

Guildhall Gainsborough
Lincolnshire DN21 2NA
Tel: 01427 676676 Fax: 01427 675170

AGENDA

This meeting will be streamed live (at the below address) and the video archive published on our website

Planning Committee
Wednesday, 16th September, 2020 at 6.30 pm
Virtual - MS Teams

<https://west-lindsey.public-i.tv/core/portal/home>

Members:

- Councillor Ian Fleetwood (Chairman)
- Councillor Robert Waller (Vice-Chairman)
- Councillor Owen Bierley
- Councillor Matthew Boles
- Councillor David Cotton
- Councillor Michael Devine
- Councillor Jane Ellis
- Councillor Cherie Hill
- Councillor Mrs Cordelia McCartney
- Councillor Mrs Jessie Milne
- Councillor Keith Panter
- Councillor Roger Patterson
- Councillor Mrs Judy Rainsforth
- Councillor Mrs Angela White

1. **Register of Attendance**
2. **Public Participation Period**
Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. **To Approve the Minutes of the Previous Meeting** (PAGES 3 - 29)
 - i) **Meeting of the Planning Committee held on 19th August, and adjourned until 24th August, previously circulated.**

4. **Declarations of Interest**

Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.

5. **Update on Government/Local Changes in Planning Policy** (VERBAL REPORT)

Note – the status of Neighbourhood Plans in the District may be found via this link

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

6. **Planning Applications for Determination**

- i) 141174 - Land between Hawthorne Close and Elizabeth Close, Glentworth (PAGES 30 - 45)

7. **Determination of Appeals** (PAGES 46 - 55)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 8 September 2020

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the reconvened Meeting of the Planning Committee held via Virtual - MS Teams on 24 August 2020 commencing at 6.30 pm.

Present: Councillor Ian Fleetwood (Chairman)
Councillor Robert Waller (Vice-Chairman)

Councillor Owen Bierley
Councillor David Cotton
Councillor Michael Devine
Councillor Jane Ellis
Councillor Cherie Hill
Councillor Mrs Jessie Milne
Councillor Keith Panter
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Mrs Angela White

In Attendance:
Alan Robinson Director of Corporate Services and Monitoring Officer
Russell Clarkson Interim Planning Manager (Development Management)
George Backovic Principal Development Management Officer
Rachel Woollass Development Management Team Leader
Ian Elliott Senior Development Management Officer
Martin Evans Senior Development Management Officer
Danielle Peck Development Management Officer
Martha Rees Legal Advisor
Ele Snow Democratic and Civic Officer
James Welbourn Democratic and Civic Officer

Apologies: Councillor Matthew Boles
Councillor Mrs Cordelia McCartney

Membership: No substitutes were appointed for the meeting

26 REGISTER OF ATTENDANCE

Note: The meeting reconvened at 6:30pm

The Chairman undertook the register of attendance for Members and each Councillor confirmed their attendance individually.

The Democratic Services Officer completed the register of attendance for Officers and, as with Members, each Officer confirmed their attendance individually.

27 PUBLIC PARTICIPATION PERIOD

There was no public participation at this point in the meeting.

28 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 22 July 2020 be confirmed as an accurate record.

29 DECLARATIONS OF INTEREST

Councillor A. White declared that she was a Member of Nettleham Parish Council (reference agenda items 6a and b, application numbers 140938 and 141032) however she had not taken part in any previous discussions and would therefore retain her seat as a Member of the Planning Committee.

Councillor J. Milne declared that as Ward Member for Lea (reference agenda item 6e, application number 139840) she would be standing down from the Planning Committee and speaking as Ward Member.

30 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Interim Planning Manager (Development Management) who explained that on 6 August 202, the Government launched its planning white paper “Planning for the Future” promising to “streamline process, cut red tape and harness technology”. Consultation would close on 29 October 2020.

Some of the key reforms proposed, included:

- All land to be categorised into “Growth”, “Renewal” and “Protected” Areas;
- Local Plans should set clear rules rather than general policies for development.
- A new emphasis on engagement at the plan-making stage. At the same time, they would streamline the opportunity for consultation at the planning application stage, because this added delay to the process and allowed a small minority of voices, some from the local area and often some not, to shape outcomes.
- Change from a process reliant on documents, to a process driven by data, with standardized data sets;
- A new focus on design and sustainability, and to ensure the planning system supported efforts to combat climate change;
- Introduce Local Design guidance and codes
- The Infrastructure Levy, a new nationally-set value-based flat rate charge, to replace the Community Infrastructure Levy (CIL) and S106 planning obligations;

The link for the Government White Paper was to be shared with Members:
<https://www.gov.uk/government/consultations/planning-for-the-future>

Neighbourhood Plans

Morton NP	Submission consultation (Reg16) ends 7 Sept 2020.
Normanby and Owmbly NP	Normanby by Spital and Owmbly by Spital PCs have decided to now do their own NPs for their parish areas only. Previously they were preparing a joint NP which will be withdrawn.

A Member of Committee enquired about the press coverage regarding amendments to Planning Legislation and how this would be managed within the district. It was suggested there could be some communications sent out to the wider community in order to assist understanding.

31 PLANNING APPLICATIONS FOR DETERMINATION

RESOLVED that the applications detailed in agenda item 6 be dealt with as follows:

32 140938 - PLANNING APPLICATION FOR CONSTRUCTION OF 33NO.ENTRY LEVEL HOMES AND ASSOCIATED INFRASTRUCTURE - PHASE 2. "LAND OFF", DEEPDALE LANE, NETTLEHAM

The first application of the evening was introduced for Members' consideration. Planning application number 140938 for construction of 33no.Entry Level homes and associated infrastructure - Phase 2. "Land off", Deepdale Lane, Nettleham. The Development Management Team Leader explained three further representations had been received from 8 Midway, 24 Baker Drive and 30 Baker Drive. One representation suggested that the site should be made into allotments however the proposal applied for was dwellings and was assessed as such. No other new matters had been raised that had not already been addressed in the officer's report. The recommendation remained the same.

She added that a change was required for recommended condition 7 in order for this to read correctly. It was suggested that the words "of that phase has been" should be changed to "shall be".

Condition 7 would then read - Prior to occupation, a schedule of landscape management and maintenance for a minimum period of five years from the completion of the development shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation and the development shall be carried out in accordance with the approved details.

The s106 currently had not been signed therefore it was requested if Members moved the

recommendation they delegate back to officers to complete the s106.

The Chairman invited the first speaker to address the Committee.

Councillor John Evans, of Nettleham Parish Council made the following statement:

“Local strength of feeling on this matter can be judged by the large number of submissions in opposition from the community. But we do understand that developments such as this must be judged on planning grounds.

The Parish Council **strongly objects** to this application and respectfully requests that the committee should refuse this application 140938 for 33 homes off Deepdale Lane on the following planning grounds:

1. This is not an allocated site in the adopted Nettleham Neighbourhood Plan (Nettleham Neighbourhood Plan) or CLLP.
2. The developer claims that this is an entry-level exception site so under NPPF 71 development on an unallocated site is permissible. However the proposal is contrary to para b) of the NPPF 71 as it does not comply with the design policies or standards as per D-6 and D-3 of Nettleham Neighbourhood Plan.

Nettleham Neighbourhood Plan D-6 clearly states that new development should recognize and reinforce the local character in terms of height, scale, density, spacing, layout orientation, features, and materials. This is supported by LP26 c).

The Nettleham Neighbourhood Plan also identifies the max density for new homes in Nettleham as 20 homes per Ha, which is reflected in the adjacent Phase 1 development by Larkfleet/Allison Homes. This proposal seeks to almost double that housing density leading to an inappropriate urban density in a rural village setting.

The design and access statement seeks to justify this high density by comparing it to that of the adjacent residential care home development. This includes apartment style accommodation for older people so would be a totally inappropriate and invalid as a comparison for a housing development such as this.

3. The Design and Access statement makes reference to under delivery of affordable houses in the CLLP area but only uses historical data the most recent being 3 years ago.

Over the past 3 years Nettleham alone has had planning permission approved which includes 71 affordable homes, a significant over delivery against the 37 identified as required in the Neighbourhood Plan. LP11 calls for 20% of new housing allocation in rural locations to be affordable, which equates to 47 here.

Recent developments in Nettleham have already delivered 45 of that total. So Nettleham is already over delivering.

4. Nettleham Neighbourhood Plan policy D-3 states very specific minimum parking

requirements to avoid the parking clutter that is seen on many new housing developments. This proposal falls short by some 17 parking spaces against those requirements.

It is clear that none of the properties have garages and the parking provision is in place of a front garden. This is more usual in urban developments and does not reflect the character of Nettleham.

LP13 of the CLLP states the need to consider surrounding conditions and cumulative impact, but without stating specific parking numbers. We contend that in a high density setting in cul-de-sacs like this it would clearly not be appropriate and would lead to parking chaos.

Please note that guidance from LCC highways is just that, and **not a statutory planning requirement, which the Nettleham Neighbourhood Plan is.**

Nettleham Parish Council submits that based on the above grounds alone, this opportunistic planning application should be refused. It is contrary to the adopted Nettleham Neighbourhood Plan and not compliant with NPPF 71 b.

However should the LPA be minded to approve the development then provision for children's play equipment on site should be required (via S106 agreement) as the distance to the nearest play area is some 700m. away along Deepdale Lane a busy access route into Nettleham.

Deepdale Lane lacks a footpath on the development side the lane, so for safety and amenity purposes there should also be a S106 requirement for the developer to be required to provide one to meet up with the existing footpath on the north side of the road."

The Chairman thanked Councillor Evans and invited the second speaker, Mr Mark Mann, to address the Committee.

Mr Mann thanked the Committee for their time. He explained he was the Planning Director for Larkfleet Homes, the applicant. He stated that the proposal was for a small development of entry level homes as defined by paragraph 71 of the revised NPPF published in February 2019. He clarified the purpose of entry level homes was to assist young people to get a step on the property ladder, especially in rural areas. He highlighted a shortfall of affordable homes in the district and stated that the development would help to address that shortfall. He noted the objections to the development however stated it was not part of the open land that would be handed to residents in the area and that, without the addition of paragraph 71 to the NPPF, the land would likely be identified for development during the next review of the Local Plan. He explained it was a logical location for further development and it was the introduction of paragraph 71 that led the company to consider the land for development. He stated that the introduction of paragraph 71 removed, overnight, any objection to potential development. He highlighted that in terms of design the proposals were in line with Phase 1 of the development in the area and that, although the density was higher, this was as a result of the nature of affordable homes. He referenced the Officer's report in terms of higher density being allowed in consideration of affordable homes. It was pointed out that the developers had taken on board comments made the Parish Council and repeated that the development would provide much-needed affordable housing in the area. He noted there were

no objections from key consultees and that the Officer had recommended approval as the development was in line with the criteria set out by paragraph 71. He thanked the Committee for their time and requested that Members support the Officer recommendation for approval.

The Chairman thanked Mr Mann for his time and introduced the third speaker of the evening, Sally Lidbury.

Note: The Chairman declared a non-prejudicial interest in that he had worked with Sally Lidbury approximately eight years previously but had had no contact with her since then, and none in relation to this application.

Sally Lidbury then made the following statement:

"I have been asked to speak on behalf of residents of Nettleham Chase. We have many concerns about the quality and integrity of the developer, but fully appreciate this is not the forum to share our concerns.

Housing Needs

The land off Deepdale Lane in Nettleham was allocated for development within the Nettleham Neighbourhood Plan. The number of dwellings allocated for this area was approximately 50. We feel it is important to highlight that there are already 86 dwellings within this area. **36 more** than suggested within the neighbourhood plan.

We do not feel that sufficient evidence has been provided, by the developer, in relation to the **need** for affordable homes in our village.

Residents of Phase 1 were told that the quota of affordable homes had been met by the **36 Lace Housing dwellings. This equates to 42%.**

If this application were to be approved, along with 141032, it would mean that **60% of dwellings on the development** would be affordable housing.

The 76 affordable homes on this development would be on one side of the road and the 50 private dwellings on the other! Planning guidance states that new residential developments should support the creation of mixed, balanced and inclusive communities. We do not feel this proposal is at all balanced.

It is our understanding that Nettleham has already exceeded its quota of affordable housing. Have the following been taken into consideration....

112 dwellings in development off off Lodge Lane and Scothern Road

57 proposed dwellings off Scothern Road and The Hawthorns

The planning officer's report states that a *local needs* survey was not available so instead, a West Lindsey housing register was used to determine need.

The Nettleham Neighbourhood plan states that housing needs to 2031 show that a total housing growth in the region of 180 dwellings. This was assessed as appropriate to meet local needs.

That equates to 45 affordable homes being built in future developments up to 2031. This

figure has already been surpassed.

Density

The Village Design Statement states that the scale and proportion of buildings should **complement and reflect** surrounding dwellings and buildings. We feel this proposal does not.

The Nettleham Neighbourhood Plan states that a density of 20 homes per hectare for future developments. This proposal is 34 homes per hectare. This figure is even higher when the Phase 2 site is looked at collectively.

The planning officer's report states that the proposal **reflects** existing residential densities in the locality. The existing housing is **21 dwellings per hectare** whereas this proposal is 34. We do not feel the proposal reflects the existing residential density.

In its conclusion, the officer's report attempts to make a comparison to the existing LACE development. It states that the proposal reflects the locality's density. We do not feel this is a fair comparison as the dwellings are of a completely different type - 22 **apartments** and 14 bungalows.

We feel a comparison of density of similar house types would provide greater clarity.

Ecological Change & Impact

We feel there has been a lack of ecological response in relation to this application. There is no up to date report to support this planning application and the impact it would have on the environment and wildlife. The last report was for phase 1 and is now over 2 years old.

Within two weeks of the development site becoming silent, due to the national Covid-19 lockdown, residents noticed a significant amount of wildlife returning to the planned site. Sadly, this dramatically reduced when the site reopened.

We can confirm that we do have a population of bats living and roosting in and around this development, as well as owls and other wildlife. We would urgently suggest this matter is thoroughly investigated.

Open Space

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments optimise the potential of the site, including green and other public space.

The 'Design & Access Statement' states that 'significant amounts of open space are to be provided within phase 1 and will be accessible to residents of phase 2'. We would like to question the validity of this statement.

Given the density of this proposal, we do not feel adequate provision of open space has been provided in accordance with policy LP24 of the CLLP. The planning officer's reports states that within the red line plan is an area to the south of the pond which can be utilized.

We do not feel this suggestion of green space is suitable, on the grounds of safety. Both in terms of the open water and its close proximity to Deepdale Lane – where there has recently been an identified issue with speeding traffic. These points have not be included in the planning officer's report.”

The Chairman introduced the final speaker for the application, Councillor Giles McNeill, Ward Member for Nettleham.

Councillor McNeill thanked the Chairman and stated that the issue to be considered was the weight to be given to NPPF paragraph 71 in contrast to the Local Plan and the Neighbourhood Plan. He stated that paragraph 71 was not a blank cheque for entry level housing to be agreed without due consideration. There was criteria that needed to be met. He stated that the development did not meet local design policy and standards. This was covered within the Local Plan, the Nettleham Neighbourhood Plan and Design Statement. He commented that the development failed to meet the character of the area and important design principles. Councillor McNeill stated that it breached the policy for amenity and open space and was contrary to sustainable growth. He highlighted that development within the area was already over 26% above what had been identified and the proposed development did not take into consideration the identity of the village community. He felt that the development failed to demonstrate it would contribute to an efficient and safe transport infrastructure nor address issues regarding parking spaces for the new houses which was already an existing issue down Deepdale Lane. He thanked the Chairman for the time and suggested the application should be considered for refusal.

The Chairman thanked all speakers and invited comments from the Officer who highlighted that there were conditions proposed to deal with the concerns regarding the pond, open space, landscaping and maintenance and she also noted that the Neighbourhood Plan predated the Central Lincolnshire Plan and the NPPF. The Chairman then invited comments from Committee Members.

There was considerable discussion regarding the location of such a development and that it was contrary to the Neighbourhood Plan. The requirements for entry level housing were clarified with the Officer, who confirmed the need area was central Lincolnshire however advice had been sought from the Housing Team within the Council for local need. There was uncertainty as to how weighting should be given to paragraph 71 in comparison to the Neighbourhood Plan and the Local Plan. The Legal Advisor confirmed that all plans together formed the development plan on which to base their considerations, however, the newest plan should take precedence and in this case, that was the introduction of paragraph 71 in February 2019. It was also highlighted that section b of paragraph 71 stated any proposals must meet local standards and designs.

After further discussion regarding the impact on the village and local area, in relation to significantly higher density housing than agreed for other developments, a Member of Committee proposed the refusal of the application as contrary to LP26, design and amenity, NPPF paragraph 71 section b and D3 and D6 of the Neighbourhood Plan. This proposal was duly seconded.

On being put to the vote it was agreed that planning permission be **REFUSED** as contrary to LP26, design and amenity, NPPF paragraph 71 section b and D3 and D6 of the Neighbourhood Plan.

33 141032 - PLANNING APPLICATION FOR ERECTION OF 2NO.AFFORDABLE ELDERLY PERSONS BUNGALOWS AND 5NO. HOMES.

The second application of the night was introduced. Application number 1411032 for erection of 2no.affordable elderly persons bungalows and 5no. homes on land off Deepdale Lane, Nettleham. The Senior Development Management Officer explained there was an amendment to the recommendation. It is now recommended that committee delegate powers to officers to finalise the section 106 agreement then grant planning permission subject to the conditions in the report.

The final recommended condition should be number 12 not 11.

He added that since the report was drafted further objections had been received from residents of 40 Deepdale Lane, 16 Baker Drive, and Orchard Cottage 18 The Crescent, Nettleham summarised as follows:

- This is typical of builder getting onto a site then flexing their wings.
- Nettleham was a village, now the Council are allowing any building if the builder mentions social housing.
- Loss of property value due to this development but Council Tax remains the same.
- Ridge and furrow earthworks have been lost on the existing development. The developer should be made to make good, not tarmac them over.
- Does the Council exist for the people of the builder?
- More houses on the edge of the village, pressure on village amenities which are not coping now.
- Roads cannot cope with more traffic and roads into the village are dangerous.
- There is already another development on Scothern Road which will increase traffic.
- It is time to say enough is enough to these greedy developers.

He stated that these objections did not alter the recommendation.

The Chairman invited the first speaker to address the Committee.

Councillor John Evans, of Nettleham Parish Council, made the following statement.

“The Parish Council **strongly objects** to this application and respectfully requests that the committee should refuse this application 141032 for 7 homes off Deepdale Lane on the following grounds:

1. It does not comply with the design policies or standards as per D-6 of the adopted Neighbourhood Plan. Nettleham Neighbourhood Plan D-6 (supported by LP26) clearly states that new housing developments should recognize and reinforce the local character in terms of height, scale, density, spacing, layout orientation, features, and materials.

The Nettleham Neighbourhood Plan identifies the typical max density as 20 homes per Ha for housing developments. This is reflected in the adjacent housing development for 50

homes currently being completed by Larkfleet/Allison Homes. This proposal seeks to roughly double that housing density leading to an inappropriate urban density in a rural village setting.

The design and access statement seeks to justify this high density by comparing this housing density to that of the nearby sheltered accommodation. This offers apartment style accommodation for older people, plus some older persons bungalows. It would therefore be totally inappropriate and invalid point of comparison for a housing development such as this.

The proposed high density design is totally at odds with what has been built on the rest of the housing development on opposite side of the road, where garages and front gardens are provided.

2. Car parking provision has been made on hard standings on land at the front of the houses, which would normally be front gardens. This is a sensitive visual area on the left-hand side of a right hand bend on the principle estate road near the entrance to the estate.

The location on a bend on the principal estate road also requires consideration from a road safety perspective as cars parked at the locations could obstruct views of young children from drivers using the principle estate road.

3. Nettleham Neighbourhood Plan policy D-3 states very specific minimum parking requirements to avoid parking clutter. Parking across footpaths is frequently seen on many new housing developments where insufficient parking provision has been made.

The requirements of D-3 have not been met here for the 3 and 4 bed properties.

There is no conflict here between Nettleham Neighbourhood Plan D-3 and LP13, as LP13 specifically does not allocate spaces, the CLLP states:

"4.7.11 It is not proposed to set specific parking standards within this Local Plan but rather to allow for each proposal to be considered on a case by case basis".

Reference has been made to LCC highways guidance but this is not a strategic policy.

The parking standards in D-3 are part of the character of Nettleham's estates and should be respected in any planning considerations.

This application fails to comply with the adopted Nettleham Neighbourhood Plan in character, density, design and parking provision and we respectfully request that the application is rejected."

The second speaker, Mr Mark Mann, applicant, was then invited to speak.

Mr Mann explained this this scheme was on an allocated site and therefore the principle of development was already accepted both in the Neighbourhood Plan and the Local Plan. The scheme was very similar in design and materials to those houses in phase 1 of the development and the house types were similar as well. The houses were to be slightly smaller as it was part of an affordable housing scheme and it was also slightly higher density, however this was allowed for in the Local Plan. He highlighted that there was a requirement for affordable homes in the district and this development would contribute to the number of affordable houses. In respect to concerns about car-parking issues, there would be parking spaces rather than garages and each home would have rear garden space as

well. The provision of bungalows was additional and he stated that the proposed development did comply with the Neighbourhood Plan, the Local Plan and the NPPF. He thanked the Chairman for his time.

The Chairman then requested that the third registered speaker address the Committee.

Sally Lidbury, speaking in opposition to the development, made the following statement.

“The points raised in the previous application in relation to the ecological impact and green space still stand. Furthermore, this application replies on infrastructure within 140938.

Traffic & Parking

The planning officer's report states that 'it is not considered that there would be an unacceptable impact on parking or highway safety'. We do not believe this reflects the safety concerns of residents.

Deepdale Lane is a busy access road to the village. It also provides the main access to the Lincolnshire Police and Fire Headquarters. Additional dwellings would bring further traffic to this busy road. A speeding issue has already been identified, with the recent installation of an automatic speed safety road sign. This issue is not referred to within the planning officer's report.

Baker Drive has one narrow access and egress point. There are two points on the road through the development (Baker Drive) where cars struggle to pass. With extra cars this will cause even more congestion and potentially a risk to safety.

There is a significant lack of roadside parking available on the proposed development, given the density of dwellings. This could result in parked vehicles spilling onto Baker Drive, creating a hazard. Given the width of the road, vehicles would also need to park on the pavement to ensure road users could pass. This could impact on pedestrian access to pavements. We know of a number of existing residents who require wheelchair access.

Furthermore, we would like to draw your attention to the poor condition Baker Drive has been left in at various points over the last few months. The mud left on the road by the developer has caused a safety concern for both drivers and pedestrians. Keeping the site safe has also been an on-going concern, with it being left open and unlocked during working hours.

We feel these points should be given further consideration on the grounds of safety. Furthermore, within in the transport statement, there is no mention of the current or planned housing development within the village. We feel this should be taken in consideration.

The Land

The planning officers report states that the site is currently being used as a mix of fenced off overgrown land and the construction compound for the adjacent estate development. We would like to make the point that this land has been used by both Lindum and Larkfleet as their site storage areas. We were told prior to purchase, that once building works were completed, the land would be returned to farm land as per their advertising material. It should not be considered as 'overgrown land' for the purposes of this application.

Amenity Space and Storage

Policy D-6 of the NNP states that new developments should provide sufficient external amenity space, refuse and recycling storage facilities and car parking. It goes on to say that the appearance and location of such features should be considered to ensure that they are well integrated into development proposals and form part of a cohesive and visually appealing environment. We feel insufficient weight has been given to this aspect.

In the planning officer's report refers to 'the frontage parking arrangement is perhaps the most conspicuous element of the proposal given it forms a bank of parking on a bend in the road'. As residents living on this street, we feel this does not reflect the current appearance.

In addition to this, we wonder where utility bins will be stored? Given the size of gardens and limited access to the rear, will they be stored in front of the dwellings? This again would not reflect the design or appearance of our street. We feel this point has been given sufficient weight.

Well-being

We feel there has been a lack of consideration to those living in phase 1, who were incidentally told by the same developer, that the land would not be developed! It should also be noted that those residents who occupy the over 55's accommodation adjacent to the site are deeply concerned about the impact this proposed development would have on their health and well-being. We do not feel sufficient weight has been given to these points.

Additional Considerations:

Whilst we appreciate the following is not a material consideration, we feel it is right to bring to your attention the complete lack of transparency demonstrated by the developer.

As residents we were sold our properties with the understanding that the land would remain undeveloped and would be farmland in line with the Nettleham Neighbourhood Plan. This information was provided through all marketing materials issued, site plans through our solicitors and via all sales representatives that have worked in the marketing suite. To date none of this information has been changed/updated to reflect the proposed 'Phase 2' and is showing this area as 'Farmland'.

The Chairman thanked all speakers and noted that the final speaker, Councillor Giles McNeill, had rescinded his request to speak. The Officer highlighted that, in relation to comments around vehicle access, condition three did ensure vehicle and pedestrian access to the bungalows.

A Member of the Committee commented on the lack of provision of garages however the Legal Advisor highlighted that often housing of this nature did not come with garages and it was not a mandatory element of affordable housing development. In addition, the designs and materials proposed were in line with the existing development.

The Officer recommendation was proposed, followed by a second proposal to refuse the application. This was not seconded.

A Committee Member commented that the site was allocated and the design and materials did match existing developments and so seconded the proposal for the Officer recommendation. On taking the vote, it was agreed that planning permission be **GRANTED**

subject to the conditions as detailed below and that final details of the s106 agreement be delegated to Officers.

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

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

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

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

2. No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include;

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

3. No development of plots 29-30 hereby permitted, as depicted on drawing L162-NET-RLP-02 rev.A, shall take place unless planning permission has been subsequently given, to enable vehicular and pedestrian access to connect the dwellings to the public highway.

Reason: Access to these plots is reliant upon planning permission being granted for access across land outside of the application site. It is considered necessary therefore, that no development of the plots take place unless adequate access is secured, in order to accord with policy LP13 of the Central Lincolnshire Local Plan; and policies D-1, D-2 and H-5 of the Nettleham Neighbourhood Plan.

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

4. 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 details shown on the approved plans:

1501-P-203
L000/2224/A/DS
L000/2324/A/DS
L000/2434/A/DS
L162-NET2-LOCATION-02 Rev B
L162-NET-RLP-02 Rev A

and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

5. No development other than to foundation level shall take place until full details of foul and surface water drainage has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with policy LP14 of the Central Lincolnshire Local Plan.

6. No development other than foundation level shall take place until details of external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the NPPF and Policies LP17 and LP26 of the Central Lincolnshire Local Plan and D-6 of the Nettleham Neighbourhood Plan.

7. Prior to its first use details of the field access track within eastern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. This shall include measures to prevent use by vehicles other than farm vehicles. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

8. Demolition and/or Construction works shall only be carried out between the hours of 07:00 and 19:00 on Mondays to Fridays; and between 08:00 and 13:00 on Saturdays, with no demolition and/or construction works on Sundays and Bank Holidays unless specifically agreed in writing by the local planning authority beforehand.

Reason: To ensure appropriate mitigation for the impact on residential amenity caused by the construction phases of the development and to accord with policy LP26 of the Central Lincolnshire Local Plan

9. Prior to occupation, a scheme of landscaping including details of the size, species and

position or density of all trees to be planted, fencing and walling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with policy LP17 of the Central Lincolnshire Local Plan.

10. The development shall be carried out in accordance with the submitted flood risk assessment dated March 2020 by Millward Consulting Engineers. Any mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to people and property in accordance with policy LP14 of the Central Lincolnshire Local Plan and policy D-4 of the Nettleham Neighbourhood Plan

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

11. The bungalows shall be occupied by people aged 55 years and over.

Reason: In recognition of the terms of the planning application and in accordance with Policy LP10 and LP12 of the Central Lincolnshire Local Plan and H3 of the Nettleham Neighbourhood Plan.

12. None of the dwellings hereby permitted shall be occupied, unless the vehicular and pedestrian access serving it has been completed.

Reason: To ensure adequate access is secured, in order to accord with policy LP13 of the Central Lincolnshire Local Plan; and policies D-1, D-2 and H-5 of the Nettleham Neighbourhood Plan.

34 140754 - PLANNING APPLICATION FOR ERECTION OF 2NO. ADDITIONAL POULTRY BUILDINGS AND ASSOCIATED INFRASTRUCTURE. LAND OFF GULHAM ROAD, NORTH OWERSBY

The Chairman introduced the next planning application, number 140754 application for erection of 2no. additional poultry buildings and associated infrastructure. Land off Gulham Road, North Owersby. He requested the Officer introduction who stated there was one update to the report for an additional condition to be attached. The previous units had to adhere to a Heavy Goods Vehicle Management Plan and this condition was to ensure any new units also needed to comply with that plan.

The Chairman invited the one registered speaker, Mr Alec Mercer, applicant, to address the Committee.

Mr Mercer stated that the application sought permission to expand existing poultry farming on the land. He explained the business had been operation since 2018. He noted there were no objections from the statutory consultees and the site itself was in a good location in

operation terms. It was in a remote location, well away from neighbours and settlements. He explained that most objections had been regarding the highways impact of the development, however, all commercial vehicles using the site had designated access via the A631. He detailed the route to the site and noted it was deemed to be the least impactful of any possible entry routes. He explained that he had invested over £100k in improvements to the road network which had been in agreement with the Highways Authority. This included passing places, junction improvements and some resurfacing works. Prior to submitting the current application, advice had been sought from the Highways Authority who agreed that the increase in scale of the development was acceptable, subject to the developer agreeing further improvements to the highway, in the form of increased passing places and localised road widening along the route to the site. These further improvements had been agreed. He highlighted that the majority of farming work occurred in rural locations with only single road access, the situation of this enterprise was no different. He addressed other objections received, such as concerns over odours, however they had strict environmental controls in place for odours and other emissions and the site had never received any complaints against them in the time they had been operational. Environmental Health Officers had thoroughly scrutinised the application and offered no objections to the scheme. He requested that the Officer recommendation be followed and for the expansion of the business to be supported.

The Chairman thanked Mr Mercer and, with no further comment from the Officer, invited comments from the Committee Members.

Members of the Committee praised how the developer had worked with highways to alleviate previously raised concerns and noted there had been no complaints raised against the business. A Member commented that it was disturbing to see chickens in sheds such as these, however, having been moved, seconded and with a majority vote it was agreed that planning permission be **GRANTED** subject to the following conditions:

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

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

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

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

2. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- 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;

- provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and 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.

No building 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 that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development and in accordance with policy LP 14 of the Central Lincolnshire Local Plan.

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

3. The development hereby approved shall be carried out in accordance with the following drawings:

Location Plan IP/MF/02 date March 20; Proposed Site Plan IP/MF/03 date Jan 20; Proposed Elevation and Floor Plans IP/MF/04 date Jan 20

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 in the interests of proper planning.

4. Work shall be carried out on the site in accordance with the “recommendation for mitigations and further survey work” of the Ecological Appraisal prepared by Craig Emms and Dr Linda Barnett dated January 2020.

A plan or other information showing the positions of the hedgehog boxes ; bird and bat boxes placed on the site in accordance with part of these recommendations must be submitted to the Local Planning Authority for approval in writing prior to bringing the hereby approved buildings into use.

Reason: In the interests of biodiversity in accordance with policy LP 21 of the Central Lincolnshire Local Plan.

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

5 No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of a scheme of highway improvements in accordance with Dwg. No. 15382-05, 15382-06A and 15382- 09 have been submitted to, approved and **certified complete** by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the approved development in accordance with policy LP13 of the Central Lincolnshire Local Plan.

6. No part of the development hereby permitted shall be occupied until an odour and manure management plan has been submitted to and approved in writing by the Local Planning Authority. The details agreed shall be implemented in full for the duration of use of the approved poultry units.

Reason: In the interests of the amenities of neighbouring dwellings in accordance with policy LP 26 of the Central Lincolnshire Local Plan.

7. No part of the development hereby permitted shall be occupied before the Landscaping Scheme shown on plan IPA20826 11A prepared by ACD Environmental dated September 2016 previously submitted on the applicants behalf with the reference 136306 **or** a scheme first submitted to and approved in writing by the local planning authority has been **confirmed in writing as complete** by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, to ensure that a landscaping scheme to enhance the development and to provide increased opportunities for biodiversity on the site is provided in accordance with Policies LP 21 and LP26 of the Central Lincolnshire Local Plan.

8. The hereby approved units shall be operated in “Compliance with the Code of Good Agricultural Practice for reducing ammonia emissions (Published by the Department for Environment, Food and Rural Affairs 2018)”

Reason: As mitigation recommended by Natural England without which the development would damage or destroy the interest features for which Kingerby Beck Meadows and Normanby Meadow Sites of Special Scientific Interest have been notified and in accordance with policy LP 21 of the Central Lincolnshire Local Plan.

9. The hereby approved units shall be operated in accordance with the Heavy Goods Vehicle Management Plan approved on 28th January 2018 with the reference 136306.

Reason: In the interests of the highway safety and the amenities of neighbouring dwellings in accordance with policies LP13 and LP26 of the Central Lincolnshire Local Plan.

Note: The meeting adjourned at 8:22pm

35 141128 - PLANNING APPLICATION TO DEMOLISH EXISTING MAIN BUILDING AND REPLACE WITH 1NO. DWELLING INCLUDING LANDSCAPING, ANCILLARY WORKS AND INSTALLATION OF SOLAR PANELS TO EXISTING GARAGE. "LAND ADJ", 19 BROOK STREET,HEMSWELL

Note: The meeting reconvened at 8:30pm and a full roll call confirmed all Members present.

The Chairman introduced the next application of the evening, application number 141128 to demolish existing main building and replace with 1no. dwelling including landscaping, ancillary works and installation of solar panels to existing garage on land adjacent to 19 Brook Street, Hemswell. The Development Management Officer explained there had been one further response from the Lincolnshire Bat Group who would endorse the recommendations in section 4.2 of the survey.

The Chairman invited the only registered speaker to address the Committee.

My Andrew Ryley, agent for the applicant, made the following statement.

"I am Andrew Ryley, Director of Planning a DLBP, and I am instructed by the applicant Alan Morris to address you this evening.

I want to start first by saying that Mr Morris is not a property developer. He is now retired, having been an engineer who ran his own business in the north east. Mr Morris and his wife would like to settle down in this area to be near their sons and grandchildren who have moved to Lincolnshire.

Mr Morris bought this property in the knowledge that it had planning permission to be converted into a family dwelling, and this was his intention. But before commissioning builders to start work, he instructed a Structural Engineer to survey the property.

The Structural Engineer's report confirms unequivocally that the building is in a significant state of disrepair and is not structurally sound and capable of being converted. The conclusions of the report are clear that demolition of the existing building is the only option for it.

This conclusion is shared by the Council's own building control officer, Mr Rob Berry, who visited the site earlier this year and inspected the inside of the building. He advised Mr Morris that, and I quote: "the existing building is in a very bad state of repair and the best option for you would be the take it down and rebuild it."

We acknowledge that the Conservation Officer has raised concerns with the demolition of the building. However, it is important to consider that the building is not statutorily listed by Historic England. Rather, it is a non-designated heritage asset and whilst this is still important, it is the lowest level of heritage protection.

The site is in the Hemswell Conservation Area. This does not mean that it is inherently inappropriate to seek to demolish an existing building within it. The key is whether the proposed development, including the replacement building, enhances or preserves the character and appearance of the area.

Preservation does not equate to automatic retention, as one must consider what is proposed in its place. Mr Morris' proposal is for a modest replacement building. It will be smaller in terms of footprint than the consented scheme, and will be lower in height than the adjacent building at 19 Brook Street. The proposal is to use reclaimed Ancaster stone - sourced from the existing building - and heritage clay pan tiles. The new building will enhance the streetscene, especially in the context of the large modern development on the adjacent plot at 17 Brook Street, and also the modern garage that has been built in place of the demolished shoe house.

The 1985 Conservation Area Appraisal identifies the key features of Brook Street as being: "dominated by more natural features including the stud paddocks, the stone property walls, the wide grass verge and the fine trees and hedgerows". Our proposal will not result in any loss or harm to the features that the Appraisal identifies as being important. Rather, the scheme will preserve the character and appearance of the conservation area.

As you are aware, a neighbourhood plan is being prepared for the area. The Government consistently highlights the importance of neighbourhood planning, with the Planning Practice Guidance saying that: "...such plans can put in place policies that will grant planning permission for the development local people want to see." Policy 8 of the Hemswell Neighbourhood Plan states: "Planning Permission will be supported for the redevelopment - I repeat, redevelopment - of one dwelling on the site." The neighbourhood plan goes on to say that: "The site scored 'Green' in the AECOM site assessment report and was very well received by the local residents during the public consultation events in 2018. 36 out of 36 local residents voted yes to seeing a sympathetic redevelopment and restoration of the site."

In response to the public consultation carried out by the Council for the current application, not one single objection has been made by residents of Hemswell. Rather, the one representation that has been made is from the resident that lives closest and supports the redevelopment proposed. Ward councillor Howitt-Cowan has stated in his consultation response that the decision is a finely balanced one, implying that it is equally appropriate that permission could be refused or be granted.

In our view, the proposed scheme is wholly in accordance with the policies of the development plan in terms of LP4, residential amenity, highway safety, ecology, landscape and sustainability - and that is a position the planning officer agrees with as set out in the report before you - and also we say with the Council's heritage policy. The scheme is planning policy compliant and the neighbourhood plan allocation is a material consideration that weighs strongly in support of the scheme, such that the balance falls firmly in favour of granting permission in our view.

I hope you agree with this contention and grant planning permission this evening. However, we do recognise that this is a professional judgement informed by one's own subjective view on the design of the scheme. Mr Morris has been and remains very open to any suggestions for improvements to the design of the scheme, be it the type of windows, location within the site etc, and so if councillors were minded to defer making a decision to enable those discussions to take place, we would be very happy to undertake such discussions. Thank you."

The Chairman thanked Mr Ryley and enquired if there was any further Officer comment. It

was highlighted that Building Control were not a statutory consultee and did not give planning advice.

Note: Councillor J. Milne stated to the Chairman she had lost internet connection for a period of time and as such would not partake in discussions of the vote.

Members of the Committee sought clarification as to which of the buildings in the shown photographs was to be demolished and there was overall consternation that the building had been left to fall into such a state of disrepair. It was suggested that there could be some level of amendment to the design, for example to retain the front elevation or incorporate elements of the building that were salvageable rather than simply demolishing the entire building. The Officer reiterated that no other alternative had been considered aside from the proposal being considered presently.

A Member of Committee proposed that the application be deferred, in order for further discussions to take place with the applicant to look at what of the existing building could be retained in the new design. This was duly seconded. The Chairman suggested that the decision could be delegated to Officers if such discussions came up with a proposal which could be agreed. That was not to say the application would not return to Committee, but that if there was an agreeable design and proposal it was not required to return to Committee.

With these details clarified and voted upon, it was agreed that the application be **DEFERRED** for further discussion regarding design and retention of the original building [or elements of].

36 139840 - APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR 60NO. DWELLINGS, CONSIDERING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, FOLLOWING OUTLINE PERMISSION 136309 GRANTED 12TH DECEMBER 2018. LAND OFF WILLINGHAM ROAD, LEA

The final application of the night was introduced for consideration. Application number 139840 for approval of reserved matters for 60no. dwellings, considering appearance, landscaping, layout and scale, following outline permission 136309 granted 12 December 2018, on land off Willingham Road, Lea. The Senior Development Management Officer explained there had been a request for the application to be referred to the Secretary of State, therefore, any decision the Committee made would be subject to further consideration by the Secretary of State. He also advised the removal draft recommended conditions three and four as these would be covered by conditions on the outline permission. A new condition was additionally recommended following the submission of new information. This recommended condition was:

- The development must be completed in strict accordance with the Precautionary Method of Works document by RammSanderson and the Amphibian Management Plan by RammSanderson including enhancement plan RSE_4126_Figure. All the enhancement measures must be retained as such thereafter.

Reason: In the interests of protecting and enhancing biodiversity to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire

Local Plan 2012-2036.

The Chairman invited the first speaker to address the Committee.

Mr Frank Powell, objector, made the following statement.

“Firstly, I would like to thank WLDC for allowing me to address the planning committee. Secondly, in order to provide credence to my statement I am a retired naval officer of some 45 years service, having had command of two submarines. I therefore have considerable experience and knowledge concerning flowing water, pipes and pump capacities.

There are numerous serious issues with this planning application, one of which is the current sewage system and the potential for the developer to connect into it.

The current Lea village sewage system was laid down some 80 to 100 years ago. The southern section which passes beneath my property, the Old Schoolhouse, consists of a 150mm (6 inch) pipe. There are currently 80 homes connected into this pipeline. The pipe is always full to 2/3 capacity by a continuous flow of water which is designed to keep the sewage flowing to avoid blockages. During heavy rainfall the sewage system is overload owing to some of the 80 homes having their surface water diverted to the sewage system.

In 2000, 2012, 2013 & 2014 my property was flooded with sewage. Severn Trent has now bolted down the various manholes on my property to stop further flooding, but this is only a temporary measure. However, the manhole adjacent to my property in Gainsborough Road Lea now lifts and floods the road with sewage during heavy rainfalls. This is a regular occurrence and on 5 occasions during the past 18 months flooded Gainsborough Road Lea with sewage.

The risk assessment report by Severn Trent plc contained the impact advice on conducting development on the proposed site as – sewage flooding, **high risk**, sewage pumping station, **high risk** and the capacity of the sewage treatment works to accommodate sewage flows from additional properties was of serious concern.

The report also stated that capacity improvements are required to accommodate flows from the proposed site. In my experience this would require an update to the complete system, including increased diameter piping from the development site and through the 6 properties that the system passes through and upgraded pumps.

It is my professional opinion that the cost of this upgrade would be beyond the financial capability of the developer and that Severn Trent would have difficulty in financing the upgrade.

In summary, the current sewage system is already overloaded and connection by the developer of an additional 60 homes would be unacceptable, would not meet LP14 flood risk requirements and cause serious sewage flooding and a health and safety issue.

Full planning approval on just this issue should therefore not be approved.

Thank you for your time.”

The second speaker was invited to address the Committee. Mr Robin Heppenstall made the following statement

“Good evening. On 23rd June Lea P.C. wrote to the Planning Officer strongly objecting to this development because it did not comply with the Lea NDP. I support that.

For example, the indicative plan showed 2 bungalows adjacent to my boundary, even then described by the Planning officer as creating a significant loss of amenity.

The present site drawing shows 3 bungalows and 1 house –the mere presence of the house is non-compliant with the NDP – a continuous line of building 45m long against my boundary of 50m, at a closest distance of 6.5m. – **not** 11m as the officer’s report.

The loss will now be considerably more significant, in complete disregard of Policy 1a of the NDP.

The application still lacks a coherent Landscape Management Plan; the present one is described by WL’s Tree and Landscape officer as very poor and unacceptable.

The Officer’s report says that the applicant is creating a more comprehensive document. Frequent reminders over 20 months have failed to produce it, so why should we believe he will produce it now?

This is an area of Great Landscape Value and landscape management is essential; approval should not be given until a real – not a mythical – document is produced and approved by the P C.

Severn-Trent has assessed the sewage system downstream of the site as inadequate needing capacity improvements.

Surely, permission should not be given to connect houses to a known inadequate system with the consequence of discharging raw sewage downstream.

Assurances from ST are not enough; you are all too well aware of changes and cuts to budgets. No approval should be given to this application until the improvement works have actually started.

Paragraph 083 of the NPPF states; where a planning application conflicts with an up-to-date neighbourhood plan permission should not usually be granted.

So. Approval

goes against the NPPF

disregards residents’ hard work developing the NP.

creates a precedent that could be used against you by other applicants

I ask you to support the PC’s rejection of the application.”

The Chairman thanked Mr Powell and Mr Heppenstall and invited Councillor J. Milne, Ward Member for Lea to speak.

Councillor Milne made the following statement

“I was against this application the first time and I even more so having read the application before the committee this evening, how can an incomplete be put before the committee for approval?.

From the start Ripon homes have handled the communication with the residents of Lea Village very badly, at the last minute some of the villagers were given a leaflet to advise of a meeting to be held in the village hall (this is the first time as the ward member I was not invited to such an event). Ripon homes were evasive and reluctant to answer questions, no display boards all the cards were in a pile on the table, those residents who are going to be most affected were told Ripon Homes would visit each homeowner, this hasn't happened.

1. There are a number of issues with this application not least Flooding, I am not assured that this problem has been resolved there is not anyway the present sewage and waste water system Will be able to cope, any amount of extra water at the moment causes flooding at the bottom of Lea with sewage overflowing on to the road and into homes. This has not been resolved, and retention ponds will not work. The sewage pumping system is already unable to cope.

We all know the major impact global warming is having on our weather.

2. The properties appear to be quite small with the 4 beds having little parking space, in fact none of the houses have enough space for parking, the entrance and exit from the site comes out opposite another entrance and at the top of an incline, an accident waiting to happen. And definitely not well thought out.

3. The fencing especially which does not do anything to improve to or enhance the look of the village and is inadequate where the pond is, there are not any details about the green spaces trees etc how will these be attended too, what about the great crested newts, when west Lindsey had to do a survey before building the Crematorium 85 great crested newts were found, apparently they have all disappeared according to this survey. LP17 applies Area of Great Landscape value, significant harm will be caused to the church which sits high on the hill and will overlook this site, none of the proposed houses have any distinctive features they are almost the same throughout and less homes are planned but an increase in the size meaning more cars sewage run off surface water nothing like the ones promised, plus more children to an already overflowing school and only 2 doctors surgeries, also what impact will this have on the woods which are an haven for all types of wildlife. This application gives the impression of a piece meal attempt at an housing estate with little thought or care.

4. Lea village plan has not been taken into account.”

Note: Councillor J. Milne stepped down from Committee for the duration of this item.

The Chairman thanked all speakers and invited any comments from the Officer. He noted that it had been conditioned for there to be further information about surface water and foul drainage, capacity and percolation tests. He also confirmed there would be a landscape management plan. The biodiversity plan was still awaited.

A Member of Committee enquired whether the Neighbourhood Plan had been in place at the time the outline application was put forward and this was confirmed to be the case. There was also a question regarding the distance of boundary for No 10 that would be adjacent to

a two storey house and this was confirmed to be 4m out of the 50m boundary line. It was also highlighted that this was a reserved matters application and that the pre-commencement conditions would need to be proven prior to development commencing.

A member of the committee commented on adding an obscure glazing condition for the first floor windows of the two storey dwelling which shared the rear boundary of 10 Willingham Road. The Senior Development Officer advised the committee that a condition of this nature would not be reasonable or necessary therefore would not meet the six conditions test

With no further discussion the Officer recommendation was moved and seconded, and on being voted upon, it was agreed that approval of reserve matters be **GRANTED** subject to the following conditions

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

NONE

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

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 must be carried out in accordance with the following proposed drawings:

- 197.24.01 Rev H dated 14th July 2020 – Site Layout Plan
- 197.24.04 Rev E dated 25th June 2020 – Materials Layout
- 194.24.02 Rev F dated 25th June 2020 – Landscaping Plan
- 197.24.35 dated May 2020 – Vehicle Tracking
- 197.24.25 dated January 2019 - Highway Construction Details
- 197.24.34 dated January 2019 – Highway Construction Details (Sheet 2)
- 197.24.27 Rev C dated 25th June 2020 – Kerbing Layout
- 197.24.21 Rev C dated 17th June 2020 – Sewer Layout
- 197.24.20 Rev D dated 25th June 2020 – Highway Layout
- 197.24.26 dated January 2019 – Adoptable Drainage Details
- 197.24.28 dated January 2019 – Outfall Details

Elevation and Floor Plans (unless stated all dated September 2018)

- 197.24.300 – Haselmere (3B14V)
- 197.24.301 – Salisbury (3B16)
- 197.24.302 – Foxton (3D6)
- 197.24.303 – Bakewell (3D7)
- 197.24.304 – Cranmore (3D8)
- 197.24.305 – Romsey (3S27G)
- 197.24.306 – Richmond (4D20)

- 197.24.307 – Richmond (4D20G)
- 197.24.308 – Winsor (4D36G)
- 197.24.309 – Winsor (4D36S)
- 197.24.310 – Woodford (4D44X)
- 197.24.311 – Newton (4D50)
- 197.24.312 dated September 2017 – L2
- 197.24.313 dated September 2014 – L3

The works must 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, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 1, policy 3 and policy 4 of the Lea Neighbourhood Plan.

2. No occupation of each individual dwellings must take place until its individual driveway or parking space(s) has been completed in accordance with site layout plan 197.24.01 Rev H dated 14th July 2020 and retained for that use thereafter.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework, local policies LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 1 of the Lea Neighbourhood Plan.

3. No occupation must take place until details of the type and position (including a plan) of bat boxes has been submitted to and approved in writing by the Local Planning Authority. The approved must bat boxes must be retained thereafter.

Reason: In the interest of nature to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

4. Apart from bat boxes described in condition 3 of this permission the development must be completed in accordance with all the recommendations set out in the submitted ecological appraisals and great crested newt surveys.

Reason: In the interest of biodiversity to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

5. The development must be completed in accordance with the materials layout plan 197.24.04 Rev E dated 25th June 2020.

Reason: To safeguard the character and appearance of the site, the area and the area of great landscape value and to ensure the proposal uses materials and components that have a low environmental impact to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 1 and 4 of the Lea Neighbourhood Plan.

6. As identified on site 197.24.01 Rev H dated 14th July 2020 dwelling type L2 and L3 must be completed to accord with standard M4(2) of the Building Regulations (access to and

use of buildings) and retained as such thereafter.

Reason: To accord with the policy requirement to comply with the 30% M4(2) standard to accord with the National Planning Policy Framework and local policy LP10 of the Central Lincolnshire Local Plan 2012-2036.

7. Any dwelling with a driveway fronting a garage which has a length of less than 6m will must have a garage with a vertically opening garage door and retained thereafter.

Reason: To ensure best use of the applicable driveways by ensuring they are not hindered by the opening method of the garage doors to accord with the National Planning Policy Framework, local policy LP13 of the Central Lincolnshire Local Plan 2012-2036 and policy 1 of the Lea Neighbourhood Plan.

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

NONE

37 DETERMINATION OF APPEALS

The outcomes of the recent appeal decisions were noted.

The meeting concluded at 9.34 pm.

Chairman

Agenda Item 6a

141174- Site Location Plan



Officers Report

Planning Application No: 141174

PROPOSAL: Planning application for erection of 1 no. dwelling

LOCATION: Land between Hawthorne Close and Elizabeth Close Glentworth Gainsborough DN21 5ED

WARD: Hemswell

WARD MEMBER(S): Cllr P Howitt-Cowan

APPLICANT NAME: Mr A Rashid

TARGET DECISION DATE: 03/08/2020 (Extension of time agreed until 17th September 2020)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant permission with conditions

This application has been referred to the planning committee following representations from the Ward Member and neighbours relating to planning matters, and the Parish Council who consider that the application proposes development that would be contrary to the Glentworth Neighbourhood Plan.

Description:

The application site is a piece of undeveloped land within the defined settlement of Glentworth. The site is approximately 0.1 ha and is grassed with trees and shrubbery predominantly to the north. There is also an existing permissive footpath that runs through the site and connects Hawthorn Close to Elizabeth Close, this footpath is a registered Asset of Community Value.

The application seeks permission to erect one dwelling.

Relevant history:

139161- Outline planning application to erect 1 no. dwelling - all matters reserved. Withdrawn by applicant 17/06/2019.

Representations:

Cllr P Howitt-Cowan: I attended a virtual meeting of Glentworth Parish Council last evening when this particular planning application was discussed I am minded to request that this controversial PA goes to the Planning Committee.

Glentworth Parish Council (In Summary):

Glentworth Parish Council (GPC) wishes to lodge a formal OBJECTION to this planning application and requests that the West Lindsey Planning Authority refuses consent. We have 3 principle reasons for our objection, which are summarised below and then explained in more detail:

1. We believe the Application is contrary to the CLLP, specifically Local Plan Policy 23 in relation to Local Green Space, in the context of a previous Planning Consent and conditions applied thereon;

2. We believe the Application is contrary to the principles of the Glentworth Neighbourhood Plan (GNP), specifically Objectives 1, 2 and 3, Policy 2;

3. We believe the development on this site as proposed is inappropriate in its scale, massing and design and therefore contrary to Policy 3 of the GNP. Given the nature of our objections we would request that this application is considered by the full Planning Committee in the event that the officer recommendation should be to grant consent.

Local residents:

Objections received from 10 and 15 Hawthorne Close, Glentworth. 2 and 11 Church Street Glentworth and 12 Kexby Road Glentworth, 21A Church Road Stow (seeking to purchase 16 Hawthorne Close).

In summary the comments are as follows:

- The dwelling will directly overlook and overshadow no.16;
- The development would have an adverse impact on the amenities of the properties by overlooking, loss of privacy and overbearing impact;
- Not of a similar design to the surrounding houses;
- The materials are not in keeping with the rest of the estate;
- The fencing is not appropriate, all other houses within the estate have walls;
- There are regular bat sightings within the area;
- The trees should not be removed;
- The previous permission referred to certain hedgerows and trees being retained;
- The original decision for the Hawthorne Close estate included a condition that 5% of the land would be used for public open space;
- The condition means that the public space must remain;
- The location of the new footpath is in a dangerous position;
- Drainage issues, located close to a sewerage pipe that serves the nearby waste treatment plant;
- Glentworth doesn't need more housing;
- Construction hours should be limited as to not disturb neighbours or nearby businesses ran from home;
- Details of the maintenance of the footpath should be detailed if permission is granted;
- There is a large water holding tank underneath the site, if the tank needed repair what sort of access to the property would be needed;
- The area is a safe access to the main village especially for children;
- The proposed location of the new footpath will be dangerous;

LCC Highways/Lead Local Flood Authority: No objections. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application. An informative has been suggested.

Archaeology: No representations received to date.

Natural England: No comments to make.

WLDC Tree and Landscape Officer: The willow proposed for removal is a category C tree and as such should not pose a constraint to development. The ash on the easterly side of the plot is to be retained, with its protection details supplied in the Arboricultural Report and the Arboricultural Method Statement (AMS). Encroachment into the Root Protection Area (RPA) of the ash is minimal and would be acceptable, providing the tree protection measures within the Arb documents is adhered to.

With regards to the vegetation along the northerly side of the site, this is proposed to be removed and a new boundary hedgerow to be planted. This would be acceptable, because if the building is constructed any amenity value of the vegetation will be largely hidden behind it, and there are very few public vantage places to the north, such as roads, footpaths, public rights of way, that would be negatively impacted by one more dwelling being visible, particularly as the hedgerow grows to provide low-level screening in addition to the tree just to the north of the building which would also contribute to screening the building.

Lincolnshire Bat Group:

Additional consultation carried out 19th August 2020

23rd July 2020- Thanks for referring this application re the ecological report to Lincs Bat Group. It's a perfectly adequate report. Please note the reference to tree works in paragraphs 5.1 and 5.2 in the Recommendations.

LCC Rights of Way: No representations received to date.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017); the Glentworth Neighbourhood Plan (made 2019); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

<https://www.n-kesteven.gov.uk/central-lincolnshire/>

Relevant policies of the CLLP include:

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

LP10: Meeting Accommodation Needs

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity
LP23: Local Green Space and Important Open Space
LP25: The Historic Environment
LP26: Design and Amenity

- **Glentworth Neighbourhood Plan (NP)**

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/glentworth-neighbourhood-plan/>

The Neighbourhood Plan was formally made on the 4th November 2019. The relevant policies are:

Policy 3: Design and Character of Development
Character Profile

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in February 2019. Paragraph 213 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

- **National Planning Practice Guidance**
- **National Design Guide (2019)**

Other Guidance

Circular 06/2005 Biodiversity and Geological Conservation –
Statutory Obligations and their impact within the Planning System

Main issues

- Principle of development-
Open Space and planning condition
Footpath
- Residential Amenity;
- Character and Visual Impact;
- Ecology;
- Trees;

- Highways;
- Drainage

Assessment:

Principle

The application site is located within the settlement of Glentworth. Glentworth is classed as a Small Village in Policy LP2 of the Central Lincolnshire Local Plan. The Policy LP2 states that proposals in Glentworth will:

Unless otherwise promoted via a neighbourhood plan or through the demonstration of clear community support, the following applies in these settlements:

- *they will accommodate small scale development of a limited nature in appropriate locations***
- *proposals will be considered on their merits but would be limited to around 4 dwellings, or 0.1 hectares per site for employment uses.*

Local Policy LP4 goes on to say that Glentworth has a growth level of 15%. An updated table of remaining growth for housing in medium and small villages has been completed (18th August 2020). There is remaining growth for 3 dwellings.

A sequential test is also applied as part of Policy LP4, with priority given as follows:

1. Brownfield land or infill sites, in appropriate locations, within the developed footprint of the settlement
2. Brownfield sites at the edge of a settlement in appropriate locations
3. Greenfield sites at the edge of a settlement in appropriate locations

The application site is within the built footprint of Glentworth located to the north and east of existing dwellings, the principle of development therefore meets the sequential test and is considered to be an “appropriate location” subject to other material considerations detailed within the following report.

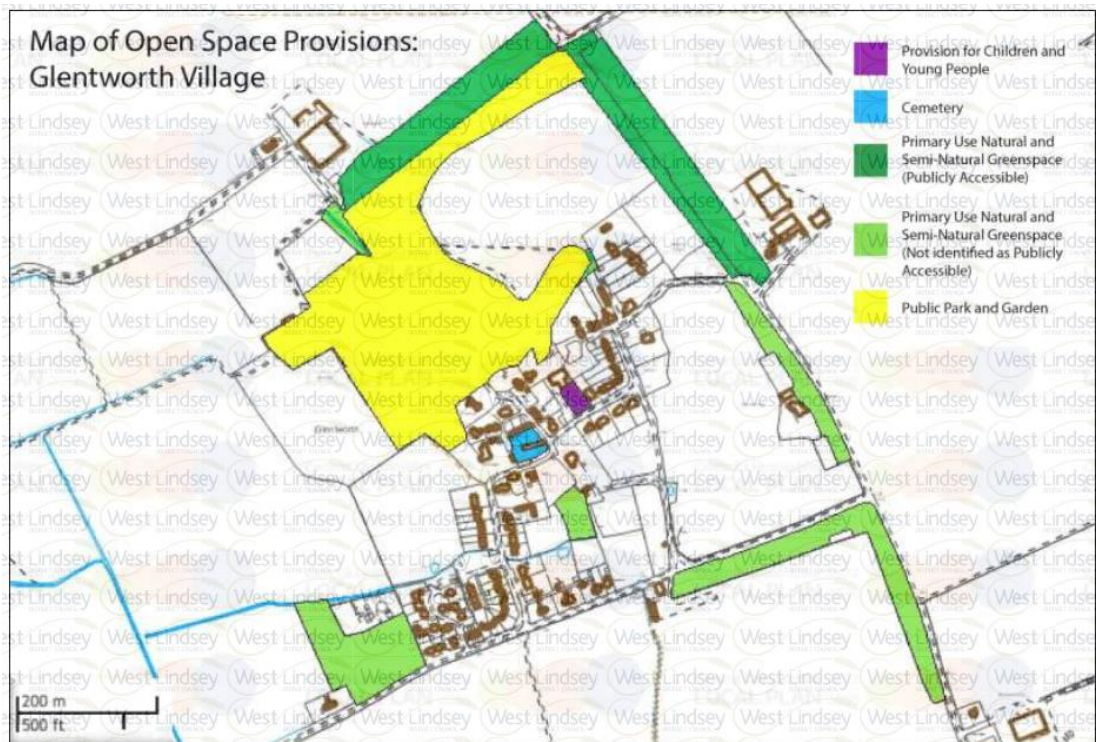
It is considered that policy LP2 and LP4 are consistent with the sustainability and housing growth guidance of the NPPF and can be attached full weight.

Open Space and Planning Condition

Through the consultation period many comments were received in relation to the area being allocated as public open space.

The site is not allocated as open space within the Development Plan. The application site is not an area identified as either local green space or as important open space under Policy LP23 (Local Green Space etc.) of the CLLP. Consequently, policy LP23 is not engaged.

It is not identified as Local Green Space, under Policy 2 (Local Green Space) of the Glentworth Neighbourhood Plan, which specifically designates four parcels of land within the village as local green space. Nor is it identified as “Open Space Provision” under map 4 of the NP:



Map 4 Open Space Provisions: Glentworth Village. Source: Central Lincolnshire Local Plan Interactive Map

The site was however the subject of a planning condition of outline planning permission M00/P/0455, which relates to the development of the Hawthorne Close estate, the condition reads:

15. The areas of public open space shall comprise not less than 5% of the gross area of the application site.

Reason: To ensure the provision of public open space.

A reserved matters application was subsequently submitted under reference M02/P/1111. Condition 1 of this decision stated that;

1. The Development hereby approved shall be carried out only with the amended drawing No. 1721/01 A received on 7 January 2003.

Reason: For the avoidance of doubt and to ensure the development takes the agreed form and thus results in a satisfactory form of development.

The site plan referred to in the above condition showed the application site as POS (public open space).

It may be noted that the Glentworth Character profile for the Hawthorne Close area expressly states that *“There are no public open spaces within the estate. All homes have reasonable size front gardens”*

The above would appear to indicate that the application site was not recognised as public open space, or otherwise for its amenity value, when the neighbourhood made its Neighbourhood Plan.

At the time permission was granted, no legal agreement was employed to secure this area as open space in perpetuity, or any agreement made for its ongoing maintenance. If permission were to be granted this would override the planning condition. It may also be noted that the site is now in private ownership.

Criteria B of Paragraph 100 of the NPPF states that: *The Local Green Space designation should only be used where green space is:(b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife;*

It is recognised that the application site does have some amenity value within the wider context of the Hawthorne Close estate, however the site is not recognised or safeguarded by any policy contained within the Neighbourhood Plan. The site is now within private ownership, and the current owner also has no planning obligation to maintain the area.

Footpath

There is an existing permissive footpath that runs through the site, the footpath is a registered Asset of Community Value by West Lindsey District Council, it must be noted that the grassed area to the north of the footpath is not part of this asset.

However the proposal seeks to retain the footpath by moving it further to the south of the site, enabling members of the public to continue to walk through this area. This is considered to be acceptable and by keeping the footpath the development of the site would not undermine the importance of the registered Asset of Community Value.

Residential Amenity

Local Plan Policy LP26 states that planning permission will be granted for new development provided the proposal will not adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance.

It is proposed to erect a two storey dwelling with an attached single garage with a total height of 7.9 metres to the ridge and 5.1 metres to the eaves. Two storey dwellings adjoin the site to the south and west.

Within any residential built environment a level of overlooking over adjoining properties may occur however, it is important to ensure that no unduly adverse overlooking occurs, to the detriment of amenities presently enjoyed at neighbouring properties, as a result of this proposal.

Concerns have been raised during the consultation period with regard to the overlooking impact, particularly in relation to no.'s 15 and 16 Hawthorne Close. There is a separation distance of approximately 18 metres from the south elevation of the proposed dwelling to the north elevation of no. 16 Hawthorne Close and approximately 15 metres from the west elevation to the shared boundary with 15 Hawthorne Close.

There are facing windows on the north elevation of no. 16, it must also be noted that a line of vegetation is to remain on the southern boundary which will stop any direct views, and no.16 is currently open to views from users of the permissive footpath. It is considered that there will be no unduly harmful impact on the amenity of these neighbouring occupiers.

Concerns from no.15 have been received in relation to the removal of trees along the west boundary which adjoins the boundary with the site. The site plan provided with the application shows that there is to be two trees planted on the western end of the site along with shrubs. There is one first floor window that looks west which serves a bedroom and is located approximately 12 metres away from the shared boundary, it is therefore considered that with this level of overlooking there will be no unduly harmful impact on this neighbour.

Amenity Space

It is also considered that the proposal offers an adequate amount of amenity space for the proposed dwelling.

Overall, the proposal is considered to be acceptable in terms of residential amenity and therefore the proposal accords with policy LP26 of the Central Lincolnshire Local Plan.

It is considered that policy LP26 is consistent with the residential amenity guidance of the NPPF and can be attached full weight.

Character and Visual Impact

Policy LP26 seeks to ensure development respects the existing topography, landscape character and identity, and relates well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths. Policy LP17 seeks to protect and enhance the intrinsic value of our landscape and townscape. Policy 3 of the Glentworth neighbourhood plan states that *“Development proposals will be supported where their design and detailing complement the established character of the village as described in the Neighbourhood Character Profile Report”*.

The Parish Council object on the grounds that the development ‘is inappropriate in its scale, massing and design and therefore contrary to Policy 3 of the GNP’.

The Neighbourhood character profile sets out detailed guidance in relation to the character of Glentworth. The profile provides individual guidance for different areas of the village. Of those areas that relate most to the application site, the profile sets out the following:

Hawthorne Close- “All of the houses were built in early 2000’s as one estate, however each of the houses is different and the styles represent the differing styles in the older part of the village No pavements – the winding cul-de-sac road is block paved.”

Elizabeth Close-“Open with rural views to Elizabethan back of Glentworth Hall over the horses fields”

Taking into account the information contained within the character profile and from visiting the site, it can be concluded that there is a mix of dwelling styles. The application form states that materials are to be 'red brick' and 'brown pantiles'. Given the mix of dwellings in the immediate locality, the design is considered to be appropriate and the proposal will be expected to integrate into the surrounding character. To ensure a high quality finish, final material details should be secured via condition.

A dwelling in this location would give a visual end to the estate whilst not extending any further into the countryside and open fields to the north. It is therefore considered that the siting of a dwelling in this location would not have a harmful impact on the character of the area. New hedge planting is proposed along the northern boundary which will give a soft edge to the adjoining fields to the north.

The proposal is therefore considered to comply with policy 3 of the Glentworth Neighbourhood plan and LP26 and LP17 of the Central Lincolnshire Local Plan.

It is considered that policy LP17 and LP26 are consistent with the design, character and visual amenity guidance (Chapter 12) of the NPPF and can be attached full weight.

Ecology

Policy LP21 of the CLLP states that "*All development should:*

- *protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*
- *minimise impacts on biodiversity and geodiversity; and*
- *seek to deliver a net gain in biodiversity and geodiversity*".

Guidance contained within paragraph 109 of the NPPF states that '*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*'.

Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System advises that it is essential that the presence or otherwise of protected species and the extent to which they might be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision.

Guidance contained within paragraph 118 of the NPPF states that '*when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying*' certain principles including:

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

- *'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats'*
- *'opportunities to incorporate biodiversity in and around developments should be encouraged'*.

A 'Preliminary Ecological Appraisal' by Whitcher Wildlife Ltd. Ecological Consultants has been submitted in support of the application. In response to the preliminary appraisal an additional bat survey was submitted on 18th August.

The results of the surveys are summarised below:

No badger setts or any other badger field signs were identified within the surveyed area. Therefore, the proposed works will have no impact on badgers or their setts.

No water vole field signs such as burrows, droppings or feeding remains were identified on the banks of the watercourse that runs along the northern site boundary. Therefore, the proposed works will have no impact on water voles.

No otter field signs such as holts, spraints or feeding remains were identified along the banks of the watercourse. Therefore, the proposed works will have no impact on otters.

No freshwater white clawed crayfish were identified within the watercourse. The bed of the watercourse is silt and provides very little refugia for the species. Therefore, the proposed works will have no impact on crayfish.

Great Crested Newts / Reptiles

Four ponds and a reservoir with the potential to provide a suitable habitat for great crested newts were identified within 500m of the surveyed area whilst on site and by looking at Ordnance Survey maps of the surrounding area. Two of these ponds were visited during this survey, although the remaining two ponds and the reservoir could not be visited as they lie on private land.

The surveyed area provides low potential for reptiles as the majority of the site is shaded with no suitable basking sites for reptiles. The land to the north provides more suitable habitat.

Due to the low potential presence of great crested newts it is recommended that suitable precautions are put in place, full details of these are contained within the recommendations section of the report.

Bats

The preliminary assessment identified that if vegetation along the north boundary is to be removed as part of the development then an additional survey would be required. A subsequent report was submitted on the 18th August 2020. This report gave the results of a bat dusk emergence survey.

In conclusion the survey found that: *"The bat dusk emergence survey shows low levels of Soprano Pipistrelle bat activity with most bats foraging to the north of the*

site and occasional bats passing through the site. This is low value habitat for foraging and commuting bats.”

The dusk emergence survey identified low levels of Soprano Pipistrelle bat activity, mainly to the north of the G3 group of trees with occasional passes through the site. Therefore, the proposed works will have no impact on foraging and commuting bats as long as precautionary measures are put into place.

In the recommendations section of the report at point 5.1 it states: *“It is recommended that a line of vegetation is kept along the northern site boundary so that there is still a corridor for foraging and commuting bats.”*

The trees recommended to be kept for the potential for roosting of bats are proposed to be retained, there is also additional planting proposed along the north boundary which is also recommended in the report, full details of the height and species of this treatment will be requested via a condition on the planning permission.

The proposal is therefore acceptable in ecology terms. It is considered that policy LP21 is consistent with the natural environment guidance of the NPPF and can be attached full weight.

Trees

An arboricultural report and impact assessment and arboricultural method statement by AWA Tree Consultants have been submitted with the application. The report and impact assessment provides detail on the trees surveyed and the condition that they are in.

A number of trees are proposed to be removed as part of the proposal, these are detailed as follows:

- T4 is a Willow Tree will be removed to facilitate the development, this is a category C tree;
- G3 is a group of trees to the north boundary, a large section of this group is required to facilitate the development, these are category C trees;
- G1 is a group of trees to the south boundary which will require some pruning to facilitate the development.

The loss of category C trees should not pose a constraint to development. The planting of trees and shrubs are also proposed as part of the development as shown on the proposed site plan, the planting of these will be secured via a condition in the event that planning permission is granted.

T5 An Ash tree to the east boundary will remain and only minor encroachment from hardstanding will go into the trees Root Protection Area. The Method statement also provides details on how the root protection areas will be protected during and post construction.

Highways

Policy LP13 requires well designed, safe and convenient access for all and that appropriate vehicle parking provision is made for development users.

Access is proposed off Hawthorne Avenue with provision for parking and turning. The highways authority have been consulted on the application and have no objections to the proposals.

It is considered that policy LP13 is consistent with the highway safety guidance (paragraph 109) of the NPPF and can be attached full weight.

Drainage

The site lies within flood zone 1 (low probability). The EA surface water flood map suggests the open waterway along the northern boundary may be prone to surface water flooding, a small corner to the north of the proposed garden area is shown to be within this area.

The application form states that foul drainage will be disposed of via mains sewer and surface water via a soakaway or a sustainable drainage system. To fully assess the suitability of these proposed methods, and to ensure that the development does not increase the risk of flooding elsewhere, a condition should be placed on the grant of any permission.

It is considered that policy LP14 is consistent with the drainage guidance of the NPPF and can be attached full weight.

Other matters

Underground Drainage

A number of comments have been received during the consultation regarding the existence of mains drainage beneath the application site. The applicant has informed the LPA that there is an easement over the land and the layout of the plot has been adjusted to take account of this. To clarify, the possible impact on an easement is a private matter and is not a material planning considerations which can factor in this decision.

Conclusions and reasons for decision:

The decision has been considered against 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, LP10: Meeting Accommodation Needs, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity and LP25: The Historic Environment, LP26: Design and Amenity of the Central Lincolnshire Local Plan and Policy 3: Design and Character of Development of the Glentworth Neighbourhood Development Plan in the first instance and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

The site is not designated as Local Green Space or Important Open Space and accordingly CLLP policy LP23, and GNP policy 2 are not applicable. In light of this assessment it is considered that the site is an appropriate location for development. The proposal will not have a harmful impact on the character of the area. The

proposal will not result in significant detrimental impact upon the living conditions of neighbouring properties. The proposal is therefore acceptable subject to conditions.

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: ZD/G/P1 and ZD/G/P2 received 1st September 2020. Works shall be carried out in accordance with the details shown on the approved plans.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with policies LP17 and LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

3. No development shall take place above foundation level until details of all proposed facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the use of appropriate materials to accord with policy LP17 and LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

4. No development shall take place above foundation level until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

5. Prior to the occupation of the dwelling full and final landscaping details, including the height and type of hedging to be planted to the north boundary shall be provided to and agreed in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National

Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. All planting or turfing comprised in the submitted details of landscaping as shown on plan ZD/G/P1 received 1st September 2020 and as agreed in condition 5 of this permission must be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: In the interests of visual amenity and nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

7. The development hereby approved must only be carried out in accordance with the recommendations set out in section 5 (pages 21-22) of the preliminary ecological appraisal survey completed in August 2020 by Whitcher Ecological Consultants Ltd.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

8. The development must be completed in accordance with the tree protection measures identified within the arboricultural method statement by AWA Tree Consultants dated May 2020. The approved protection measures must be installed prior to commencement and retained in place until the development is completed.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy LP17 and LP21 of the Central Lincolnshire Local Plan 2012-2036.

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

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

Reason: To enable any such proposals to be assessed in terms of their impact on the resulting amount of space around the dwelling and to safeguard the character and appearance of the building and its surroundings.

Notes to the Applicant

COMMUNITY INFRASTRUCTURE LEVY

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties.

Highways

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

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

Agenda Item 7



Planning Committee

**Wednesday, 16
September 2020**

Subject: Determination of Planning Appeals

Report by:

Assistant Director Planning and
Regeneration

Contact Officer:

James Welbourn
Democratic and Civic Officer
james.welbourn@west-lindsey.gov.uk

Purpose / Summary:

The report contains details of planning applications that had been submitted to appeal and for determination by the Planning Inspectorate.

RECOMMENDATION(S): That the Appeal decisions be noted.

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

Appendix A - Summary

- i) Appeal by Mr Ryan Watson, Eastman Bespoke against the decision of West Lindsey District Council to refuse planning permission for the erection of 2no. residential dwellings on land at Old Gallamore Lane, Middle Rasen, LN8 3US.

Appeal Dismissed – See copy letter attached as Appendix Bi.

Officer Decision – Refuse permission

- ii) Appeal by Mr Graham Smith against the decision of West Lindsey District Council to refuse planning permission for outline planning application for single residential dwelling on land to the North West of Rectory Farm, Stow Road, Sturton by Stow, Lincoln, LN1 2BZ.

Appeal Dismissed – See copy letter attached as Appendix Bii

Officer Decision – Refuse permission



Appeal Decision

Site visit made on 28 July 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 20th August 2020

Appeal Ref: APP/N2535/W/20/3251778

Land at Old Gallamore Lane, Middle Rasen, Lincolnshire LN8 3US

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ryan Watson, Eastman Bespoke against the decision of West Lindsey District Council.
 - The application Ref: 140658 dated 25 February 2020 was refused by notice dated 21 April 2020.
 - The development proposed is the erection of 2no. residential dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline, with all detailed matters reserved for later consideration. An indicative scheme to illustrate how the site might accommodate the proposed dwellings is presented. I have considered the appeal on this basis.

Main Issues

3. The main issues are:
 - a) whether the proposal would be acceptable with reference to the spatial strategy of the area, with particular regard to the policy for Large Villages, and
 - b) the effect of the proposed development on the character and appearance of the area, having regard to the functions and aims of the Green Wedge.

Reasons

Spatial strategy

4. In Spatial Strategy and Settlement Hierarchy Policy LP2 of the Central Lincolnshire Local Plan (2017) (LP), Market Rasen is categorised as a Market Town and Middle Rasen is a Large Village.
5. The site is apparently part of a former horticultural nursery. It is a grassed area, located beyond the easternmost extent of the residential development which stretches out of Middle Rasen along Old Gallamore Lane. Fields adjoin both sides of Old Gallamore Lane on the approach to the site from the north-

- east. Taking the above together, I consider that the site is located in the countryside, outside the developed footprint of the village of Middle Rasen.
6. In respect of Large Villages, including Middle Rasen, Policy LP2 of the LP seeks to focus most growth within their existing developed footprints. Part 4) of Policy LP2 allows for the possibility of growth - of typically no more than the smaller of 25 dwellings or 1 hectare - outside the settlement's developed footprint only in exceptional circumstances.
 7. Two previous outline proposals for the current appeal site and land adjoining it were refused planning permission and dismissed on appeal. These were a proposal for up to 53 dwellings (the 2016 appeal scheme)¹ and a scheme for up to 47 dwellings (the 2017 appeal scheme)². In the 2016 and 2017 appeal decisions, the previous Inspectors found a lack of significant harm to the character and appearance of the area, including the settlement break, arising from substantially larger housing development proposals on the site and surrounding land than in the current case. The appellant considers that these previous Inspectors' findings amount to an exceptional reason to justify the current appeal proposal.
 8. However, the proposed two houses would not deliver public benefit of the scale of a new community facility to meet an identified need, which is cited as an example of exceptionality in Policy LP2 of the LP. Moreover, while the scale of proposed development is not of such concern as it was in the 2016 and 2017 appeals, the previous dismissal decisions did not conclude that lack of harm to character and appearance constituted exceptional circumstances to satisfy Policy LP2. In the light of the above, I find that exceptional circumstances have not been demonstrated for the proposal to satisfy Policy LP2 of the LP.
 9. Policy LP55 of the LP seeks to restrict new dwellings in the countryside to those which are demonstrably essential to rural operations. These operations are listed in Policy LP2 of the LP as agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The absence of the requirements of Policy LP55 as an issue in the 2017 appeal does not negate the policy's status as a current development plan policy, or the fact that it is cited within the Council's reason for refusal in the current case. As such, Policy LP55 of the LP is relevant to consideration of the proposal.
 10. Part D of Policy LP55 requires appropriately detailed evidence of the rural operation that would be supported by the dwellings, and the proportionate need for the housing. Such evidence is not presented, and so the proposal is not demonstrably essential to effective rural operations, and would not accord with Part D of Policy LP55 of the LP.
 11. Given the apparent reliance on 'windfall' sites coming forward in Middle Rasen over the plan period, to contribute towards meeting the overall housing requirement³, the unallocated status of the site does not in itself preclude its potential development.
 12. Nevertheless, for the reasons described above, the proposal would not meet the exceptions and essential rural operations tests which Policies LP2 and LP55 of the LP together require. As such, the proposal would undermine the rigour of

¹ Appeal Ref: APP/N2535/W/15/3139041.

² Appeal Ref: APP/N2535/W/16/3162281.

³ As acknowledged in the 2017 appeal decision.

this combination of development plan policies, with consequent risk to the wider control of development in the countryside in the district. It would also undermine the objective of focussing growth within the existing developed footprint of Large Villages, unless exceptional circumstances apply. Therefore, the proposal would not accord with the spatial strategy of the area.

Character and appearance, including Green Wedge

13. The site is within a Green Wedge (GW) area, as defined by Policy LP22 of the LP. While supporting text paragraph 5.7.4 for Policy LP22 describes the purpose of GWs as 'to protect the open and undeveloped character of areas within them', the policy more specifically requires compliance with its 'functions and policy aims'. Policy LP22 seeks to avoid all but essential and compellingly beneficial development within GWs, unless it is demonstrably not detrimental to the following functions and policy aims: preservation of the separate identity and character of settlements through preventing the latter merging; and provision of multi-functional green recreational links and wildlife corridors.
14. Policy LP26 of the LP requires development to contribute positively to local character. Among the policy's design principles are c) respect the existing landscape character and identity and e) avoidance of ribbon development.
15. Old Gallamore Lane has a relatively 'quiet backwater' feel, given the no through road arrangement at its south-western end, and its partly rural setting. From within the site, old polytunnels, glimpses of individual dwellings in the middle distance, hedgelines and longer distance views of low hills to the east beyond the immediate flat terrain are noticeable. Together, these elements contribute to a mixed landscape character to the site and the area around it.
16. Judging by the indicative scheme, the proposal is likely to have a minor urbanising effect at a local scale. The westernmost two-storey gable end of the pair of houses, would be visible on the approach to the site access, travelling in an easterly direction along Old Gallamore Lane. The driveway and westernmost dwelling would also be visible, looking into the site access. The proposal would have limited visibility from upper windows of Mulberry House and a few dwellings in the distance.
17. Nevertheless, substantial established perimeter hedging exists along the site's western and front boundaries. The front boundary includes a large hedgerow ash tree, which makes a valuable visual contribution and could potentially help to screen the development. Together, the achievable set-back of the dwellings from the lane, flat terrain, intervening vegetation and scope for naturalistic buffer planting would substantially visually contain and soften the proposal.
18. Given the modest scale of proposed development and substantial separation, by fields, from Market Rasen, the proposal would constitute a proportionately minor extension of the built-up edge of Middle Rasen. The proposal would not fundamentally change the semi-rural 'backwater' feel of Old Gallamore Lane, or significantly reduce the countryside separation gap between Middle Rasen and Market Rasen.
19. As such, the proposal would not fundamentally alter the GW or undermine its core functions. Given the visual containment factors described above, the proposal would not significantly change the area's existing landscape character and identity.

20. Taking the above together, I conclude that the proposed development would not harm the character and identity of Middle Rasen or the Green Wedge. As such, it would broadly not conflict with the thrust of Policies LP22 and LP26 of the LP.
21. The absence of harm to character and appearance is a neutral factor which does not weigh in favour of the proposed development.

Other Matters

22. My attention is drawn to housing development located along Gainsborough Road. However, the other development pre-dates the current development plan, which limits the weight the former carries. Moreover, full details of the other development are not before me, and the appeal site has its own setting and circumstances. As such, I assess the proposal on its own merits.
23. The proposal would potentially provide two smaller family homes. The proposed two dwellings would contribute to local housing supply, with associated socio-economic benefit to the area during and after construction. However, the public benefit is limited by the scale of the proposed development, and would not outweigh the identified harm and the conflict with the development plan.

Conclusion

24. For the reasons given above I conclude that the appeal should be dismissed.

William Cooper

INSPECTOR



Appeal Decision

Site visit made on 3 August 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2020

Appeal Ref: APP/N2535/W/20/3253109

Land to the North West of Rectory Farm, Stow Road, Sturton by Stow, Lincoln LN1 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Graham Smith against the decision of West Lindsey District Council.
 - The application Ref 140778, dated 10 March 2020, was refused by notice dated 7 May 2020.
 - The development proposed is outline planning application for single residential dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application has been submitted in outline with all matters reserved for future consideration. I have dealt with the appeal on that basis, treating the proposed site plan as being indicative.

Main Issue

3. The main issue is whether the proposal would represent an appropriate location for a dwelling, having regard to local and national policy.

Reasons

4. Sturton by Stow is identified as a Medium Village by Policy LP2 of the Central Lincolnshire Local Plan 2017 (the Local Plan). Policy LP4 of the Local Plan also identifies a growth level for the village of 15%, and the Council accepts that the village can support 7 new dwellings before meeting this growth level.
5. The Local Plan also takes a sequential approach where priority is given to the development of brownfield sites in the developed footprint of the settlement, followed by brownfield sites at the edge of the settlement, before consideration is given to green field sites. The appellant has applied this sequential test and has not been able to identify sequentially preferable brownfield sites within the village. The Council has provided no substantive evidence to contradict this.
6. However, the Local Plan also sets out that growth in villages should be in 'appropriate locations', based on the retention of the core shape and form of the settlement as well as not leading to significant harm to the character and

appearance of the surrounding countryside or the rural setting of the settlement, amongst other things.

7. Sturton by Stow has an elongated character with the main body of the village located to the south east of the appeal site near to the A1500. The appeal site is part of an area of paddock land adjacent to Rectory Farm. The farm buildings are of an agricultural character and the area in the vicinity of the appeal site on this side of Stow Road is characterised by sporadic development within the countryside, as opposed to the built up area on the opposite side of the road. Stow Road in the vicinity of the appeal site represents a clearly defined boundary to the edge of the built extent of the village. Within this context, the appeal site is clearly part of the rural setting of the village rather than being part of the built form of the settlement. Although there is built development elsewhere to the west of Stow Road, this is located some distance from the appeal site and does not set a visual context for the proposal.
8. A substantial degree of screening is provided by dense conifer planting along the boundary with Stow Road and it is proposed to retain this. However, even with the planting in place I consider that the proposed development would be visible in views enabled by the site entrance. Whilst such views may be fleeting and some screening would be provided by the farm buildings, the introduction of built development into the countryside and associated residential activity would be apparent. Furthermore, the screening effect of the planting may be compromised as a result of trimming to achieve the required visibility splay, even if none of the individual trees would be removed. The projection of built development onto the paddock would also be readily apparent from Rectory Farm.
9. The proposal would result in the encroachment of built development into what is an open paddock beyond the built-up extent of the village. Whilst it would be largely screened in views from Stow Road, the proposal would nevertheless constitute an erosion of the rural landscape surrounding the village.
10. I therefore conclude that the proposal would lead to significant harm to the character and appearance of the surrounding countryside and the rural setting of the settlement. The projection of built development into the countryside beyond the boundary established by this extent of Stow Road would also harm the core shape and form of the settlement.
11. With regards to the consideration of the core shape and form of the settlement, the appellant contends that this should relate to the settlement as a whole, and not a particular part. However, the shape and form of a settlement is essentially the sum of its constituent parts, and significant harm to part of a settlement or its setting can therefore result in harm to its shape and form.
12. Reference has been made to the more restrictive consideration of the development footprint of settlements defined as Hamlets in the Local Plan. However, I consider that the approach to Medium Villages such as Sturton by Stow is an appropriately flexible response to the sustainable growth of settlements larger than hamlets, including those with suitable key facilities.
13. The Council submits that the proposal would set a precedent for further residential development in an area which positively contributes to the setting of the village. I consider that this is not a generalised fear of precedent, but a realistic and specific concern as I saw that there was an adjacent plot of land

which presents similar circumstances to the appeal proposal. Whilst I am mindful that each planning application should be determined on its individual merits, allowing this appeal would make it more difficult to resist further planning applications for similar developments and I consider that the cumulative effect would exacerbate the harm I have described above.

14. I have had regard to the benefits arising from the proposal. The dwelling would provide good access to services within the village, although this can be said of many sites on the edge of this settlement. The proposal would contribute to the supply of housing in the area, including towards the identified growth level for the village. However, it has not been demonstrated that there are no green field sites in appropriate locations which could also contribute to this. Furthermore, the evidence suggests that the Council has a deliverable supply of housing in excess of 5 years, and on that basis there is no overriding need to allow development in inappropriate locations such as the appeal site.
15. I conclude that the proposal would not retain the core shape and form of the settlement and would significantly harm the character and appearance of the countryside and the rural setting of the settlement. As such, the proposal would not represent an appropriate location for a dwelling contrary to Policies LP2 and LP4 of the Local Plan. The proposal would also conflict with Policies LP17 and LP26 of the Local Plan due to the harm to the setting of the settlement as well as the character and local distinctiveness of the area. The proposal would also be contrary to the National Planning Policy Framework with regards to achieving sustainable development and well-designed places.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR