following these trial trenches.

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.planningportal.gov.uk/>

Central Lincolnshire Local plan 2012-2036

The Submission Draft Local Plan was approved by members of the Central Lincolnshire Joint Strategic Planning Committee on 14 March 2016 and will be subject to a final consultation in April/May 2016 before formal submission to the Secretary of State. This version of the Local Plan will carry more weight in determining planning applications than the earlier draft versions and is expected to be published shortly (for reference the proposed Submission Draft that members considered is available online on the Central Lincolnshire Local Plan website).

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

LP17: Landscape, Townscape and Views

LP14: Managing Water Resources and Flood Risk

LP22: Local Green Spaces

LP25: Design and Amenity

<https://nkdc.moderngov.co.uk/documents/s67741/Appendix%201%20-%20Local%20Plan.pdf>

West Lindsey Local Plan First Review 2006

STRAT 1 Development Requiring Planning Permission

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

STRAT 3 Settlement Hierarchy

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

STRAT 9 Phasing of Housing Development and Release of Land

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat9>

STRAT 12 Development in Open Countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>

STRAT 19 Infrastructure requirements

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat19>

RES 1 Housing Layout and Design

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

RES 6 Affordable Housing

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res6>

NBE 10 Protection of Landscape Character

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

NBE 14 Waste Water Disposal

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

NBE 20 Developments on the Edge of Settlements

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

CORE 10 Open Space and Landscaping within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>

SPG West Lindsey Character Assessment

<http://www.west->

[lindsey.gov.uk/upload/public/attachments/599/SPG Adopted Countryside Design Summary.pdf](http://www.west-lindsey.gov.uk/upload/public/attachments/599/SPG_Adopted_Countryside_Design_Summary.pdf)

Main issues

- Principle
 - Provisions of the West Lindsey Local Plan First Review
 - National Policy
 - Emerging Local Plan
- Effect on the Open Countryside
- Affordable Housing
- Infrastructure
- Access
- Layout
- Ecology
- Drainage
- Trees
- Archaeology
-

Assessment:

Principle

- (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 Market Rasen. The site is classed as open countryside. Policy NBE20 is applicable in this case and seeks to protect landscape character and the rural character of the settlement edge.

The site is not allocated for residential development. Market Rasen is defined as a 'Town' within the Local Plan's settlement hierarchy (policy STRAT 3)

Paragraph A56 states *“It is appropriate to limit the number of dwellings permitted in Market Rasen (including Middle Rasen) and Caistor because these market towns are relatively small and would be sensitive to large-scale windfall developments that may come forward. However, the towns provide essential services and facilities for surrounding settlements making them sustainable locations in which to locate modest new residential developments.”*

Paragraph A57 states that *“A figure of 20 dwellings maximum is considered to be appropriate for windfall proposals in these settlements, which have only some 2000 and 1100 existing dwellings in Market Rasen (including Middle Rasen) and Caistor respectively.”*

The development is therefore in excess of that envisaged by the 2006 Plan.

Development is proposed on previously undeveloped land ('green field') – it therefore falls on the bottom rung of STRAT9's sequential hierarchy.

The application sites comprises of open fields to the south of the site with the main built form including a dwelling, various agricultural buildings and caravans to the north of the site. It is considered to be open countryside and policy STRAT 12 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 seeks outline permission for development consisting of the creation of a highly landscaped woodland walk, public green space and 48no. dwellings-access and layout to be considered and not reserved for subsequent applications

A residential development of this scale would not be in compliance with policies STRAT9, STRAT12 and STRAT3 and has the potential to be contrary to policy NBE20.

The principle of development as proposed on the site is not strictly in accordance with 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 requires 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.

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.

The Submission Draft Local Plan was approved by members of the Central Lincolnshire Joint Strategic Planning Committee on 14 March 2016 and will be subject to a final consultation in April/May 2016 before formal submission to the Secretary of State. This version of the Local Plan will carry more weight in determining planning applications than the earlier draft versions.

Emerging Policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. Market Rasen is designated as a Market Town – Category Three of six hierarchical categories.

LP2 states that to maintain and enhance their roles as market towns, Caistor and Market Rasen will be the focus for significant, but proportionate growth will be via sites allocated in this plan, or appropriate growth will be via sites allocated in this plan, or appropriate infill, intensification or renewal of the existing urban area. However, additional growth on non-allocated sites in appropriate locations on the edge of these market towns may also be considered favourably, though these are unlikely to be supported if over 50 dwellings/2 ha per site (whichever is the smaller)

Whilst the application site is not on a site proposed for allocation, the site is allocated on the edge of the settlement with suitable access paths into the town. Furthermore the application is for 48 dwellings which would accord with the allowance for windfall sites proposed by LP2.

The De Aston School is approximately 750m away which is deemed an acceptable walking distance. The nearest shop is 1000m away. The document Guidelines for Providing for Journeys on foot states that higher quality and larger centres generate longer acceptable walking distances up to

1250m. The start of the town centre is approximately 1250m away. Whilst the start of the town centre is at the maximum distance there is still a general store closely accessible however the town centre is deemed as high quality and would be a maximum acceptable walk. The road into the town centre leaves the 60mph to the 40mph then reduces to 30mph. The access is in the 60mph however highways have not raised any concerns and the access is existing.

Effect on the Open Countryside

The proposal sits in the Local Landscape Character Area of Heathlands Belt¹. The WL Landscape Character Assessment states that:

“The most sensitive parts of the landscape are approaches to Caistor and Market Rasen where there are pressures for a mixture of land uses.”

The assessment does accommodate however for new development and states that *“any new development on the fringes of Market Rasen should be accompanied by mass planting which is designed to help integrate the development with the surrounding landscape pattern. It should include elements such as mixed woodland, hedgerows and hedgerow trees.”*

The proposal would have some effect on the countryside. These effects would not have such a detrimental effect that would outweigh the benefits of the site. The location of the site with the ponds to the west of the site would mean no further development to the west and unlikely to the north. The land to the east is farmed with Willingham Woods adjacent. The location is next to the edge of the settlement with Market Rasen Racecourse to the south.

Policy NBE 20 states

“Development will not be permitted which detracts from the rural character of the settlement edge and the countryside beyond.

Where development on the edge of settlements is permitted the Council will require:

- i. Design proposals which respect and maintain the existing character and appearance of the boundary of the settlement footprint, or result in the improvement of an unattractive approach;*
- ii. An agreed scheme of landscape treatment and/or open space provision.”*

On the approach from the east, A631 road users would see Willingham Woods to the north and open fields then moving on to the main built form to the north until the approach further into the settlement. Market Rasen Racecourse can be viewed also on the approach from the east and lies to the south. The host farmhouse itself and outbuildings can be currently seen.

The proposal would be visible and have some impact but this is not felt to be unduly detrimental due to the location and siting of properties and form around the edge of the settlement. Adequate screening and landscaping

¹ West Lindsey Landscape Character Assessment (1999)

would mitigate the effect, furthermore the layout of the scheme allows for plenty of circulation space around the development. Landscaping is a reserved matter for subsequent approval.

Affordable Housing

For applications of this size within this location, there is a requirement for affordable housing. The affordable housing requirement would be for 25% (12 units) to be delivered as affordable housing. This would be secured through the signing of a s106 legal agreement. House type and tenure would be agreed with the Housing and Communities team at reserved matters.

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.”

The NHS and LCC Education were consulted as part of the application process.

The NHS had no comments to make on the application and have raised no concerns in terms of local healthcare provision capacity.

The Local Education Authority, Lincolnshire County Council, has advised that the development would result in a direct impact on local schools. In this case just the primary schools at Market Rasen and Middle Rasen 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.

LCC Education request a contribution of £110,313 which is required for the creation of 9 primary places at a Market Rasen Primary School. No contribution was required to support 6th form or secondary education places. The primary school(s) will be specified in the S106 to ensure the contribution can be used there.

It is considered, therefore, that with these contributions the impact on social infrastructure could be accommodated.

Access

The local highways authority have been consulted on the application and they have raised no concerns over the access with respect to the capacity of the highway to accommodate traffic generated nor the maintenance of highway safety. Concerns of residents, traffic speeds and the site's proximity to the

race course has been taken into account. Conditions relating to the access to the highway are recommended if planning permission is granted.

Layout

With regards to the layout, the highways authority made the following initial comments –

- Private drives shown require some turning provision.
- A 1.8m wide footway will be required on the West side of the carriageway/swale to provide a pedestrian link for the properties on that side of the development.

An amended plan has been received and although this did not show a 1.8m wide footway on the west side of the internal road, highways did not object following discussions with the agent, as there are other options which would be acceptable. Highways state that this could be a shared surface. The footways would still be required at the entrance to the development for pedestrian safety to connect to the existing highways and where the shared surface meets the private driveways this will need to be same as where a driveway meets a standard footway which is flush. The highways officer deemed the proposal acceptable in terms of highway safety given that a shared surface can be provided for the proposal.

Drainage

In order to mitigate flood risk posed by post development runoff, adequate control measures will need to be considered within the site. This will ensure that surface water runoff is dealt with at source and flood risk is not increased elsewhere.

SuD's features for the site include the use of a swale and a filter strip has been proposed for highway runoff. These collect surface water runoff as street flows and can provide a first stage of treatment to runoff; runoff from other development areas can also be piped into the swale. There will also be an attenuation pond as part of the development. Outflow from the proposed attenuation pond will be controlled using a HydroBrake or similar flow control device.

All SuD's devices proposed by the developer will be designed to accommodate and dispose of runoff from storms up to and including the 1:100 year +30% climate change event without flooding.

The foul water is to be discharged to the existing public foul water sewer within Willingham Road at manhole ref 9702. In order to facilitate a connection from the development to the existing network an onsite pumping station is required. The pumping station will be located to the north of the development and is sited within adequate distances from the dwellings.

Conditions will be attached to any approval for the submission of detailed surface water and foul water strategies in accordance with this general strategy.

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).

An extended Phase 1 Survey concludes that the site does not contain any protected species and has suggested mitigation methods for ecological conservation and enhancement.

Bats

Given the likely presence of foraging bats within the survey site, some form of mitigation for loss of habitat whilst not a legal obligation would be of conservation benefit. . The installation of a total of four bat roost units, across the development, within the brickwork of selected properties is recommended. It is recommended that any proposed lighting on site is placed as far from the boundary hedgerows as possible, that light spillage on hedgerows is avoided by using shields to direct any light to the targeted areas only. 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. The possibility of using sensors or timers should also be considered, to provide some dark periods on site.

Amphibians

For this site, given the distances involved and the nature of the surrounding habitats it is considered that with appropriate working practices and timing, it is possible to undertake the proposed work without the risk of a breach in the legislation protecting great crested newts. It is recommended that work is undertaken in accordance with a strict Method Statement in order to ensure legal compliance and prevent the risk of inadvertent mistakes which could give rise to an offence. A Method Statement to cover the work is provided below.

Birds

Since the site is clearly used for nesting by species of common birds, any future redevelopment building work should ideally avoid the active nesting season. If work commences during the bird breeding season, a search for nests should be carried out by a suitably qualified and experienced individual prior, and active nests should be protected until the young fledge. To further minimise any potential impact or disturbance to protected breeding birds, any tree clearance should be undertaken outside the bird breeding season, i.e. from late-August and be completed by late February. Types of bird boxes are suggested in the report.

A condition has been imposed to ensure mitigation methods suggested in the phase 1 survey are adhered to.

Trees

The agent provided an assessment of the trees on site which included a plan with root protection areas. This was assessed by the tree officer and 2 areas were deemed to need protection. These are located to the north west of the site on the boundary and one tree at the top of the line of trees below the attention pond to the south. A condition will therefore be attached to ensure tree protection measures are installed to protect these trees.

Landscaping is a reserved matter for subsequent approval. However an indicative layout has suggested landscaping throughout the site and the tree officer has suggested more landscaping down the easterly boundary of the site. As stated in the consultation response the concern with regards to the easterly boundary is mainly with the frontage property. However as this is a frontage property it will have less of an impact as it will be seen as a continuation of the houses on Willingham Road. The main bulk of the screening will be concentrated throughout the rest of the boundary to mitigate impacts. Other properties close to the easterly boundary have plenty of circulation space so whilst these properties won't be fully screened, landscaping can be provided within the spaces so as to soften the boundary and approach appearance.

Archaeology

Market Rasen is known for its Romano-British remains; in particular an extensive pottery industry to the South East of the Town. Closer to the development site there is a rare and important late Iron Age industrial site. Although it is just outside what is considered to be the core of the medieval and post medieval settlement there are still records of finds and sites of this date, in particular a scheduled medieval hermitage.

Given all this information and the potential of the site it was recommend that further information should be submitted to support the application.

It was requested that the developer supply more information in the form of an archaeological evaluation to be carried out prior to determination. Following the submission of this additional report, the Council's archaeological adviser required no further archaeology work to be undertaken.

Other matters

The ward councillor was concerned about flooding however the site is not in a flood risk area and no concerns have been raised by consultees conditions are also recommended to ensure details drainage designs are assessed by the Local Planning Authority.

The proposal includes the creation of a landscaped woodland walk through the site. The landowner has a right of access into Willingham Woods and the woodland walk leads to this access into Willingham Woods. The Forestry Commission would like a contribution to the maintenance of this access due

to the likely increase in the foot traffic in this location if the development goes ahead. The applicant is agreeable to this proposal and would need to arrange this via a private agreement between the Forestry Commission and the developer. The woodland walk would be a beneficial amenity aspect to the proposal and would be seen as a positive contribution to the proposal. If an agreement cannot be reached, however, the walk on the applicant's site is in itself a positive feature.

Conclusion and overall balance

The application is balanced and has been considered against the provisions of the development plan in the first instance, in accordance with planning law.

As development would take place on greenfield land outside the development boundary and in open countryside, it runs contrary to saved policy STRAT12 of the development plan. Development falls to be refused unless there are material considerations to the contrary.

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.*

Development would produce 48 dwellings in accordance with the principles of policy LP2 of the Central Lincolnshire Local Plan which can now be attached more weight.

25% of the units would comprise affordable housing, to meet a need, which can be attached weight as a benefit of the scheme.

The development would not be expected to adversely impact upon protected species or habitats and seeks to make biodiversity gains – a minor benefit of development.

Market Rasen, a town in the Local Plan and a Market Town in the Central Lincolnshire Local Plan. It is considered to be a sustainable location for new housing given the abundance of facilities provided.

It is considered that development of this greenfield land would have some impact on landscape character and visual amenity, however the development is not felt to be significantly detrimental as the proposed site ideally located at the edge of the settlement near the built form. Landscaping will be provided throughout the scheme.

In conclusion, any adverse impacts arising are not considered to significantly and demonstrably outweigh the benefits of the proposals. Planning permission should therefore be granted in accordance with the NPPF presumption in favour of sustainable 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 permission subject to 106

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

1. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters (as required by condition 2) to be approved.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. Notwithstanding the plans submitted no development shall take place until, plans and particulars of the scale and appearance of the buildings to be erected and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details. Applications for reserved matters must be made within three years from the date of this decision.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

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

3. No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment

of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rates which shall be restricted to 18.4 litres per second;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

4. No development shall take place until a scheme for the disposal of foul waters has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and no dwelling shall be occupied until the drainage system approved has been completed.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

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

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

6. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies of the Development Plan

7. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies of the Development Plan

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routeing and management of construction 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 during construction;
- (viii) details of noise reduction measures;
- (x) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (xi) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: In the interests of amenity and in accordance with saved policy STRAT1 of the West Lindsey Local Plan First Review.

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

9. No dwellings (or other development as specified) shall be commenced before the first 60 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number LDC1252-03_A dated Dec 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 and to enable calling vehicles to wait clear of the carriageway of Willingham Road.

10. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the local planning authority.

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

11. With the exception of the detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: Proposed Site Plan drawing no. LDC1252-03_A dated December 2015. The works shall be in accordance with the details shown on the approved plans and in any other 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

12. No dwelling shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed in accordance with the Estate Street Development Plan.

Reason: To ensure that the estate streets serving the development and completed and maintained to the approved standard, and are available use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and the safeguard the visual amenities of the locality and users of the highway, in accordance with Policies of the Development Plan.

13. The development shall be carried out in strict accordance with the ecological report submitted (Extended Phase 1 Survey: Land at Glebe Farm,

Willingham Road, Market Rasen May/June & August 2015) with the application, including provision of any proposed details of habitat protection/creation.

REASON: To safeguard wildlife in the interests of nature conservation in accordance with West Lindsey Local Plan First Review Policy NBE 20.

14. 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 West Lindsey Local Plan First Review Policy NBE 20.

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

None.

Notes to the Applicant

1. 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.

3. You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

4. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.

5. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hardstanding for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5.

6. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense. However, it is not

possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes.

The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.