

Guildhall Gainsborough
Lincolnshire DN21 2NA

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AGENDA

This meeting will be webcast live and the video archive published on our website

Planning Committee

Wednesday, 13th July, 2022 at 6.30 pm

Council Chamber - The Guildhall

Members:

Councillor Ian Fleetwood (Chairman)
Councillor Robert Waller (Vice-Chairman)
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor David Dobbie
Councillor Cherie Hill
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers
Councillor Mrs Angela White

1. Apologies for Absence

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 - 8)

- i) Meeting of the Planning Committee held on 15 June 2022.

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**

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**

- a) 144645 - Land rear of 7 Waterford Land, Cherry Willingham (PAGES 9 - 27)
- b) 143891 - Land off Main Road & Church Hill, Riby (PAGES 28 - 51)
- c) 144201 - Land to the rear of Belmont, Legsby Road, Market Rasen (PAGES 52 - 77)
- d) 144761 - 11 The Granthams, Dunholme (PAGES 78 - 83)
- e) 144759 - Land to the rear of 5 Mill Lane, Caistor (PAGES 84 - 96)

7. **Determination of Appeals** (PAGES 97 - 102)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 5 July 2022

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 15 June 2022 commencing at 6.30 pm.

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

Councillor Michael Devine
Councillor Cherie Hill
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Roger Patterson
Councillor Mrs Angela White
Councillor Mrs Caralyne Grimble

In Attendance:
George Backovic Principal Development Management Officer
Martha Rees Legal Advisor
Holly Horton Development Management Officer
Ele Snow Senior Democratic and Civic Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: 9 Members of the Public.

Apologies: Councillor Matthew Boles
Councillor David Cotton
Councillor David Dobbie
Councillor Peter Morris
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers

Membership: Councillor Mrs Caralyne Grimble substituted for Councillor Jeff Summers

10 PUBLIC PARTICIPATION PERIOD

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

11 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 25 May 2022 be confirmed and signed as an accurate record.

12 DECLARATIONS OF INTEREST

Councillor C. McCartney declared that she would speak as Local Ward Member for application number 144395 (agenda item 6a). She also stated that she had not been present at the previous meeting, and at the site visit, and felt that she was not be able to participate in the debate.

13 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Development Management Team Leader that there was no new National Planning Policy Framework document coming out, with the publication previously planned for release in July 2022. The Officer stated that the new version was to clarify some of the changes to planning policy, and expressed surprise of the sharp change.

14 144395 - BARNABY, 18 RASEN ROAD, TEALBY

The Chairman introduced the first application of the meeting, planning application number 144395, for extensions and alterations to existing dwelling, at Barnaby, 18 Rasen Road, Tealby. The Officer gave a few updates on the application, which included that the previously submitted designs had a scaling error on the site plan, which this update was to correct, and that the Committee had made a site visit to the proposed site.

Note: Councillor C. Grimble entered the Chamber at 6.34 pm

The Chairman then informed the Committee that there were four registered speakers. The first of these speakers was Gareth Johnson, the agent for the application.

The speaker thanked the Committee for the opportunity to speak and stated that the agents had worked to improve the design and features of the dwelling. This proposed application was to create a better property appearance and asserted that the current dwelling was out of character. The speaker explained that the process had followed the recommended approach of the Planning Department, carefully considered the comments and significantly amended the original application. The speaker referred to the additional screens proposed on the site.

Regarding the site visit, the speaker hoped that Members saw that the proposed application was to improve the property and would not affect the Viking Way and the AONB. The speaker stated that there was a proposed reduction of the buildings close to other properties, and made the proposed design more subservient. The neighbouring property, 16 Rasen Road, was referenced as a property that had undergone similar changes in the area. The statement then stated that these improvements were highly focused and that the proposed balcony had privacy screens. The statement reflected that this had changed from a two-storey extension and was to improve the applicants' living conditions.

The speaker then commented about issues raised at the last meeting, specifically on the proposed ridge lift. Members hear that no other height would be gained internally and would improve the view of the property. The speaker concluded that the agents and applicants had followed the suggested process, with pre-application advice, and worked with others. The speaker asserted that the proposal fitted the planning policy and asked for approval.

The Chairman thanked the speaker for his statement and invited an objector, Joanne MacBeth, to give her statement. Before the objector spoke, the Chairman stated that at the site visit, both one of the applicants and the registered objector speaker did try to talk to Members at the meeting. The Chairman noted that participation was limited by anyone, not in the site visit and emphasised that this was to ensure a fair process.

The speaker thanked the Committee for going to the site visit and emphasised the huge impact that she felt would have on the family home. Stressing the huge loss of light, the speaker stated that the proposed application would create a feeling of being hemmed in and said that her family's privacy would be removed, particularly in the garden. The speaker asserted that the Officer's report, which stated the immediate garden area would remain private, was false.

The speaker progressed to speak about the balcony size, emphasising the large size and would be big enough to look over the neighbouring properties of 16 and 20 Rasen Road. The statement asserted that there was plenty of space to alter the angle of vision. The speaker was concerned about enjoying her garden without being watched from the terrace, alongside noise and light pollution being carried across her property.

The speaker then stated that Number 17 on the same road had a balcony rejected, with the refusal notice that included remarks of number 19's privacy being invaded. The speaker then referenced the Human Rights Act Article 8, and the application would impact her right to privacy and family life. The statement then referred to LP17 of the Central Lincolnshire Local Plan and that a property needs to have protected amenities and enjoy them. The speaker concluded her statement that Number 18 does need development but that she cannot accept the proposed application as it adversely affected her family.

The Chairman thanked the speaker for her statement. The Chairman then noted that two Local Ward Members were registered to speak. The first, Councillor Stephen Bunney, was invited to speak.

The Member stated that his comments came through the residents and parish council. The statement reflected gratefulness for the changes made by the agent and applicants, but two main concerns remained regarding the application. The first was the size of the proposal, and the second was the conservation aspect.

Regarding the size, the Member raised that the shadowing impact of the proposed development would impede the neighbouring properties and that the proposed flat roof was enormous, with neighbours being physically overlooked from the balcony. The Member stressed that shelter and screening would still cause problems and expressed that LP26 would be put into contention.

Regarding the second point about conservation, the Member referenced that Tealby sat predominately in the Lincolnshire Wolds AONB and was in a conservation area, with the Viking Way nearby. Tourists that visit the area might be put off. Though the Member stated that it was just outside the conservation area, the proposed application would impact it and noted that the Parish Council viewed it negatively. The Member said that one building could do this with a detrimental effect and referred to LP17, with the view and impact needed to be considered.

The statement progressed to speak about the overshadowing and that the view of the building would impact this aspect. The Member concluded the considerable concerns the Parish Council and the other Local Ward Members raised, and hoped for some movement to mitigate any issues.

The Chairman thanked the Member for his statement and invited the second registered Local Ward Member, Councillor Cordelia McCartney, to speak.

The Member stated that she was not on the site visit but knew the location well. The Member reiterated that her views tied together with comments by Councillors Bunney and McNeill. She argued that the current site with the flat roof was an eyesore, but the proposal was too large.

The statement then raised the issue of privacy for the neighbouring property and contended that the proposed private screening was not as strong as the applicant declared. The Member concluded her statement that the proposed application created an overlooked feeling, found fault in size and form with the proposed extension and that the extension should be rejected.

The Chairman thanked the Member for her statement.

Note: Councillor C. McCartney left the Chamber at 6.56 pm

The Chairman then invited a response from the Planning Officers. The Permitted Development Team Leader reiterated that there were no objections from the conservation officer and that the Lincolnshire Wolds Service did not recommend rejecting the application. Regarding comments about overshadowing, the Officer re-emphasised that there had been a shadow study conducted and that though there was a noted effect, it was not significant enough. In responding to overdevelopment comments, the Officer referenced nearby properties and the 11-metre gap. The Officer concluded his response to reference the privacy matters, stating that there was no direct overlooking point, with the 6-foot screening preventing any overlooking, with someone having to go above the glass screens. The Chairman then invited comments and statements from the Committee.

Debate ensued, and Members raised several points about the application. Regarding the view from the Viking Way, Members concurred with the Officer's viewpoint that the impact would be insignificant, and some commented that the proposed increase of the size would not harm the area or the views of nearby properties.

Regarding the privacy and overlooking concerns, several Members expressed differing views on whether there was a potential privacy concern and whether the glass screening was enough to protect neighbouring properties from being viewed. Members used their knowledge from the site visit and referenced the views they could see from different points on the applicants' property and the neighbouring property. One Member commented that the screening on the end of the property would stop any direct overlooking.

Concerning the design of the proposed application, some Members commented that they preferred the proposed application's design to the current house, with one Member stating that it was more in keeping with Tealby and made it less of a problem for maintenance.

Similarly, in comments about the light aspect, a Member stated that the reduction of light was limited in effect. The same Member also referenced that no statutory bodies objected to the proposal.

Having been proposed and seconded, the Chairman took the vote and it was agreed that 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:

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: 1788B / 21 / 24d dated 29th March 2022, 1788B / 21 / 22c dated 29th March 2022 and 1788B / 21 / 23c dated 29th March 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

3. The development must be completed in strict accordance with the external materials listed on the application form and on drawing 1788B / 21 / 24d dated 29th March 2022.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework, Policy LP26 of the Central Lincolnshire Local Plan, and Policy D1 of the Neighbourhood Plan.

4. Prior to first occupation of the approved development, the north east facing window on the first floor of the two-storey extension shall be glazed in obscure glass and thereafter retained in perpetuity.

Reason: To safeguard the residential amenities of nearby residential properties and avoid overlooking in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

5. Prior to first occupation of the approved development, the privacy screens at either end of the roof terrace shall be installed and thereafter retained in perpetuity.

Reason: To safeguard the residential amenities of nearby residential properties and avoid overlooking in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

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

6. Notwithstanding the provisions of Class A, B and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, additions or enlargement to the dwelling and its roof, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

Reason: To safeguard the residential amenity of adjoining dwellings and to safeguard the character and appearance of the building and its surroundings and in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

Note: Councillor C. McCartney returned to the Chamber at 7.09 pm

15 144646 - LAND ADJACENT TO DUNHOLME CLOSE, DUNHOLME

The Chairman informed the Members of the Committee that owing to the withdrawal of application number 144646 by the applicant, the application in this agenda item was no longer being considered by West Lindsey District Council, and would not be considered by the Committee at this meeting.

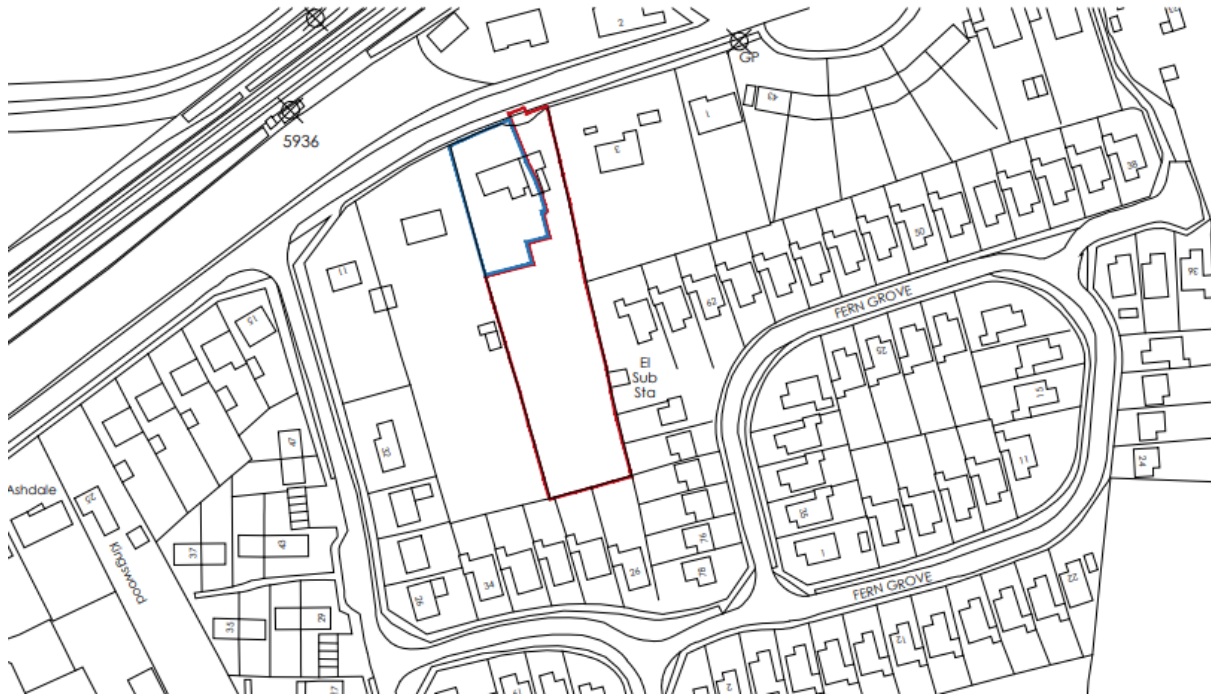
16 DETERMINATION OF APPEALS

A Member commented that he found the Hemswell dismissal interesting, and stated that it showed West Lindsey District Council did work to preserve the history and architecture of the rural areas.

The determination of the appeals were **DULY NOTED**.

The meeting concluded at 7.12 pm.

Chairman



Officers Report

Planning Application No: 144645

PROPOSAL: Planning application for 3no. bungalows with rooms in the roof space including single garages and all associated works

LOCATION: Land rear of 7 Waterford Lane Cherry Willingham
Lincolnshire LN3 4AL

WARD: Cherry Willingham

WARD MEMBER(S): Cllr Mrs S Hill, Cllr Mrs A Welburn, Cllr Mr C Darcel

APPLICANT NAME: Heronswood Design Ltd

TARGET DECISION DATE: 01/06/2022 (Extension agreed to 15th July 2022)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

This application has been referred to the Planning Committee, following comments from Cherry Willingham Parish Council that the proposed development conflicts with the provisions of the Cherry Willingham Neighbourhood Plan.

Description:

The application site is rear garden space to 7 Waterford Lane, Cherry Willingham. The site is set back from and below Waterford Lane (30mph) with the area sloping down gently from north to south. The host dwelling is unoccupied which explains the unmaintained condition of the site. The north boundary is open with the host dwelling further to the north. The east boundary is screened by hedging, fence panels and trees of high level with some lower areas. The south boundary is screened by 1.5-1.8 metre fence panels. The west boundary is screened by hedging and small trees with regular gaps. Neighbouring dwellings are adjacent or opposite to the north, east and south. An area of grass is to the west with dwellings on the other side. The application site includes or is close to a number of protected trees. These are:

- Tree Preservation Order (2008) Cherry Willingham – Group 1 (north west corner)
- Tree Preservation Order (2004) Cherry Willingham – Tree 1 (Access)
- Tree Preservation Order (2004) Cherry Willingham – Tree 5 (shared east boundary)
- Tree Preservation Order (2004) Cherry Willingham – Tree 6 (shared east boundary)

The application seeks permission for 3no. bungalows with rooms in the roof space including single garages and all associated works

Relevant history:

144787 - Planning application for removal of garage, outbuildings and conservatory, form an extension with new integral double garage, increase width of existing access and the formation of a private driveway – 07/06/22 - Granted time limit and other conditions

Representations:

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

Cherry Willingham Parish Council: Objection

Whilst we are content with the principle of the development we have the following concerns:

1. The access road to the properties is quite narrow, going down to 2.5m adjacent to the first property. The minimum requirements for a Fire Appliance is 3.7m between the kerbs. National requirements are - "there should be a minimum carriageway width of 3.7 m between kerbs; there should be a minimum gateway width of 3.1 m; there should be vehicle access for a pump appliance to within 45 m of every point within single family houses; fire service vehicles should not have to reverse more than 20 m."

We believe that the current design would make access for emergency vehicles very difficult for the two rear properties.

2. In comparison to the existing properties along Waterford Lane the proposal is very dense especially for 4 bedroom properties. This is contrary to Policies H3 and D1 a), b), d), e), g) of the Cherry Willingham Neighbourhood Plan.
3. We share the concerns of the Tree and Landscape Officer regarding the loss of trees on the site prior to the application and with the proposed density of the development are unable to see how the developer will be able to plant replacement trees in order to comply with paragraph 12 of her report. "A scheme of landscaping should be required as some compensation for the loss of most of the trees on this site.

In short we believe that the proposal in its current form falls short of the requirements of the Cherry Willingham Neighbourhood Plan

Local residents: Representations received from:

Supports

1 Waterford Court, Cherry Willingham

Lovely looking development to convert what is an eyesore at present. With respectable plans taking the neighbours into consideration. Good contrast of modern and reclaimed materials that will fit in around the local area.

General Observation

3 Waterford Court, Cherry Willingham

I see that the application marks the private drive to the side of my property. I would like to point out that this is actually over part of the boundary on my land. There is a concrete post on the land the other side of my fence which is the actual boundary and I was informed that there was originally a footpath along the side of this land. The actual boundary runs from this post along the side of the fence as a wedge shape and the tree that was removed by the new owners - holly was actually on my property and removed without my consent. I would like to discuss ownership of this wedge shape piece of land with the new owners with regard to development of the proposed new drive please.

WLDC Tree and Landscape Officer: No Objections

Representation received on 1st June 2022:

The information is comprehensive and appropriate, and no further information or alterations are required in relation to the trees and their future well-being.

Representation received on 20th May 2022:

1. Site specific information is required for the demolition of the existing outbuildings, and how the TPO sycamore would be considered and protected throughout the works – see para 2 above.
2. Clarification of plan and key is required for the red areas on the Tree Protection Plan, as explained in para 8 above.
3. More detailed site specific information is required for the type and installation of temporary ground protection measures over tree RPAs – see para 9.
4. I recommend altering the size and shape of the parking area for plot 7a to reduce encroachment into the RPA of the large TPO beech tree T6. This should also remove the need for a cellular confinement system in this area, depending on the extent of reduction of hard surface area – see para 5.
5. A plan is required to show the area where a cellular confinement system is to be used.

Underground utilities should not run through the RPA of trees intended to be retained, especially the TPO trees. Although the AIA points out none should run through RPAs, can it please be clarified where any underground utilities would run, so the LPA can be sure the TPO trees would not be affected.

Representation received on 14th April 2022 (Summarised):

- Two trees are protected by Tree Preservation Order Cherry Willingham No1 2007 and one by TPO Cherry Willingham No4 2004. The protected trees are a sycamore, T7, near the NE corner adjacent to the driveway into the site, and a group of two large, mature beech trees, G1, near the

westerly boundary just south of the existing dwelling. The sycamore is within this application area, and the two beech trees are outside the application area, though the common (green) beech is very close to the intended new boundary fence.

- A BS5837 tree survey should be required for the two TPO trees
- An Arboricultural Method Statement (AMS) should be required, and should include details of any works connected with development that occurs within or very close to the trees RPAs, and how materials and activities will be in relation to minimizing potential harm to the trees and their growing environment.
- Details of tree protection measures should be required for prior approval, with any approved fencing and/or ground protection measures to be installed prior to commencement of works, and should be retained in position until completion. Such details are generally included in an AMS.
- Existing trees should be retained where possible for instant, mature landscaping and feature.
- A scheme of landscaping should be required as some compensation for the loss of most of the trees on this site.

LCC Highways/Lead Local Flood Authority: No objections with advice

Representation received 20th May 2022:

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.

Representation received 18th May 2022:

The initial part of the access will require increasing to a minimum of 4.1m, can the applicant revise the block plan to reflect this?

LCC Archaeology: No representations received to date

IDOX checked: 6th June 2022

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 Cherry Willingham Neighbourhood Plan (made 4th March 2019); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

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
LP10 Meeting Accommodation Needs
LP13 Accessibility and Transport
LP14 Managing Water Resources and Flood Risk
LP17 Landscape, Townscape and Views
LP25 The Historic Environment
LP26 Design and Amenity

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>

- **Cherry Willingham Neighbourhood Plan (NP)**

Relevant policies of the NP include:

Policy H3 Infill Development in Cherry Willingham

Policy D1 Design Principles for Cherry Willingham

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/bardney-southery-stainfield-apley-neighbourhood-plan>

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

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

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/88170.article>

National policy & guidance (Material Consideration)

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

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

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 July 2021. Paragraph 219 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**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Model Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLP)**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (expiring 9th May 2022).

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

Relevant Policies:

S1 The Spatial Strategy and Settlement Hierarchy
 S2 Growth Levels and Distribution
 S4 Housing Development in or Adjacent to Villages
 S6 Reducing Energy Consumption – Residential Development
 S19 Resilient and Adaptable Design
 S20 Flood Risk and Water Resources
 S22 Meeting Accommodation Needs
 S46 Accessibility and Transport
 S48 Parking Provision
 S52 Design and Amenity
 S56 The Historic Environment
 S65 Trees, Woodland and Hedgerows

[https://central-](https://central-lincs.inconsult.uk/connect.ti/CLLP.Draft.Local.Plan/consultationHome)

[lincs.inconsult.uk/connect.ti/CLLP.Draft.Local.Plan/consultationHome](https://central-lincs.inconsult.uk/connect.ti/CLLP.Draft.Local.Plan/consultationHome)

Main issues

- Principle of the Development
Central Lincolnshire Local Plan 2012-2036
Cherry Willingham Neighbourhood Plan
Concluding Statement
- Visual Impact, Character and Appearance
- Residential Amenity
- Highway Safety
- Drainage
Foul Water
Surface Water
- Archaeology
- Protected Trees
- Landscaping

Assessment:

Principle of the Development

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

Central Lincolnshire Local Plan 2012-2036:

Local policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Cherry Willingham as a large village and *‘to maintain and enhance their role as large villages which provide housing, employment, retail and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth’*. LP2 states that most of the housing growth in Cherry Willingham will be *‘via sites allocated in this plan, or appropriate infill, intensification or renewal within the existing developed footprint’*.

The developed footprint is defined within local policy LP2 of the CLLP as:

“throughout this policy and Policy LP4 the term ‘developed footprint’ of a settlement is defined as the continuous built form of the settlement and excludes:

- a) individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- b) gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- c) agricultural buildings and associated land on the edge of the settlement; and*
- d) outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.”*

Local policy LP2 defines an appropriate location as *“throughout this policy, the term ‘appropriate locations’ means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan (such as, but not exclusively, Policy LP26). In addition, to qualify as an ‘appropriate location’, the site, if developed, would:*

- retain the core shape and form of the settlement;*
- not significantly harm the settlement’s character and appearance; and*
- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.”*

Cherry Willingham Neighbourhood Plan:

Policy H3 sets out criteria for infill development placing importance on the character of the area.

Policy D1 provides design principles for all new development in the settlement and sets out criteria in different categories such as character, landscape, local context and parking.

Concluding Statement:

The application site is rear garden land to 7 Waterford Lane which is within the developed footprint of Cherry Willingham. The site is not identified as an allocated site in Local Policy LP52 of the CLLP or the policies of the CWNP but is situated between buildings therefore is considered an infill and intensification site.

The development proposes three bungalows with roof accommodation in an area which comprises a mix of two storey dwellings and bungalows of mixed scale and appearance. Existing dwellings within the locality have a mix of larger, similar and smaller plot sizes. The plot sizes along Lime Grove would generally be smaller. Housing development set back from Waterford Lane is evident adjacent the site along Waterford Court. It is considered that the principle of the development of the site would retain the core shape and form of the settlement without significantly harming the character and appearance of the settlement.

Therefore the proposed residential development of the site in principle, accords to local policy LP2 of the CLLP, Policy H3 of the CWNP and the provisions of the NPPF.

It is considered that policy LP2 and policy H3 are consistent with the sustainability and housing growth of the NPPF and can be attached full weight.

Visual Impact, Character and Appearance

Support to the development of the site and its design has been received from a neighbouring resident.

Objections have been received from the Cherry Willingham Parish Council. They consider that, in comparison to the existing properties along Waterford Lane the proposal is very dense especially for 4 bedroom properties and that this is contrary to Policies H3 and D1 a), b), d), e), g) of the Cherry Willingham Neighbourhood Plan.

Local policy LP26(c) of the CLLP states that *All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;

The CWNP sets out criteria for design principles (Policy D1). Policy D1 states that *‘proposals shall only be supported where they are of a high standard of design that have fully considered the relevant design principles’*.

Criteria a) of policy H3 of the CWNP states that *“the scheme is in-keeping with the character of the area, particularly in relation to historic development patterns and building plot sizes.”*

The identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The development proposes 3 four bedroom detached bungalows with roof accommodation which would measure approximately (measurements taken from submitted plans):

Plot	Measurement (metres)			
	Height	Eaves Height	Length	Width
7a	5.7	2.7	16.1	16
7b	5.7	2.7	15	12
7c	5.7	2.7	18.1	17

The detached garage to plot 7a and 7b would measure approximately (measurements taken from submitted plans):

- 4.4 metres in height
- 2.3 metre eaves height
- 6.7 metres in length
- 3.5 metres in width

The submitted elevation plans included a list and example of the external materials and colour finishes. In summary the external materials for each plot would be:

- Red Brick
- Red Pantiles
- Cream UPVC Windows
- Oak Door with Cream Frame
- Ivory Render
- Black Plastic Rainwater Goods

All of the external materials are considered acceptable and will be conditioned to be adhered to on the permission.

As previously stated the area comprises a mix of house types, designs, ages and plot sizes. The development proposes red brick bungalows which are prevalent within the area, particularly to the south. Whilst first floor bedrooms are proposed these are retained entirely within the roofspace so the buildings will appear outwardly, in scale and appearance, as genuine bungalows. The

proposed bungalows would respect and relate well to the character of the bungalows off Elm Avenue and Lime Grove to the south and west of the site.

Whilst the concerns of the Parish Council are noted, the prevailing character of this residential area is of modest red brick buildings on smaller plots. In terms of density, the application site would measure 13.4 dwellings per hectare (dph) based on 3 dwellings on a site measuring 0.224 hectares. By comparison, existing bungalows along nearby Lime Grove (see plan below outlined in blue with 5 bungalows on a site measuring 0.184 hectares) to the south/south west, for instance measures 27.2 dph.



Whilst it is noted that the Parish Council do consider there to be conflict with policies H3 and D1, it is considered that, in terms of scale, appearance and layout, the development would reflect the prevailing character of this residential area and have much lower density than Lime Grove. In this regard, I find that policies H3 and D1 are complied with.

It is considered that the proposed development would not have an unacceptable harmful visual impact on the site or the surrounding area and would accord to local policy LP17 and LP26 of the CLLP, policies H3 and D1 of the CWNP and the provisions of the NPPF and the National Design Guide.

Residential Amenity

The site has neighbouring dwellings adjacent or opposite in all directions. No objections have been received from neighbouring residents.

Plot 7a and 7b have been positioned more to the west of the site with the private drive along the east boundary. Plot 7a and 7b would be sufficiently separated from each other and from the existing dwellings including the host

dwelling (7 Waterford Lane) to the north. Plot 7b and 7c would also be sufficiently separated from each other.

Plot 7c is located more centrally at the end of the site with part of its rear elevation (gable end) approximately 1 metre from the south shared boundary with 26 Lime Grove and its detached garage approximately 2 metres from the east boundary. The detached garage to plot 7c would have a flat roof of approximately 2.4 metres high. The rear elevation of plot 7c would be partly 5.2 metres high to the gable end ridge and 2.4 metres from the rear elevation of the garage. As shown below the rear garden on 26 Lime Grove has outbuildings across the share boundary.



Consideration is additionally given to the direction of the sun which rises from the east and sets to the west.

Each bungalow includes rooflights on their rear roof slope mainly serving bedroom accommodation. However the position of the rooflights and the dwelling plus the gradient of the roof slope and the separation distance to neighbouring dwellings means no unacceptably harmful overlooking would occur on the existing or future neighbouring dwellings.

The design of the bungalows and the proposed landscaping would ensure each proposed and existing neighbouring dwelling would have sufficient private external amenity space.

The private drive would serve three dwellings which would generate vehicle noise and possible headlight glare into this existing garden space. However the amount of vehicle movements generated would be modest and the position of the dwellings would not lead to any direct headlight glare.

It is therefore considered that the proposed development would not have an unacceptable overbearing impact, cause any unacceptable loss of light or cause any unacceptable harm on the privacy and living conditions of future and existing neighbouring residents. This is due to the scale, siting and landscaping of the development.

The development therefore accords to local policy LP26 of the CLLP, policy D1 of the CWNPP and guidance contained within the NPPF.

It is considered that policy LP26 and D1 are consistent with the residential amenity guidance of the NPPF and can be attached full weight.

Highway Safety

The Cherry Willingham Parish Council have objected to the width of the access and the area of private drive measuring 2.5 metres wide.

The development would use the existing vehicular access to 7 Waterford Lane and install a private drive to the dwellings which would predominantly be 4.5 metres wide. There is a section within the site where the private drive narrows (2.5 metres wide) for a short period where only one vehicle could pass but this is acceptable as this is within the confines of the site and vehicles approaching the narrow point can view vehicles approaching from the other direction. The other area where the private drive is narrow is at the access point. This measures off the site plan at 3.1-3.2 metres wide which is unacceptable as two vehicles would not be able to pass meaning the potential for a vehicle having to wait on Waterford Lane. The widening off the access has been requested by the Highways Authority. In response to this the site plan has been amended to provide an access measuring 4.5 metres wide which is acceptable as it would allow two vehicles to pass.

The private drive would run past the east elevation of 7 Waterford Lane and down the east side of the site. Waterford Lane has a 30mph speed limit and the observation views were considered acceptable at the officer's site visit. The proposed dwellings and host dwellings would be served and still be served by adequate off street parking provision.

The Highways Authority at Lincolnshire County Council have no objections to the development.

Therefore the development will not have an unacceptable harmful impact on highway safety and accords to local policy LP13 of the CLLP, policy D1 of the CWNP and guidance contained within the NPPF.

It is considered that policy LP13 and D1 are consistent with the highway safety guidance (paragraph 111) of the NPPF and can be attached full weight.

Drainage

Foul Water:

The application form states that foul drainage will be disposed of to the mains sewer which is the preferred option. No plans have been submitted to evidence connection to a mains sewer.

Surface Water:

Surface water is proposed to be dealt with through soakaway which is a method of sustainable urban drainage system and is encouraged. The suitability of the site for soakaways has not been demonstrated through appropriate percolation testing. If tests demonstrate that the site is suitable for soakaways then the soakaway design must be informed by the results of the percolation tests.

Therefore it is considered that foul and surface water drainage can be addressed by condition. It would be expected that foul and surface water drainage would not have an unacceptable harmful impact and would be expected to accord with local policy LP13 of the CLLP, policy D1 of the CWNP and guidance contained within the NPPF.

It is considered that policy LP14 and D1 are consistent with the drainage guidance of the NPPF and can be attached full weight.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has not to date commented on the application. In planning application 133957 (Land North Of, Waterford Lane, Cherry Willingham) the HEO had no objections and this development sits very close to this application site to the north/north west of Waterford Lane.

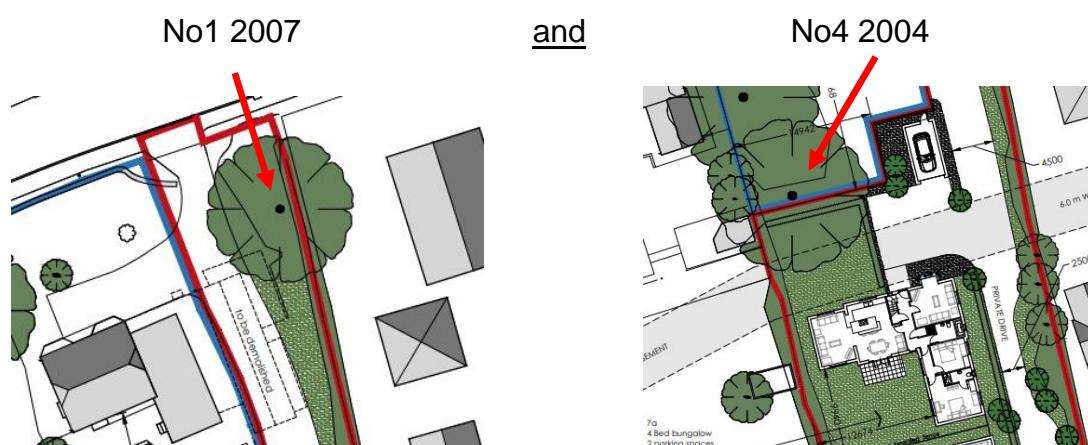
Therefore it is considered that the development would not have an unacceptable harmful archaeological impact and accords to LP25 of the CLLP and guidance within the NPPF.

It is considered that policy LP25 is consistent with the historic environment guidance of the NPPF and can be attached full weight.

Protected Trees

Concerns have been raised by the Parish Council.

The application site as confirmed by the Authority's Tree and Landscape Officer (TLO) includes protected trees. These are Tree Preservation Order Cherry Willingham:



The application on the request of the TLO has included an Arboricultural Impact Assessment and an Arboricultural Method Statement by Brown Bear Tree Care received 13th May 2022. The Method Statement includes Tree Protection Plan 001 dated 6th May 2022. However to provide clarity on the areas of the private drive which would be required to be constructed from a cellular confinement system the Impact Assessment and Method Statement including the plan (dated 24th May 2022) were updated.

Following the receipt of the amended documents the TLO has no objections to the development.

Therefore subject to adhering to the details of the submitted statements via conditions the development would not be expected to have a harmful impact on the protected trees and accord to LP21 of the CLLP and guidance within the NPPF.

Other Considerations:

Landscaping

The submitted site plan includes illustrative landscaping details but does not include sufficient information on hardstanding materials, planting and boundary treatments. Therefore a landscaping condition would be attached to the permission to provide more comprehensive details.

Land Ownership

A comment in relation to land ownership was received from a neighbouring resident. Whilst land ownership is a civil matter it can alter the type of certificate that needs to be signed at the end of the application form.

This comment was passed onto the applicant/agent who responded confirming that *“Whilst we acknowledge the neighbours comments, the Land Registry Title plans do not show a kink or any deviations in the red line. On that basis, it is our opinion that the red line application area follows the title plan area, purchased by the land owners”*.

Whilst the comments of the neighbour are noted, the applicant has submitted a copy of the Land Registry Title Plan. The application site would appear to accord with this, and there is no other evidence before me to suggest that the applicant has otherwise erroneously signed the land ownership certificate.

Community Infrastructure Levy (CIL)

The development would be liable to a CIL payment of £25 per square metre prior to commencement of works.

Conclusion 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, LP10 Meeting Accommodation Needs, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP25 The Historic Environment and LP26 Design and Amenity of the adopted Central Lincolnshire Local Plan 2012-2036 and Policy H3 Infill Development in Cherry Willingham and Policy D1 Design Principles for Cherry Willingham of the Cherry Willingham Neighbourhood Plan in the first instance.

Consideration has additionally been given to policy S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Reducing Energy Consumption – Residential Development, S19 Resilient and Adaptable Design, S20 Flood

Risk and Water Resources, S22 Meeting Accommodation Needs, S46 Accessibility and Transport, S48 Parking Provision, S52 Design and Amenity, S56 The Historic Environment and S65 Trees, Woodland and Hedgerows and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, the National Design Guide and the National Design Model Code. In light of this the principle of the development is acceptable and would provide three bungalows within the developed footprint and in an appropriate location. The development would not have an unacceptable harmful visual impact on the site, the street scene or the surrounding area and would not harm the living conditions of neighbouring dwellings or the future residents. The development would not have a harmful impact on protected trees, highway safety, drainage or archaeology. This is subject to a number of conditions.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

Standard Letter ☐

Special Letter ☐

Draft enclosed ☐

Prepared by: Ian Elliott

Date: 6th June 2022

Signed:



Authorising Officer:

Date: 07/06/2022

Decision Level (tick as appropriate)

Committee

Recommended Conditions

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

1. The development hereby permitted must 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 must be carried out in accordance with the following proposed drawings:
 - 1768P-22-26c dated 18th May 2022 – Site Plan
 - 1768P-22-27 dated February 2022 – Plot 7a Floor Plans
 - 1768P-22-28 dated February 2022 – Plot 7a Elevation Plans
 - 1768P-22-29 dated February 2022 – Plot 7b Floor Plans
 - 1768P-22-30 dated February 2022 – Plot 7b Elevation Plans
 - 1768P-22-31 dated February 2022 – Plot 7c Floor Plans
 - 1768P-22-32a dated 1st April 2022 – Plot 7c Elevation Plans
 - 1768P-22-33 dated April 2022 – Plot 7a and 7b Garage Elevation and Floor Plans
 - AMS22-01 dated 24th May 2022 – Tree Protection Plan (Appendix A of the Arboricultural Method Statement by Brown Bear Tree Care dated 24th May 2022)

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 H3 and D1 of the Cherry Willingham Neighbourhood Plan.

3. The development must be completed in strict accordance with the Arboricultural Method Statement by Brown Bear Tree Care and Tree Protection Plan (AMS22-01) dated 24th May 2022. All tree protection measures must be installed prior to works commencing and retained in place until the development is fully completed. The areas identified on the

Tree Protection Plan for a cellular confinement system must be completed using a no dig/excavation method.

Reason: To appropriately protect and safeguard the protected trees and trees to be retained on the site to accord with the National Planning Policy Framework, local policy LP21 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

4. No construction works above ground level must take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation must occur until the approved scheme has been carried out. The approved scheme must be retained as such thereafter.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

5. No occupation must take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:
 - Type, height and position of all boundary treatments.
 - Material finish of all hardstanding (access road, driveways, patios and paths).
 - Species, planting height, formation and position of all new and retained trees and hedging.

Reason: To ensure that appropriate landscaping is introduced and will not unacceptably harm the character and appearance of the site to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

6. The development must be completed in strict accordance with the external materials identified on the elevation plans listed in condition 2 of this permission.

Reason: To ensure the use of appropriate materials in the area to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

7. No occupation of each individual dwelling must take place until the vehicular access, private drive to the dwelling and its individual driveway

identified on site plan 1768P-22-26c dated 18th May 2022 has been fully completed and retained for that use thereafter.

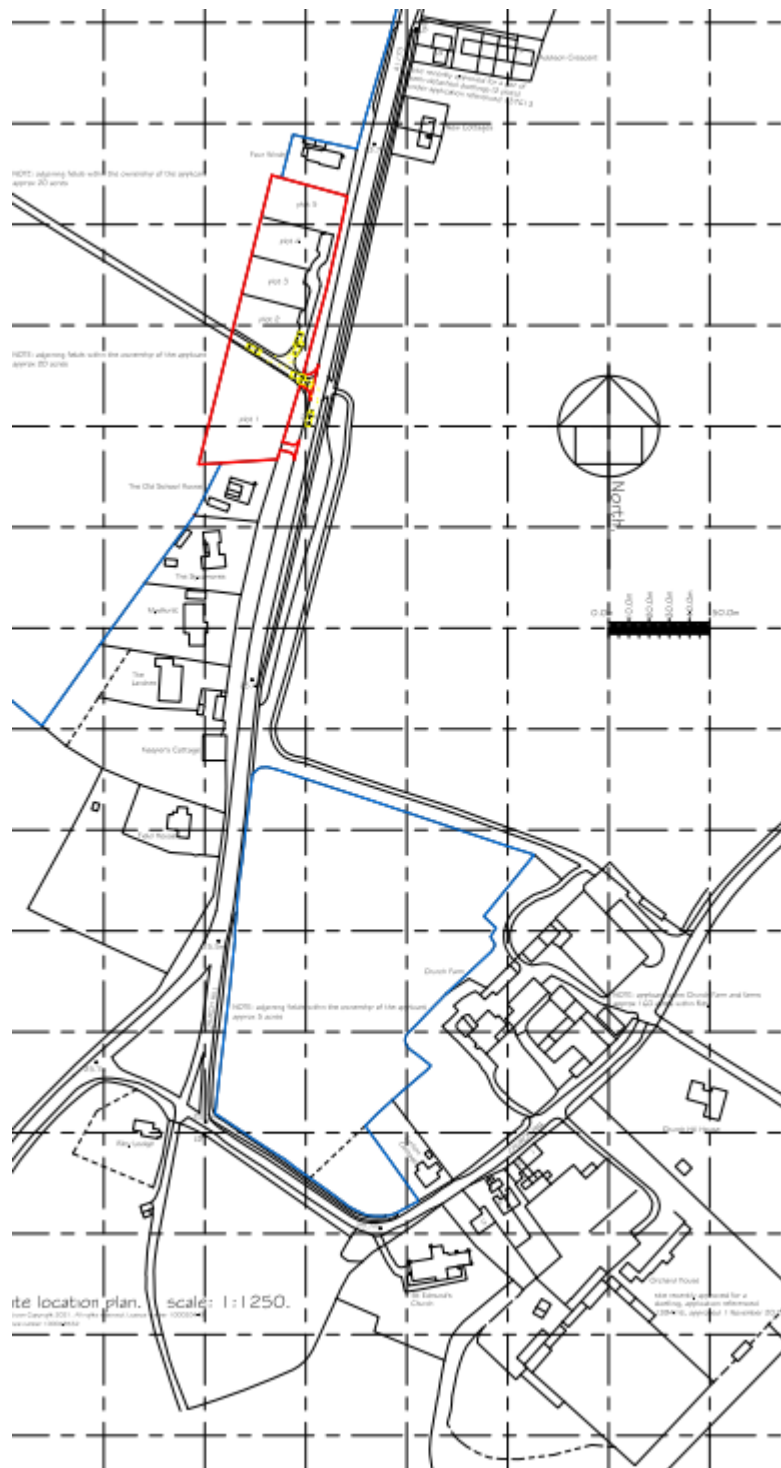
Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework, local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

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

8. All planting or turfing comprised in the approved details of landscaping 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: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

Agenda Item 6b



Officers Report

Planning Application No: 143891

PROPOSAL: Planning application to erect 5no. detached dwellings with associated boundary treatments, landscaping, private access drive and altered existing farm access.

LOCATION: Land off Main Road & Church Hill Riby Grimsby DN37 8NX

WARD: Caistor and Yarborough

WARD MEMBER(S): Cllr Mr O Bierley, Cllr Mrs A T Lawrence

APPLICANT NAME: Mr J Addison

TARGET DECISION DATE: 21/12/2021 (Extension agreed until 15th July 2022)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

This application has been referred to the Planning Committee following receipt of third party representations on planning matters, and implications for village growth levels and best and most versatile agricultural land.

Description:

The application site is part of an agricultural arable field to the west of the A1173. A grass verge divides the site and the highway with one existing wide access closed off by agricultural gates. The site slopes gently upwards from east to west. The site is screened to the north, east and south boundaries by high hedging, trees and fencing (north boundary only). The west boundary is open to the remainder of the agricultural field. Neighbouring dwellings are adjacent the north and south boundary with open countryside to the east and west. The part of the site to the south of the farm track is in an Area of Great Landscape Value.

The application seeks permission to erect 5no. detached dwellings with associated boundary treatments, landscaping, private access drive and altered existing farm access.

Relevant history:

Pre-application 140192 - Pre-application enquiry for 5no. dwellings

Conclusion for response:

“It is therefore considered that the principle of the smaller site is highly unlikely to be supported but the larger site is more likely to be supported for housing development through a formal planning application subject to the submission of more detailed plans.”

Representations

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

Parish/Town Council/Meeting: No representations received to date

Local residents: Objections received from:

Hickory Wind Cottage, Caistor Road, Riby
Field House, Caistor Road, Riby
5 Addison Crescent, Riby
Four Winds, Caistor Road, Riby
The Sycamores, Caistor Road, Riby
Mydhurst, Caistor Road, Riby
Keepers Cottage, Caistor Road, Riby
The Old School House, Caistor Road, Riby

Visual Impact/Design

- Houses not in keeping with character of village and look ugly.
- Density of buildings.
- Building line is beyond the existing line of existing properties.
- Houses are too large.
- Style and size is at odds with the ambience of this old village.
- If rear of fence is between plot 5 and Four Winds is facing Four Winds it will be particularly unattractive.
- Roof lines exceed neighbouring properties.

Growth

- Only 5 dwellings permitted in Riby and had 3 up to now.
- Riby is a hamlet.

Highway Safety

- Traffic generation on already busy road at 60 mph.
- Will make it more difficult to enter driveway safely at Keepers Cottage.

Residential Amenity

- Noise and disturbance from use
- Plot 5 seriously overlooks The Old Chapel (Four Winds)
- Plot 5 has two first floor windows (home office and ensuite) that will look down into screened private garden and main living/lounge area of Four Winds. Home Office window would be unduly obtrusive and severe detriment to privacy of Four Winds.
- Could make life in Four Winds intolerable through noise, loss of light and overbearing structure.
- Properties will overshadow neighbouring properties.
- Rear boundary exceeds neighbouring gardens on both sides which would reduce rear visual aspect of existing properties giving a hemmed in feeling.

Trees

Disturbance will undermine the roots of large trees adjacent properties.

Other

- Future expansion of site and laying foundations in terms of change of use from agricultural to domestic with established access.
- Effect on property value.
- Set a precedent for future development.
- Applicant is Chair of Riby Parish Meeting.

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.

LCC Archaeology: No objections subject to advice

Representation received 23rd May 2022:

In light of the findings of this evaluation we would recommend that there is insufficient evidence to warrant any further archaeological input, so no condition would be needed in this instance.

There is always the possibility that some graves from the early medieval cemetery do exist here which have not been detected but there isn't anything from the evaluation that would indicate this. If they do happen to disturb a burial or find any suspected human remains this does need to be reported to the Police as it is an offence to disturb them under the Burial Act 1857 without a license from the Ministry of Justice. We'd advise them to let us know about this too so that we can ensure that they are appropriately removed and recorded as required by the Ministry if this is necessary

Representation received 8th November 2022:

The proposed development is situated in an area of archaeological interest. It is located within an area recorded in the Lincolnshire Historic Environment Record as part of the Riby Anglo-Saxon cemetery. This cemetery was discovered in 1915 when soldiers camping in Riby Park found skeletons an urn and grave goods, with further skeletons being discovered in 1916. English Heritage has also identified a number of cropmarks of enclosures within the area of the cemetery, with several cropmarks recorded within this site. There is also evidence for a substantial Anglo-Saxon rural settlement at Riby Cross Roads, which has produced pottery, metalwork and animal bone. The settlement is thought to have been occupied from the sixth to the mid ninth centuries. There is thus a high potential for Anglo-Saxon remains, including human burials, to be impacted by the proposed development. It is recommended that further information is required from the developer in the form of an archaeological evaluation to be considered alongside the application. This evaluation should provide the local planning authority with sufficient information to enable it to make a reasoned decision on the impacts

of the proposal on the historic environment, and if necessary for a mitigation strategy to be designed to protect buried remains. This evaluation should consist of trial trench excavation.

Natural England: No objections

WLDC Tree and Landscape Officer: Comments

There is a large sycamore near the frontage of plots 3 and 4, and a couple of smaller oak trees along the frontage of plot 1. It is difficult to say what condition they are in without a site visit, and with their trunks and branch junctions being obscured by ivy I cannot see the structure of the primary branches, but that being said, they do look to be nice trees on Google street viewer as they appear to have a good crown shapes with symmetrical outlines.

The frontage hedgerows appear mainly intact, with a short section infilled with new plants near the large road sign, though there are a few other areas where the hedgerow looks a bit sparse, and is relying on fence, weeds and sideways growing branches to fill the spaces.

In this countryside, rural location I feel it is very important to retain the landscape character and street scene as much as possible, which would involve retaining the mixed native hedgerow, and the trees providing the trees are in a suitable condition to be safely retained. A condition should be used for their retention. The trees and hedgerow are important as they complement the opposite hedgerow and trees, and retain the rural character of the area. The trees would provide good high-level screening of any new dwellings and soften their appearance on the area and its character. The hedgerow forms a natural green stop or boundary to any new development in this location and limits its visual impact on the street scene, whereas fences, walls or more formal hedgerows would have a negative visual impact on the street scene and its character.

The site layout plan shows the existing hedgerow and trees as to be retained, but if any trees need to be removed for safety reasons then new trees should be required in a scheme of landscaping. The frontage hedgerow could also be improved with the use of a landscape condition. The site layout plan also shows new planting of trees and boundary hedgerow along the westerly site boundary and parts of the north and south boundaries, and dividing hedgerows within the site, though no details on species, sizes, quantities etc... have been provided on the plan.

Lincolnshire Wildlife Trust: No representation received to date

WLDC Strategic Housing: No representation received to date

IDOX Checked: 7th June 2022

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) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

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

LP25 The Historic Environment

LP26 Design and Amenity

LP55 Development in the Countryside

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>

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

The site is not within a Minerals Safeguarding Area therefore policy M11 of the Core Strategy does not apply.

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/88170.article>

National policy & guidance (Material Consideration)

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

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

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 July 2021.

Paragraph 219 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**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Model Code**

<https://www.gov.uk/government/publications/national-model-design-code>

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- (b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- (c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLPR)**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (expiring 9th May 2022).

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

Relevant Policies:

- S1 The Spatial Strategy and Settlement Hierarchy
- S2 Growth Levels and Distribution
- S4 Housing Development in or Adjacent to Villages
- S6 Reducing Energy Consumption – Residential Development
- S19 Resilient and Adaptable Design
- S20 Flood Risk and Water Resources
- S22 Meeting Accommodation Needs
- S46 Accessibility and Transport
- S48 Parking Provision
- S52 Design and Amenity

S56 The Historic Environment
S59 Protecting Biodiversity and Geodiversity
S60 Biodiversity Opportunity and Delivering Measurable Net Gains
S65 Trees, Woodland and Hedgerows
S66 Best and Most Versatile Agricultural Land
<https://central-lincs.inconsult.uk/connect.ti/CLLP.Draft.Local.Plan/consultationHome>

Other:

Natural England's East Midlands Agricultural Land Classification Map 2010
[Agricultural Land Classification Map East Midlands Region - ALC005](https://naturalengland.org.uk/Agricultural-Land-Classification-Map-East-Midlands-Region-ALC005)
(naturalengland.org.uk)

Housing Growth Table for Medium and Small Villages
[Housing growth in medium and small villages \(Policy LP4\) | West Lindsey District Council \(west-lindsey.gov.uk\)](https://www.west-lindsey.gov.uk/housing-growth-in-medium-and-small-villages-policy-lp4)

Main issues

- Principle of the Development
Central Lincolnshire Local Plan 2012-2036
Agricultural Benefit
Concluding Assessment
- Affordable Housing
- Infrastructure Contributions
- Visual Impact
- Residential Amenity
- Highway Safety
- Drainage
- Archaeology
- Protected Species

Assessment:

Principle of the Development

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

Central Lincolnshire Local Plan 2012-2036:

Local policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Riby as a small village and '*unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local 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 LP2 states ‘around’ 4 dwellings and does not place a maximum of 4 dwellings therefore 5 dwellings has to be considered to comply with the policy providing the location is acceptable and the site can accommodate 5 dwellings.

Local policy LP2 states that *‘throughout this policy, the term ‘appropriate locations’ means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan (such as, but not exclusively, Policy LP26). In addition, to qualify as an ‘appropriate location’, the site, if developed, would:*

- *retain the core shape and form of the settlement;*
- *not significantly harm the settlement’s character and appearance; and*
- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement’.*

Local policy LP4 goes on to say that Riby has a growth level of 10%. An updated table of remaining growth for housing (dated 13th May 2022) in medium and small village’s states that Riby has 65 dwellings which equates to a remaining growth of 7 dwellings. Consequently, at the time the application was received, there was remaining growth. However, Since the publication of this growth level there has recently been 3 further dwellings approved resulting in a remaining level of growth in Riby of 4 dwellings, as of the time of writing.

Submitted policy LP4 additionally requires a sequential approach to be applied to prioritise the most appropriate land for housing within small villages. LP4 states that:

‘In each settlement in categories 5-6 of the settlement hierarchy, a sequential test will be applied 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***

Proposals for development of a site lower in the list should include clear explanation of why sites are not available or suitable for categories higher up the list’.

Glossary D of the CLLP (page 137) defines infill as *“Development of a site between existing buildings”.*

The site is located to the south and north edge of Riby and has adjacent residential built form to the north and south boundaries. In accordance with

the CLLP definition the site would be between existing buildings therefore can be considered an infill development (see Statmap Earthlight image below).



Riby as a small village is spread out in a very prominent linear format starting from Riby Crossroad moving south along the A1173. As the built form of Riby moves south it terminates on the eastern side of the A1173 at 2 New Cottages and begins again with Four Winds on the western side. The Old School House to the south of the site this infill development would provide a connection between two out of the three groups of buildings which identify the settlement of Riby.

On investigation of Riby through the authority's internal mapping system (Statmap Earthlight) and officers site visit there appears to be limited opportunity for housing development of up to five dwellings within the settlement.

The development proposes 5 dwellings when as stated previously the remaining growth of Riby is 4 dwellings. Therefore one of the dwellings in accordance with local policy LP2 of the CLLP should require a demonstration of clear community support with a community consultation completed prior to submission of an application.

Local policy LP2 of the CLLP states that *"throughout this policy and Policy LP4 the term 'demonstration of clear local community support' means that at*

the point of submitting a planning application to the local planning authority, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise. If, despite a thorough, but proportionate, pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council. If an applicant is in doubt as to what would constitute a 'thorough, but proportionate, pre-application consultation exercise', then the applicant should contact the applicable local planning authority."

On submission of this application the remaining housing growth for Riby was 5 dwellings but this was latterly reduced by a single dwelling by the approval of planning permission 144009. Planning permission 144009 was determined on 20th January 2022 and this application was submitted on 22nd October 2021.

Consequently – at the time the application was made there was not a need to demonstrate clear community support. The policy is clear that this is required *"at the point of submitting a planning application"*.

Therefore on submission there was no requirement for the applicant to complete a community consultation prior to submission and it would be unreasonable to request this at the stage as this would require withdrawal of the application and re-submission once a community consultation exercise was completed for the single dwelling.

Another material consideration is that it would only exceed the growth by 1 dwelling (1.5%) – resulting in an overall village growth of 12%. The applicant had, although under no obligation to do so, sought pre-application advice before making their application. At that time – the applicant had been advised:

"This site has been submitted as two separate sites therefore individually cannot be considered as infill between two dwellings. The site as a single site could be appropriate when considered against the context of Riby. As one larger site the development would provide a connection between two out of the three groups of buildings which identify the settlement of Riby."

It remains the view that there is more benefit to treating the site as one larger infill site, than there would be by creating an otherwise artificial gap to stay below the LP4 figure.

Local policy LP26 of the CLLP states that *"All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

Criteria (e) - *“Not result in ribbon development, nor extend existing linear features of the settlement, and instead retain, where appropriate, a tight village nucleus;*

As previously stated the character of the Riby includes existing linear (ribbon) format to the south of Riby crossroads. The development of this infill site would present a more identifiable Riby developed footprint by tightening the settlement nucleus between Four Winds and The Old School House.

Agricultural Benefit:

Local policy LP55 Part G of the CLLP states that *“Proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy. With the exception of allocated sites, development affecting the best and most versatile agricultural land will only be permitted if:*

- a) There is insufficient lower grade land available at that settlement (unless development of such lower grade land would be inconsistent with other sustainability considerations); and*
- b) The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and*
- c) Where feasible, once any development which is permitted has ceased its useful life the land will be restored to its former use, and will be of at least equal quality to that which existed prior to the development taken place (this requirement will be secured by planning condition where appropriate).”*

Guidance contained within Paragraph 170 of the NPPF states that *‘Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland’*

The field is classed in Natural England’s East Midlands Agricultural Land Classification Map as grade 2 (very good). This designates the site as being productive for agricultural use and is used as arable agricultural field. The Amount section of the submitted Design and Access Statement (DAS) states that *“The applicant owns and farms around 20 acres to the west of the application site along with a further 165 acres of additional land to the east as part of Church Farm. All of the land is within Riby. The application site is a very small percentage of the overall agricultural land (0.7%) being farmed by the applicant and is a parcel that is increasingly becoming difficult to manage with the new modern farm machinery due to the 'indented' nature between the*

existing dwellings. The loss of this very small percentage of agricultural land to provide the residential growth Riby requires, is not considered to be significant and will not affect the overall productivity of the farmland.”

The development would therefore lead to a loss of a modest area of productive agricultural land.

Concluding Assessment:

The proposed development is within the dwelling limit (around 4) set out in local policy LP2. Riby currently has a remaining housing growth of 4 dwellings therefore one of the dwellings in strict accordance with local policy LP2 of the CLLP requires a demonstration of clear community support on submission of the application. However on submission of the application Riby had five dwellings remaining on its housing growth for the local plan period. Therefore on submission no community support was required for this application. It would be unreasonable to request a community consultation exercise is completed due to the change in the housing growth situation during the timeline of the application particularly as delays have been caused by the need for further information prior to determination (see archaeology section below).

The site in accordance with the land availability sequential test in local policy LP4 has the highest priority for housing development as an infill site. The site therefore passes the land availability sequential test in local policy LP4 and is considered a sustainable appropriate location for housing development. It would mean the loss of a small area of productive agricultural land which has to be considered a departure from local policy LP55 Part G of the CLLP but as explained in the DAS the area *“is a parcel that is increasingly becoming difficult to manage with the new modern farm machinery due to the 'indented' nature between the existing dwellings”*. It is considered that the harm caused by the loss of a modest area of agricultural land is far outweighed by the benefits of the development.

Therefore it is considered on planning balance that the benefits of the development far outweigh the modest harms of not according to local policy LP55 of the CLLP and the principle of the development is acceptable and accords to Local Policy LP1, LP2, LP3 and LP4 of the CLLP and the provisions of the NPPF.

It is considered that policy LP1, LP2, LP3, LP4 and LP55 are consistent with the sustainability, agricultural land and housing growth of the NPPF and can be attached full weight.

Visual Impact/Design

Local policy LP17 states that *“To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography,*

trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements”.

Developments should also *“be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas”.*

Local policy LP17 adds further that *“the considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon the Lincolnshire Wolds AONB and the **Areas of Great Landscape Value** (emphasis added) (as identified on the policies map) and upon Lincoln’s historic skyline.”*

Local policy LP26(c) of the CLLP states that *All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;

The Identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The two storey dwellings with roof accommodation would be (all approximate metres from submitted plans):

Plot	Bed	Height	Eaves	Width	Length	Garage
1	4	9	5.4	22	12.4	Attached Double
2	4	9.3	5.6	10.9	12.1	Detached Double
3	5	9	5.4	10.6	13.2	Detached Double
4	4	9.2	5.7	12.5	14.8	Attached Double
5	4	9	5.4	12.6	22.7	Attached Double

The proposed materials identified on each elevation plan appear to be acceptable, however the site is within and close to an area of great landscape value so a condition requiring the submission of a detailed external materials schedule is considered relevant and necessary.

The proposed dwellings would be 2 storey high dwellings of varied designs set within large plots providing low density housing. The existing dwellings to the south of the site are predominantly bungalows with the nearest dwelling (The Old School House) having roof accommodation. To the north of the site is Four Winds which is a 2 storey dwelling. On the other side of the A1173 and to the north is a mix if storey dwellings and bungalows.

The proposed development would retain the existing trees along the frontage and all the hedging apart from the section to be removed to provide vehicular access to plot 1. The retention of the trees and hedging with some potential

hedging infilling would soften the appearance of the development from the A1173.

Whilst the rural agricultural nature of the setting is acknowledged it is considered as previously addressed that the application site would as an infill site provide a connection between two out of the three groups of buildings which identify the settlement of Riby. The site retains all of the existing hedging along the front apart from the gap required for access to plot 1.

It is therefore considered that the proposed development would not have an unacceptable harmful visual impact on the site, the Area of Great Landscape Value or the surrounding area and accords to local policy LP17 and LP26 of the CLLP and the provisions of the NPPF.

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

Residential Amenity

Local policy LP26 states that *“The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.”*

Objections have been received from a neighbouring dwelling which initiated the submission of an amended site plan to move plot 5 further away from Four Winds.

The site has two adjacent neighbouring dwellings one to the north (Four Winds) and one to the south (The Old School House). All measurements are approximated from the submitted plans.

Four Winds:

The north elevation of plot 5 sits 21 metres away from Four Winds and 8 metres from the shared boundary. The north side elevation of plot 5 has a first floor en-suite window and first floor home office window. The en-suite window would be conditioned to be obscurely glazed. The home office is not primary living accommodation.

The Old School House:

The nearest south elevation of plot 1 (garage/home office) sits 19 metres away from The Old School House and 6.5-8 metres from the shared boundary. This section of the dwelling would be single storey with roof accommodation.

The main two storey south elevation and roof which faces The Old School House would have two first floor windows and a rooflight. One of the windows and the rooflight would serve the landing which would not be primary living accommodation. The other window would be a secondary window serving a bedroom. This elevation would be 15 metres from the shared boundary with

The Old School House and 29 metres from the north elevation of The Old School House.

The proposed dwellings are well separated from each other and the future occupant of each dwelling would have acceptable private external amenity spaces.

Therefore the development would not be expected to harm the living conditions of the existing or future residents and would accord with local policy LP26 of the CLLP and the provisions of the NPPF.

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

Highway Safety

Objections have been received in relation highway safety.

Local policy LP13 of the CLLP States that *“development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods would be supported.”*

Paragraph 11 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*

The proposed development would introduce one new vehicular access point to serve the driveway of plot 1 and amend/widen the existing agricultural gated access to serve plot 2, 3, 4 and 5. Both access points would be off the A1173 and the driveways to plots 2, 3, 4 and 5 would be accessed via a private drive.

Each dwelling would be served by adequate off street parking provision via driveways and garage parking. Therefore off street provision is acceptable and would not be expected to harm highway safety

The Highways Authority at Lincolnshire County Council have no objections to the development subject to advisory notes.

Therefore the development would not have an unacceptable harmful highway safety impact and would accord with local policy LP13 and LP26 of the CLLP and the provisions of the NPPF.

It is considered that policy LP13 and LP26 are consistent with the Highway Safety guidance of the NPPF and can be attached full weight.

Drainage

Paragraph 80 (Reference ID: 7-080-20150323) of the Flood risk and coastal change section of the NPPG states that *“Generally, the aim should be to*

discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- 1. into the ground (infiltration);*
- 2. to a surface water body;*
- 3. to a surface water sewer, highway drain, or another drainage system;*
- 4. to a combined sewer."*

Particular types of sustainable drainage systems may not be practicable in all locations. It could be helpful therefore for local planning authorities to set out those local situations where they anticipate particular sustainable drainage systems not being appropriate."

Criteria f of the flood risk section of local policy LP14 of the CLLP requires that *"they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical."*

Criteria m of the protecting the water environment section of local policy LP14 of the CLLP requires that *"that adequate foul water treatment and disposal already exists or can be provided in time to serve the development"*.

Foul Water:

The application form does not state the method of disposing foul water but the DAS states that *"The proposed foul drainage will be collected on site and 'off line' with the discharge on each separate individual plot"*. The method of dealing with foul water is unclear at this moment in time but can be addressed through a condition.

Surface Water:

Surface water is proposed to be dealt with through soakaways which is encouraged as a form of sustainable urban drainage system. No details have been submitted in terms of the dimensions of the soakaways, their position or evidence to prove the ground conditions are suitable.

Therefore it is considered that foul and surface water drainage would be capable of being addressed by condition and would be expected to accord with local policy LP14 of the CLLP and the provisions of the NPPF.

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

Archaeology

It has been highlighted by the Historic Environment Officer (HEO) at Lincolnshire County Council Archaeology that *"there is thus a high potential for Anglo-Saxon remains, including human burials, to be impacted by the proposed development."* The HEO has subsequently recommended further evaluation is completed including trial trenching prior to determination.

This work took place and an Archaeological Evaluation Report by PCAS Archaeology dated January 2022 was submitted. The report identified the four trenches that were excavated and concluded that *"overall, the trenching*

results indicate a very low level of archaeological activity within the proposed development zone, suggesting that the site most likely has had an agricultural usage throughout much of its past. The absence of artefactual remains from any of the trenches, including topsoil and subsoil deposits, further corroborating this interpretation."

The HEO has accepted the conclusion of the report and has not recommenced any further archaeological input apart from the attaching of an advisory note to a permission.

Therefore the development would accord with local policy LP25 of the CLLP and the provisions of the NPPF.

It is considered that policy LP25 is consistent with the historic environment guidance of the NPPF and can be attached full weight.

Protected Species

Local 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 174 and 179 of the NPPF encourages the protection and enhancement of protected species (fauna and flora) and providing net biodiversity gains.

Protected Species:

The application has included a Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2021. The PEA in summary recommends that:

Birds

- Measures to avoid disturbance during bird breeding season or a search for nests should be carried out beforehand.
- Nest boxes for house sparrow, swift and starling.

Bats

- Precautionary measures set out are followed.
- Integral bat boxes are installed

Badger

- Precautionary measures set out are followed.

Hedgehog

- Fencing to be hedgehog appropriate to allow for unobstructed movement.

Habitat/Planting

- The front hedging and trees to be retained and any removal replaced appropriately.

Enhancement

- Trees, new hedgerows, planted flower borders and wildflower planting.

The proposal would not be expected have an unacceptable harmful impact on biodiversity and the recommendations have the potential to overall provide a positive biodiversity net gain. It is considered relevant and necessary to attach a condition adherence to the ecology recommendations and further details on the type/position of the bat and bird boxes. Therefore subject to conditions the development would be expected to accord to local policy LP21 of the CLLP and guidance contained within the NPPF.

It is considered that policy LP21 is consistent with the biodiversity guidance of the NPPF and can be attached full weight.

Other Considerations:

Landscaping

The application has not included a detailed landscaping plan but the site plan does indicate new planting and the use of hedgerows as boundary screenings to the rear and sides of the proposed dwellings. Further details are detailed within the DAS including new planting and the construction of driveways from a porous material such as gravel or porous paving.

However it is not considered that the details submitted are comprehensive or clear enough and it would be relevant and necessary to condition landscaping on any future permission.

Building Regulation M4(2) Compliance

Local policy LP10 of the CLLP states that *“more specifically, to cater for the needs of less mobile occupants, including older people and disabled people, and to deliver dwellings which are capable of meeting peoples’ changing circumstances over their lifetime, proposals for 6 or more dwellings (or 4 or more dwellings in small villages) must deliver housing which meets the higher access standards of Part M Building Regulations (Access to and use of buildings) by delivering 30% of dwellings to M4(2) of the Building Regulations”*

No information has been submitted to demonstrate compliance with meeting the M4(2) standard. The 30% requirement equates 2 of the 5 dwellings meeting the standard required by local policy LP10 and this would be secured via a condition.

Community Infrastructure Levy (CIL)

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The site is within zone 2 where there is a charge of £15 per square metre.

Pre-commencement conditions

The agent has confirmed in writing that the recommended pre-commencement conditions are acceptable.

Conclusion 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, LP25 The Historic Environment, LP26 Design and Amenity and LP55 Development in the Countryside of the adopted Central Lincolnshire Local Plan 2012-2036 and the Lincolnshire Minerals and Waste Local Plan in the first instance and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Model Code. In light of this the proposed development is considered to be acceptable and would provide five dwellings in an appropriate location to meet the housing growth target for Riby and Central Lincolnshire. No demonstration of clear community support is required as sufficient housing growth for Riby was available on submission of the application. It is considered that the benefits of the development outweigh the limited harm caused by the loss of grade 2 (very good) agricultural land. It would not have an unacceptably harmful visual impact on the site or the surrounding area or harm the living conditions of existing and future neighbouring dwellings. The proposal would not harm highway safety, ecology, archaeology or drainage subject to satisfying a number of conditions.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

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

Prepared by: Ian Elliott

Date: 7th June 2022

Decision Level (tick as appropriate)

Recommended Conditions

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

1. The development hereby permitted must 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 must take place until a construction method statement and plan has been submitted and agreed in writing by the local planning authority. The approved statement(s) must be adhered to throughout the construction period. The statement must provide for:
 - (i) the routing and management of traffic including any off site routes for the disposal of excavated material;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (vi) wheel cleaning facilities;
 - (vii) measures to control the emission of dust and dirt;
 - (viii) details of noise reduction measures;
 - (ix) a scheme for recycling/disposing of waste;
 - (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwellings and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following proposed drawings:
 - dmc 21614/001 Rev A dated 3rd April 2022 – Site Plan
 - dmc 21614/002 Rev A dated 3rd November 2021 – Plot 1 Elevation, Floor and Roof Plans

- dmc 21614/003 dated October 2021 – Plot 2 & 3 Elevation, Floor and Roof Plans
- dmc 21614/004 dated October 2021 – Plot 4 Elevation, Floor and Roof Plans
- dmc 21614/005 Rev A dated 3rd April 2022 – Plot 5 Elevation, Floor and Roof Plans

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 and local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

4. No development above ground level must take place until all external materials in the construction of the dwellings have been submitted to and approved by the Local Planning Authority. The external material details to include:

- Brick/Stone Type
- Roof Type
- Windows and Doors including colour finish
- Rainwater Goods including colour finish

The development must be completed in strict accordance with the approved materials schedule.

Reason: To safeguard the character and appearance of the building and its surroundings including the Area of Great Landscape Value and ensure the proposal uses materials and components that have a low environmental impact and to accord with the National Planning Policy Framework and local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. No development above ground level must take place until details of a scheme for the disposal of foul sewage and surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) have been submitted to and approved in writing by the Local Planning Authority. No occupation must occur until the approved scheme has been installed. The development must be completed in strict accordance with the approved drainage scheme and retained as such thereafter.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.

6. No occupation must take place until a comprehensive landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping plan to include details of:

- All hardstanding
- All boundary treatments
- Retained trees and hedging
- New hedging and new trees including position, species, planting height and planting arrangement.
- New infill planting to the front hedgerow including position, species, planting height and planting arrangement.

The development must be completed in strict accordance with the approved landscaping details.

Reason: To ensure the development site is appropriately landscaped in its setting to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. No development above ground level must take place until details have been submitted to demonstrate that at least 2 of the 5 dwellings, as a minimum, meet standard M4(2) of the Building Regulations 2010. The development must be completed in strict accordance with the approved details.

Reason: To ensure the development meets the requirements for accessibility set out in Part M4(2) of the Building Regulations 2010 and to accord with the National Planning Policy Framework and local policies LP10 of the Central Lincolnshire Local Plan 2012-2036.

8. No occupation must take place until details of the type and position of 3 integral bat boxes, 2 house sparrow nest boxes, 2 swift nest boxes and 2 starling nest boxes have been submitted to and approved in writing by the Local Planning Authority. The approved boxes must be installed in strict accordance with the approved details and retained as such thereafter.

Reason: To respond to the enhancement recommendations of the Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2021 to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

9. In addition to the bat and bird described in condition 8 of this permission the development hereby approved must otherwise only be carried out in accordance with the recommendations set out in section 5 (page 14-17) of the Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2021.

Reason: To respond to the enhancement recommendations of the Prelim accord to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

10. No occupation of plot 1 must take place until its vehicular access off the A1173 and driveway identified on site plan site plan dmc 21614/001 Rev A dated 3rd April 2022 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

11. No occupation of plots 2, 3, 4 and 5 must take place until the access off the A1173, the private drive and each plots individual access and driveway identified on site plan site plan dmc 21614/001 Rev A dated 3rd April 2022 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

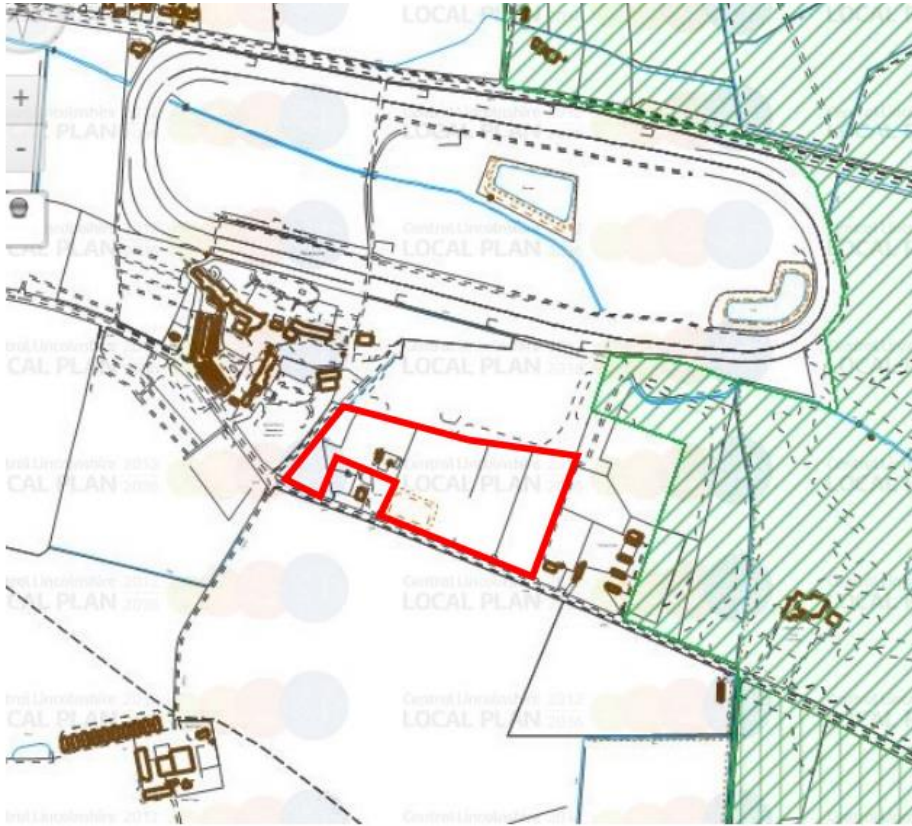
Conditions which apply or relate to matters which are to be observed following completion of the development:

12. All planting and turfing comprised in the approved details of landscaping approved through condition 6 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: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

Agenda Item 6c

CHANGE OF USE TO CARAVAN PARK, LAND TO REAR OF BELMONT, LEGSBY ROAD REF 144201



Officers Report

Planning Application No: 144201

PROPOSAL: Planning application for change of use to caravan site with associated infrastructure and landscaping, including formation of new access.

LOCATION: Land to the rear of Belmont Legsby Road Market Rasen LN8 3DZ

WARD: Market Rasen

WARD MEMBER(S): Cllr. S Bunney, Cllr Mrs C McCartney, Cllr J McNeill

APPLICANT NAME: Green Park Homes

TARGET DECISION DATE: EoT to 30/05/2022

DEVELOPMENT TYPE: Major - Other

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant conditional permission

This application has been referred to the planning committee as the recommendation to grant planning permission is in conflict with representations made by Market Rasen Town Council and other third parties, who object to the development on various planning matters relevant to the proposed development.

...

The site currently comprises an area of land approximately 3.9 Hectares used for agricultural purposes and paddocks, bordering and used in connection with a residential property (Belmont) along Legsby Road in Market Rasen. The site is bordered to the north and west by the Market Rasen Racecourse, and its associated caravan site; to the south by Legsby Road and agricultural land; and to the east by the Lindsey Trail caravan site and beyond, by a golf course (Market Rasen Golf Club).

A change of use to a caravan site is proposed and an indicative masterplan has been submitted showing 79 units on the site. A new access is proposed at the eastern end of the site onto Legsby Road.

Relevant history:

Central Section of Site: 137053 - Outline planning application for residential development all matters reserved. Refused 22.01.18.

138375 - Outline planning application to erect 1 dwelling all matters reserved. Refused 07.11.18.

1. The application site is not an appropriate location for market housing development and is in an unsustainable location where residents will have to rely on the use of the car to access retail, employment, medical, educational and other services and facilities. The site falls within the open countryside and

there is no evidence or justification that the dwelling is essential to the effective operation of rural operations. The proposed development is therefore contrary to local policies LP1, LP2 and LP55 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework, particularly paragraph 79.

Appeal submitted and dismissed. Ref APP/N2535/W

“7. The appellant has identified that the site is a 20 minute walk from schools, a supermarket, shops, Festival Hall, leisure centre, doctors surgery and dentist. However, I am not convinced that access to the facilities would be via a desirable route for families with young children, older people and those with mobility issues. This is because of the unlit, high speed nature of the road and the absence of a footpath along part of the route, even if the grass verge that exists is well maintained.

8. The appellant has identified alternative walking routes into Market Rasen. Although they would be traffic free, from my observations on my site visit they would not address the other concerns identified. The occupants of the dwelling in all likelihood would be reliant on the car to access services and facilities to meet day to day needs. I do not therefore consider the proposal would support the provisions of paragraph 103 of the NPPF which states that planning should actively manage patterns of growth to support the use of public transport and walking.”

Land to the west:

W61/451/75 - Application to site 60 touring caravans. GC 11/09/75.

Land to the east:

133092- Change of use of land to form touring caravan site and paddocks with 24 pitches and amenity building, to include sanitary facilities and shop-resubmission of 132232. GC 10/08/15.

Representations:

Chairman/Ward member(s):

Market Rasen Town Council: Object

Market Rasen Town Council (MRTC) considered the proposal at the Planning and Development Committee on the 9th of March 2022. MRTC feels that there are many issues related to this proposal that need to be fully scrutinised, hence MRTC have made the decision to request that this application is “called in” to be considered by the West Lindsey District Council Planning Committee. MRTC’s concerns fall into the following categories, Precedent, Ecology, Environment, Biodiversity, Traffic – Roads, Landscape and Views and Sustainable Development, as detailed below with references to the Central Lincolnshire Local Plan (LP)

Precedent: In 2018 planning permission was refused twice for permanent dwelling on this site. Applications 137053 and 138375. The applicant unsuccessfully appealed against the decision on application 138375. It was decreed that the site is inappropriate for development as it falls within open countryside and that it is an unsustainable location as residents will have to rely on the use of the car to access retail and services etc. It was

seen to be contrary to LP1, LP2 and LP55. Since 2018 nothing has changed regarding developments in the area. LP55 paragraph C clearly states that mobile homes are to be treated the same as permanent homes – therefore the precedent for the permanent homes applies to this static home development.

Ecology, Environment, Biodiversity: There is a rich diversity of wildlife in the area including various species of owls and small mammals. The static Caravans and lodges will inevitably reduce the available habitat and subsequently have a negative effect on the wildlife.

The increased light, noise and air pollution from the site will have a negative effect on the natural habitat. The site is within 300m of Linwood Warren – a designated Site of Specific Scientific Interest [SSSI]. The proposed increased numbers of visitors and temporary residents in the area will increase the risk of damage to this area and its unique habitat. It is clear then that the development goes against LP21.

Traffic – Roads: The site is located on the B1202, Legsby Road. It runs from the junction on Willingham Road [A631] out of town past De Aston School, the local cemeteries to the racecourse. This section is largely residential on both sides and is pavement. It is reasonably narrow and struggles to take the traffic that uses it – especially the HGVs. Beyond the racecourse towards Legsby Village the road becomes even narrower. There are more bends and no pavement. For a fair distance the road runs through high hedges and woodland that make it very dark – adding to its risk – especially at night-time. The system cannot safely absorb the extra vehicles and pedestrians which will be produced by the proposed development

The proposed development is 1.8km from the centre of Market Rasen as the crow flies. This inevitably means that a large proportion of the development's occupants will use their cars to go shopping, visiting local amenities etc. The road system cannot manage these. The development does not meet the requirements of LP13.

Landscape and Views: As a significant area of open meadow cum grazing land the proposed development is clearly an open space of land in a rural area. The open areas of the racecourse and golf club along with the local woods and Linwood Warren add to the rurality of the area. The adjacent touring caravan site is limited in its numbers and is consequently well, spaced out. The bungalows and house on Legsby Road into Market Rasen are set in spacious gardens all adding to the low-density countryside type environment. The development with its 80 dwellings [79 holiday/second homes and 1 for The Manager] along with 169 parking spaces and the associated buildings will come across as a densely packed community that is far from open or rural. It will therefore have a negative impact on the landscape and therefore does not meet LP17.

The local plan in LP1, LP7, LP55 requires commercial development to be economically beneficial and sustainable to the local economy. Currently, the

two touring caravan sites in the area run for limited periods of the year [Racecourse 8 months, Lindsey Trail 7months] – they are also required to adopt restrictions on the light and noise from the site [curfews at 10.30pm]- it would be accepted that the new development would be expected to adopt the same. The inevitable high density produced by the 80 caravans, 169 parking spaces and associated buildings will make such restrictions difficult to enforce.

The developers say that the project will create the equivalent of four full time jobs. However, as the site will be closed for some months of the year these jobs will be seasonal and so have a lower impact on the economy than that at first might be assumed. The developers in their submission place great emphasis on the racecourse being a major source of their business. Race meetings are sporadic throughout the year – many of which will be in the closed period - so whilst during permissible meetings the customer basis will be higher in between time it will fall away. This means the benefits to local traders will be sporadic, which does not meet the sustainable criteria.

In recent years planning permission for several static holiday homes and lodges have been granted for the land around Sunny Side Up on the outskirts of Market Rasen – on the Tealby Road B1203. As yet only one of these has been constructed and even though the economy is moving into a post Covid 19 stage there is little sign of the development continuing. Again, suggesting that there are concerns around the economic sustainability of such projects in this area.

Local residents:

Lindsey Trail Touring Park Object:

The Lindsey Trail Touring Site is situated on land that initially belonged to the Golf Course, this land was kept by the golf course as very well-kept greens, neatly trimmed and trees kept tidy. The land when given to the Race View property became pastureland. When the Lindsey Trail Touring Park received planning permission for the site, the land went back to being used for recreational purposes. The site which measures approximately 110m x 38m and has only 24 touring pitches, the owners of the site has given back more land than this to nature and wildlife, this was part of the requirements of the planning permission. The owners have planted over 800 trees and hedging and have put up 17 nest boxes for small birds and 2 owl boxes in conjunction with the Environment agency. The grass on the touring park is left as long as possible in the dandelion season and left to seed, this attracts many seed eating song birds. Where the touring park toilet block is situated, this used to be a deep litter poultry house, so there has been a building on this area for more than 60 years. This toilet block had to be built to resemble stables and stained black to fit in with the rural countryside area. The touring park is only open 7 months of the year, and no flood lighting was permitted.

The Lindsey Trail Touring Park is an adult only site, who come to the site for a quiet, peaceful and restful stay, where they can see/hear the birds and wildlife and where there is no light pollution or noise. There is a strict light pollution policy (no floodlights on site, campfires or disco lights) and curfew on excessive noise by 10.30pm to 8.30am. Plus no group bookings allowed. This is twofold – 1. Not to disturb native wildlife that has resided prior to the campsite and not to 2. The residential property and the golf course which is

160m away. This application goes against the ethos of the Lindsey Trail Touring Park, respecting both neighbours and nature.

The Touring site is limited to open 7 months of the year, the Racecourse camp site opens for 8 months of the year so this is different to the proposed application which wishes to open for 12 months of the year, with potential residents on the development for the whole year.

The amount of extra traffic on the road ways is an issue and concern for potential horse riders/carriage drivers and cyclists who come to the Touring Park to access the local Lindsey Trail and quieter country roads

The Lindsey Trail Touring Site of 24 pitches is around 140 metres from the golf course car park, so this would make the nearest neighbours the Steward of the Golf Course which is approximately 160 metres from the nearest caravan to them, and there is also a policy on site no noise after 10.30pm to 8.30am. The caravans on the Lindsey Trail Touring Park are also 110 metres from the residential property. The proposed application is only approximately 30 meters from the residential property, the reception and holiday caravans and lodges will be therefore very close to our property. We fully appreciate that residents on holiday will want to enjoy themselves and therefore the noise level will be an issue. Therefore, we have major concerns that the buffer zone is no way sufficiently big enough next to residential properties, there is no proposed suitable fencing/green screen to limit noise and view.

Race View, Legsby Road: **Object** (Summary).

Size of the proposed development; closeness to a residential property; Noise level; Traffic on the road - causing more difficulties on Race Days; Floodlighting: The effect on the environment; Views/landscaping; Over saturation of the market.

Dog Kennel Lodge, Legsby Road: **Object.**

Legsby Road, mentioned as the leisure mile, already has the Racecourse which has been known to close the road on some race days, preventing a route to my home and race marshals stopping through traffic. There's already a campsite at the racecourse and a new one adjacent to the golf club further down for tourers. Legsby Road is entirely unsuitable for the amount of traffic already generated which has to negotiate walkers, cyclists, horse riders and dog walkers. Static caravans and lodges in the numbers envisaged would require the widening of the highway and an extension to the public footpath for the whole of its length in order to allow for safe, increased holiday footfall and vehicular access.

Dog Kennel Farm, Legsby Road: **Object.**

This development is in the quiet open countryside, the road approaching it from Market Rasen is a narrow, one lane in each direction & cannot be widened at the Rasen end due to the Bungalows & their gardens. It then runs past the racecourse before reaching Belmont. This narrow road is already quite busy & frequently closed to through traffic on race days. There is then a long stretch through meadows before continuing past the forest & an SSSI before a very abrupt right bend. The traffic associated with this proposed site

would make the road unusable by walkers, cyclists & horse riders. With 79 vans, some accommodating 11 people, that would be two or even three cars/van making trips in & out of Market Rasen, making the road far too busy for vulnerable road users. Also given these numbers what infrastructure will be in place for the considerable sewage output? In addition street lighting on site, is proposed. This would light up a dark area of meadow, forest & woodland, ruining the habitat of many birds & wild creatures. Furthermore, no signage regarding the intention to develop this land has been displayed at all. People passing by do not know what a major change could be imminent.

Woodhill Farm, Legsby Road **Object.**

The proposal is for 80 caravans which in itself is excessive for the site. 165 car parking spaces. Legsby Road is not able to support this input of additional traffic without the road being widened, a footpath from the Racecourse to the Golf Course being instated and the 30mph speed limit to extend to the Golf Course. The road is sometimes closed during race meetings which would also affect the site. The road is not in a good state of repair at present and I worry that articulated Lorries and the additional vehicle usage can only make it worse. The planning application does not say if the caravans are to be occupied for twelve months of the year. The smaller touring caravan areas on Legsby Road are only open for seven months of the year. Neither does it say if the caravans themselves have a planning application lifespan. On many sites ten years is the limit for a caravan. It would be very unsightly in time to come if the site was not made to be kept up to standard and could easily become an eyesore for such a beautiful area. The landscaping needs to be kept in keeping with the area hopefully the high hedge and all trees especially in the small wooded area to the side of the entrance to the racecourse will be retained and further trees planted. (Should permission be granted).

The sewage system, water and drainage needs to be seriously looked at as the Anglian Water have had various problems in this area for the locals especially on Horse Racing days. Also there are only four recycling areas shown on the site for what could be up to 480 people??

If the planning application had been made for 80 permanent houses it would have been immediately rejected (See various other applications on Legsby Road which have been refused). This I do not understand as if given permission these caravans are no different to permanent homes the infrastructure is just the same. Housing, Lighting (pollution), hard Landscaping (roads etc.), Noise levels. Having pointed out the above concerns my greatest fear is the effect on the countryside. Rural and Natural England are aiming to provide and protect wildlife areas. I note that Natural England have made no comment to the application but are asking yourselves to consult your own ecology services for their advice. (Hopefully this will be done)? Myself as a farmer have great respect for the wildlife and birdlife we are so lucky to have in our area. The lighting, noise and the development of this highly congested site can only be detrimental to our wildlife. I call on you to look very carefully at Planning Application 144201 and hope that a satisfactory and realistic decision may be reached.

Clearwell Legsby Road: **Object:**

The Application form states that there are trees and hedges on the site and that could influence the development and important to local landscape character, the form itself states that if you answer yes to both questions a tree survey should be provided. In this case I would go on to ask for a full arboricultural impact assessment given that the access, footpaths, proposed units etc. all fall within root protection areas of a number of trees on the site. There has been no consideration of this as part of the submission, so how are the council able to assess this aspect. Given the significant scale of the development and the fact the proposed units are not connected to mains drains a Foul Sewerage Assessment should be provided. Further details are therefore required given this application is a supposedly fully detailed scheme.

The site location plan does not truly reflect the site including visibility splays to the front of the site which are required. Legsby Road is not flat along the side of the site, a significant dip is present outside Belmont, so I assume the 160m visibility splay is along the flat part of Legsby Road. (Drawing R-21-0121-002)

The site access shown on the vehicle tracking does not reflect, the proposed entrance and access onto the site this needs clarifying and plans updating. Inaccuracies in width and layout. The proposed entrance does not match the layout of the road within the site. The vehicle tracking does not show ability for vehicle to enter and exit in forward gear, how does an articulated vehicle turn around? The vehicle tracking plan does not show refuse vehicles ability to get around the site to collect refuse given location of refuse collection points. No passing places provided throughout site.

The proposal is for 79 units no waste management plan is provided as part of the application.

The site is set within the open countryside, no proposed landscaping plans have been submitted as part of the proposal. Given the location of the site a detailed landscaping scheme should be submitted to fully understand the impact of the proposal on the surrounding landscape.

The proposal is set within open countryside, there appears to be a significant number of lit elements on the site. No detailed lighting scheme and impact assessment has been provided that could have an impact on biodiversity and the character of the surrounding area.

Within the Preliminary Ecological Appraisal, submitted alongside this application, paragraph 5.3.2 within the Development Constraints and Recommendations chapter advises further survey work is required and states:

'At least one brown long-eared bat was noted to be using the bungalow and field signs of bats were recorded. In accordance of the latest industry guidelines, further assessment is required in order to ascertain the nature and status of the roosts within the bungalow and then use this information to prepare a detailed mitigation strategy for the site. The further survey work required is as follows:

1. January/February 2022 – a hibernation survey of the bungalow

2. May-September 2022 - 3 evening/dawn surveys of the bungalow to be under taken with the use of ultrasonic bat detectors, in order to ascertain the species present, the location and status of the roosts. A team of 3 surveyors will be required in order to cover all elevations of the building. In addition, the site will require appropriate lighting to ensure the site boundaries and woodland areas are not illuminated or are subject to directional, low level lighting only.'

Not only has the additional survey work not been submitted as part of this application but that survey work is required to be carried out between May and September. Which surpasses the 8 week determination date for some time. The application therefore should be withdrawn until such a time that these reports can be carried out.

Whilst the application proposes a caravan park, the only details of the proposed units are plan views sizes. Details of the proposed units need to be provided, together with detail of the reception unit, to fully understand the size scale and impact on the surrounding area. I am also confused on the usage of the properties, Clause 4.2.1 of the transport policy states units are for holiday let purposes only, but elsewhere units as a mixture of residential and holiday lets.

In addition to the above concerns about the application material in general, as part of the application submission, the application has failed to acknowledge and take into consideration the impact of a number of caravans in close proximity to the property known as Belmont and the impact this has on neighbouring living conditions of present and future occupiers of the property. To my surprise, the planning statement and supporting application makes little reference to the impact the proposal has on neighbouring living conditions; this is deeply concerning given the impact the proposal will have on this property and private amenity area. What is more concerning is the lack of information submitted with the application to enable full assessment of this issue as part of the planning assessment of the proposal.

The proposal would result in at least seven units including outdoor amenity areas sitting immediately on the boundary of this property the application shows serious flaws in the design and layout of the site and I have serious concerns with this relationship. In particular, the oppressive noise and potential overlooking of the units to the dwelling and primary amenity areas. No noise impact assessment has been submitted. For these reasons, the development would have an unacceptable impact and cause significant and unfounded harm to the living conditions of Belmont, as a result of noise, Lighting, overlooking and loss of privacy. Through the sites design, layout and impact on neighbouring living conditions, the proposal would not result in a high quality of design that can be supported. In this respect, the proposal would conflict with section 12 of the Framework. In this respect, the proposal would also conflict with the Framework's objective of seeking a good standard of amenity for all existing and future occupants of land and buildings.

The Chase Legsby Road Object:

The road is totally unsuitable for such a large infrastructure. It is a narrow road

and would need widening to support the extra vehicle use, which can't be done.

5 Stable Way Market Rasen: **Object**

Well this is a marmite application! People from outside the locale seem in favour, local people less so and I am amongst these. This is a rural road used by walkers, cyclists etc. to access our countryside, it is dangerous enough being a near single track road. I have read MRTC response and feel that they have more than adequately relayed my views against this application, my only additional comment is how long before the owner/applicant applies for a full 12 months occupation as has happened elsewhere, and what would the response be?

The Conifers Legsby Road: **Support**

These extra facilities for caravans should enhance the area and improve amenities.

Villa Farm Stables Villa Barns Partridge Drive Rothwell: **Support**

Absolutely Brilliant Idea to bring visitors to the area, walking, cycling the races much needed revenue to local shops and business.

Letters of support received from outside West Lindsey:

50 Sandringham Avenue Whiston Rotherham:

The addition of a well-run 79 unit site will bring a number of people into Market Rasen and hopefully support the town centre shops and public houses.

62 Way Lane, Cambridge:

I've have many happy memories visiting Market Rasen but have been saddened by the decline of facilities and closure of shops and businesses in recent years. What was a charming market town with the added attraction of the racecourse has become sparse with thriving attractions. I think the proposed plans could only enhance the area and create opportunities for local people to find employment and hopefully open up more businesses which the enterprise would create. I understand the concern shown by some people but the footpaths I understand will not be affected and wildlife habitat will be retained. We need to expand to enable more places for people to come to Market Rasen and hopefully have the chance to regenerate the town to its former charm.

Gaylin Kiln hill, Ludford:

I think the project would be a big asset to Market Rasen town if the application goes ahead.

55 Edward Seago Place Brooke Norwich:

Market Rasen is a lovely traditional market town set in wonderful scenery but like many similar towns needs to move forward or wane. This proposal will enhance the vision of a new 'industry' of leisure and tourism, bringing support for the Racecourse and the Golf Club and shops and businesses in the town. It will have a strong ecological ethos, tying it in with the nature reserve and Willingham Forest. This can only bring benefits to the whole of the area.

9 Chapel Lane Lincoln:

I wish to support the application for a static caravan park on the edge of Market Rasen. Being a Yellowbelly I have been attending the races at Market Rasen for many decades and I have been saddened by the degeneration of the once vibrant town. The planned ponds will bring birds and be very beneficial to varied wildlife. I think that the proposed static caravan park can only be a huge bonus bringing jobs and business to the lacklustre town.

19 Grove Street Kirton in Lindsey:

I would strongly support this application as i believe it would be a huge asset to the town. It will bring in a boost to tourism which would be beneficial to the businesses in the town. This application would enhance the surrounding areas leisure and tourism offerings and is in an ideal location. This would blend in to the locality and would be a prestigious asset which is strongly needed to give tourists a new choice of local accommodation for people wanting and needing to stay at Market Rasen.

Endymion Tatenhill Lane Rangemore Burton upon Trent:

I have lived in the area for over 30 years before moving to my current address. Market Rasen needs 5* holiday facilities. The town is struggling so increasing visits by tourist will put it on the map. The development will support the local economy and generate more support for the natural and cultural heritage. Visitors to the Race Course and the beautiful Wolds will benefit from 5* second homes or holiday caravans and lodges.

104 Keymer Road Hassocks (Mid Sussex):

Having carefully looked at the planning documents available online, I would like to give this proposal my wholehearted support. I have family connections to Lincolnshire and Grimsby and this fixed caravan site will be a welcome stopping place when visiting. There are already touring caravan sites in the area which my sister has used when visiting and this fixed caravan site will be a good complement. The online documents show thorough background work has been done and I think the proposed site will be an asset to Market Rasen and the surrounding area. The provision of good pedestrian access will also be compatible with cycle access and the location is ideal for exploring on and off road possibilities in Willingham Woods, the Wolds, Market Rasen and the neighbouring towns and villages.

43 Nursery Close Hurstpierpoint (West Sussex):

With multiple family connections to Lincolnshire, particularly to Rasen, we have always been disappointed by the lack of good quality self-catering accommodation suitable for families in the area. This development will provide a very welcome alternative for those visitors who do not wish to camp and who do not have their own caravan or motor home. As a tourist destination, Rasen is well positioned as a base for enjoying the attractions in the area, including the delights of the Wolds and the local Lindsey Trail, part of which we walked on our last visit. This development would also make an ideal base for touring the area by cycle, especially as Rasen sits along National Cycle Route 1. Having looked at the plans for the park, we believe this is a well-considered design that will provide a beautiful holiday destination for visitors. We do take note of the comments regarding traffic on the Legsby Road and, having visited the areas on race days, we know that this can be an issue. However, that is only on race days and the traffic problem is a matter for the race course. For the vast majority of the time, traffic is simply not an issue on this road, in our experience.

Harlands Cottage Balcombe Road Haywards Heath (West Sussex):

Having visited the area in the past, this proposal would be of great interest, including visits to the nearby racecourse. The proposal seems to be well thought through, with some shielding being provided by hedgerows and an interesting possible addition of a footway. Having known friends in this area it would be a place I'd happily stay and the potential boost to the local economy is clear.

Environmental Protection:

If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment as recommended by Environmental Protection in accordance with Policy LP16 of the Central Lincolnshire Local Plan.

LCC Highways:

05.05.2022: No objections and requests the following condition be imposed:

The development hereby permitted shall not be occupied before a footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

There is no precise definition of "severe" with regards to NPPF Paragraph 111, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues.

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all major applications. This application has submitted a suitable drainage strategy and therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

30.03.2022: No objection in principle, the access arrangements are acceptable. A footway link connecting the development site to the existing footway infrastructure on Legsby Road will be required, to provide safe access for pedestrians to and from the site. It is recommended that a suitable width link is provided along the western side of Belmont and along the public highway from that point. Can the applicant submit details for consideration.

The submitted drainage strategy is acceptable in principle.

Natural England: (Summary) No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

Tree and Landscape Officer:

There is indicative planting shown on the Master Plan but there are no details regarding species, sizes, quantities etc. There is an existing good quality dense hedgerow along the southerly site boundary alongside the highway, with trees and hedge also along the easterly boundary, and a bund and trees along the westerly boundary. The northerly boundary has various trees but no low-level screening such as a hedgerow, so there would be clear views between caravan site and the land just to the north. Details on species and their position, sizes, quantities etc.... should be required as part of a scheme of landscaping. The landscaping shown on the Master Plan would add various scattered trees behind the frontage hedgerow and would help screen the intended caravans. It is just plots 69 and 70 where there would be no planting between the caravans and the front boundary hedge. The proposed positions for the rest of the landscaping is appropriate. It would be preferable for a mixed native hedgerow along the northerly boundary to be included in a scheme of landscaping.

LCC Historic Services: No archaeological impact

Environment Agency:

We object to the proposed development as submitted because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer but no justification has been provided for the use of a non-mains system. We recommend that the application should be refused on this basis.

This objection is supported by planning practice guidance on non-mains drainage which advises that the first presumption must be to provide a system of foul drainage discharging into a public sewer (ref ID 34-020-20140306). Only where, having taken into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

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); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

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

LP7: A Sustainable Visitor Economy

LP13: Accessibility and Transport

LP 14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity

LP26: Design and Amenity

LP55: Development in the Countryside.

- ***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)***

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 July 2021. Paragraph 219 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)**
- **National Design Model Code (2021)**

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- (b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- (c) *the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLPR)**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (expired on 9th May 2022).

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

Relevant Policies:

S1 The Spatial Strategy and Settlement Hierarchy
S2 Growth Levels and Distribution
S4 Housing Development in or Adjacent to Villages
S6 Reducing Energy Consumption – Residential Development
S19 Resilient and Adaptable Design
S20 Flood Risk and Water Resources
S22 Meeting Accommodation Needs
S46 Accessibility and Transport
S48 Parking Provision
S52 Design and Amenity
S56 The Historic Environment

Main issues

- Principle
- Highway Safety
- Landscape and Visual Impact
- Biodiversity
- Noise and Disturbance
- Foul Drainage

Assessment:

CLLP policies LP2, LP7, LP13 and LP55

The site is located outside any defined settlement and falls to be considered as “countryside” under the spatial strategy and settlement hierarchy of LP 2:

“Unless allowed by:

*a. policy in any of the levels 1-7 above; or
b. any other policy in the Local Plan (such as LP4, LP5, LP7 and LP57),
development will be regarded as being in the countryside and as such
restricted to:*

- that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services;*
- renewable energy generation;*
- proposals falling under policy LP55; and*
- to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.*

This allows the application to be assessed against LP 7 in order to determine whether the principle is acceptable.

There is no support available under LP 55 as “applications for temporary and mobile homes will be considered in the same way as applications for permanent dwellings”. Part D deals with applications for new dwellings which are “only acceptable where they are essential to the effective operation of rural operations listed in policy LP2”. However, in this instance, the development is primarily for lodge holiday accommodation.

Part E does set out its policy for “non-residential development in the countryside” as follows:

Proposals for non-residential developments will be supported provided that:

- a. The rural location of the enterprise is justifiable to maintain or enhance the rural economy
or the location is justified by means of proximity to existing established businesses or natural features;*
- b. The location of the enterprise is suitable in terms of accessibility;*
- c. The location of the enterprise would not result in conflict with neighbouring uses; and*

d. The development is of a size and scale commensurate with the proposed use and with the rural character of the location.

It is considered however, that this policy should not be read in isolation, but alongside LP7 which sets out a direct policy in relation to “A Sustainable Visitor Economy” and which provides locational parameters for such developments.

The supporting text (section 3.7) of the Central Lincolnshire Local Plan (CLLP) explains that *“The visitor economy is one of the most important sectors of Central Lincolnshire’s economy.”* It explains that, whilst Lincoln is the principal visitor destination in Central Lincolnshire, that *“Rural Central Lincolnshire also makes a significant contribution to the visitor economy, with many visitors attracted to the waterways, walking and cycling routes, aviation attractions and other attractions across the area which are varied and numerous.”*

The Greater Lincolnshire Local Enterprise Partnership (GLLEP) recognises the visitor economy as one of the top three strongest economic sectors within Greater Lincolnshire and identified this sector as one of the priorities for growth. In order to achieve this, policy LP7 *“aims to encourage sustainable growth in the visitor economy”*. It explains that *“The tourism offer of more urban areas is different to that in rural areas where the scale and types of visitor economy uses need to be in scale with their surroundings.”*

Policy LP7 which supports “sustainable rural tourism and leisure” is in accordance with paragraph 84 of the NPPF which refers to sustainable rural tourism and leisure developments and is afforded full weight.

Policy LP7: A Sustainable Visitor Economy

Development and activities that will deliver high quality sustainable visitor facilities such as culture and leisure facilities, sporting attractions and accommodation, including proposals for temporary permission in support of the promotion of events and festivals, will be supported. Such development and activities should be designed so that they:

- a. contribute to the local economy; and
- b. benefit both local communities and visitors; and
- c. respect the intrinsic natural and built environmental qualities of the area; and
- d. are appropriate for the character of the local environment in scale and nature.

Development should be located within existing settlements, or as part of planned urban extensions, unless it can be demonstrated that:

- such locations are unsuitable for the nature of the proposal and there is an overriding benefit to the local economy and/or community and/or environment for locating away from such built up areas; or
- it relates to an existing visitor facility which is seeking redevelopment or expansion.

In terms of the second bullet point of LP7 the site would not relate as a matter of fact to an existing visitor facility. Nevertheless, an important material

consideration is its location close to the existing Market Rasen Racecourse Caravan and Touring site to the west and the “Lindsey Trail Touring Park” to the immediate east. Although these were granted permission under different development plans it adds some weight to the view that such proposals are not readily contained within existing settlements. It would be within an area where existing tourism and leisure facilities are already established.

Whilst it is not within an “existing settlement” it is noted that it is on the periphery of one of our two established Market Towns which are a focus for growth and which would directly benefit from the proposal. On balance this is considered a suitable location for the development. Policy further requires that there be an overriding benefit to the local economy and/or community and/or environment.

Overriding benefit to local Economy

The preceding sections of this report make clear the importance of Tourism to the local visitor economy. The policy requires “overriding benefits” to the local economy. The applicants have used the British Holiday and Home Parks Association (BH&HPA) commissioned report prepared by Roger Tym and Partners to determine the economic impact of holiday caravans in 2012. This was produced over 10 years ago and the applicants have used this as the basis of their submission. Page 11 of the Planning Statement submitted is reproduced in part below:

“In this regard, the British Holiday and Home Parks Association (BH&HPA) commissioned Roger Tym & Partners to determine the economic impact of holiday caravans in 2012. The following table sets out the estimated economic benefits of the proposed development (based on the submitted masterplan) extrapolating the data and calculating it according to 2021 values (the latest annual figure) using the Bank of England’s Inflation Calculator. This assumes of course that the rate of contribution to the economic remains the same as it was in 2012. Table 1: Estimated Economic Benefits of the Proposed Holiday Caravan Park at Belmont (in 2021, using official inflation rates)

	Privately Owned Holiday Caravan	Park Letting Fleet
Park Expenditure per Unit	£359,823	£585,643
Visitor Expenditure Per Unit	£387,120	£933,058
Total Spend Per Unit	£746,943	£1,518,701
Total GVA Per Unit Per Annum	£336,497	£684,904

(GVA stands for Gross Value Added)

During the operation of the holiday accommodation, tourists are envisaged to create employment and help to sustain jobs in the local area by visiting local attractions, shops and establishments which are usual activities for visitors to an area. Indeed, the likely overall spend is estimated to range from £746k to £1.518million in any given year, with a GVA boost to the local area of between £336k and £685k.“

This is noted and it is also claimed that following completion the site would provide “8 full time equivalent jobs within the site including grounds keepers, receptionists, cleaners and maintenance operatives.”

By way of comparison, an application for 84 holiday lodges (Ref: 138145) set out that 3 full time equivalent jobs would be created. If it is assumed that only 3 full time jobs would be created this is still a benefit of the application although it would be difficult to describe it as an “overriding benefit”.

Overriding benefit to the local community

The argument advanced principally relates to additional custom within Market Rasen supporting the retention of existing services and facilities and a benefit from the provision of a new footpath to users of the Lindsey Trail touring park. This is a benefit of the proposal but would not be considered to be an overriding benefit.

Overriding benefit to the Environment

This is put forward principally on the basis of additional planting in the form of new hedgerows and native trees together with 2 attenuation ponds that would improve the bio diversity value of the site. This would be required by policy LP21 as a result of what is being proposed in any event and cannot be claimed as an overriding benefit.

Concluding Statement

The principle of the proposal on balance is capable of attracting support given its specific location adjacent existing holiday accommodation to both sides of the site. This is subject to assessing the detailed impacts of the proposal which is set out below.

Highway Safety:

A considerable number of objections have been raised on this matter with specific reference to conflicts between different users of the road including walkers, cyclists and horse riders. These objections are noted. The Highways Authority has however, not raised any objections to the proposal subject to the provision of a new footpath which the applicant has accepted. On this basis notwithstanding the objections received there is no reason to withhold consent on the grounds of harm to highway safety. It would be in accordance with LP13.

Landscape and Visual Impact

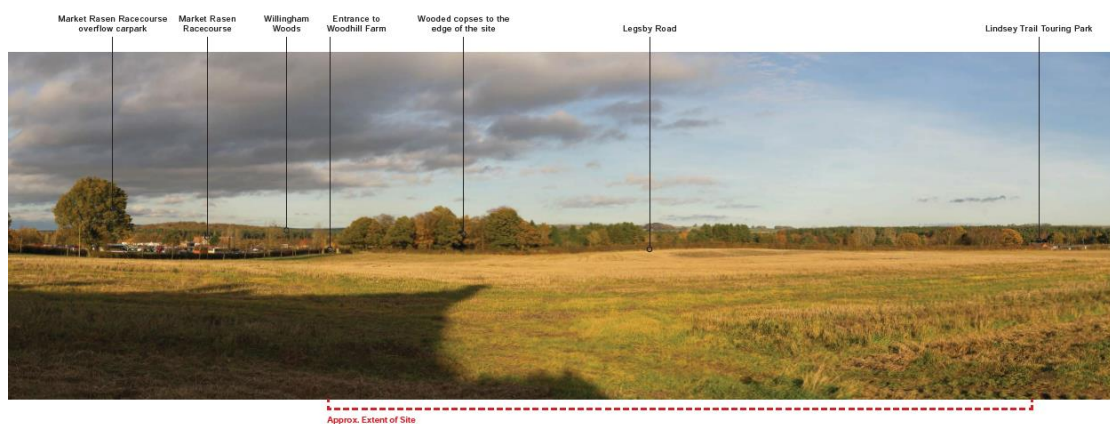
There are no public rights of way on the site. “Linw/162/1” is on agricultural land to the south at a distance in excess of 300m. Whilst Linw/764/1, is approximately 300m to the southeast. It is noted that there are no statutory landscape designations on the site. To the east beyond the Lindsey Trail Caravan Park is a large Area of Great Landscape Value (AGLV) which includes Willingham Woods.

The legal definition of a caravan was established in the Caravan Sites and Control of Development Act 1960. It was modified in 1968 to include twin-unit mobile homes and again in 2006 when the sizes were increased. This meant

that the overall height (measured internally from the floor at the lowest level to the ceiling at the highest level) could not exceed 3.05m. It is on this basis that the reasonable assumption was made that it would be below 4m in height externally.

A Landscape and Visual Impact Assessment (LVIA) was submitted with the application. Sections of this are reproduced below:

“Summary of Visual Effects Views of the Site are generally constrained by hedgerows, trees and landform. Furthermore, the scale of the proposed development and low height of features (<4m) results in few opportunities to view the proposed development in the context of the existing landscape. Where views are predicted they are at a longer distance, Viewpoint 2 from a Public Right of Way adjacent to Woodhill Farm.”



Viewpoint 5 from Byway Linw/764/1



It will result in a change to the character of the site to one accommodating holiday lodges and associated infrastructure including open recreational space. The existing boundary hedgerows of the site (with the exception of removal of a section for the new access) will be retained as will the wooded copse in the western corner and mature trees to the eastern and northern boundaries. The enclosed nature of the site, limited intervisibility with the surrounding landscape and scale of the development, comprising low height

(<4m) temporary structures will result in few perceivable impacts to the surrounding landscape. There will be a slight intensification of development in the local area, which will not typically be observed beyond the local area around the site.

The conclusion reached is reasonable. Whilst the character of the site will undoubtedly change as a result of the proposal the change this creates is not considered to be one of significant harm. It will be necessary to condition the requirement for a scheme of landscaping incorporating a “mixed native hedgerow along the northerly boundary” as recommended by the Tree and Landscape Officer.

Biodiversity

LP21 requires development to minimise impacts on biodiversity and geodiversity. A preliminary ecological appraisal has been submitted. The results are summarised below.

Reptiles: The site is considered to have moderate potential for use by the common reptile. There are many sites with higher value habitats for reptiles to the north-east, east and south-east of the site.

Great Crested Newts: There are many records for great crested newts from the area; the majority originate from Linwood Warren approximately 500 metres from the survey site. Given the quality of the habitats associated with Linwood Warren and the Local Wildlife Sites located to the east of the survey site, it is considered unlikely that newts would seek out shelter and feeding opportunities on the site.

Bats: There are no trees on the site identified as having features with potential to support roosting bats. A Hibernating bat was spotted within the roof void of the existing bungalow which falls outside the application site.

Birds: Common species. The hedgerows, trees, scrub, grassland and buildings on site all have high potential for nesting birds.

Schedule 1 species. The site, was not deemed suitable for nesting by any Schedule 1 bird species.

Water vole No sign of water vole was recorded and the potential for this species to occur is very low.

The habitats and plant species recorded on the site are common and widespread in the local area and in the country.

The habitats of significance for local biodiversity are Hedgerows; Broad-leaved woodland; Trees and scrub. Where possible these habitats should be retained although it is noted that one of the hedgerows would meet the criteria to class as ‘important’. It will be necessary to remove sections of hedgerow in connection with access to the site and ensuring adequate and safe visibility; in mitigation it is recommended that at least an equivalent length (preferably more) is replanted using locally native and appropriate species.

Recommendations

- Sets out precautionary working practices for great crested newt
- Any works to the trees, scrub, buildings and hedgerows should commence outside the active nesting season which typically runs from March through to late August. If work commences during the bird breeding season, a search for nests should be carried out before it begins, and active nests should be protected until the young fledge.
- Consideration should be given to the provision of nest boxes within the development. As the UK sparrow population has suffered a severe decline of late it is recommended terrace sparrow boxes are placed around the site on any permanent structures created as part of the development (reception buildings or storage buildings).
- Recommendations for ecological enhancement: Removal of the existing hedgerows on the site should be avoided where possible and kept to a minimum if unavoidable. Any removal of hedgerows should be compensated for by re-planting at least the amount that is lost using native species. Grassed areas between the caravans on the site should be seeded with appropriate wildflower mixes. Seeding of any amenity areas between the caravans should use a flowering lawn mixture, such as Emorsgate Seeds, which is resistant to regular mowing.

It is noted that objections have been received stating that the application cannot be properly considered in the absence of the recommended further surveys. These surveys, however, relate to the presence of bats within the existing bungalow which does not form part of the application. Concerns have been raised about lighting on the site having a negative impact. No floodlights are proposed. What is proposed will be directional based modern low-level lighting (e.g. bollard lighting) to avoid any light spillage. Details of lighting will be conditioned. On this basis subject to this and the imposition of conditions in relation to precautionary working practices and ecological enhancement there is no reason to withhold consent on biodiversity grounds. It would be in accordance with LP21.

Noise and disturbance

It is noted no objection has been raised by Environmental Protection to the proposal. The Masterplan shows distance separation ranging from 12m to 50m from the eastern boundary of the site with the Nature Trail Park and what is believed to be an associated dwelling. A condition will require adherence to it. On this basis there is no reason to withhold consent on the grounds of noise and disturbance. It would be in accordance with LP26.

Previous refusals of permission

The pattern of activity and usage of holiday accommodation is of a different character and nature to permanent residential use. A dwelling could need regular and repeated access to schools, employment and medical services as an example. This would not be the case for people in holiday accommodation and this is reflected in the appeal decision. A condition will be imposed ensuring holiday accommodation use only.

Foul Drainage

The objection from the Environment Agency is raised on the basis of non mains disposal. In rural locations mains drainage may not be readily available in close proximity. On this basis if connection to a public sewer is not feasible non-mains foul sewage disposal can be considered. The applicants have contacted Anglian Water who have confirmed that a public sewer exists some 550m away to the west, capacity exists for the relevant flows, and it is technically feasible to connect to this sewer. Unless it is not feasible for costs or practicability reasons, the applicant has agreed to a public sewer connection. This is capable of being dealt with by imposition of an appropriately worded planning condition.

Planning balance and conclusion

This is an application for a caravan park on a site between two existing sites offering holiday accommodation. In this context whilst not meeting the delivery of “overriding benefits” set out by LP 7 on balance the location can be supported in principle. The objections raised on the grounds of highway safety are noted but are not accepted by the authority responsible for highway safety. Visual and ecological impacts as set out above are not considered a reason to withhold permission and other matters in relation to drainage and noise and disturbance are capable of being dealt with by appropriately worded conditions. Overall it would accord with the provisions of the Central Lincolnshire Local Plan.

Recommendation: Grant Permission subject to the following conditions

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

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

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

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

2. No site clearance or other works shall commence on site until details of the proposed external appearance of the caravans and reception building have been submitted to and approved in writing by the Local Planning Authority. The caravans placed on the site must be in accordance with the approved details

Reason: In the interests of safeguarding the character and appearance of the site and wider area in this rural location in accordance with policy LP 26 of the Central Lincolnshire Local Plan.

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

development:

3. Works shall take place on the site in full accordance with the recommendations of the Preliminary Ecological Appraisal prepared by Helen Scarborough dated 7th February 2022. In particular the precautionary working practices for great crested newt and reptile species; any works to the trees, scrub, and hedgerows should commence outside the active nesting season which typically runs from March through to late August. If work commences during the bird breeding season, a search for nests should be carried out before it begins, and active nests should be protected until the young fledge.

Reason: In the interests of biodiversity in accordance with policy LP21 of the Central Lincolnshire Local Plan.

4. The site shall be laid out in accordance with Masterplan P206C16-13-REV F and the number of caravans must not exceed 79.

Reason: As the development was considered acceptable on this basis in the interests of the character and appearance of the site and wider area and impacts on neighbouring dwellings in accordance with policy LP26 of the Central Lincolnshire Local Plan.

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

5. The caravans shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to date register of the names of all occupiers in individual caravans in the site, and of their main home addresses, and shall make this information available at all reasonable times and upon request, to the Local Planning Authority.

Reason: Permission is granted on the basis of holiday accommodation, in which policy LP7 of the Central Lincolnshire Local Plan has been applied. The site is in a location in which permanent residential occupation unrelated to holiday use would not be permitted and would otherwise be contrary to policy LP55 of the Central Lincolnshire Local Plan.

6. The development hereby permitted shall not be occupied before a footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with Policies LP13 and LP14 of the Central Lincolnshire Local Plan

7. Prior to occupation of any caravans on the site full details of the proposed means of surface water and foul water disposal must be submitted to and approved in writing by the Local Planning Authority. The agreed details must be implemented in full prior to occupation of any caravan.

Reason: To ensure a satisfactory scheme of drainage is provided in accordance with policy LP14 of the Central Lincolnshire Local Plan

8. Prior to occupation of any caravans on the site full details of both hard and soft landscape proposals shall be submitted to, and approved in writing by, the local planning authority. These details shall include, as appropriate, car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; and minor artefacts and structure (e.g. refuse or signs.). Soft landscaping details shall include planting plans; specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; A hedge along the northern boundary of the site in native species must form part of the submitted proposals.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, and permanently retained.

Reason: In the interests of helping to assimilate the site within its rural location and in the interests of biodiversity in accordance with policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

9. Prior to the occupation of the caravans details of 4 sparrow boxes and their location across the site must be submitted to and approved in writing by the Local Planning Authority. The details approved must be implemented prior to occupation of caravans on the site.

Reason: In the interests of biodiversity in accordance with policy LP21 and specifically as the UK sparrow population has suffered a severe decline.

10. No external lighting shall be erected unless full details of the position, type and light intensity of all external lighting has been provided and proposed mitigation in relation to the proposed lighting to minimise light pollution has been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall only be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure that there is minimal light spill from the site which would have an impact on this mostly unlit night environment in accordance with the NPPF and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

Agenda Item 6d

LOCATION PLAN REF 144761

11. The Granthams, Dunholme, Lincoln, Lincolnshire, LN2 3SP



Officer's Report

Planning Application No: 144761

PROPOSAL: Planning application for 1.8m high Pallas fence to front and side boundaries.

LOCATION: 11 The Granthams Dunholme Lincoln LN2 3SP

WARD: Dunholme and Welton

WARD MEMBER(S): Cllr S England; Cllr Mrs Grimble Cllr Mrs Rodgers

APPLICANT NAME: Mrs Eloise Rimmer

TARGET DECISION DATE: 07/06/2022

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant Permission

This application has been referred to the Planning Committee, as the development would be considered a departure from the Development Plan, but that there are material considerations that would indicate doing so. There are 3rd party objections on planning grounds that are considered to be finely balanced.

Description:

The application site comprises a detached bungalow located in a residential street within Dunholme. The street, The Granthams, is effectively a cul-de-sac which branches south off "Merleswen" before heading east and at the end turning in a circular direction around a grassed area. A 1.8 m high wire mesh fence has been erected enclosing the front garden area. This application seeks permission for its retention. It has been erected to provide a secure outside play area for an autistic child.

Extract from Supporting Statement: While my son regularly uses the rear garden and this outdoor space is vital for him, we felt that creating an additional safe, external area to the front of the property would be of real benefit. This alternative outdoor space provides him with the opportunity to see the world go by and interact with our neighbours and community, something that he isn't able to do in the rear garden. We have already seen how much he loves and benefits from the space. When considering options of how to enclose the front garden the safety of my son was paramount, and the fence had to be of a height that he would not be able to climb over. A solid fence would have defeated the point of my son being able to engage with the wider world, but equally, this would have appeared quite dominant in the street. We feel that the chosen fence not only provides a safe and stimulating environment for my son, but the design also ensures that the visual impact is limited.



Relevant history:

131283: Application for a single storey extension. GC 27.06.2014.

Representations:

Chairman/Ward member(s):

No comments received.

Parish/Town Council/Meeting:

No comments received.

Local residents:

5 The Granthams (Support): we do not have a problem with the fence being put up outside the front of the property, as we truly believe that children should be able to have a safe space to be able to play and be outside like any other child has the opportunity to. This fence is non-obtrusive and is no issue to us, nor should it be the rest of the street. This fence is wholly appropriate.

10 The Granthams (General Observation): As much as I fully understand the reason for this fencing, it is still an eyesore and it also interferes with the ease of access to our property. I would suggest that the fence should be repositioned further into No. 11's front garden area. They could then regain the use of their backdoor footpath, which is currently blocked off.

12 The Granthams (**Object**): It is unacceptable and looks like an animal pen at the zoo. The fence is a complete eyesore and removes parking to the front of the property, which involves the owners and visitors parking on the pavement, which is a bad state of repair, and any visitors parking outside my property again on the pavement, which makes our dogs bark causing them upset. I know that there are no parking restrictions on the road but everyone has to be considerate when visiting others. I would like to point out that the owner himself has informed me that he

	<p>hasn't sort any form of planning permission for the various extensions to their property 11 The Granthams</p> <p><u>13 The Granthams</u> (Support): I have no problems with the Pallas Fence. It is unobtrusive, and it will be an asset.</p> <p><u>14 The Granthams</u>: We do not have any problem or complaint with the fence that has been erected.</p> <p><u>17 The Granthams</u>: When we saw the fence surrounding your front garden we applauded your tenacity, love and support to keep your son safe. A brilliant idea which in no way detracts from the surroundings in our view. It is unobtrusive and a great solution. As time has gone on more traffic comes into the Granthams and invariably people drive the wrong way around the roundabout. Visibility is also reduced by the number of properties with high hedges.</p> <p><u>19 The Granthams</u> (Support): I received what I believe to be an eloquent post card which outlines the need for such a fence. I presume you have said details which do not need repeating.</p> <p><u>22 The Granthams</u>: We were both happy to see your son enjoying his outside play, safely in the area. Also, with Health and Safety Issues in mind the outside area you have provided is a good option for your son and also for the safety and peace of mind of residents and motorists.</p>
LCC Highways/Lead Local Flood Authority:	No objections. This proposal will have no impact on the highway.
IDOX:	

Relevant Planning Policies:	
National guidance	National Planning Policy Framework National Planning Practice Guidance
Local Guidance	<p>Central Lincolnshire Local Plan (2012 -2036):</p> <p>LP1: A Presumption in Favour of Sustainable Development LP17: Landscape, Townscape and Views LP26: Design and Amenity</p> <p>With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021).</p> <p>Full weight is being given to these policies in the determination of the application.</p> <p>https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/</p>
Neighbourhood Plan:	<p>Dunholme Neighbourhood Plan:</p> <p>Policy 4: Design Principles https://www.west-lindsey.gov.uk/planning-building-</p>

	control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/dunholme-neighbourhood-plan-made
Draft Central Lincolnshire Local Plan:	<p>In line with paragraph 48 of the NPPF, weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:</p> <p>(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</p> <p>(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</p> <p>(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."</p> <p>Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this is now subject to a further round of public consultation (which expired on 9th May 2022).</p> <p>The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst the extent to which there may still be unresolved objections is unknown.</p>

POLICY LP26 – Design and Amenity
Is the proposal well designed in relation to its siting, height, scale, massing and form?
A 1.8m high solid fence would be incongruous in this location however permeable fencing of this height has less of an impact.
Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?
Whilst the form of fencing proposed is one not normally found within the area, nevertheless the wire mesh fencing allows for permeability as can be seen from the photographs above. It is also has a black finish which reduces prominence compared to a galvanised finish. Some limited positive weight is attached to need for the fencing and on balance it is considered acceptable. Whilst personal permissions should normally be avoided, in this case as the personal circumstances of the applicant have added positive weight in the determination of the application it is considered appropriate to issue one.

Does the proposal harm any important local views into, out of or through the site?
No.
Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?
No.
Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?
No.
Does the proposal adversely impact any existing natural or historic features?
No.

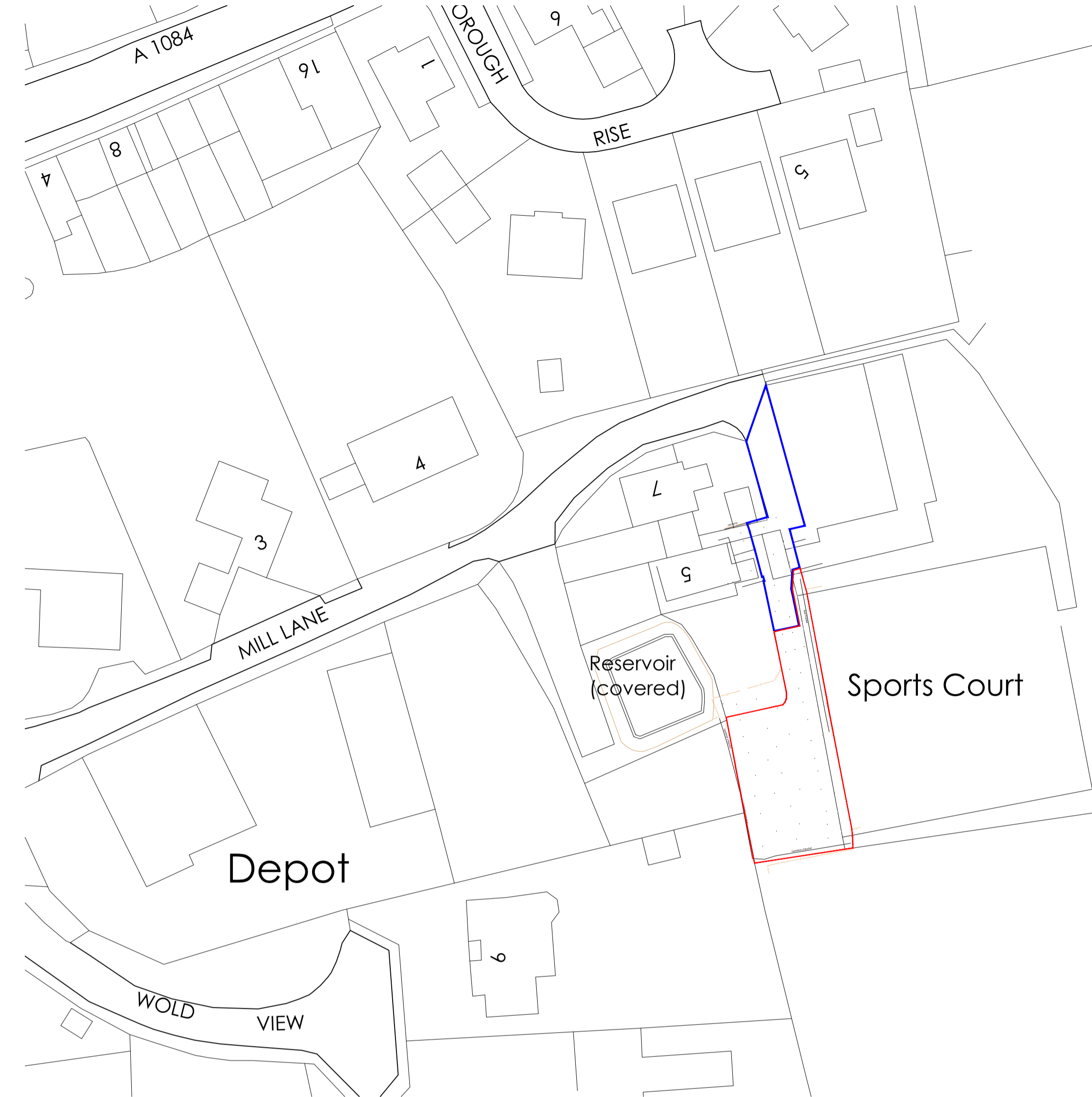
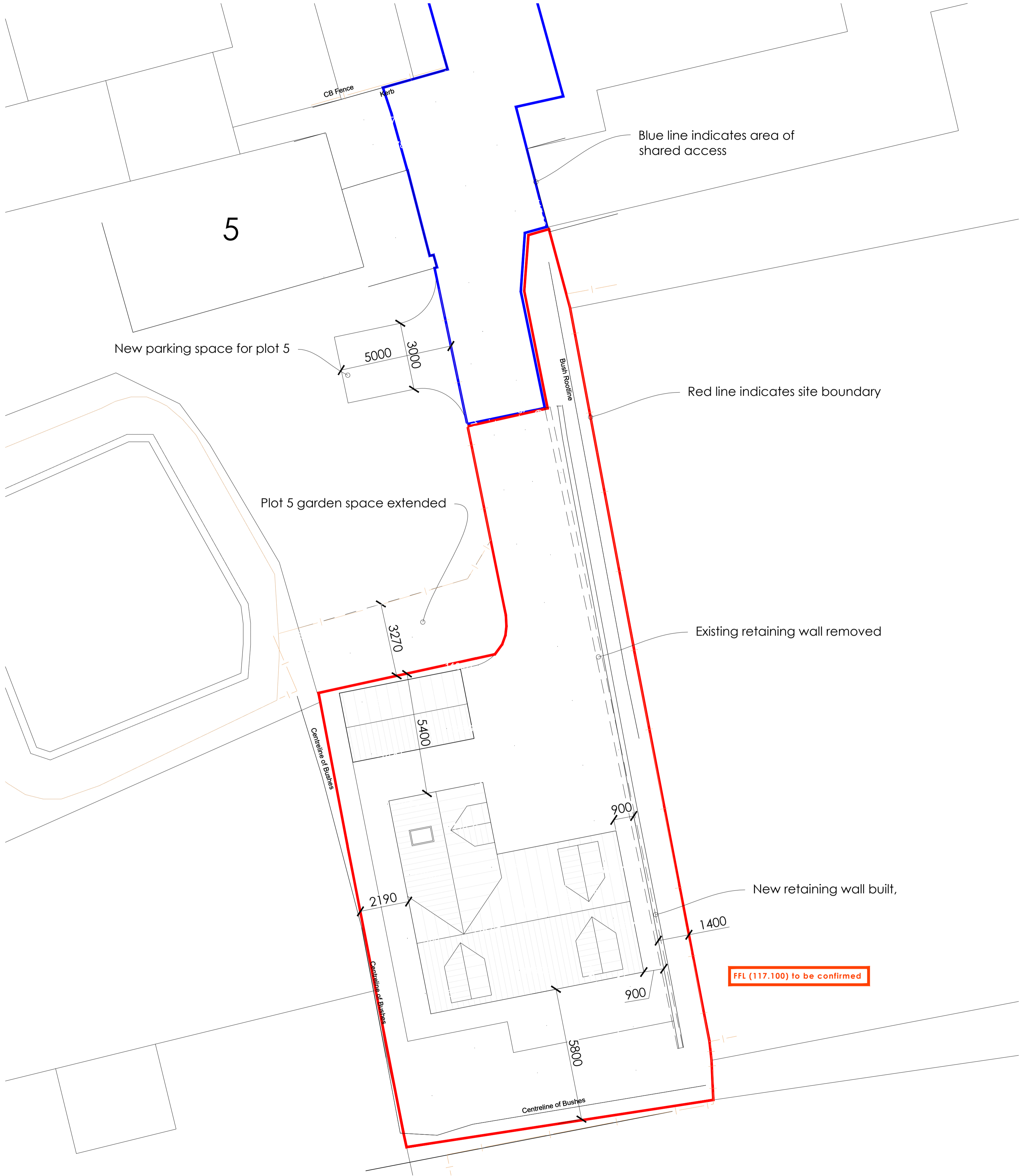
Other considerations:
Does the proposal enable an adequate amount of private garden space to remain?
Yes
Does the proposal enable an adequate level of off street parking to remain?
Yes
Access encroachment
In terms of the comment made about restricting access above, the fencing is on land within the applicant's ownership.

Conclusion and reasons for decision:
The form of fencing proposed is not normally found within a primarily residential area. Whilst it would not strictly be in accordance with policy LP26 of the CLLP or policy 4 of the NP there are material considerations that would indicate approval should be granted in this instance. The wire mesh fencing allows for permeability and has a black finish which reduces prominence compared to a galvanised finish. Some limited positive weight is also attached to the need for the fencing. Whilst personal permissions should normally be avoided in this case as the personal circumstances of the applicant have added limited positive weight in the determination of the application it is considered appropriate to issue one.

Recommended Conditions:

1. This permission is granted to Mrs Eloise Rimmer whilst resident at 11 The Granthams, Dunholme only. Once Mrs Eloise Rimmer no longer resides at 11 The Granthams the fencing must be removed within one month of departure.

Reason: Positive weight was attached to the personal circumstances of Mrs Eloise Rimmer in the determination of this application.



EXISTING SITE PLAN
scale 1:500
Ordnance Survey (c) Crown Copyright 2021.
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B	Revised to client comments	11/08/21
A	Revised to client comments	10/08/21

DRAWING ISSUES AND REVISIONS
Linc Design Consultancy | 12 Vickers Lane | Louth
| Lincolnshire | LN11 9PJ
T 01507 611155 E admin@lincdesignconsultancy.co.uk



PROJECT	Proposed Dwelling, Mill Lane, Caistor, Lincolnshire
DATE	July 2021
TITLE	Proposed Site Plan
SCALE	Various (as stated)
ORIGINAL SIZE	A1 (Landscape)
DRAWING NUMBER	ldc-3597-BR-03 B

This drawing is the copyright of Linc Design Consultancy and must not be reproduced without written consent. The contractor is responsible for taking and checking all dimensions on the site prior to commencement and reporting back to the architect and consultant any discrepancies. All materials specified on this drawing are to be used in strict accordance with manufacturers written instructions and current codes of practice.
All Details and Specification on this drawing and in relation to this specific project should be adhered to. If any deviations occur the contractor / client should inform Linc Design Consultancy immediately as we cannot be held responsible for errors resulting from undeclared detail and specification changes



PROPOSED SITE PLAN
scale 1:100
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Officers Report

Planning Application No: 144759

PROPOSAL: Planning application for 1no. dwelling with detached garage.

LOCATION: Rear of 5 Mill Lane Caistor Market Rasen LN7 6UA

WARD: Caistor and Yarborough

WARD MEMBER(S): Cllr O Bierley and Cllr Mrs A T Lawrence

APPLICANT NAME: Mr Oliver Lawrence

TARGET DECISION DATE: 22/06/2022 (Extension until 15th July 2022)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Holly Horton

RECOMMENDED DECISION: Grant permission, subject to conditions.

Description:

This application has been referred to the planning committee as the applicant is from the immediate family of a Councillor.

The application site is located in the market town of Caistor, and is a plot of garden land to the rear of No.5 Mill Lane which is a detached two-storey dwelling. The site is set back from the highway and is positioned at the top of Mill Lane where the lane ends, with the lane sloping upwards relatively steeply from west to east. The site is screened by high hedging along the east, south and western boundaries, with trees along the southern and western boundaries also. The site also lies with an Area of Great Landscape Value. Other residential properties and their garden areas adjoin the site to the north and south west, with an underwater reservoir to the west. Caistor Yarborough Academy lies to the east and south, with sports courts lying adjacent to the application site and part of its playing fields lying to the south.

The application seeks planning permission to erect 1no detached dwelling with detached garage.

Please note: this application is retrospective, with works having started on site on 28th January 2019, following the grant of planning permission for a single dwelling and detached garage in February 2016. However, the development has deviated from the original permission in the following ways:

- The positioning of the dwelling has altered slightly and is now situated further to the south west of the site.
- The window openings have been altered at both ground and first floor level. At first floor level the current proposal contains 2 dormer windows on the southern roof-scape, 1 roof-light on the western roof-scape with 1 window serving the stairwell on the western elevation, 1 dormer

window on the eastern roof-scape and 1 dormer window on the northern roof-scape. 133237 had window openings at first floor level as follows - 3 dormer windows on the southern roof-scape, 2 high level roof-lights on the western roof-scape with 2 long narrow stairwell windows on the western elevation, 1 dormer window on the eastern roof-scape and 1 dormer window and 1 roof-light on the northern roof-scape. The eaves and ridge height have increased slightly – ridge height from approximately 6.0 metres to 6.2 metres and eaves height from approximately 2.5 metres to 3.0 metres.

This application therefore seeks planning permission, retrospectively, seeking the Council's permission for the development as is built at this time. The works are yet to be completed.

Relevant history:

133237 – Planning application to erect 1no. dwelling with detached garage – Granted with conditions 11/02/2016

121124 - Planning Application to erect a dwelling and demolish garage – Refused 31/03/08 –Appeal Dismissed 02/10/08

Representations:

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

Caistor Town Council: No objection/comments.

Local residents: No representations received to date.

LCC Highways: Does not wish to restrict the grant of permission as summarised below, and request an informative to be added to the decision:

- This proposal is for the erection of a dwelling, the access meets the guidelines as set out in Manual for Streets and adequate provision for car parking is proposed within the limits of the site, therefore, it is considered that the proposals would not result in an unacceptable impact of highway safety.

Archaeology: No archaeological impact.

Health and Safety Executive: Does not cross any consultation zones.

Building Control: Drainage would be acceptable in principle:

- Percolation test results have been provided but the soakaway has not been sized and designed based on these results. So in principal fine, there is no reason I can see why a correctly sized soakaway would not work and should therefore be acceptable. The foul is simply to an

existing manhole which would connect to the public sewerage system so no problems with that.

National Grid: No representations received to date.

Idox: Checked on 27th June 2022.

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 Caistor Neighbourhood Plan (adopted in 2016); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

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
LP10: Meeting Accommodation Needs
LP13: Accessibility and Transport
LP14: Managing Water Resources and Flood Risk
LP17: Landscape, Townscape and Views
LP26: Design and Amenity

- ***Caistor Neighbourhood Plan 2013-2031 (NP)***

Relevant policies of the NP include:

Policy No.1: Growth & the presumption in favour of sustainable development
Policy No.2: Type, scale and location of development
Policy No.3: Design quality

A review of the existing Caistor Neighbourhood Plan is currently being prepared by Caistor Town Council however it is not at a stage where it can be afforded any weight in the determination of this application.

- ***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)**

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 July 2021. Paragraph 219 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)**
- **National Model Design Code (2021)**

Draft Local Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission (Reg19) draft of the Local Plan has been published (16th March) - and this has been subject to a further round of public consultation which expired on 9th May 2022.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

Relevant Policies:

S1 The Spatial Strategy and Settlement Hierarchy
S2 Growth Levels and Distribution
S6 Reducing Energy Consumption – Residential Dwellings
S20 Flood Risk and Water Resources
S46 Accessibility and Transport
S48 Parking Provision
S52 Design and Amenity
S56 The Historic Environment

Main issues

- Principle of Development
- Visual Impact
- Residential Amenity
- Highways and Access
- Foul and Surface Water Drainage
- Landscaping
- Other Considerations
- Permitted Development Rights

Assessment:

Principle of Development

Local Policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. This policy identifies Caistor as a Market Town which states the following:

‘To maintain and enhance their roles as market towns, Caistor and Market Rasen will be the focus for significant, but proportionate, growth in housing, employment, retail and wider service provision. Most of this growth will be via sites allocated in this plan, or appropriate infill, intensification or renewal within the existing developed footprint of Caistor and Market Rasen.’

The site lies within the developed footprint of Caistor and was noted in the report for 133237 to be greenfield land. The application states that development commenced in January 2019 and did apply for a Building Notice at that time, which would be within the 3 year timescale. We do not however have record of planning conditions having been discharged. It is not altogether clear therefore as to whether application 133237 has lawfully been undertaken, and the extent to which this may be considered as a fall-back position (it would be open to the applicant to apply for a Lawful Development Certificate). Nonetheless, it is noted that the principle of development has previously been found acceptable, and this is given consideration. That decision pre-dated the Central Lincolnshire Local Plan. However, it is considered to still be compliant with LP2 and it is not considered to now comprise a departure from the Plan. The principle of development is therefore acceptable and accords with Local Policy LP2 of the CLLP, and the provisions of the NPPF.

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

Visual Impact

Local Plan Policy LP26 states that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting, height, scale, massing and form. The policy also states that the proposal should respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area and should use appropriate, high quality materials which reinforce or enhance local distinctiveness. Any important local view into, out of or through the site should not be harmed.

Local Plan Policy LP17 also states that proposals should respond positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and inter-visibility between rural historic settlements. The Policy also states that particular consideration should be given to the views of significant buildings and views within landscapes.

The detached dormer bungalow has been built using traditional materials – roof tiles are Calderdale edge and the bricks are farmhouse antique. The dwelling is set back from the street scene to the rear of No.5 Mill Lane and the proposal is well screened from public vantage points due to its positioning to the rear of No.5 Mill Lane and the screening along the south and west boundary's. The surrounding area includes a mix of housing types and sizes as well as school buildings of vary sizes and scales.

As a result, it is considered that the proposed dwelling would not have a harmful visual impact on the character of the area, the surrounding street scene context in which it would be viewed, or the Area of Great Landscape Value. Therefore, the proposal is considered to accord with policies LP17 and LP26 of the CLLP and Policy 3 of the Caistor Neighbourhood Plan.

It is considered that policy LP17, LP26 and policy 3 are consistent with the design, character and visual amenity guidance (Chapter 12) of the NPPF and can be attached full weight.

Residential Amenity

Local Plan Policy LP26 also states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Overlooking

The proposed dwelling would be situated close to two other residential dwellings and their garden areas. The dwelling to the north (No.5 Mill Lane) lies approximately 23.2 metres from the proposed dwelling with its rear garden area approximately 5.4 metres to the north. The dormer bungalow only has one window at first floor level facing No.5 Mill Lane and would be approximately 9.6 metres from the southernmost point of No.5's rear garden space and approximately 27.7 metres from the rear elevation of No.5.

The dwelling to the south west (No.9 Wold View) sits below the level of the application site and lies approximately 30 metres from the western elevation of the proposed dwelling and the garden area approximately 2.2 metres away. The western elevation includes 1 roof light at first floor level and a stairwell window that projects above ground floor level. The stairwell window does not serve primary living accommodation and is therefore considered to not cause any unacceptable impact in regard to overlooking. The roof light would be approximately 1.6 metres above floor level however it is noted that this would be a secondary window with the primary window serving bedroom 2 on the eastern elevation. In addition, the land immediately to the west is undeveloped (a covered reservoir), therefore it is considered that the roof-light would not have an unacceptable adverse impact on overlooking of neighbouring dwellings.

The bathroom window at first floor level on the southern elevation was conditioned to be obscurely glazed in application 133237 however the elevation plans for this application detail obscure glazing to the bathroom window at first floor level therefore this is considered to be acceptable.

Over dominance/overshadowing

The proposal does not raise any concerns in regards to overshadowing, or over dominance, due the size, scale and siting in relation to neighbouring dwellings.

Noise

An acoustic wall was conditioned in application 133237 however standard 1.8 metre high fencing has now been erected along the boundary of 5 Mill Lane as well as the along the western and southern boundaries of the application site. It is considered that this fencing would be acceptable and the amount of traffic generated by this single dwelling development would not cause an unacceptable disturbance to No.5 Mill Lane due to the amount of journeys to and from the modest sized dwelling.

Garden Space

The garden space has marginally decreased in size from the approved permission in application 133237 however it is considered that the rear garden provides an adequate amount of private amenity space in relation to

the size of the dormer bungalow. In addition, it is considered that No.5 Mill Lane also retains an adequate amount of garden space.

Concluding statement

It is considered that the proposed dwelling and detached garage would not result in significant overlooking, over dominance or overshadowing, to the unacceptable harm of the amenities presently enjoyed at the neighbouring properties. The proposals therefore accord with policy LP26 of the CLLP.

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

Highways and Access

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

The proposal would create a partly shared and partly private driveway leading to parking spaces and a single detached garage for the proposed dormer bungalow. The layout includes adequate provision for off-street parking and turning space. LCC Highways have raised no objections to the proposal. It is considered that the proposed access, parking and turning arrangements are acceptable subject to a condition that ensures that access and turning space is completed prior to occupation of the dwelling. Therefore the proposals are considered to accord with Policy LP13 of the CLLP.

It is considered that policy LP13 is consistent with the highway safety guidance (paragraph 111) of the NPPF and can be attached full weight.

Foul and Surface Water Drainage

The site is in flood zone 1 which is sequentially preferable and therefore meets the test within Policy LP14. In addition, the site is not within an area identified by the Environment Agency as at risk from surface water flooding.

The application proposes the method of foul drainage to the mains sewer which accords with the preferred method of connection to the public foul sewer wherever it is reasonable to do so, set out in the NPPG. The application proposes that surface water will be disposed of via soakaway, which accords with the preferred method of surface water drainage set out in the NPPG as a form of sustainable urban drainage. Drainage details have been submitted and Building Control have been consulted and have commented as follows: *'Percolation test results have been provided but the soakaway has not been sized and designed based on these results. So in principal fine, there is no reason I can see why a correctly sized soakaway would not work and should therefore be acceptable. The foul is simply to an existing manhole which would connect to the public sewerage system so no problems with that.'*

Foul and surface water drainage matters are considered acceptable in principle, subject to receiving further details of the soakaway through a condition, and would not be expected to have a harmful impact and accord with policy LP14 of the CLLP and the provisions of the NPPF.

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

Landscaping

Landscaping was conditioned in application 133237 however details of landscaping have been provided within this application. High hedging to a height of at least 2 metres is proposed along the eastern, southern and western boundaries and 1.8 metre high close boarded fencing is also proposed along the northern, southern and western boundaries. These boundary treatments are considered to be appropriate and would not have an unacceptable impact on the character and appearance of the site.

Other Matters

Permitted Development Rights

It is considered necessary and reasonable to remove permitted development rights for extensions and outbuildings to retain the amenity of the neighbours and the amenity space enjoyed by the future occupants of the proposed dwelling.

Conclusion

The decision has been considered against LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP10: Meeting Accommodation Needs, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, and LP26 Design and Amenity of the Central Lincolnshire Local Plan, and Policy 1, Policy 2 and Policy 3 of the Caistor Neighbourhood Plan in the first instance. Guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide, National Model Design Code and the Central Lincolnshire Local Plan 2021 Consultation Draft has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the principle of the proposal is acceptable and would provide a replacement dwelling in an appropriate location for housing. The design is appropriate and the development would integrate positively with the surrounding character. The proposed dwelling would not unacceptably harm the living conditions of the residents of neighbouring properties and no harm would arise to highway safety or drainage. The proposal is therefore acceptable.

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

Recommended Conditions:

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

None (development has already commenced).

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

None.

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

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: ldc-3597-BR-01 B dated 23rd September 2021, ldc-3597-BR-02 B dated 23rd September 2021, LDC3683-PL-01 dated March 2022, ldc-3597-PL-07 dated April 2022 and ldc-3597-BR-03 B 11th August 2021. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, Policy LP17 and LP26 of the Central Lincolnshire Local Plan and Policy 3 of the Caistor Neighbourhood Plan.

2. No development above damp proof course level for the proposed garage shall take place until, details of all external and roofing materials for the detached garage to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

3. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan drawing number LDC3683-PL-01 dated March 2022 and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and Policy LP13 of the Central Lincolnshire Local Plan.

4. The development hereby permitted shall not be used or occupied until the sewage disposal works have been completed in accordance with the approved plans and retained as such thereafter.

Reason: In the interest of water quality and the residential amenities of future occupiers in accordance with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

5. Details of a scheme for the disposal of surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) shall be submitted to the Local Planning Authority within 3 months of this decision. have been submitted to the Local Planning Authority for written approval. No occupation must take place until the approved scheme has been installed, and shall thereafter be retained as such.

Reason: To ensure adequate drainage facilities are provided to serve the dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and Local Policy LP14 of the Central Lincolnshire Local Plan.

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

6. Notwithstanding the provisions of Class A, B and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, additions or enlargement to the dwelling and its roof, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

Reason: To safeguard the residential amenity of adjoining dwellings and to safeguard the character and appearance of the building and its

surroundings and in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

Notes to the applicant:

Highway Informative 03:

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

Highway Informative 08:

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. For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>
Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>



Planning Committee

13th July 2022

Subject: Determination of Planning Appeals

Report by:

Assistant Director Planning and
Regeneration

Contact Officer:

Andrew Warnes
Democratic and Civic Officer
andrew.warnes@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

x

Key Decision:

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

Yes

☐

No

x

Appendix A - Summary

- i) Appeal by Mrs Joanne Sealby against the decision of West Lindsey District Council to refuse planning permission to erect fence at Greystones Cottage, Main Road, North Willingham, Market Rasen LN8 3RA.

Appeal Dismissed – See copy letter attached as Appendix Bi.

Officer Decision – Refuse

Appeal Decision

Site visit made on 3 May 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2022

Appeal Ref: APP/N2535/D/22/3290915

Greystones Cottage, Main Road, North Willingham, Market Rasen LN8 3RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Joanne Sealby against the decision of West Lindsey District Council.
 - The application Ref 143696, dated 11 September 2021, was refused by notice dated 2 November 2021.
 - The development proposed is planning application to erect fence.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the Council's decision notice and appeal form, which accurately and simply describe the development. The fence is in situ and I am subsequently dealing with the appeal retrospectively. I have, nonetheless, considered the development on its own merits.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area, having particular regard to the site's location within the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) and the setting of Corner Cottage, a grade II listed building.

Reasons

4. The appeal property is a large dwelling located on a busy road. Despite the presence of close boarded and post and rail fencing along Main Road, it is the soft landscaping of varied hedgerows, plants and trees which are predominant boundary features along the road. The combination of the soft landscaping and views, in gaps between built form to the wider AONB landscape, results in an attractive part of the village, complementing its rural qualities, despite the busy road.
5. Corner Cottage is a grade II listed building and is located a short distance along the road and is positioned adjacent to the footway. It is a small cottage dating to the late C18, built from squared ironstone rubble and a pantile roof. The front door is off centre and there is a pleasing simplicity in the alignment and symmetry of the window openings, where two small sash windows are positioned above two larger windows. Its significance arises from its simple

typology and modest scale, its historic fabric and understated appearance which is entirely appropriate in this rural village location.

6. The development has resulted in a long hard edge to the boundary of the appeal property facing Main Road. It is on the same side of the road to Corner Cottage and clearly seen within the same views. At 1.5m high it is similar in height to other hedgerows. However, the combination of its length, height and its solid massing has resulted in a stark feature that does not harmonise with the predominantly soft landscaping or rural qualities of its surroundings.
7. In this regard, it draws the eye and undermines the rural setting of the listed building. There are other recent developments nearby to Corner Cottage, including a new build construction on the opposite side of the road. However, this is set back from the road and did not have a similarly hard edge to the boundary of the road as the development before me.
8. On the other side of the road is a tall close boarded fence. I have no firm details of the circumstances that led to its existence. However, it appears to border the rear garden of the dwelling, lies outside of the AONB landscape and is further from Corner Cottage. As such, the circumstances are not the same as the development before me. Moreover, the presence of this nearby close boarded fence and the development before me, on either side of the road, results in multiple hard edges. In such close proximity, this exacerbates the harm I have identified. It does not therefore justify a development that incrementally erodes the rural quality of the area.
9. Other examples of fencing within Main Road, including at Corner Cottage do not share the same combination of length and height as the development before me and do not, in this regard have similar effects. Moreover, whilst the timber will age, this will take time and does not overcome my concerns regarding its length and height. Moreover, whilst the laurel hedge will grow its position on the rear side of the fence will do little to soften the boundary treatment from the road.
10. The development therefore has a harmful effect on the character and appearance of the surrounding area, having particular regard to the site's location within the Lincolnshire Wolds AONB and the setting of Corner Cottage, a grade II listed building.
11. Although in the context of paragraph 202 of the National Planning Policy Framework (the Framework), the resulting harm to the setting of Corner Cottage is less than substantial. Any harm is a matter that attracts great weight, having regard to paragraph 199 of the Framework. In accordance with paragraph 202 of the Framework I must balance that less than substantial harm against the public benefits of the development.
12. The development improves security and privacy at the host property. Moreover, it provides a physical barrier to the busy road, preventing children and pets escaping and, although I have no substantive evidence, I'm told it reduces traffic noise and vibration. These are matters that are supported by the Framework and the Council's Local Plan. However, there is no evidence to suggest that other ways to achieve the appellant's aims were investigated and discounted that might not have a harmful effect on the character and appearance of the surrounding area. This limits the weight I can afford these matters, and, in this regard, I cannot accept that the Council's refusal implies a

violation of rights under Article 8 or Article 1 of the First Protocol of the Human Rights Act 1998.

13. Although the development benefits the appellant's living conditions and there has been some local support, the benefits to the public are limited. As such, I afford these benefits limited weight within the decision. Given the great weight afforded to conserving and enhancing landscape and scenic beauty in AONBs and the conservation of heritage assets, I am not persuaded that the benefits outweigh the harm in this instance.
14. As such, I find conflict with the requirements of Policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan (2017) and the provisions of the Framework. These say, amongst other things, that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area.

Other Matters

15. Concerns regarding the processing of the application, are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the development before me.

Conclusion

16. For the reasons given above, the development conflicts with the development plan and there are no material considerations that outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR