

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, 4th October, 2023 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Matthew Boles (Chairman)
- Councillor Jim Snee (Vice-Chairman)
- Councillor Emma Bailey
- Councillor John Barrett
- Councillor David Dobbie
- Councillor Ian Fleetwood
- Councillor Sabastian Hague
- Councillor Peter Morris
- Councillor Tom Smith
- Councillor Baptiste Velan
- Vacancy

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 - 18)
 - i) Meeting of the Planning Committee held on 6 September 2023
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) 146424 - Land adjacent 51A Washdyke Lane, Nettleham (PAGES 19 - 49)
- b) 146831 - Land off Barton Street, Keelby (PAGES 50 - 62)
- c) 146628 - Land off Caenby Road, Glentham (PAGES 63 - 84)
- d) 146926 and 146927 - 1 Silver Street, Gainsborough (PAGES 85 - 104)
- e) 146815 - 1-5 Lord Street, Gainsborough (PAGES 105 - 115)

7. Determination of Appeals

As of 26 September 2023, there were no appeal determinations to be noted.

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 26 September 2023

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 6 September 2023 commencing at 6.30 pm.

Present: Councillor Matthew Boles (Chairman)
Councillor Jim Snee (Vice-Chairman)

Councillor Emma Bailey
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Peter Morris
Councillor Roger Patterson
Councillor Tom Smith
Councillor Baptiste Velan

In Attendance:
Russell Clarkson Development Management Team Manager
Martha Rees Legal Advisor
Ian Elliott Development Management Team Leader
Daniel Galpin Senior Development Management Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: 5 Members of the Public

Apologies: Councillor John Barrett

Membership: Councillor Roger Patterson substituted for Councillor John Barrett.

30 CHAIRMAN'S UPDATE

Prior to the commencement of the formal business of the meeting, the Chairman made the following announcement:-

“With regard to application number 146424, (agenda item 6(a)), following a submitted amended flood risk assessment, a rerunning of the consultation is required. This means that the Committee cannot consider the application tonight, and it is withdrawn from consideration at this meeting. It will be considered by the Committee after the re-run consultation process.

Furthermore, with regard to application number 146831, (agenda item 6(c)), following the request of the applicant, this application will no longer be considered by the Committee this evening and will be considered at the Committee meeting on 4 October 2023.

All registered public participants on these applications have been notified, and will be afforded the opportunity to speak when their respective applications return. All other items and reports will be heard in the order in which they are published on the agenda.”

31 PUBLIC PARTICIPATION PERIOD

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

32 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The Chairman reported that following the last meeting, the Monitoring Officer received correspondence, regarding the legality of the proposers and seconders of the Minutes.

For the purposes of clarification, the Committee was advised that when undertaking the procedural requirement to approve the Minutes of the last meeting there was no legal requirement for the proposer or seconder to have been in that meeting, nor is there any legal requirement to record the proposer, as the decision to accept the Minutes is based on the majority view of voting Committee Members. Whilst many Members may choose to abstain from such a vote, when they had not been present, there was no legal or constitutional requirement for them to do so.

The Committee then moved on to deal with the Minutes of the previous meeting and it was proposed, duly seconded, and upon taking the vote, it was

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 9 August 2023 be confirmed and signed as an accurate record.

33 DECLARATIONS OF INTEREST

Councillor Velan indicated that with regard to agenda item 6(d) application number 146509 (Land adjacent to Stonefield House, 10 Main Street, Scothern), that though he was the Ward Member for Sudbrooke, that he would be sitting as a Member of the Planning Committee.

34 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee was advised that there were a number of Government consultations taking place at the moment - one on the nationally significant infrastructure projects process. There were number of significant infrastructure projects in the West Lindsey District. There was a consultation on the expansion and extension of permitted development rights giving greater allowances for converting buildings within Areas of outstanding Natural Beauty, such as the Lincolnshire Wolds. Lastly there was a consultation on the local plans process.

Officers were carefully examining the various consultations with a view to submitting a response considered to be in the best interests of the Council. Members would be provided with a link to the consultation documents and were encouraged to contact the Officers if they

would like to see any particular response going forward.

The link to the consultation on permitted development rights was available here: <https://www.gov.uk/government/consultations/permitted-development-rights>. This was scheduled to conclude on 25 September 2023.

The link to the consultation on plan-making reforms and implementation was available here: <https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation>. This was scheduled to conclude on 18 October 2023.

A Member commented that he had heard a recent announcement concerning a relaxation of the rules relating to onshore wind turbines and asked whether it was intended to report on these proposals to a subsequent meeting. The Committee was advised that there were no details available as yet, but as soon as they became available, they would be reported to the Committee.

35 146424 - LAND ADJACENT 51A WASHDYKE LANE, NETTLEHAM

As referred to prior to the commencement of the meeting, the Chairman stated that following a submitted amended flood risk assessment, the consultation was required to be rerun. This meant that the Committee could not consider the application at this meeting and was withdrawn from consideration at this point. It would be considered by the Committee after the re-ran consultation process.

36 145792 AND 146827 - HOLME FARM BARN, OLD FORGE LANE, WEST RASEN, MARKET RASEN

The Chairman then invited the Planning Officer to introduce item 6 (b) on the agenda (application numbers 145792 & 146827) relating to planning permission and listed Building Consent for the conversion, partial demolition and rebuilding of the existing cottages, outbuildings and barns, to create three dwellings, one with an annex, together with parking and storage at Holme Farm Barns, Old Forge Lane, West Rasen, Market Rasen. This was a retrospective application considered appropriate to submit to the Committee, being a departure from the Development Plan.

The Planning Officer updated the Committee on the applications including background information on the pre-application process undertaken. The Planning Officer advised that because this was a departure from the local plan or considered to be a partial departure from the plan in accordance with section 15 of the Development Procedure Order, the application had been re-advertised and this period ended on the 22 of September 2023. An extension had been agreed with the agent until the 25 September to meet this period and it was proposed that following resolution by this Committee, the application be delegated to the Case Officer.

The Planning Officer responded to a question from Cllr Fleetwood regarding the use of the word retrospective at the start of the officer's report. The planning officer confirmed that this was a typo and this was not a retrospective application.

The Chairman then invited the agent for the applicant to address the Committee, Mr Kevin Coupland who spoke along the following lines:-

“Good evening, Chairman and Members of the Committee, my name is Kevin Coupland and I am here in support of the planning and listed building consent application which is now before you. It relates to the conversion and rebuilding of what is a very impressive range of traditional Lincolnshire farm buildings that sit to the east of the Grade II listed Home Farm farmhouse. From the outset it has been made clear that the historical form of the barn complex was and remains very important to local authority planning and conservation team.

The previous Conservation Officer advised had that there were very few remaining good examples of traditional Lincolnshire farmsteads and its retention was imperative. As you can see on slide 3, the retained and reinstated barns will follow the historical footprint indicated on the 1886 OS map extract showing the full regular courtyard arrangement identified in the Historic England historic farmsteads document.

Through lengthy pre-application discussion with the local authority which started in the first quarter of 2021, we have endeavoured to work with both previous and current Conservation Officers, along with the Planning Department's Case Officer, to deliver a scheme which enables the retention and reinstatement of the barns whilst acknowledging and respecting the sensitivity and the setting of the area. The application before you looks to develop a number of barns. There is a two storey, brick and pantile building which is in good condition and it is proposed that it be converted a detached four bedroom dwelling. (A description of the proposals relating to the remaining buildings on site was given). Taking on board the advice of the Conservation Officer, the scheme was reduced by 2 dwelling units and the reinstated buildings 4 and 5 would be used for garaging, annexe accommodation and ancillary accommodation to building 3.

The scheme proposals are sympathetic to and respect the historic fabric and form a a traditional Lincolnshire farmstead. As the Conservation Officer has stated, the proposal seeks to conserve the historic layout, building forms and material design, whilst offering a new use to redundant buildings. The elevations and floor plans have minimal alterations to the existing and the proposed additions respect the character of the area. In summary we have worked closely and tirelessly on this project for two and a half years in collaboration two Council Conservation Officers and the case officer, along with any number of consultees. The scheme before you. we believe both meets the NPPF and Central Lincolnshire Local Plan policies and successfully deals with consultee and local authority comments. The scheme, if approved, will ensure the retention of historic barns and give them a new lease of life through an alternative use which hopefully will ensure their survival for many years to come. It is for that reason that we hope the application will receive your full support. Thank you very much.”

The Chairman thanked Mr Coupland for his contribution and opened the applications to debate by the Committee. There was nothing further to add by the Planning Officer.

Members were very supportive of the applications as they made an ideal use of a brownfield site and sought to prolong the life of a number of buildings on the site, albeit with modern day uses. Members were particularly complimentary of the collaborative work undertaken

between the applicant and the Council's Officers. A view was however expressed that it might have been helpful for the Committee to have had more feedback from local residents.

It was proposed and duly seconded that permission for both applications be **GRANTED**, subject to completion of the readvertisement of the proposals, thus enabling the Planning Officer to approve them at the conclusion of this period subject to the following conditions:-

Recommendation 145792: Grant consent subject to the following 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 apart from the demolition works hereby approved must take place until the local planning authority has been provided with either:
 - a) A European Protected Species mitigation license issued by Natural England authorising the specified development to barn 2 and 6.
 - b) A statement in writing from the relevant licencing body to the effect that it does not consider the specified activity/development requires a licence.

The submitted licence or statement must be approved in writing by the local planning authority.

Reason: To obtain the appropriate licence to protect and mitigate for the presence of bats and to accord with the National Planning Policy Framework, local policy S60 and S61 of the Central Lincolnshire Local Plan 2023.

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:
 - 1781W-21-10g dated 28th June 2023 – Site Plan (excluding soft and hard landscaping)
 - 1781W-21-11d dated 16th May 2023 – Proposed building 2 Elevation, Floor and Roof Plans
 - 1781W-21-12d dated 16th May 2023 – Proposed building 3, 4 and 5 Floor Plans
 - 1781W-21-13d dated 16th May 2023 – Proposed building 3, 4 and 5 Floor Plans
 - 1781W-21-14d dated 16th May 2023 – Proposed building 3, 4 and 5 Elevation and Roof Plans
 - 1781W-21-15d dated 16th May 2023 – Proposed building 3, 4 and 5 Elevation and

Roof Plans

- 1781W-21-16b dated 14th April 2023 – Proposed building 6 Elevation, Floor and Roof Plans
- 1781W-21-17b dated 16th May 2023 – Proposed building 7 Elevation, Floor and Roof Plans
- (90)001 Rev b dated 9th May 2023 – Hard Landscaping
- (96)001 Rev b dated 16th May 2023 – Soft Landscaping
- 5555-DS-01 Rev E dated 29th June 2023 - Drainage Strategy Plan (within the Flood Risk Assessment and Surface Water Strategy (Report No. 555/DR/01 and Issue 07))

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 S5, S47, S49, S53 and S57 of the Central Lincolnshire Local Plan 2023.

4. Prior to the commencement of any external repairs being undertaken, a full specification and methodology for external repairs must be supplied and agreed in writing by the Local Planning Authority. This to include:
 - a) Repairs to the roof covering and structure;
 - b) Rainwater goods;
 - c) Brickwork repairs/repointing (extent to be shown shaded on elevations). Sample panels will be required for inspection and approval by the Local Planning Authority.
 - d) Structural repairs (including unauthorised works to remove a timber beam);

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

Reason: To ensure the retention of key historical features in the first instance or appropriate replacements to accord with the National Planning Policy Framework, local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023 and the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to installation full joinery details of all new windows, rooflights, doors and glazed screens must be supplied at scale of no less than 1:20, and 1:1 for glazing bar details, showing elevations, sections through, cill and header details and door frames, colour and finish. The joinery details must be approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the barns, the site, the open countryside and to preserve the setting of the Listed Building to accord with the National Planning Policy Framework, local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023 and the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to installation, the external material listed below must be submitted to and approved in writing by the Local Planning Authority:
 - A one metre square sample panel of brickwork, mortar and bond of all new types of

brickwork. The brickwork panel(s) constructed must be retained on the site until the development hereby approved has been completed.

- Retained and new roof tiles
- Any cladding material and colour finish
- Header, Cills, Lintels and other decorative finishes
- rainwater goods and downpipes including the colour
- all windows and, domestic doors including section drawings
- Treatment of gables and cappings
- Treatment of verges and barge boards
- Leadwork
- Means of ventilating the roof
- Flues, vents or other pipework piercing the roof (and decorative finish)
- Retention or replaced ironmongery

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding area including the setting of the Listed Church to accord with the National Planning Policy Framework and local policies S5, 53 and S57 of the Central Lincolnshire Local Plan 2023.

7. No occupation of each individual dwelling must take place until its individual foul and surface water drainage connections have been fully completed in strict accordance with drainage plan 5555-DS-01 Rev E dated 29th June 2023 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 S21 of the Central Lincolnshire Local Plan 2023.

8. The development shall be carried out in accordance with the submitted flood risk assessment (FRA) ref: '5555/DR/01 issue: 07', dated June 2023, prepared by Siddle Grimley Hage Limited including the following mitigation measures it details:

- Finished floor levels shall be set no lower than the levels shown on drawing no. 5555-DS-01 (rev E): Drainage Strategy Plan and stated within paragraph 7.4 of the FRA.
- Compensatory storage shall be provided in accordance with drawing no. 5555-DS-01 (rev E): Drainage Strategy Plan and document 5555/VOL/01/Rev A within the FRA.
- No gardens to be on land below 12.09 metres as shown on drawing no. 1781W - 21 - 10g: Proposed Site Plan within the FRA.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development to accord with National Planning Policy Framework and local policy S21 of the Central Lincolnshire Local Plan 2023.

9. The development must be completed in strict accordance with section 7.2 of the Phase 2 Intrusive Site Investigation Report by Geo Investigate dated April 2022.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

10.No occupation of each individual dwelling must take place until its individual vehicular access, turning space and parking identified on site plan 1781W-21-10g dated 28th June 2023 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 S47 and S49 of the Central Lincolnshire Local Plan 2023.

11.All landscaping must be completed in strict accordance with hard landscaping plan (90)001 Rev b dated 9th May 2023 and soft landscaping plan (90)001 Rev b dated 16th May 2023. No occupation of its each residential unit must take place until its individual hard and soft landscaping has been fully completed in strict accordance with the approved plans. The hard and soft landscaping must be retained as such thereafter.

Reason: To ensure that appropriate landscaping is introduced and will not unacceptable harm the character and appearance of the site to accord with the National Planning Policy Framework and local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023.

12.Prior to installation details of the type and position of replacement swallow nest boxes, 2 starling nest boxes, 2 house sparrow nest boxes and 6 integral swift boxes has been submitted to and approved in writing by the Local Planning Authority. The approved boxes must be installed during the conversion and/or construction works of each dwelling and retained as such thereafter.

Reason: In the interest of nature and to provide enhancements to accord with the National Planning Policy Framework and local policy S60 and S61 of the Central Lincolnshire Local Plan 2023.

13.Apart from the details required in condition 2 and 12, the development must be completed in strict accordance with section 5 of Preliminary Ecological Appraisal by CGC Ecology dated April 2022.

Reason: In the interest of protecting protected species and to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

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

14.The annex accommodation identified on floor plan 1781W-21-13d dated 16th May 2023 must only be used and occupied ancillary to the proposed dwelling (building 3, 4 and 5) and must not be used as a separate unit of living accommodation.

Reason: The creation of an independent dwelling in this location would be contrary to the National Planning Policy Framework and local policies S5, S27, S53 and S57 of the Central

Lincolnshire Local Plan 2023.

15. All planting and turfing comprised in the approved details of soft 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 the approved landscaping is implemented to accord with the National Planning Policy Framework, local policies S5, S53 and S57 of the Central Lincolnshire Local Plan 2023 and the statutory duty in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

16. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F, G and H of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwellings, annex and carport building hereby permitted must not be extended, altered and no buildings or structures shall be erected within the curtilage of the dwellings, annex and carport building unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the design, character and appearance of the dwellings within its historic setting and on the living conditions of neighbouring occupiers in accordance with the National Planning Policy Framework, local policy S5, S53 and S57 of the Central Lincolnshire Local Plan 2023 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

17. Notwithstanding the provisions of Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwellings, annex and car port building hereby permitted no gates, fences, walls or other means of enclosure must be erected within or on the boundary of the site unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the area and the historic setting to accord with the National Planning Policy Framework, local policy S5, S53 and LP57 of the Central Lincolnshire Local Plan 2023 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Recommendation 146827: Grant consent subject to the following conditions

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

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

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

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:
 - 1781W-21-10g dated 28th June 2023 – Site Plan (excluding soft and hard landscaping)
 - 1781W-21-11d dated 16th May 2023 – Proposed building 2 Elevation, Floor and Roof Plans
 - 1781W-21-12d dated 16th May 2023 – Proposed building 3, 4 and 5 Floor Plans
 - 1781W-21-13d dated 16th May 2023 – Proposed building 3, 4 and 5 Floor Plans
 - 1781W-21-14d dated 16th May 2023 – Proposed building 3, 4 and 5 Elevation and Roof Plans
 - 1781W-21-15d dated 16th May 2023 – Proposed building 3, 4 and 5 Elevation and Roof Plans
 - 1781W-21-16b dated 14th April 2023 – Proposed building 6 Elevation, Floor and Roof Plans
 - 1781W-21-17b dated 16th May 2023 – Proposed building 7 Elevation, Floor and Roof Plans
 - (90)001 Rev b dated 9th May 2023 – Hard Landscaping
 - (96)001 Rev b dated 16th May 2023 – Soft Landscaping

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 S5, S47, S49, S53 and S57 of the Central Lincolnshire Local Plan 2023.

3. Prior to the commencement of any external repairs being undertaken, a full specification and methodology for external repairs must be supplied and agreed in writing by the Local Planning Authority. This to include:
 - e) Repairs to the roof covering and structure;
 - f) Rainwater goods;
 - g) Brickwork repairs/repointing (extent to be shown shaded on elevations). Sample panels will be required for inspection and approval by the Local Planning Authority.
 - h) Structural repairs (including unauthorised works to remove a timber beam);

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

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

4. Prior to installation, full details of all new internal joinery, insulation, masonry, and materials must be submitted to and approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details. The details must include all: new and existing doors, frames, architrave, infills, surrounds, walls, insulation, wall finishes, and other means of enclosure.

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

5. Prior to installation full joinery details of all new windows, rooflights, doors and glazed screens must be supplied at scale of no less than 1:20, and 1:1 for glazing bar details, showing elevations, sections through, cill and header details and door frames, colour and finish. The joinery details must be approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details.

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

6. Prior to installation, the external material listed below must be submitted to and approved in writing by the Local Planning Authority:

- A one metre square sample panel of brickwork, mortar and bond of all new types of brickwork. The brickwork panel(s) constructed must be retained on the site until the development hereby approved has been completed.
- Retained and new roof tiles
- Any cladding material and colour finish
- Header, Cills, Lintels and other decorative finishes
- rainwater goods and downpipes including the colour
- all windows and, domestic doors including section drawings
- Treatment of gables and cappings
- Treatment of verges and barge boards
- Leadwork
- Means of ventilating the roof
- Flues, vents or other pipework piercing the roof (and decorative finish)
- Retention or replaced ironmongery

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

Reason: To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

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

NONE

37 146831 - LAND OFF BARTON STREET, KEELBY

As referred to prior to the commencement of the meeting, the Chairman stated that following the request of the applicant, the application would not be considered by the Committee at this meeting and would be considered by the Committee at the next available meeting.

38 146509 - LAND ADJACENT TO STONEFIELD HOUSE, 10 MAIN STREET, SCOTHERN

The Planning Officer introduced item 6 (d) on the agenda (application number 146509) seeking permission for the erection of one detached dwelling on land adjacent to Stonefield House, 10 Main Street, Scothern. The application was referred to the Committee for determination following the receipt of objections from the Parish Council and local residents. There were no updates in relation to this application and the Chairman invited the applicant Mandy Aspinall to address the Committee and she commented along the following lines:-

“Good evening I am Mandy Aspinall and I am the owner of Stonefield House and I have lived in Scotland for 45 years. Tonight I am asking that you accept your planning officer's recommendation in full; we just want the best for the village and the site. The application, as you have seen, is for a pretty stone built pantiled cottage, with traditional wooden frames. It is designed and situated to compliment, and enhance the setting of Stonefield House and the nearby St Jermaines Church. I would like to make four simple points about the proposal, firstly regarding the local support.

On the Council's planning website, there were 18 comments from local residents and only two of which were objections. Both were made before the important changes that we made to the access and the tree protection. We made the changes in response to the commentators, including the Conservation Officer, who thought that this would negate any harm to the church setting. All of the comments made after the changes have been positive and support the proposal with most of them complimenting the design of it and the enhancement that it would give to the village scene, and the relevance of the village architecture and the history.

Also since making the changes, we attended a Parish Council meeting to explain the changes and the site's history, 3 of the 5 Councillors present expressed the view that they no longer wished to object and were happy to leave that decision to this Committee.

Secondly, this is not a commercial venture for us. It is about our family and family life and village life; we want to provide a home for my elderly parents who have also. We have lived in the village for a long time. Happily, that would also provide a building in the heart of Scothern, which is exactly the sort of home that the neighbourhood plan says is needed. It will also be of a style and quality which developers would be unlikely to build because it would commercially unviable. Thirdly, the relevance of the building to Scothern's history, culture and the church setting. The design of the cottage follows a sketch of a 16th century Vicar's Cottage, which was once built on or very near, to the site. Our research shows that in 1576 Scothern's new vicar Hamlet Marshall took residence in this little cottage with Main Street to the north and the church to the east. So if this planning application is granted tonight we would like to call the cottage Hamlet's Cottage.

Finally, we believe we are actually protecting the setting of the church and Stonefield House, I quote the planning officer Richard Green, who says that under permitted development rules, outbuildings could be erected on almost the entirety of this part of number 10 Main Street so any new owner to Stonefield House could make a full use of this provision and inevitably result in a far less beneficial development. What we hope for, though, is that you will accept the recommendation of your Planning Officer and allow us to build this “Hamlets Cottage”, which we believe will enhance the village scene and truly reflect Scothern’s culture and history. Thank you.”

The Chairman thanked Mandy Aspinall for her contribution and opened up the application for debate by the Committee.

Members sought clarification around the type of development that could possibly take place on the site under General Development Rights. It was felt that the proposed building represented a sympathetic development sensitive to the architectural and historical heritage of the site.

Accordingly, it was proposed and duly seconded that planning permission be **GRANTED** subject to the following conditions:-

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

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

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

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

2. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the Local Planning Authority. This scheme should include the following:

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

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

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

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

3. No development, other than to foundations level shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details. The details submitted shall include; the proposed colour finish, rainwater goods and type of pointing to be used (see notes to the applicant below).

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the locality and the setting of a Non-Designated Heritage Asset in accordance with the NPPF, Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy D1 of the Scothern Neighbourhood Plan.

4. No development, other than to foundations level shall take place until full details of all external doors and windows (including the proposed garage doors) at a scale of no less than 1:20 showing the method of opening, cills, headers and lintels, colour and finish are submitted and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the locality and the setting of a Non-Designated Heritage Asset in accordance with the NPPF, Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy D1 of the Scothern Neighbourhood Plan.

5. No development, other than to foundations level shall take place until a 1m square sample panel of the proposed new stonework, showing the coursing of the stonework, colour, style and texture of the mortar and bond of the stonework have been provided on site for the inspection and approval in writing by the Local Planning Authority (the sample is to be retained on site until the new development is completed). The development shall thereafter be constructed in accordance with the approved details

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the locality and the setting of a Non-Designated Heritage Asset in accordance with the NPPF, Policies S53 and S57 of the Central Lincolnshire Local Plan and Policy D1 of the Scothern Neighbourhood Plan.

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

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP21 of the Central Lincolnshire Local Plan.

7. The development shall proceed wholly in accordance with the approved scheme of archaeological works approved by condition 2 of this permission. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start

of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

8. No development, other than to foundations level shall take place until, a scheme of landscaping including details of the size, species and position or density of any trees and hedging to be planted and boundary treatments (including boundaries within the site) and hardstanding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the Non-Designated Heritage Asset and Listed Building in accordance with the National Planning Policy Framework and Policies S53 and S57 of the Central Lincolnshire Local Plan.

9. All existing trees and hedges shown as being retained on the plans hereby approved shall be protected by protective fencing (to BS 5837:2012 standards) prior to the commencement of development around the retained trees and hedges. The fencing should be positioned at the outer extents of the trees Root Protection Areas, as specified on Drawing No. 5314-03 Rev E dated 26/05/2023. Such fencing shall be erected before development commences including ground scraping and shall be retained at all times whilst construction work is taking place. Nothing shall be stored or placed in any root protection area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance the National Planning Policy Framework and Policy S66 of the Central Lincolnshire Local Plan.

10. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan

11. 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: RD5314-04 REV D dated 21/03/2023 and 5314-03 Rev E dated 26/05/2023. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans in the interests of proper planning

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

12. Following the archaeological site work referred to in condition 7 a written report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework

13. All planting and turfing approved in the scheme of landscaping under condition 8 shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or hedging which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the Non-Designated Heritage Asset and Listed Building in accordance with the National Planning Policy Framework and Policies S53 and S57 of the Central Lincolnshire Local Plan.

14. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F, G and H of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re-enacting that Order, the buildings hereby permitted shall not be altered or extended (including the installation of solar panels), no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the host dwelling, no new hardstanding, chimney's or flues, microwave antenna and gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

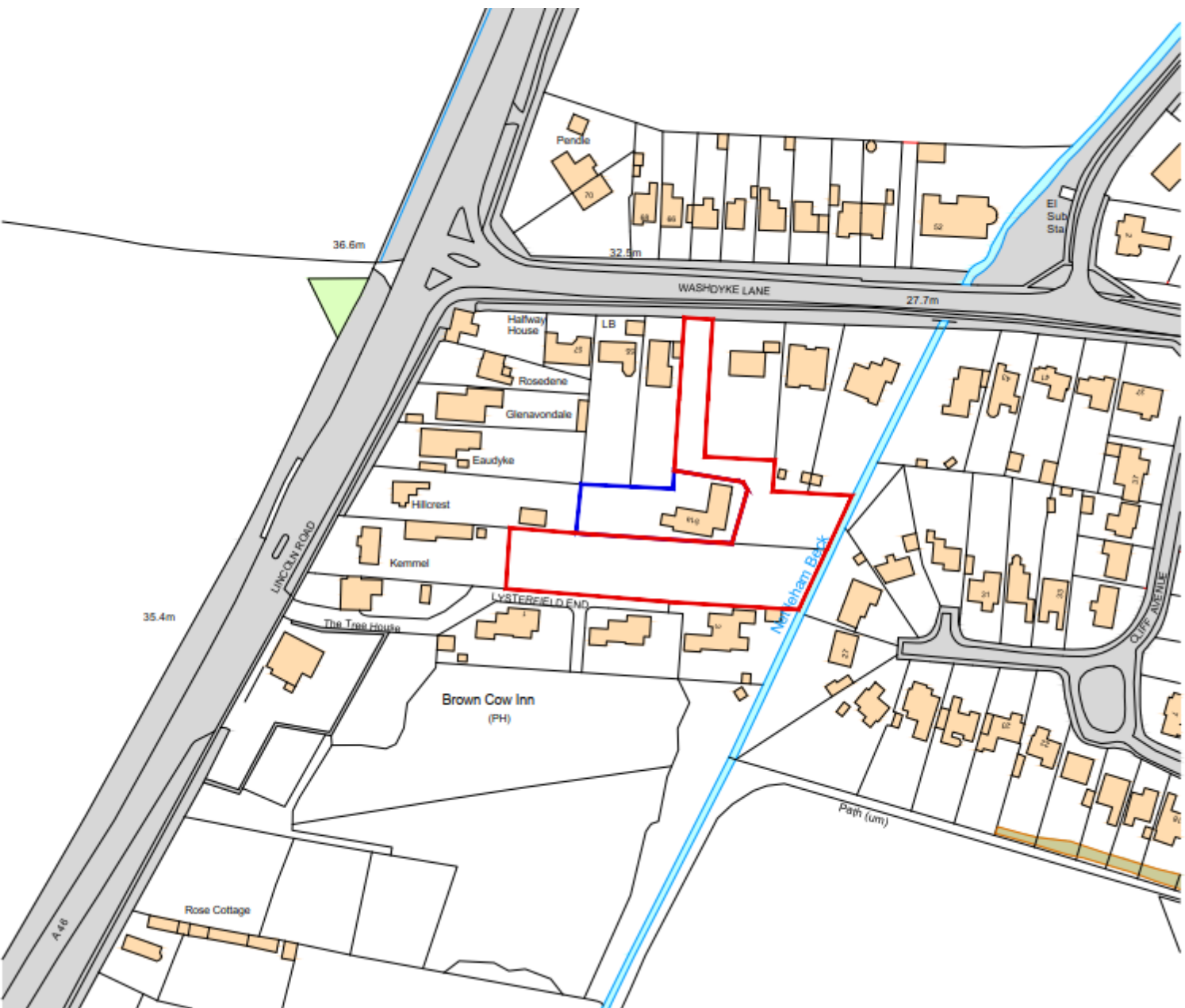
Reason: To enable any such proposals to be assessed in terms of their impact on the living conditions of the proposed dwelling/the resulting amount of space around the proposed dwelling and to safeguard the character and appearance of the host dwelling which is a Non-Designated Heritage Asset and its surroundings in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

39 DETERMINATION OF APPEALS

There were no appeal determinations for noting.

The meeting concluded at 7.13 pm

Chairman



Officers Report

Planning Application No: 146424

PROPOSAL: Outline planning application for 3no. dwellings - all matters reserved

LOCATION: Land Adjacent 51 A Washdyke Lane Nettleham Lincoln LN2 2PX

WARD: Nettleham

WARD MEMBER(S): Cllr F J Brown, Cllr J S Barrett

APPLICANT NAME: Mr J Jackson

TARGET DECISION DATE: 04/05/2023 (Extension agreed until 14th July 2023)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

Planning Committee:

This application has been referred to the Planning Committee following third party objections including the Nettleham Parish Council referring to Neighbourhood Plan Policy.

The planning committee at its meeting on 12th July 2023 resolved to defer this planning application, in order for further information on surface water drainage and flooding implications to be provided by the applicant.

In response, the applicant has subsequently submitted The submission of an amended Flood Risk Assessment and indicative surface water drainage scheme. Consultation on the further information commenced on 7th September 2023 and closed at the end of the 21st September 2023.

Description:

The application site is garden land to the side and rear of 51A Washdyke Lane, Nettleham. The host dwelling is a detached two storey dwelling set down a track to driveway parking. The site is set well back from the highway and slopes upwards from east to west. The main part of the site to the side and rear of 51A Washdyke Lane is primarily screened by a mix of high hedging and high fence panels. There are some gaps to the east boundary adjacent the Nettleham Beck. The west boundary section of the site adjacent the east elevation of the host dwelling is partly open and partly screened by low level hedging. Neighbouring dwellings are adjacent or opposite each boundary with the Nettleham Beck to adjacent the east boundary.

The site is in a Limestone Minerals Safeguarding Area. The majority of the site is within flood zone 1 (low probability) with a small section of flood zone 2 (medium probability) and 3 (high probability) adjacent the Nettleham Beck.

The application seeks outline planning permission for 3no. dwellings, with matters of **layout, scale, appearance, landscaping** and **access** all reserved for subsequent approval (“reserved matters”).

Relevant history:

Pre-application 144227 - Pre-application enquiry for 4no. dwellings – 11/03/22

Representations

Representations made in relation to the application, the substance of which are summarised below (full representations can be viewed online).

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

Nettleham Parish Council: Objections

Representation received 21st August 2023:

- The indicative surface water drainage scheme provides insufficient detail of the drainage design.
- there are no measurements indicating the size of the soakaways and it is not clear which design of soakaway is to be used (crates or natural rubble).
- No ongoing maintenance plan.
- It is therefore not possible to determine the exact surface water discharge rate or the impact within the flood risk zone and the wider area.
- There is additionally no indication of the permeability of the materials to be used for the proposed hardstanding areas.

Representations received 20th April 2023:

- It is not in keeping with policy D6(b) of the Neighbourhood Plan as it will not recognise existing residential density of larger housing with extensive gardens.
- Only two car spaces are shown. To comply with policy D3 of the Neighbourhood Plan the maximum number of bedrooms should be 2.
- There are several sharp bends which will make vehicle passing a hazard.
- No footpath provision presents a hazard to pedestrians, children playing in the area and other vehicles contrary to policy D2(c) of the Neighbourhood Plan.
- Driveway not large enough to serve 4 large dwellings.
- No FRA contrary to policy D4 of the Neighbourhood Plan.
- Increase in non-permeable hard surfacing would increase run-off into the Beck.
- Policy D6(f) of the Neighbourhood Plan relates to the retention of mature or important trees and is contravened by the proposal.
- Unacceptable overdevelopment and strongly oppose.
- Would like to see it called into planning committee.

Local residents: Objections received from:

28 Cliff Avenue, Nettleham
49 Washdyke Lane, Nettleham
51 Washdyke Lane, Nettleham
53 Washdyke Lane, Nettleham
55 Washdyke Lane, Nettleham
Kemmel, Lincoln Road, Nettleham

Principle

- Not an appropriate location contrary to policy LP2, S1 and S4 of the Central Lincolnshire Local Plan.

Density

- Density does not align with D6b) or paragraph 5.3.1 of the Nettleham Neighbourhood Plan. Paragraph 5.3.1 states New housing should be of a scale, design, and density to fit within the existing character of the village.
- Average home in area covers 0.33 hectares whilst these cover 0.16 hectares.

Flooding

- Building 3 four bedroom house in area classified as having medium/high risk areas will add to flooding problem.
- Increased impermeable area will significantly increase water run-off towards Beck adding to flood risk of adjoining properties.
- Flood risk assessment should be provided given slope of site, urbanising effect and flood risk associated with Nettleham Beck.
- Not clear if safe for life time contrary to S21 of Central Lincolnshire Local Plan and D4 of Neighbourhood Plan.
- Flooding in 2007 showed it is possible with increase in sudden weather events.
- Land important for flood mitigation.
- New roads and driveways on a slope and not allow water to run down towards the Beck.
- 100% trees/grassed to 60% adding significant flood risk.
- The FRA does not consider the impact of increased hardstanding (1540m²) on surface water drainage and Nettleham Beck.

Drainage

- Concerned with sewerage arrangements as 51A Washdyke Lane connects to 51 Washdyke Lane.
- Difficulty with blocked sewer recently and doubling use unsustainable.
- Soakaways unlikely to effectively manage surface water.
- The modified plans will tarmac or build over around 1100 square metres of natural soakaway on the banks of the beck. In its place it is now proposed that 85 square metres of soakaway be added. At best this will catch some of the additional runoff and the proposal will still exacerbate the flooding problem in the centre of the village.

- For the percolation tests they dug four holes, watched how quickly water drained away, and concluded that " The surface water design for the site will therefore not require to discharge directly into the Nettleham Beck". This of course depends on the size and location of soakaways, where the water soaked ends up and how quickly. They considered none of these factors and their conclusion is completely illogical.
- it is inconceivable that S21 is being used as a vehicle to overturn the logical, necessary and sensible measures in the Nettleham Plan to mitigate the flash flooding that blights the centre of the village.
- The proposed development will lead to construction of a large area of hard surfaces, which will lead to surface water run-off in times of heavy rain.
- The percolation tests are inadequate to show that the proposed soakaways will take up all potential run off from a site of this size, which slopes downhill into Nettleham Beck.
- The proposal is in contradiction to the Central Lincolnshire Local Plan, its Policy 21d states that "that the development does not affect the integrity of existing flood defences and any necessary flood mitigation measures have been agreed with the relevant bodies,". This supports Nettleham Neighbourhood Plan 5.2.2 which states it's essential no homes should be built on land that lies adjacent the Nettleham Beck.

Highway Safety

- Construction vehicle access will be difficult and access is not appropriate for construction vehicles.
- No footpath provision along single narrow access road which would be a hazard to drivers and people on foot.
- There are only two spaces per home. Policy D-3 of the Neighbourhood Plan requires 3 spaces for 4 bedroom dwellings.
- Drive is too small for a housing development.
- Access is very narrow with restricted visibility.
- Lead to more traffic on busy road which often has long queues.
- No room for cars to pass.

Biodiversity

- Adjacent the Nettleham Beck which is home to endangered wildlife such as water voles/kingfisher.
- Removal of significant amount of trees.
- Survey required or contrary to S60 of Central Lincolnshire Local Plan and NPPF.
- Seen colony of water voles and would be damaged.
- Significant number of trees have been felled degrading ecosystem and the rich and dense population of bird species.
- Land important for wildlife protection.
- Negative impact on environment.
- Area acts as a green corridor for wildlife through to Beck.
- Seen lesser spotted woodpeckers and green woodpeckers as regular visitors to our garden

- The site currently has a wealth of mature trees and species rich grassland, much of which will be damaged or lost due to the proposed development, which is unsympathetic to the surrounding area.

Residential Amenity

- Overlooking 28 Cliff Avenue.
- Overlook and impede natural daylight to surrounding properties.
- Addition of 18 people living in an area which is now a silent orchard will create a noise nuisance.
- Noise and pollution impact.
- Disruption of construction traffic.

Green Wedge

- Land backs onto green wedge and further development would squeeze this shrinking piece of green space.
- Acts as a corridor to wildlife contrary

Reserved Matters

- Local Planning Authority should request layout secured under article 5(2) of the Town and Country Planning Development Management Procedure Order.

Location

- There are areas of Nettleham earmarked for development on previously arable farmland, which would be more appropriate for meeting housing needs, as they would have appropriate, safe access, and are considerably less species rich in terms of grassland and trees.

Other

- There is a need for smaller housing.
- There are no elevations of the proposed houses.
- Dwellings in area are larger and proposed are significantly smaller.
- Could lead to more development behind 53 and 55 Washdyke Lane.
- Construction vehicles causing noise and damage to narrow driveway.
- Road not wide enough for waste collection and far to take bins to road.
- Struggle to see how 3 large 4 bedroom houses would help to rebalance the community demographic.
- Neighbourhood Plan 5.2.2 states its essential no homes should be built on land that lies adjacent the Nettleham Beck.
- Policy H-4 expects a mix of dwellings.
- Contrary to S1, S4, S21, S49, S53, S57, S60, S63 and S66 of the Central Lincolnshire Local Plan and E1, E5, D3, D4 and D6 of the Neighbourhood Plan.

LCC Highways: No objections with advice

- This proposal is for 3 dwellings, to be served via an existing private drive which has adequate width and visibility.

- Any subsequent reserved matters application should make arrangements for refuse storage within the site curtilage for the 3 proposed dwellings and the host dwelling.

LCC Lead Local Flood Authority: Comment

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Building Control Officer: Comment

The Surface water proposal looks acceptable. The formal percolation tests have been carried out by a professional. The indicative Soakaways are shown on the drawings, it is assumed these will be sized accordingly.

WLDC Tree and Landscape Officer: Comments

- The trees intended to be removed, as described above, are all category C trees, therefore I have no objections to their removal in terms of their quality.
- Tree loss needs to be assessed against the new CL Local Plan 2023 for its impact on biodiversity and habitat value. Four large, mature trees have already been lost, with a further 9 individual trees and an unknown number of trees within groups identified for removal. Nine replacements (of trees and shrubs) are proposed, along with some native mixed hedgerow, but if permission is granted then a scheme of landscaping should be required to be submitted in a RM or Full application to provide further details and clarification of species and what will be planted where.
- If permission is granted, there is a high risk new owners would remove more trees to reduce shade to modest sized gardens and gain more usable space.
- Details of tree protection measures should be submitted for prior approval as part of a subsequent RM or Full application. The details need to clarify type/form of the protection measures and their positions, with the aim of protecting the whole area of the trees RPAs or creating a barrier to separate areas of trees from all development activities. Tree protection methods should be in line with BS5837:2012 recommendations. Tree protection should be put in approved positions prior to any commencement of works, and be kept in place until completion.

Environment Agency: No objections

We have no objection to the application, however request that your local authority lists the FRA as an approved document, to which the development must adhere to.

LCC Archaeology: No objections

LCC Minerals and Waste: No objections

Natural England: No objection with advice

Lincolnshire Wildlife Trust: Objection (Holding)

There is no BNG report associated with this application and given the number of distinctive and species-rich habitats onsite (e.g., the orchard and neutral grassland) gains in biodiversity units would be extremely difficult given the current design. The orchard fulfils the criteria of a ‘traditional orchard’ owing to its species composition and the low intensity management (Paragraph 4.6 of the PEA). The proposed development would thus result in a loss of priority habitat rendering the overall design incompatible with the mitigation hierarchy and BNG metric because of this unavoidable loss.

Bespoke compensation for this loss would need to be agreed for the same habitat type to be created on land offsite. A minimum of 10% BNG now required under the Environment Act 2021 and Policy S61 of the Central Lincolnshire Local Plan (CLLP). The baseline, pre-development habitat units, would need to be assessed using the latest DEFRA Biodiversity Metric and the UK Habitat assessment.

The site contains important elements of the local green and blue infrastructure network (Policy S59) such as orchard, grassland (Paragraph 11.0.2 CLLP) and Nettleham beck - which connects the site to the wider landscape (Section 4.6 of the PEA). Nettleham beck runs adjacent to the eastern boundary of the proposed development (though not shown in the ‘Indicative Site Plan’). Settlements usually act as ‘pinch points’ for watercourses with traditional engineering techniques implemented such as solid banks (as seen in Photograph 13 and 15 of the PEA) leading to increased flood risk during times of high rainfall, or surface water flooding. Surface water flooding was highlighted as the main risk to the site and with the assessment lacking any climate change scenario the future risks to the site are not being fully 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 2023), Nettleham Neighbourhood Plan (2016) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

• ***Central Lincolnshire Local Plan 2023 (CLLP)***

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources

S23 Meeting Accommodation Needs
S47 Accessibility and Transport
S49 Parking Provision
S53 Design and Amenity
S57 The Historic Environment
S59 Green and Blue Infrastructure Network
S60 Protecting Biodiversity and Geodiversity
S61 Biodiversity Opportunity and Delivering Measurable Net Gains
S66 Trees, Woodland and Hedgerows

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

- ***Nettleham Neighbourhood Plan (NNP) – Made 3rd March 2016***

Relevant Policies are:

- Policy E-5 Nettleham Beck Green Corridor
- Policy D-1 Access
- Policy D-2 Pedestrian and Cycle Access
- Policy D-3 Parking Provision
- Policy D-4 Water Resource and Flood Risk
- Policy D-6 Design of New Development

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/nettleham-neighbourhood-plan-made>

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

The site is within a Limestone Minerals Safeguarding Area. Policy M11 (Safeguarding of Mineral Resources) applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

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/publications/national-design-guide>

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

<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).*

- **Nettleham Neighbourhood Plan Review (NNPR)**

A review of the Nettleham Neighbourhood Plan is in progress. Nettleham Parish Council has completed a second Regulation 14 consultation on its Draft Plan Review July 2022 and supporting Character Assessment March 2021. This ended on 13th June 2023.

Relevant Draft Policies are:

D1 Parking Standards for New Residential Development

D3 Water Resource and Flood Risk

D4 Design of New Development and Parish Design Code Principles

D5 Climate Change Mitigation and Adaption

D6 Housing Development within Nettleham

D7 Housing Mix and Affordable or Specialist Housing

Applying NPPF paragraph 48, it is considered that The Nettleham Neighbourhood Plan Review can be afforded some limited weight in the determination of the application, although this is tempered in view of the early status of the draft Plan, and that the extent to which there may be unresolved objections is not yet known

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/nettleham-neighbourhood-plan-made>

Other:

Section 38 of the Planning and Compulsory Purchase Act 2004

<https://www.legislation.gov.uk/ukpga/2004/5/section/38>

Main issues:

- Principle of the Development
Central Lincolnshire Local Plan 2023
Nettleham Neighbourhood Plan
Nettleham Neighbourhood Plan Review 2023
Concluding Assessment
- Flood Risk
- Minerals Resource
- Biodiversity
Protected Species
Biodiversity Net Gain
Trees

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 2023:

Local policy S1 of the CLLP sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Nettleham 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'*. Local policy S1 states that most of the housing growth in Nettleham will be *'via sites allocated in this plan. Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages'*.

Section 1 of local policy S4 of the CLLP states that large villages *"will experience limited growth to support their role and function through allocated sites of 10 or more dwellings in the Local Plan, sites allocated in neighbourhood plans, or on unallocated sites in appropriate locations within the developed footprint of the village that are typically:*

- *up to 10 dwellings in Large Villages"*

Section 2 of local policy S4 of the CLLP states that *"Residential development proposals for unallocated sites within the size thresholds set out in part 1 of this policy and within the developed footprint of the village will only be supported where it would:*

- a) preserve or enhance the settlement's character and appearance;*
- b) not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and*
- c) be consistent with other policies in the development plan."*

An appropriate location is defined within the glossary of the CLLP as:

“Appropriate locations means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. 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.”*

The developed footprint is defined within the glossary of the CLLP as:

“Developed footprint of a settlement is defined as the continuous built form of the settlement and excludes:

- *individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- *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;*
- *agricultural buildings and associated land on the edge of the settlement; and*
- *outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.”*

The application site is unallocated garden land to the side and rear of the host dwelling. The development proposes 3 dwellings on land within the developed footprint of the settlement and adjacent land which has been developed for three back land housing (Lysterfield Road).

Nettleham Neighbourhood Plan:

The policies of the NNP only considers development on allocated housing sites and therefore is silent on smaller residential developments within the developed footprint of the settlement.

Nettleham Neighbourhood Plan Review 2023

The draft Nettleham Neighbourhood Plan Review proposes a new draft policy (D6) for residential development away from allocated sites that are within and outside the developed footprint of the settlement. Criteria 1 (within the developed footprint) of policy D6 includes a maximum number of dwellings (up to 10), location and character considerations. The development would therefore generally accord with the draft provisions.

Concluding Statement:

The proposed development would be within the dwelling number limit for large settlements and is considered to be within the developed footprint of the settlement. The development would be expected to retain the core shape and form of the settlement, preserve the character of the settlement and would not be expected to significantly harm the character and appearance of the surrounding countryside or the rural setting of the village. Back land

development adjacent the application site has been introduced into the character of this section of Nettleham.

It is therefore considered that the development would accord to local policy S1 and S4 of the CLLP, draft policy D6 of the NNPR and the provisions of the NPPF.

Flood Risk

Objections have been received on the risk of flooding caused by the development through reducing the permeability of the site and increasing run-off to Nettleham Beck. Drainage of the site is considered later in the report.

At its July meeting the Committee deferred the application, seeking further information and details on flood risk and mitigation. In response, the applicant has now provided an updated Flood Risk Assessment (FRA – version A02) and an indicative surface water drainage scheme.

Local policy S21 of the CLLP states that *“all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.”*

Policy D-4 of the NNP states that *“proposals for development in flood zone 2 as identified on the plan at Appendix L will be required to demonstrate through reference to the West Lindsey Strategic Flood Risk Assessment and to a site specific flood risk assessment that the proposed development will not increase the flood risk to the site and to other parts of the Plan area in general, and to the Nettleham Beck in particular.”*

Policy D3 (some limited weight) of the draft NNPR *“all development proposals are required to consider and, where necessary, address the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development. This will be demonstrated through a Flood Risk Assessment”.*

Paragraph 167 of the National Planning Policy Framework (NPPF) states:

167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

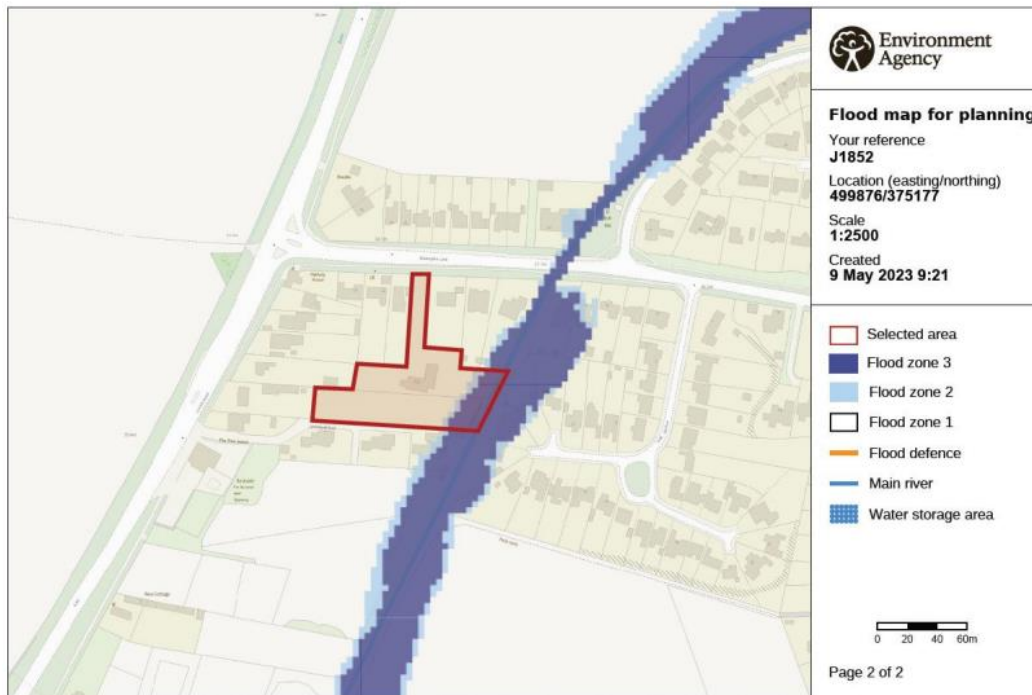
(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

(d) any residual risk can be safely managed; and

(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.



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As previously described and as identified on the plan above the site lies primarily in flood zone 1 with the eastern edge adjacent Nettleham Beck in flood 2 and 3. Local policy S21 and the National Planning Policy Framework (NPPF) requires a sequential approach towards locating development to areas at lower risk of flooding and the submission of a Flood Risk Assessment (FRA). An FRA Rev A01 dated 25th May 2023 by Origin Designs has been submitted. The FRA confirms that all three dwellings can be positioned in flood zone 1, and therefore passes the sequential test. See FRA extract below:



Figure 3 - Site plan overlain with flood zones

The applicant has demonstrated that the development can be achieved without development taking place in flood zones 2 or 3. However, as the application is in outline only, with layout a reserved matter, it is considered that it is both necessary and relevant to make it a condition of planning permission that no development may take place in zones 2-3.

The Floor level and Mitigation section (pg10) states that:

“Standing advice requires finished floor levels (FFL) should be a minimum of whichever is higher of 300mm above the:

- *Average ground level of the site*
- *Adjacent road level to the building*
- *Estimated river or sea flood level*

Final floor levels for the dwellings would be a matter to be determined through reserved matters.”

The Environment Agency have no objections subject to the FRA being listed as an approved document.

The proposed use of the site for dwellings is classed under Annex 3 (Flood Risk Vulnerability Classification) of the NPPF as being more vulnerable. Given consideration to table 3 (Flood risk vulnerability and flood zone ‘compatibility’) of the NPPG and the position of the dwellings within flood zone 1 it is considered by the Local Planning Authority that the proposed three dwellings would pass the sequential test (subject to a condition to secure no development in FZ2-3) and that the exceptions test is not required.

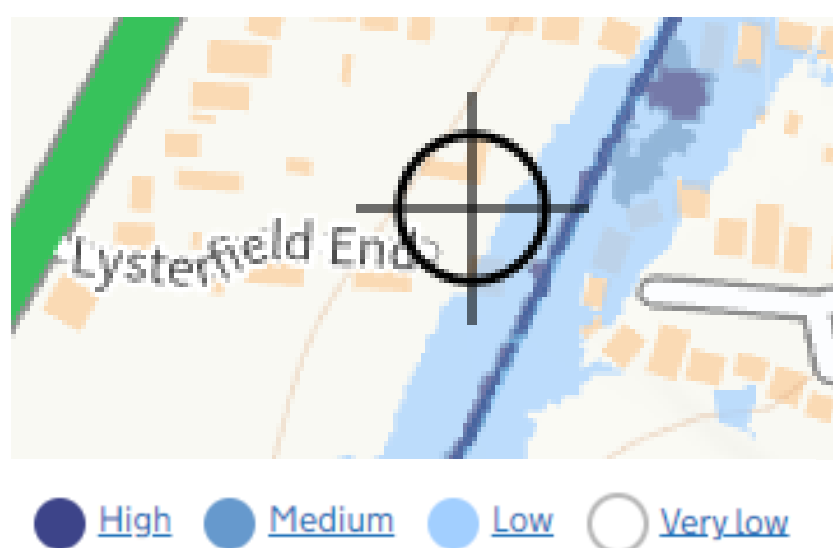
Section 5.2.2 of the NNP (justification for policy D-4 Water Resource and Flood Risk) states that *“in order to minimise the risk of the effects of flooding, especially flash flooding, on the centre of the village it is considered essential that no new homes should be built on land that lies adjacent to the Nettleham Beck”*. Draft Paragraph 6.10 of policy D3 of the NNPR replicates the extract in section 5.2.2 of the NNP noted above. This is therefore a material consideration, but it should be noted that this is not set out within the policy itself – planning case law¹ does distinguish between planning policy and supporting text, and does consider that whilst supporting text may be relevant to interpretation of policy, it does not in itself “trump” policy or insert new requirements.

Paragraph 3.7.3 of local policy S21 of the CLLP states that *“a sequential risk based approach to the location of development, known as a ‘sequential test,’ will be applied to steer new development to areas with the lowest probability of flooding”*.

Paragraph 162 of the NPPF states that *“The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source”*.

The submitted indicative site plan demonstrates that the site can accommodate 3 dwellings located within flood zone 1. Whilst this has been demonstrated it is still considered relevant and necessary to condition that a future reserved matters application must position all three dwellings within flood zone 1.

Objections have been received in relation to drainage and surface water flooding. The government’s flood map ² for planning website confirms that the site has some low to high risk of flooding from surface water near and on the Nettleham Beck as identified below:



¹ (R (Cherkley Campaign Ltd) v Mole Valley DC)

² <https://flood-map-for-planning.service.gov.uk/>

The application form states that surface water would be disposed of to soakaways. Following the Committee's deferral, the applicant has provided an indicative drainage scheme and updated FRA to reflect this.

National Planning Practice Guidance³ sets out a hierarchy of drainage options, as follows:

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.

Consequently, where infiltration is feasible, this is the preferred SW drainage option.

An Indicative surface water drainage plan (ISWDP) with percolation test results has been submitted in response to the request made by the planning committee. The ISWDP indicates the proposed location of the soakaways for the proposed dwellings and road. The percolation test report identifies four trial holes and states that:

“The average infiltration rate from the percolation tests was 1.34×10^{-4} , showing the site is suitable for soakaways. The surface water design for the site will therefore not require to discharge directly into the Nettleham Beck.”

The site is therefore appropriate for infiltration as a sustainable method of dealing with surface water.

Comments have been received in relation to surface water run-off and the reduction of the permeable qualities of the site. It is agreed that the permeable qualities of the site would be reduced by the introduction of built form and associated infrastructure. The updated FRA states that *“The total impervious area is therefore 1134 m², which is approximately 30% of the overall site area.”*

The surface water drainage design section of the submitted FRA has additionally included a table (figure 11) of estimated soakaways sizes for a 1 in 100 year plus 40% climate change and states that *“under the preliminary design it is considered all development rainfall is captured and put to ground, thus reducing runoff by 30%. Post development runoff can therefore be considered to be less than pre-development greenfield runoff rates.”*

Consequently – the FRA is indicating that the development has the potential to result in a betterment and reduce the existing amount of surface water run-off into the Beck, from the currently undeveloped site.

³ Paragraph: 056 Reference ID: 7-056-20220825 <https://www.gov.uk/guidance/flood-risk-and-coastal-change#para55>

The Authority's Building Control team have commented on the indicative surface water drainage scheme stating that *"the surface water proposal looks acceptable. The formal percolation tests have been carried out by a professional. The indicative Soakaways are shown on the drawings, it is assumed these will be sized accordingly."*

These details are indicative therefore final drainage details would be required through a recommended condition of planning permission to secure a final drainage scheme that will appropriately drain the proposed site. The recommended drainage condition includes a requirement for justification of how run-off from the completed development will be prevented from causing an impact elsewhere. This includes the Nettleham Beck to the east boundary of the site.

With the imposition of a condition the proposed dwellings would have to be located in flood zone 1 at reserved matters stage (layout), which is sequentially acceptable as having the lowest risk of flooding and surface water drainage would be capable of reducing existing run-off rates and can be secured by the use of a planning condition. Subject to conditions of any planning permission, it is advised that the development should accord with local policy S21 of the CLLP, policy D-4 of the NNP, policy D3 of the NNPR and the provisions of the NPPF.

Minerals Resource

Guidance contained within paragraph 203-211 of the NPPF sets out the needs to safeguard mineral resources through local plan policies *'to support sustainable economic growth and our quality of life'*. Policy M11 of the Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) states that:

"Applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment. Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. Where this is not the case, planning permission will be granted when:

- the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would be impracticable, and that the development could not reasonably be sited elsewhere; or*
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or*
- there is an overriding need for the development to meet local economic needs, and the development could not reasonably be sited elsewhere; or*
- the development is of a minor nature which would have a negligible impact with respect to sterilising the mineral resource; or*
- the development is, or forms part of, an allocation in the Development Plan."*

The site is within a Limestone Minerals Safeguarding Area and a Minerals Assessment has been submitted within the supporting statement. The Minerals and Waste team at Lincolnshire County Council have no objections to the development.

The development would not have an unacceptable harmful impact on a Minerals Resource and would accord with policy M11 of Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) and the provisions of the NPPF.

Biodiversity

Protected Species:

Policy S60 of the CLLP states “all development should:

- a) *protect, manage, enhance and extend the ecological 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;*
- b) *minimise impacts on biodiversity and features of geodiversity value;*

Policy E-5 Nettleham Beck Green Corridor of the NNP states:

“Development proposals which enhance the setting of the Beck and its associated amenity value will be supported. Where appropriate development proposals adjacent to the Beck should:

- a) *Seek to retain public access and extend access through the formation of waterside walkways; and*
- b) *Preserve and enhance its amenity, biodiversity and recreational value. Development proposals which encroach upon or materially harm the function, character or appearance of the Beck will not be supported.”*

This application on the request of the case officer has included a Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2023. In summary section 5 of the PEA sets out the following recommendations:

Badgers

- Precautionary measures for badgers.

Bats

- No further work is required in respect of bats if any trees on site are to be managed or felled.
- No requirement for bat activity surveys providing precautionary measures are implemented as listed.

Water Voles

- If there are any anticipated impacts to Nettleham Beck then further survey work will be required. One water vole survey must be undertaken between mid-April and the end of June, and another between July and September,

unless there is sufficient information from the first survey to determine either the absence of water vole or the relative size and extent of the water vole population to be affected.

Wild Birds

- Any removal or management of any of the trees, shrubs or hedgerows on site should commence outside the active nesting season which typically runs from early March through to early September. If work commences during the bird breeding season, a search for nests should be carried out beforehand by a suitably experienced ecologist, and active nests protected until the young fledge.

Recommendations

- The orchard on site should be retained in full, with continued appropriate management to maximise biodiversity. Any removal must be compensated for by re-planting at least the amount removed either somewhere else on the site, or on nearby land.
- Although the neutral grassland on site does not qualify as a Local Wildlife Site, it does have value for biodiversity, and replacement areas of species-rich grassland must be incorporated into the proposals.
- Any works taking place adjacent to Nettleham Beck must ensure that there is no risk of sediment, dust or pollutants entering the waterway, or damage to the banks. It is recommended that a buffer zone of 3m is installed along the edge of the beck, to ensure there are no incursions by heavy machinery.
- A Construction Environmental Management Plan or similar may be required to ensure the works do not adversely affect the beck.

Ecological Enhancements

- Any new hedgerows to be planted must comprise native species that provide pollen, nectar and fruit in order to provide a food source for birds and invertebrates.
- Any new trees to be planted must include field maple *Acer campestre*, bird cherry *Prunus padus*, pedunculate oak *Quercus robur*, lime species *Tilia* sp., goat willow *Salix caprea*, holly *Ilex aquifolium*, rowan *Sorbus aucuparia*, hawthorn *Crataegus monogyna*, crab apple *Malus sylvestris* and wild cherry *Prunus avium*, which provide foraging opportunities for various invertebrate and bird species.
- Some areas of longer grass must be created within any areas of public open space or road verges, and seeded with a general-purpose wildflower meadow seed mix. Any new wildflower must be cut as specified.
- To maintain commuting routes for hedgehogs, any solid fences that are installed must have a small hole at the base measuring 13x13cm, or be raised off the ground. Ideally, hedges should be used instead of, or as well as, fencing.
- Integral swift boxes (Manthorpe Swift Brick, Woodstone, Vivara Pro or Schwegler type) must be installed on the northern or eastern elevation of the new dwellings.

- Integral Habitat, Ibstock or Woodstone bat boxes must be installed on the southern or eastern elevations of the new dwellings for use by pipistrelle bats.

The proposed development subject to conditions would therefore not be expected to have an unacceptable harmful impact on protected species or trees and would be expected to preserve and enhance the Nettleham Beck and accords to local policy S60 of the CLLP, policy E-5 Nettleham Beck Green Corridor and guidance contained within the NPPF.

Biodiversity Net Gain:

Local policy S61 of the CLLP requires *“all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management”*. Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

The Lincolnshire Wildlife Trust has commented on the Environment Act 2021 and the requirement of the Bill to provide a 10% net biodiversity gain. The Environment Act 2021 received royal assent on 9th November 2021. It is noted that policy S61 of the Local Plan Review proposes 10% as part of the statutory development plan.

However, this application was valid on 9th March 2023 when the adopted Local Plan was the Central Lincolnshire Local Plan 2012-2036. Whilst revoked policy LP21 of the Central Lincolnshire Local Plan 2012-2036 required some net biodiversity gain it did not require at least 10%. This application has included an ecology report which has made recommendations to mitigate and enhance the ecological value of the site. In this case with consideration given to the date of validation it is considered that it would be unreasonable to expect the applicant to satisfy the requirements of local policy S60(c) or S61 of the CLLP. It is also noted that the Government’s 2023 response to the 2022 BNG consultation set out that the transition period for small sites will be extended to April 2024

Small sites are defined as:

- (i) For residential: where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare

Trees:

Local Policy S66 of the CLLP states:

“Planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site (and off-site, if there are any trees near the site, with ‘near’ defined as the distance comprising 12 times the stem diameter of the off-site tree). If any trees exist on or near the development site, ‘adequate consideration’ is likely to mean the

completion of a British Standard 5837 Tree Survey and, if applicable, an Arboricultural Method Statement.

Where the proposal will result in the loss or deterioration of:

- a) ancient woodland; and/or*
- b) the loss of aged or veteran trees found outside ancient woodland,*

permission will be refused, unless and on an exceptional basis the need for, and benefits of, the development in that location clearly outweigh the loss.

The application has includes an Arboricultural Implications Assessment (AIA) by Andrew Belson dated 17th January 2023. The AIA summarises that *“it is my opinion that the proposed development scheme could provide dwellings in the approximate locations without any significant conflict.”*

The Authority’s Tree and Landscape Officer has not objected to the removal of category C trees, acknowledges the introduction of new trees and recommends conditions for more detailed landscaping information and tree protection measures.

The removal of category C trees should not be a constraint to restrict development. It is agreed that the application lacks landscaping details but landscaping is a reserved matter and full details of landscaping (including replacement trees) would be expected to be submitted with a future reserved matters application if this outline application is permitted.

The AIA includes a tree plan on the last page which identifies the position of the trees, the trees to be removed and the root protection areas. It does not include any tree protection measures. It is therefore agreed that it would be relevant and necessary to include a condition on any outline permission requiring tree protection measures.

It would therefore be expected that the development would not have an unacceptable harmful impact on protected species or trees and would accord to local policy S60 and S61 of the CLLP and the provisions of the NPPF.

Other Considerations:

Details of access, scale, appearance, layout and landscaping cannot be assessed at this stage as they are reserved for subsequent approval. An indicative site plan (ISP) J1852-PL-03 Rev P02 dated 5th May 2023 has been submitted but not any indicative elevation or floor plans.

Access

In planning law access is defined as:

“in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment

of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made”

The ISP identifies that the proposed 3 dwellings would be accessed using the existing vehicular access off Washdyke Lane (30mph) which serves the host dwelling. The vehicle access is set back from Washdyke Lane with pedestrian footpath and grass verge providing good visibility in both directions as confirmed by the Highways Authority at Lincolnshire County Council.



The Highways Authority at Lincolnshire County Council have not objected to the development but have recommended that *“any subsequent reserved matters application should make arrangements for refuse storage within the site curtilage for the 3 proposed dwellings and the host dwelling”*.

It is considered that the proposed access would not be expected have an unacceptable harmful impact on highway safety and would be expected to accord with local policy S47 of the CLLP, policy D-6 of the NNP, policy D4 of the NNPR and the provisions of the NPPF.

It is considered that policy D-6 and D4 are consistent with the highway safety guidance of the NPPF and can be attached full weight.

Layout

In planning law layout is defined as:

“the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development”.

The ISP identifies three detached dwellings in a row to the rear of the host dwelling matching the character of Lysterfield End. The dwellings would be in acceptable plots with more than adequate private garden sizes and off street parking provision for 5 bedroom dwellings in accordance policy S49 of the CLLP and 4 bedroom dwellings in accordance with policy D-3 of the NNP and policy D1 of the NNPR. The dwellings would be appropriately separated from each other.

The ISP includes an access road off the initial track which at 4.1 metres would be wide enough for two cars to pass. The existing track down to the host dwelling is 3.4 metres wide and would not be wide enough for two vehicles to pass. It would be advised to widen at least the first 10 metres of the track from the highway to 4.1 metres wide.

The ISP would not be considered to be an overdevelopment of the site and would relate well to the character of the area.

As discussed above, a planning condition is recommended to ensure no development takes place in flood zones 2 and 3.

It is therefore considered that the proposed layout would not be expected to have an unacceptable harmful impact and would accord to local policy S49 and S53 of the CLLP, policy D-6 of the NNP, policy D4 of the NNPR and the provisions of the NPPF.

In planning law Scale and Appearance is defined as:

“the height, width and length of each building proposed within the development in relation to its surroundings.”

“the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.”

No elevation and floor plans have been submitted with the application. The ISP suggests that dormer bungalows are to be proposed on the site. It is not considered relevant or necessary to restrict the scale of the dwellings through a condition on the outline permission. However any future reserved matters application must be mindful of the proximity of neighbouring existing dwellings.

The site has residential uses adjacent or opposite each boundary. These residential uses includes a mix of dwelling types, designs and sizes including bungalows, dormer bungalows and two storey dwellings. It would be advised that the scale and appearance through a reserved matters application would need to be appropriate and informed by its locality including the use of any locally distinctive materials.

Landscaping:

‘Landscaping’ – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

The ISP provides an indicative concept of landscaping for the site. Mitigation or compensation for the trees to be removed is an important matter for any future landscaping plans including consideration of the Nettleham Beck.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objection to the development. Therefore the development would not be expected to have a harmful archaeological impact and would be expected to accord to local policy S57 of the CLLP and the provisions of the NPPF.

Residential Amenity

Objections have been received from neighbouring residents in relation to loss of privacy, loss of daylight, noise disturbance and air pollution.

Criteria d of section 8 of local policy S53 of the CLLP states that all development proposals will *“Not result in harm to people’s amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare”*

Indicative elevation and floor plans have not been submitted with the application. The site shares a boundary with a number of existing neighbouring dwellings. The ISP demonstrates that three dwellings carefully positioned on the site would not be expected to have an unacceptable harmful impact on the living conditions of existing or potential neighbouring dwellings through loss of light or loss of privacy. The position of the dwellings on the ISP provides adequate separation distances and sufficient private garden spaces.

Noise/Air Pollution:

Comments have been received from neighbours in relation to noise and air pollution from the traffic entering and exiting the site.

The access road to the site would sit between the boundary of 51 Washdyke Lane and 53 Washdyke Lane as well as running past the east elevation of the host dwelling (51A Washdyke Lane). Vehicles (residents, visitors, deliveries etc.) expected to use the access road would generate some noise but at low speed and not to an amount which would be expected to unacceptably harm the living conditions of neighbouring dwellings.

The use of the access road by vehicles would pollute the air through exhaust fumes but not to an amount which would be expected to unacceptably harm the living conditions of neighbouring dwellings.

It would be considered reasonable and necessary to attach a condition requiring a demolition and construction method statement to ensure the works do not unacceptably harm the neighbouring residents.

It is therefore considered that the proposed development would not be expected to have an unacceptable harmful impact on the living conditions of neighbouring and future residents and would accord to local policy S53 of the CLLP and the provisions of the NPPF.

Foul Drainage

The application form does not state how foul water would be disposed of. Given the location of the development it would be preferred and expected that the development would connect to the existing mains sewer.

Climate Change

Local policy S6 and S7 of the CLLP sets out design principles for efficient buildings and reducing energy consumption. Local policy LP7 states that:

“Unless covered by an exceptional basis clause below, all new residential development proposals must include an Energy Statement which confirms in addition to the requirements of Policy S6”.

Local policy S7 provides guidance and criteria on the generation of renewable electricity and the limit on the total energy demand for each single dwelling (*“not in excess of 60 kWh/m²/yr”*).

As previously stated this application was valid on 9th March 2023 when the adopted Local Plan was the Central Lincolnshire Local Plan 2012-2036. Revoked policy LP19 of the Central Lincolnshire Local Plan 2012-2036 required consideration of renewable energy developments but it did not require all development to reduce energy consumption.

In this case with consideration given to the date of validation it is considered that it would be unreasonable to expect the applicant to satisfy the requirements of local policy S6 and S7 of the CLLP.

Policy S59 of the CLLP

The Lincolnshire Wildlife Trust Officer has stated that *“The site contains important elements of the local green and blue infrastructure network (Policy S59) such as orchard, grassland (Paragraph 11.0.2 CLLP) and Nettleham beck - which connects the site to the wider landscape (Section 4.6 of the PEA). Nettleham beck runs adjacent to the eastern boundary of the proposed development (though not shown in the ‘Indicative Site Plan’)”.*

Consideration of trees and the Nettleham Beck have been assessed earlier in the report including comments from the Authority’s Tree and Landscape Officer. Conditions have been recommended for:

- Tree Mitigation/Compensation
- Tree Protection Measures
- Nettleham Beck Enhancements

It is therefore considered that the development subject to further information and conditions would not have a harmful impact on a local green and blue infrastructure network and would be expected to accord with local policy S59 of the CLLP, the policy of the Nettleham Neighbourhood Plan and provisions of the NPPF.

Community Infrastructure Levy

The development would be liable to CIL payment prior to works commencing.

Conclusion and reasons for decision:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S57 The Historic Environment, S59 Green and Blue Infrastructure Network, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains and S66 Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan 2023 and policy E-5 Nettleham Beck Green Corridor, D-1 Access, D-2 Pedestrian and Cycle Access, D-3 Parking Provision, D-4 Water Resource and Flood Risk and D-6 Design of New Development in the first instance. Furthermore consideration is given to D1 Parking Standards for New Residential Development, D3 Water Resource and Flood Risk, D4 Design of New Development and Parish Design Code Principles, D5 Climate Change Mitigation and Adaption, D6 Housing Development within Nettleham and D7 Housing Mix and Affordable or Specialist Housing and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code.

In light of this assessment the principle of the proposed development is considered acceptable and would introduce three dwellings in an appropriate location within the developed footprint of the settlement. It is considered that the development can be achieved in flood zone 1 without increasing the risk of flooding elsewhere; or have a harmful impact on protected species and trees. This is subject to conditions and the submission of the reserved matters of layout, access, scale, appearance and landscaping.

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: 19th September 2023

Recommended Conditions:

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

1. Application for approval of the reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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

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

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

4. No development must take place until full details to protect all the retained on site and boundary trees and their root protection areas have been submitted to and approved in writing by the Local Planning Authority. The approved protection measures must be installed prior to the commencement of development and retained in place until the development has been fully completed.

Reason: To safeguard the existing trees on or adjacent the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy S60 and S66 of the Central Lincolnshire Local Plan 2023.

5. No development must take place until construction method statement 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;
- ii. the parking of vehicles of site operatives and visitors;
- iii. loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development;
- v. wheel cleaning facilities;
- vi. measures to control the emission of dust and dirt;
- vii. protection of the Nettleham Beck including buffer zone (see page 21 Preliminary Ecological Appraisal by CGC Ecology dated June 2023);
- viii. details of noise reduction measures;
- ix. a scheme for recycling/disposing of waste;
- x. the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

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

6. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following proposed drawings:

- J1852-PL-01 Rev P01 dated 8th March 2023 – Location Plan

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 S1, S4 and S53 of the Central Lincolnshire Local Plan 2023.

7. No development hereby permitted must take place within flood zones 2 or 3.

Reason: To ensure the dwelling are located in an area at the lowest risk of flooding in accordance with policy S21 of the Central Lincolnshire Local Plan and Policy D-3 of the Nettleham Neighbourhood Plan.

8. No development above ground level must take place until full details of a scheme for the disposal of foul and 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. The Drainage Strategy should comply with the principle of the Flood Risk Assessment (version A02) and will need to identify how run-off from the completed development will be prevented from causing an impact elsewhere. No occupation of each individual dwelling must take place until its individual foul and surface water drainage connection has been fully installed in strict accordance with the approved details. The approved drainage 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 and local policy S21 of the Central Lincolnshire Local Plan 2023.

9. Any reserved matters planning application submitted to the Local Planning Authority which relates to the layout of the development must accord with the parking standards identified in the relevant policies of the development plan.

Reason: To ensure the dwelling served by acceptable off-street parking in accordance with policy S49 of the Central Lincolnshire Local Plan and Policy D-4 of the Nettleham Neighbourhood Plan.

10. Any reserved matters planning application submitted to the Local Planning Authority must include the details listed below as recommended in the Preliminary Ecological Appraisal by CGC Ecology dated June 2023:

- Hedgehog appropriate fencing including elevation plan.
- Integral swift box (Manthorpe Swift Brick, Woodstone, Vivara Pro or Schwegler type) identified on the northern or eastern elevation of each dwelling.
- Integral Habitat, Ibstock or Woodstone bat box identified on the southern or eastern elevation of each dwelling for use by pipistrelle bats.
- Retention of the orchard or justification for its removal with appropriate compensation by re-planting
- Nettleham Beck enhancements

The details submitted must be in accordance with the positions, types and specifications identified in the Preliminary Ecological Appraisal by CGC Ecology dated June 2023. The approved details must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

Reason: In the interest of nature conservation and to respond to the enhancement recommendations of the Preliminary Ecological Appraisal by CGC Ecology dated June 2023 and to accord with the National Planning Policy Framework, local policy S59 and S60 of the Central Lincolnshire Local Plan 2023 and policy E-5 of the Nettleham Neighbourhood Plan.

11. Apart from the details described in condition 8 of this permission the development hereby approved must only be carried out in accordance with the recommendations set out in section 5 of the Preliminary Ecological Appraisal by CGC Ecology dated June 2023.

Reason: To respond to the enhancement recommendations of the Preliminary Ecological Appraisal by CGC Ecology dated June 2023 to accord with the National Planning Policy Framework, local policy S60 of the Central Lincolnshire Local Plan 2023 and policy E-5 of the Nettleham Neighbourhood Plan.

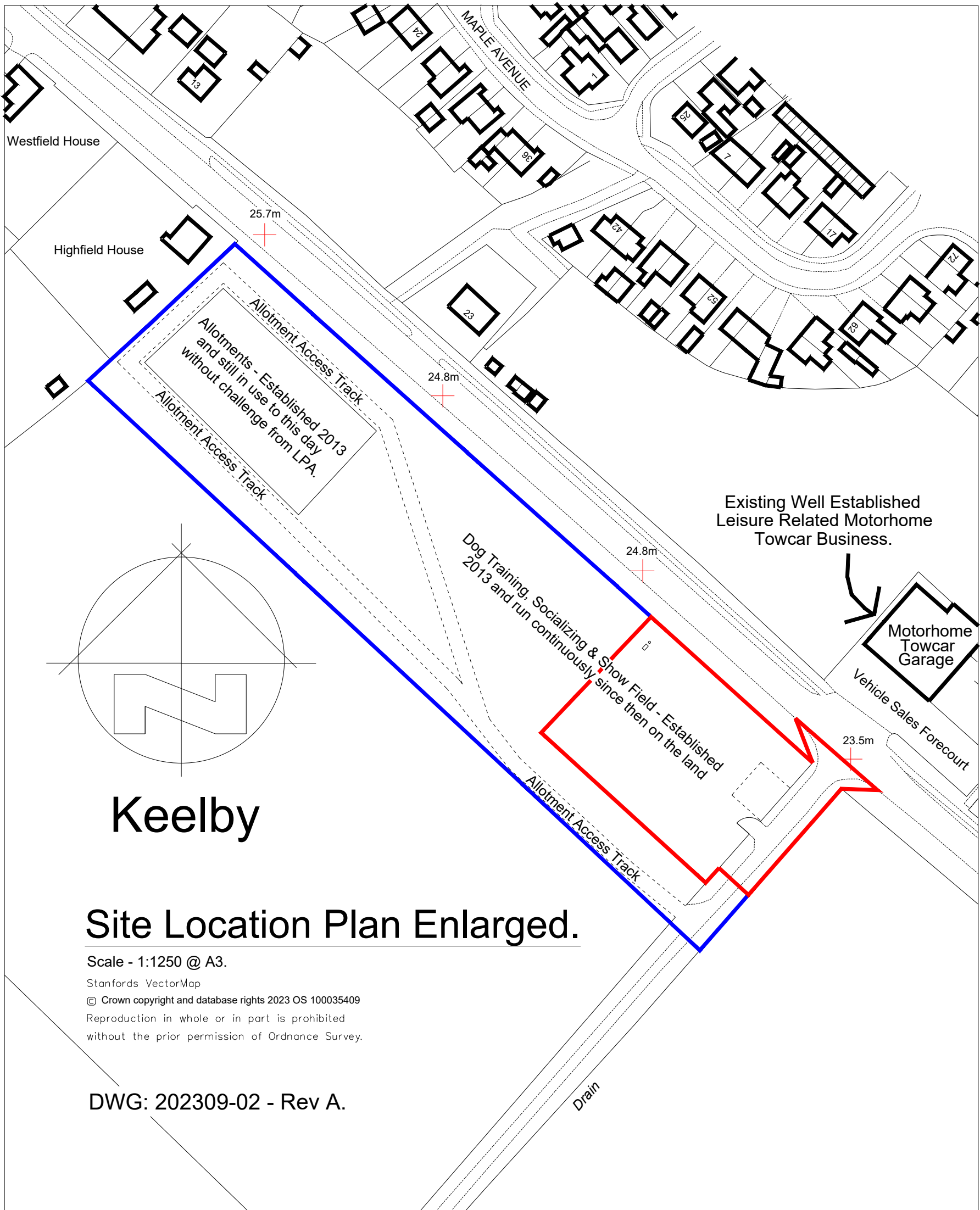
12. The proposed development hereby approved must be completed in strict accordance with the approved Flood Risk Assessment by Origin Design Studio Ltd dated 24th August 2023 and the following mitigation measure detailed on page 10:

- Standing advice requires finished floor levels (FFL) should be a minimum of whichever is higher of 300mm above the average ground level of the site, adjacent road level to the building and estimated river or sea flood level.

Reason: To prevent flooding and protect the future residents to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2012-2036 and policy D-4 of the Nettleham Neighbourhood Plan.

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

NONE



Officers Report

Planning Application No: 146831

PROPOSAL: Planning application for change of use to storage facility for 40 No. Caravans / motorhomes making use of and extending existing hardcore hardstand. Screen tree planting and hedge reinforcement planting and installation of key locked timber clad steel gates, hooped barriers and 2No. 3M high CCTV poles to cover the site. Plus a 38M x 2M security ditch and boundary wire mesh fence with timber posts.

LOCATION: Land off Barton Street Keelby North East Lincs DN41 8EP

WARD: Caistor and Yarborough

WARD MEMBER(S): Cllr O Bierley & Cllr A Lawrence

APPLICANT NAME: Joanne Calaby

TARGET DECISION DATE: 27/07/2023 EoT 5/10/23

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Refuse permission

This application is referred to the planning committee as the recommendation is to refuse planning permission on the grounds that it is contrary to the Development Plan, and that there are representations in support of the application including the local ward member and the Parish Council, who consider that it complies with the Central Lincolnshire Local Plan.

Description:

The site is a rectangular section of land located on the south west of Barton Street (A18) to the south west of the village of Keelby. The development subject of this application has already taken place and is present on site. The site has a hardcore surface where caravans and containers are stored. Palisade fencing and gates have been erected along part of the south east boundary. A bank of vegetation runs along the road frontage. To the north west of the site, over 150m away, is a detached dwelling (Highfield House) and beyond that a further dwelling (Westfield). Immediately adjoining the site is a dog agility area and surrounding the rest of the site to the west and south are arable fields. To the east of the site, on the opposite side of the road is a tow-bar garage. The site is surrounded by open countryside to the south. The village of Keelby is to the north.

The application seeks permission to change the use of the land to caravan storage with associated works including fencing, CCTV, steel gates. This is a retrospective application as the works have already been carried out.

Relevant history:

145267 - Planning application for change of use to storage facility for up to 40no. caravans/motorhomes including siting of 9no. storage containers, upgrading existing

gates, installation of fencing, barriers, cctc, and formation of dyke for drainage and security. Refused, 23/9/22:

'The site is located within the countryside and no evidence has been submitted to demonstrate the need for this particular location with no consideration of alternatives. The location of the enterprise is not suitable in terms of accessibility and would be harmful to the rural character of the landscape. The proposal is therefore contrary to policies LP5, LP26 and LP55 of the Central Lincolnshire Local Plan and provisions of the National Planning Policy Framework.'

Representations, in summary (full representations can be viewed on the application file):

Ward member Councillor O Bierley: Letter of support

'Firstly, whilst on the opposite side of the Barton Street from the body of the village, the application site has always been clearly delineated from the agricultural land beyond and its use ancillary to the adjacent dwelling.

Indeed the property has been in the ownership of the same family throughout the forty-four years I've lived in Keelby and known that piece of land.

I believe CLLP Policy S5: Development in the Countryside to be a key consideration in assessing this proposal, specifically Part E:

Non-residential development in the countryside. Section a) 'The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by proximity to existing established businesses or natural features' offers substantive support, while the criteria in Sections b) accessibility c) conflict with neighbouring uses and

d) size and scale are all individually and collectively met. Similarly Keelby Neighbourhood Plan Policy 4: Business and Service Development, especially Parts 1 and 4, are wholly supportive of the proposal and very much, reflect the CLLP policy referred to above. The documents submitted with the application clearly evidence the new rural employment created, the symbiotic relationship with the well-established, nationally recognised and successful Motorhome business immediately opposite the site and the high demand for the new facility, which I note is primarily from residents in Keelby or villages very nearby. This not only supports the local economy, but also demonstrably helps further strengthen our community.

Finally and acknowledging that this may not be a material consideration, the application is retrospective in nature and the business already in operation however this has not resulted in issues whatsoever, as reflected in the two highly supportive submissions from Keelby Parish Council. In summary I believe this to be a much needed facility in our part of West Lindsey.'

Parish/Town Council/Meeting: Keelby PC 'Fully support the application'. The letter from Keelby PC to the applicant below, was submitted as part of the application:

Further to your email to the Parish Council seeking support for the resubmission of a planning application for a Caravan Storage facility off Barton Street Keelby, the matter was discussed in some detail at our Council meeting on 4th April 2023 and as a result, we are pleased to write with our support.

Having considered the officers report relevant to the original application (ref. 145267), we note that there are two primary reasons why the application was refused, so we will focus our response on these, but in addition will add further supporting advice and comment pertaining to our local Neighbourhood Plan (NP) and priorities for the village; for information, our NP has now completed external review and will shortly be subject to a formal referendum.

When considering the location of the site, the WLDC report considered the site to be outside of the boundary of the village and "located within the countryside". In response to this, we would make it very clear that the houses and premises on both sides of the A18 (Barton Street) are considered to be very much a part of our village, and clearly fall within the Parish boundary to which our Neighbourhood Plan (NP) applies; and is therefore clearly encompassed in our policies set out within our local plan. To further enhance this, we identify a number of important businesses in our NP that are considerably further away from the village than your site; Harvest Pet Products Ltd (Stonepit Lane) is a good example of this. We stress that we are very keen to see further development of local businesses that will offer employment opportunities and support the central amenities of the village. Planning policy 4, section one references this as follows:

"1. New small business development proposals and projects which enhance the sustainability and economic viability of the Plan area will be supported provided that they conform to other relevant policies of this plan."

Secondly, when considering any "harmful impact on the rural character of the landscape", whilst we appreciate that the LPA consider the land is designated as arable at the moment, the location is in an area that is already supporting non-arable enterprises, and is in fact directly opposite Motorhome Tow-Bars & Tow-Cars which is a case in point. There are also mature hedges to the south east and north east of the land which do a good job of masking the site. We also note you intent to exclude the container storage which should help your case.

In our NP, we acknowledge that "Agriculture now employs significantly fewer people than in previous times", and where such development as yours can make effective use of arable land it should be encouraged.

Our NP is also very clear on our intent with regards to development of arable land, and planning policy 4 specifically states:

"4. Proposals that propose a diversification of an existing agricultural and/ or other land based rural businesses will be supported provided that it can be demonstrated that the proposed use is necessary to support the existing use(s) economic viability and that they conform to other relevant policies of this plan."

We are of the opinion that the proposed development is in accord with this policy.

Further to this, we believe the planned development conforms with the new Central Lincolnshire Local Plan as follows:

- Policy S5: Development in the Countryside, specifically Part E:
Non-residential development in the countryside. We believe your application conforms as follows:
 - o Section a): The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by proximity to existing established businesses or natural features.
 - o Section c): The location of the enterprise would not result in conflict with neighbouring uses; and
 - o Section d): The development is of a size and scale commensurate with the proposed use and commensurate with the rural character of the location.

With regards to other important matter, the Parish Council would draw your attention to the following points and ask you to ensure that your resubmission gives due consideration to these.

The WLDC report makes mention that "no evidence has been submitted to demonstrate the need for this particular location"; we suggest that your re-application will need to address this. Whilst there is clear evidence of the need for the proposed facility (it's currently full and you have a waiting list), we would stress that the facility has had a clear and positive impact on parking in the village due to caravans being parked 'off-site' and we are very supportive of this. With regards to other potential locations for the site, we are not aware of any suitable sites and there is no land in the current plan for business development. However, we would suggest that you give this some consideration to further strengthen your case for your site being most-suitable.

In conclusion, we are very much in support of your plan and will comment accordingly when they are submitted through the formal planning process. We are also happy for this initial response to be used to support your resubmission.

Local residents: One letter of comments from 10 Manor Close, Keelby *'I support this local business' application and am in favour of any local business expanding. I disagree, however, with the Land and Visual Impact statement 4.19 which states traffic passing the site will already be slowing down as it approaches the village. I don't feel traffic does slow down appreciably on the A18. My concern would be that large vehicles or caravans manoeuvring slowly into or out of the access road would increase traffic risk and that a lower speed limit for the A18 should be considered in this area.'*

Lincolnshire County Council Local Highway and Lead Local Flood Authority : *'The proposal is for a change of use to storage facility for 40 No. Caravans / motor-homes and it does not have an impact on the Public Highway or Surface Water Flood Risk. The current access will need reconstructing to Lincolnshire County Council specification, keeping the 10 radii.'* Advise the use of informatives in relation to.

Archaeology: No objections

Internal Drainage Board: *'No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved*

a scheme for the provision, implementation and future maintenance of a surface water drainage system. The suitability of new soakaways via the permeable surface, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. Under the provisions of the Flood and Water Management Act 2010, and the Land Drainage Act. 1991, the prior written consent of the Lead Local Flood Authority (Lincolnshire County Council) is required for any proposed works or structures in any watercourse outside those designated main rivers and Internal Drainage Districts. At this location this Board acts as Agents for the Lead Local Flood Authority and as such any works, permanent or temporary, in any ditch, dyke or other such watercourse will require consent from the Board.'

ECM: Checked 9/8/23

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) and the Keelby Neighbourhood Plan (adopted September 2023).

Development Plan

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

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S5: Development in the Countryside

Policy S6: Design Principles for Efficient Buildings

Policy S12: Water Efficiency and Sustainable Water Management

Policy S21: Flood Risk and Water Resources

Policy S34: Non-designated Employment Proposals in the Countryside

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S54: Health and Wellbeing

Policy S60: Protecting Biodiversity and Geodiversity

Policy S61: Biodiversity Opportunity

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

Lincolnshire Minerals and Waste Local Plan (LMWLP)

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

- **Keelby Neighbourhood Plan**

Relevant policies of the NP include:

Planning Policy 1: The Rural Character and Distinctiveness of the Parish
Planning Policy 4: Business and Service Development
Planning Policy 5: Environment and Countryside

<https://www.west-lindsey.gov.uk/sites/default/files/2023-05/Keelby%20Neighbourhood%20Plan%20final%20referendum%20version%20May%202023.pdf>

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.

Chapter 6 of the NPPF states in paragraph 81 that "*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt*". Paragraph 84 goes on to state: "*Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses.*"

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)."

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

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

Main issues

- Principle of Development
- Visual impact
- Highway safety
- Neighbouring uses amenity

Assessment:

Principle and Background

This application follows the refusal of application 145267, for a change of use to storage facility for up to 40no. caravans/motorhomes including siting of 9no. storage containers, upgrading existing gates, installation of fencing, barriers, cctc, and formation of dyke for drainage and security. Since the previous application was

determined, the new Central Lincolnshire Local Plan has been fully adopted (April 2023) along with the Keelby Neighbourhood Plan (September 2023).

This new application is accompanied with a Design and Access Statement, Planning Statement and Landscape and Visual Statement.

The site is located on the south west side of Barton Street outside the built up area of Keelby and is therefore classed as being in the open countryside.

Policy S5 Part E: relates to Non-residential development in the countryside Proposals for non-residential development 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.

Policy S34 states that 'Proposals for employment generating development will be limited to the expansion of an existing employment use and development proposals that support the growth of the agri-food sector or other land-based rural businesses and buildings in accordance with relevant parts of Policy S5.

Criterion 4 of Policy 4 of the Keelby Neighbourhood Plan states:

Proposals for the diversification of existing agricultural and/ or other land based rural businesses will be supported provided that it can be demonstrated that the proposed use is necessary to support the existing use's economic viability and that it conforms to other relevant policies of this plan.

Paragraph 84 of the NPPF also guides that '*planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*'

The proposal is for a **new** caravan storage facility within the open countryside. It is not an expansion or extension to an existing or established business, the works already carried out are considered to be an unauthorised development in the countryside.

Information has been submitted with the application to support the proposed location of the development. Within the Planning Statement it states that:

The Applicant has confirmed that of the 34 people (excluding the owners own plot) using the caravan storage site, 16 live in Keelby, a further 10 live within 5 miles of the site. Only 2 of those using the site have been noted as taking their caravans to Europe, with the remaining users staying within England, and more specifically the local region. Please see Annex B for a breakdown of the customer list. 5.18 The location of the site therefore, is beneficial to the areas rural economy as people both store their caravan and utilise it within the surrounding rural area. For example, the customer using plot number 4 lives within Keelby and use their caravan within Lincolnshire.

The Statement also identifies other caravan storage facilities in Lincolnshire that are sited in the open countryside. However a storage facility does not require a countryside location and the location of other caravan storage sites does not mean this application is acceptable. This application is to be determined on its own merits against the development plan policies in force at this time.

It is recognised that there are currently people using the storage that live locally. However, this in itself is not considered sufficient to comply with the criteria in policy S5 Part E, which states:

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;

Local users do not in themselves justify the need for a rural location. It is still considered that the location is not justified by means of proximity to an **existing** established businesses or natural features as it is a new unauthorised business within the open countryside.

Furthermore, policy 1 of the Keelby Neighbourhood Plan states:

‘Development proposals should respond positively to the rural character and distinctiveness of the Parish and take account of the following characteristics:

- a) the identified Local Green Spaces and Important Green Spaces in Appendix 3;

And goes on to state ‘Wherever practicable, development proposals should use brownfield land.’

‘Barton Street – Paddock behind Maple Avenue’ has been identified as an ‘Important Open Space’ within the Neighbourhood Plan. The designation is on the north-east side of the A18 (opposite to the application site) and this identified open space acts as a clear rural visual divide between the main built up area of the village and the countryside beyond. The proposed site is located beyond the identified open space, on the opposite side of the road, on what was originally agricultural land. It is therefore considered that the proposed development will result in an adverse impact on the rural character, setting and distinctiveness of Keelby.

The local ward member and Parish Council have both submitted letters of support for the application stating that they consider that it complies with policies from the CLLP and The Neighbourhood Plan stating '*The documents submitted with the application clearly evidence the new rural employment created, the symbiotic relationship with the well-established, nationally recognised and successful Motorhome business immediately opposite the site and the high demand for the new facility, which I note is primarily from residents in Keelby or villages very nearby. This not only supports the local economy, but also demonstrably helps further strengthen our community.*'

However for the reasons stated above and below the principle of development is considered to conflict with policies S5 and S34 of the CLLP and policy 1 of the Keelby Neighbourhood Plan. Other matters, such as highway safety, neighbouring amenity and character considerations are assessed later in the report.

Design and visual impact

Local Plan Policy S53 states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area. It further states that development should contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness, and should be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme. In addition, development must achieve a density not only appropriate for its context but also taking into account its accessibility.

Furthermore criterion d Part e of policy S5 states that 'The development is of a size and scale commensurate with the proposed use and with the rural character of the location.'

Policy 5 of the Keelby Neighbourhood Plan states:

'As appropriate to their scale, nature and location development proposals should preserve, and where practicable, enhance the natural environment and open countryside and maintain the rural character of Keelby. In particular, development proposals should:

- a) Enhance existing environmental assets such as those identified in Appendix 7.
- b) Seek to minimise their environmental impact, demonstrate the use of best available environmental technology / practice and ensure no net loss of biodiversity or negative impact on local habitats. Where appropriate development proposals should deliver a biodiversity net gain of at least 10%.
- c) Ensure the protection and enhancement of Keelby's open countryside together with wildlife habitats.'

The application site is located in the open countryside, clearly detached from the main body of the developed footprint of Keelby. Barton Road and the Important Open Space identified in the draft neighbourhood plan act as clear dividers between the built up body of the village and the surrounding countryside. The site is accessed from Barton

Road. The surrounding area is predominately open fields with Keelby located to the north of the site. The site however, is well screened along the boundary with Barton Road.

The submitted Landscape and Visual Statement states that 'The site is such a small component and the proposals so low key that there will only be a negligible effect on this LCA.'

However the submitted report accepts that '*The erection of the palisade security fencing and gates changes the character of the site from a use which requires little intervention or physical impact on the site to one which formalises the boundaries and is clearly a commercial use.*' It goes on to state that '*The location of the site is opposite an existing, visible commercial use and therefore is not an alien feature in the surrounding landscape.*'

The application is retrospective with the change of use and associated works having been undertaken. The site contains caravans along with palisade fencing and gates. As stated above the proposed outdoor storage measures approx. 2500 sq. m in total. The surrounding area is rural in character. The scale of the proposed change of use and the associated works erode the rural character of this countryside location and its unauthorised presence on the site demonstrates the existing visual harm caused. The proposal does not enhance or maintain the rural character of Keelby and offers no biodiversity net gain. This is an inappropriate development in the countryside.

The Parish Council have stated the site is within their Parish, which is not being disputed.

Therefore due to the size, scale and presence the development would, and does, have a harmful visual impact on the site and surrounding area contrary to policy S53 of the CLLP and policy 5 of the Keelby Neighbourhood Plan.

Highway Safety

Local Plan Policy S47 and S49 requires well designed, safe and convenient access for all, and that appropriate vehicle parking provision is made for development users. The proposal will utilise the established access into the site.

The Parish Council state the development has a positive impact on parking in the village as caravans are now parked off-site.

No objections have been received from the Highway Authority on safety grounds.

It is considered that the proposed development and access arrangements are acceptable and the proposal accords with policy S47 of the CLLP.

Neighbouring Uses Amenity

Local Plan Policy S53 states that all development must not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare. It further states that development must provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces.

The site is surrounded by open countryside to the south, a garage on the opposite side of the road, to the north east and allotments to the north west. It is considered that the proposal will not conflict with these neighbouring uses.

Biodiversity Net Gain

Local policy S61 of the CLLP requires *“all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management”*. Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

It has not been demonstrated that opportunities have been taken to retain, protect and enhance biodiversity and geodiversity features on the site and does not deliver a 10% measurable biodiversity net gain and the proposal does not accord with policy S61 of the CLLP.

Conclusion

The decision has been considered against policies S1: The Spatial Strategy and Settlement Hierarchy, S5: Development in the Countryside, S12: Water Efficiency and Sustainable Water Management, S21: Flood Risk and Water Resources, S34: Non-designated Employment Proposals in the Countryside, S47: Accessibility and Transport, S49: Parking Provision and S53: Design and Amenity, S60: Protecting Biodiversity and Geodiversity and S61: Biodiversity Opportunity of the Central Lincolnshire Local Plan. Policies 1: The Rural Character and Distinctiveness of the Parish, 4: Business and Service Development and 5: Environment and Countryside of the Keelby Neighbourhood Plan and the provisions of the National Planning Policy Framework.

In light of this assessment it is considered that the development is not acceptable and refused for the following reasons:

1. The site is located within the countryside and It has not been demonstrated the need for a new business in this countryside location nor that there are any special circumstances which would clearly outweigh the harm caused by siting a new business within the countryside contrary to policy S5 of the CLLP and policy 4 of the Keelby Neighbourhood Plan.

2. The unauthorised development represents an inappropriate form of development within the countryside and would be harmful to the rural character and setting of Keelby contrary to policy S53 of the CLLP and policy 1 and 5 of the Keelby Neighbourhood Plan.

3. It has not been demonstrated that opportunities have been taken to retain, protect and enhance biodiversity and geodiversity features on the site and does not deliver a 10% measurable biodiversity net gain. The applicant has not demonstrated that there

are any very special circumstances which would clearly outweigh the harm caused by inappropriateness and other harm in this case contrary to policy S61 of the CLLP.

The proposal is therefore contrary to policies S5, S43, S53 and S61 of the Central Lincolnshire Local Plan, policies 1, 4 and 5 of the Keelby Neighbourhood Plan and the provisions of the National Planning Policy Framework.



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Project	Proposed Dwellings	
Location	Caenby Road, Glenthams	
Drawing Title	Site Location Plan	
Status	Planning	
Date	27.03.2023	
Scale	1:1250 @ A3	
Drawing No.	40823-01	Rev

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Officers Report

Planning Application No: 146628

PROPOSAL: Planning application to erect 2no. detached bungalows with detached garages & 1no. detached bungalow with attached garage.

LOCATION: Land off Caenby Road Glenthams LN8 2EZ

WARD: Waddingham and Spital

WARD MEMBER(S): Cllr A M Duguid

APPLICANT NAME: Mr Andrew Clover

TARGET DECISION DATE: 28/06/2023

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Dan Galpin

RECOMMENDED DECISION: Grant (subject to conditions)

This application has been referred to the Planning Committee following objections and concerns raised by Glenthams Parish Council and members of the public, in relation to relevant planning matters.

Description: The site is located on an arable field at the southern edge of the village of Glenthams on the administrative boundary of Glenthams and Caenby. Residential dwellings are located to the north, west and south of the site. Glenthams Methodist Church is also located to the direct south of the site. There is no overriding character on Caenby Road with the street scene exhibiting a mixture of dwellings in terms of materials, type, architectural style and age.

Rose Cottage is the most historically significant building on the street being designated as a Grade II Listed Building and dates from 1700 with further alterations being made in the 19th century. Glenthams Methodist Church is a Non-Designated Heritage Asset (NDHA) which is noted on the Historic Environment Record (HER) and can be seen on historic maps back to 1905.

Planning permission is being sought for the erection of three residential bungalows with two detached garages and one attached garage. The bungalows would have a single gable design with a projecting gable with atrium style glazing projecting west towards Caenby Road. The dwellings would each have an individual access from Caenby Road and a field access would be retained to the north of the dwellings. There would be additional landscaping and boundary treatments provided across the three plots. The dwellings would be finished in stone, brick and timber cladding, slate roofing, uPVC windows and hedges and fences that are currently unspecified. The doors would be uPVC or composite.

Relevant history:

143970 – Pre-application enquiry to erect 3no. dwellings. Response issued 15th April 2022.

Representations:

Sir Edward Leigh (MP)

Concerns raised – *‘I share my constituent’s objections to the Applications, specifically in regards to the impact on the countryside and indeed the already overstretched infrastructure.’*

Chairman/Ward Member(s)

No representations received to date.

Glenthams Parish Council

Objection. *‘Glenthams Parish Council objects to application number 146628 on the grounds that the parish is already at quota for its housing allocation. Also, there are many bungalows already in the village. It is affordable housing that is required, particularly when a previous site given permission has now removed its affordable housing stock on the grounds of affordability.’*

Caenby Parish Meeting

No reply received to date.

Local Residents

Letters of objection have been received from five local residents that raised the following points:

- Loss of privacy;
- Impact on the character and appearance of the settlement and countryside;
- Impact on Glenthams Methodist Church and Rose Cottage which is a Grade II Listed Building and its setting;
- The location is not appropriate for residential development being in the Parish of Caenby not Glenthams;
- The proposal would result in ‘runaway growth’;
- Impact on water resources and the permeability of the ground;
- The proposal does not fall within the definition of *development footprint* and therefore is not an appropriate location;

In contrast, three letters of support have been received to the proposed development. The following points were raised:

- Glenthams needs additional bungalows to support the local pub and other amenities;
- The village requires an increase in the variety of house types;

- The proposal makes use of high-quality materials;
- Bungalows are appropriate for disabled and elderly people in terms of design and accessibility and reflect wider housing needs;

LCC Highways/Lead Local Flood Authority

No objection (condition) – *This Full planning application is to erect 2no. detached bungalows with detached garages & 1no. detached bungalow with attached garage. The principle of development is acceptable in Highway terms. The visibility from the proposed access locations fall within the recommended guidelines set out in Manual for Streets and drawing 40823-03 would seem to show suitable parking, albeit indicative only.*

In order to support this application, we would ask the applicant be made aware of the reduction of gathered accesses – a single access point can serve two of these properties in accordance with Manual for Streets 7.9.2.

There will be a requirement to provide new vehicular accesses in accordance with Lincolnshire County Council's Specification and a frontage footway which will make connection between the existing footway at Chapel Court and Glentham Methodist Church.

The suggested condition relates to the creation of a new pedestrian footway in connection with the comments quoted above. An informative will be placed on the decision notice relating to the requirement to comply with the requirement of Section 184 of the Highways Act.

WLDC Archaeology

No objection – It was considered that the original submission did not include sufficient site-specific information to make an informed judgement on the proposed development. After the submission of a Pre-Determination Archaeological Field Evaluation, the following comments were provided:

'This section previously recommended that the results of an archaeological evaluation were required in order to establish the archaeological potential of the site. I note that the evaluation is now complete and a report has been submitted. The report demonstrates that the site contains several 20th century pits within a deep plough soil. These remains are not considered to be archaeologically significant, and I recommend that no further archaeological input is required into this application.'

WLDC Tree Officer

No objection (condition) – No objection was provided to the proposed development but it was noted that the garage for Plot 3 was close to the Root Protection Area (RPA) of a nearby tree to the south of the site. It was recommended that tree protection measures are provided prior to the construction works in accordance with British Standards (BS5837:2012).

WLDC Conservation Officer

No objection (condition) – Although the proposed development would impact the setting of the Listed Building and nearby Non-Designated Heritage Asset (NDHA), these heritage assets would still retain their setting when looking away from the main road. There is no overall form or character but there is use of traditional materials such as brick, stone, pantile and slate. The design of the proposed bungalows is contemporary but is done in a sympathetic manner.

It was considered that subject to the imposition of a standard materials condition, no objection was raised to the proposed development.

Lincolnshire Wildlife Trust

Holding objection – *‘The Preliminary Ecological Appraisal submitted with this application includes a BNG assessment calculating a 36.25% increase in habitat units. This has been achieved almost entirely through urban tree planting but overall, is a reasonable assessment of the potential net gain given the low ecological baseline of the site.’*

No detail has been provided pertaining to the ecological enhancement of the site. We would expect a landscape management plan submitted alongside the PEA that ensures appropriate native planting across the site (particularly the 11 tree specimens proposed) in accordance with Local Plan Policy S60.’

The Witham Third District IDB

No reply received to date.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (CLLP) (adopted in April 2023); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan (Adopted April 2023)**

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S4: Housing Development in or Adjacent to Villages

Policy S6: Design Principles for Efficient Buildings

Policy S7: Reducing Energy Consumption – Residential Development

Policy S14: Renewable Energy
Policy NS18: Electric Vehicle Charging
Policy S20: Resilient and Adaptable Design
Policy S21: Flood Risk and Water Resources
Policy S47: Accessibility and Transport
Policy S49: Parking Provision
Policy S50: Community Facilities
Policy S53: Design and Amenity
Policy S57: The Historic Environment
Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S67: Best and Most Versatile Agricultural Land

- **Lincolnshire Minerals and Waste Local Plan (LMWLP) (Adopted June 2016)**

The site is not in a Minerals Safeguarding Area and Policy M11 of the Core Strategy does not apply.

National Policy & Guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**
- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Model Design Code (2021)**

Main issues

- Principle of Development
- Visual Amenity
- Residential Amenity
- Heritage Conservation
- Highways
- Archaeology
- Climate Change
- Ecology & Biodiversity
- Flood Risk
- Other Matters

Assessment:

Principle of Development

Policy S1 of the CLLP provides a hierarchy of settlements within West Lindsey. Glenthams is situated within Tier 6 of the settlement hierarchy and is therefore a 'Small Village' which is described as a village having between 50 and 249 dwellings as of April 1st 2018. Subject to the principles in Policy S4, the development of dwellings within Tier 6 settlements is considered to be acceptable in principle providing that it meets the definition of both an

'appropriate location' and is located within the 'developed footprint'. It is important to initially assess where the site sits within this hierarchy.

The 'developed footprint' is referenced in Policy S1 with the full definition being set out in the glossary and is defined as 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.'*

In addition, the term '*appropriate locations*' is referenced throughout Policies S1 and S4, including for applications that may relate to Tier 6 of this policy. Development of up to four dwellings in Glenthams may be acceptable in principle providing that it is located within the 'developed footprint' and is within an 'appropriate location' which is defined by the CLLP as:

Appropriate locations mean a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. 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.*

Although the site is situated within the administrative boundary of Caenby Parish, the spatial relationship of the surrounding built development is much more physically related to the developed footprint of the village of Glenthams.

For the purposes of this planning assessment and policy S1 it therefore falls to be considered against the definitions of *developed footprint* and *appropriate locations*, rather than administrative boundaries.

The bungalows would be situated between a number of dwellings to the north at Chapel Court and dwellings to the west on Caenby Road itself. Glenthams Methodist Church also adjoins the site to the south with an additional dwelling beyond the curtilage of the church. Whilst the site is undeniably on the edge of the settlement and on an arable field, it is not considered that this field relates more to the open countryside than the continuous built up area of the settlement. Given that the site would be bound by built development on three sides and the pattern of development on the western side of Caenby Road is linear, it is reasonable to conclude that the site falls within the continuous built

up area of the settlement. It is concluded that the site does fall within the “developed footprint” of Glenthams.

Whether the development is acceptable in principle therefore hinges on whether the site can be considered an *appropriate location* for the purposes of the CLLP. Taking each criteria of an *appropriate location* in turn; firstly, it is considered that the proposed development would retain the core shape and form of development. It would constitute an infill development between Chapel Court and Glenthams Methodist Church that matches the linear development pattern on Caenby Road and would not unacceptably deviate from the established urban grain of Caenby Road that does not have a clear overriding character and contains a broad array of house types, architectural styles and materials. Whilst there would be a loss of view of the immediate countryside, loss of view in itself is not a material planning consideration and cannot be afforded any weight. The visual impact of the development would be localised and there is no statutory or non-statutory designations that afford the site special protection. It is therefore considered that the site is an appropriate location and subject to the compliance with Policy S4, would be acceptable in principle. Policy S4 states that development would be supported in principle provided that it would comply with the following:

- a) preserve or enhance the settlement’s character and appearance;*
- b) not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and*
- c) be consistent with other policies in the development plan.*

The first two criteria have been assessed above and it has been determined that the proposal would not unacceptably harm the character and appearance of the settlement or the wider landscape character in principle. The other relevant policies in the development plan will be assessed in the remainder of this report but it is considered that the proposed development is acceptable in principle.

Loss of Best and Most Versatile (BMV) Land:

The site is located on an arable field that does not appear to be in active use but is still managed as arable land and the proposal would retain a field access. However, notwithstanding this, the site is only 0.3 hectares in scale and Policy S67 only requires the submission of an Agricultural Land Classification (ALC) Report where a site is larger than one hectare in scale.

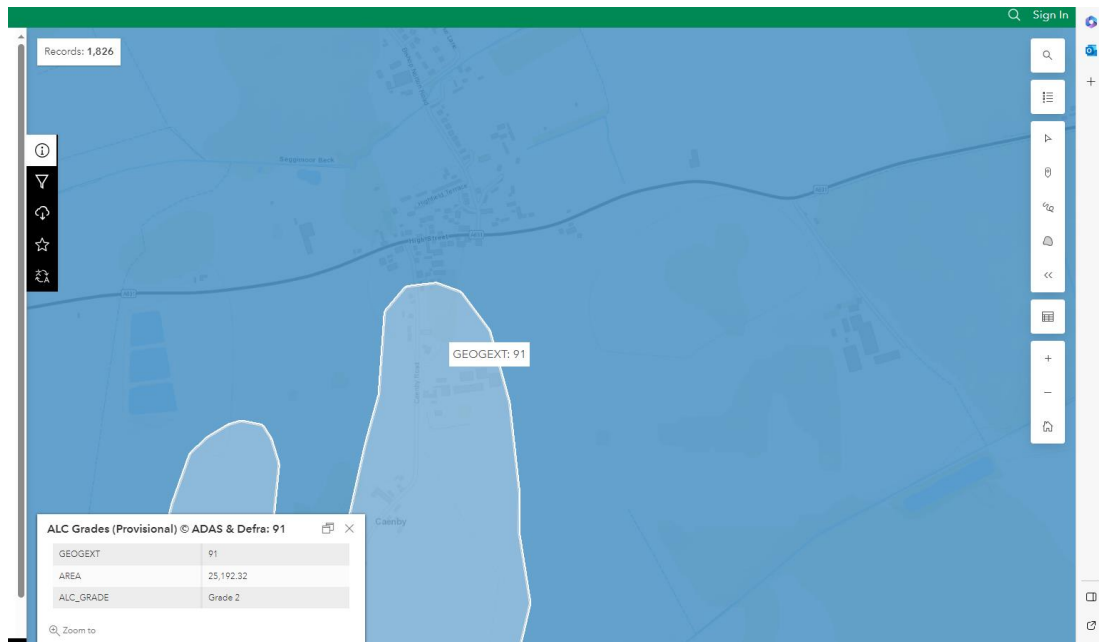


Figure 1: [Provisional Agricultural Land Classification \(ALC\) \(England\) | Provisional Agricultural Land Classification \(ALC\) \(England\) | Natural England Open Data Geoportal \(arcgis.com\)](#)

The site is located on an area of Grade 2 (very good). Assessing the proposal against S67 of the CLLP, the amount of BMV Land that would be lost would not exceed one hectare so is not considered to be significant. Given the constraints of the land within the red line boundary, it is not considered that there is lower grade land available in this instance. Other locations would also likely be unacceptable for housing development for other policy reasons which mainly relates to the development of new housing in the open countryside.

Notwithstanding the above, although the site is an arable field and appears to be managed, there did not appear to be any activity ongoing on the site and as such, there would be no material loss of crop production. Previous site images dating back to 2008 show that the site was utilised for equestrian purposes and not for agriculture. A field access would be retained and there is no reason to conclude that any ongoing farming operations would be unacceptably impacted as a result of the proposed development.

Natural England is only a statutory consultee when the loss of agricultural land over 20 hectares. Standing advice from Natural England states the following:

You should take account of smaller losses (under 20 hectares) if they're significant when making your decision. Your decision should avoid unnecessary loss of BMV land.

In respect of the above, it is therefore considered that the proposed development is acceptable in principle. The relevant material considerations will be assessed in the remainder of this report.

Visual Amenity

Policy S53 of the CLLP requires 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 which demonstrates a sound understanding on their context. 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. Important views into, out of and through a site should also be safeguarded.

The proposed development would see the introduction of three dwellings along a currently undeveloped agricultural field. The layout of the bungalows is considered to be acceptable as it would mimic the linear pattern of development that is present on the opposite side of Caenby Road. The number of dwellings would represent a lower density of housing per hectare than the dwellings on the opposite side of Caenby Road and at Chapel Court but this is not considered to be unacceptable given that the site is located at the very edge of the *developed footprint* of Glentham and would still afford glimpses of the countryside beyond. A higher density of residential development would be less likely to be acceptable in this location.

The scale of the dwellings at six metres to the ridge is considered to be acceptable for a detached bungalow and would be appropriate given the type of low-density housing that is being proposed. The dwellings would not appear to be overly dominant on the street scene and whilst they would appear as a contemporary addition to the street scene, this would be in keeping with the gradual evolution in visual character that has taken place on Caenby Road. There is no overriding type or form of development on Caenby Road and the design, form and appearance of the dwellings is considered to be to a high standard.

There is a visual distinction between the bungalows proposed and the existing bungalows to the west. However, it is not a requirement of Policy S53 or the NPPF for development to completely replicate the standards of previous development. In this instance, it is considered that the design of the proposed development would be sufficiently in keeping but would do so in a way that enhances local distinctiveness. The lack of uniformity makes this an ideal place for such a development.

Paragraph 134 of the NPPF states that although development that is not well designed should be refused, this should not prevent innovation in design standards. In this regard, the proposed development would introduce new features to the street scene such as atrium glazing and slate roof tiles. However, the form the bungalows would not detract from the character and appearance of the area and would allow for glimpses of open countryside to remain. It would also represent a visual enhancement from the bungalows to the west that were built during the mid-20th century and remain a common feature in many contexts that lack a sense of distinctiveness. The materials

are however appropriate for a rural context and would not result in the proposed development being an incongruous feature on the landscape.

For the reasons explained above, it is considered that the proposed development is in accordance with Policy S53 of the CLLP and Section 12 of the NPPF.

Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things. Furthermore, paragraph 130 f) of the NPPF requires that development proposals provide a high standard of residential amenity for both existing and future users.

It is not considered that the proposed development would not result in any unacceptable impact on residential amenity. The bungalows would be arranged in a linear fashion and would be considered to be a low-density form of housing at less than 15 dwellings per hectare (dph – gross). The dwellings would be just over six metres in height and there would be a 6.8 metre separation between Plot 2 and 3 and 9.8 metres between Plot 1 and Plot 2. Given the linear arrangement, this is considered acceptable. There would be a 15-metre separation distance between the side elevation of Plot 1 and the closest dwelling on Chapel Court.

The single storey nature of the bungalows would substantially reduce the risk of overlooking/loss of privacy and the low density of housing does not raise any concern with respect to overshadowing or an overbearing form of development. A condition will be attached in relation to a Construction Method Statement to ensure that the proposed development would not result in an unacceptable impact during the construction period.

As such, it is considered that the proposed development would accord with Policy S53 of the CLLP and paragraph 130 f) of the NPPF.

Heritage Conservation

Policy S57 of the CLLP requires that development proposals do not have an unacceptable impact on various heritage assets ranging from non-designated heritage assets to designated heritage assets which are primarily Listed Building and Conservation Areas. Any development proposal should aim to preserve or enhance the setting and/or the architectural significance of Listed Buildings and preserve and/or enhance the character and appearance of designated conservation areas. Any harm to such heritage assets should have a clear justification and where such a harm cannot be justified or outweighed by the public benefits, planning permission should be refused. These requirements are also contained within national legislation and guidance.

Section 66 of the Planning (Listed Buildings and Conservations Act) 1990 places a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a Listed Building, its setting, and any features of special architectural or historic interest.

Paragraphs 194 and 195 of the NPPF requires an applicant to describe the significance of any heritage asset that may be impacted. Paragraph 197 requires the Local Planning Authority to take account of the desirability of sustaining and enhancing the significance of heritage assets, the contribution that these assets can make to sustainable communities and the desirability of new development in making a positive contribution to the local character and distinctiveness of the area. Great weight should be given to the conservation of a designated heritage asset, regardless of the level of harm to its significance (paragraph 199) and in turn, any harm to, or loss of the significance of a designated heritage asset should require a clear and convincing justification under paragraph 200. Paragraph 202 allows for development that leads to a *less than substantial harm* to the significance of a designated heritage asset, this harm should be weighed against the public benefits of a proposal. For non-designated heritage assets, paragraph 203 requires that the impact of a development proposal on the significance of a heritage asset should be considered in determining an application.

The proposed development is located within the setting of Rose Cottage which is a Grade II Listed Building that dates back to 1700 with later alterations dating from the 19th century. The official list entry can be found here:

<https://historicengland.org.uk/listing/the-list/list-entry/1165036?section=official-list-entry>.

Glenthams Methodist Church to the south of the site is also an non-designated heritage asset (NDHA) which can be seen on historic maps back to 1905. Therefore, the impact of the proposed development must be considered against both this NDHA and the Listed Building.

No objection has been received from the Conservation Officer. It was noted that although the proposed development would impact the setting of these heritage assets via the loss of the open views of the countryside, this was not sufficient to warrant an objection as their setting would still be retained looking away from the main road. Notwithstanding these comments, it is also considered that glimpses of the open countryside would still be present should planning permission be granted. The requirements of Policy S57 d) are noted but it is considered that the setting of this heritage asset would be most preserved. Glimpses of the open countryside would still exist. Whilst the landscape character does contribute to its setting, the significance in the list description places emphasis on the architectural detailing. The low housing density and single storey nature of the proposal also takes steps to mitigate the impact on the setting as much as is reasonably possible.

The Conservation Officer does consider that *“The introduction of the bungalows would impact the setting of the listed building and NDHA as it would reduce the visible wider rural setting from the properties. However, these will still retain this setting when looking away from the main road.”* Paragraph 202 of the NPPF makes it clear that where a *less than substantial harm* exists that this should be weighed against the public benefits of the proposal.

In this instance, the public benefits are clear. The site would allow for the proportionate growth of housing in an *appropriate location* that would assist in boosting rural housing supply and would be of a density that respects the landscape character and does not visually dominate the site. The site would achieve a high standard of sustainable with each dwelling being built with 14 photovoltaic solar panels and being highly energy efficient. There would also be a 36% net gain associated with this site. All of these are clear public benefits and are considered to outweigh and limited harm to the setting of Rose Cottage.

Paragraph 203 also requires that harm to NDHAs is also considered when reaching a decision as to whether to grant or refuse planning permission. Much of the analysis with respect to Rose Cottage also applies to Glentham Methodist Church. The comments from the Conservation Officer note that whilst a harm to the setting of the NDHA exists that this would impact the north elevation which is plain in terms of architectural detail with the south and west elevation containing more details. The visual presence of the church would be reduced but the setting would be retained when looking away from the site.

Therefore, subject to the imposition of a standard materials condition, the proposed development is considered to be in accordance with Policy S57 of the CLLP, Section 16 of the NPPF and the statutory obligation in Sections 66 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

Highways

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. It also requires that first priority should be given to pedestrians, cyclists, and people with impaired mobility. Policy S49 of the CLLP sets out minimum parking standards that are required for residential and non-residential development within Central Lincolnshire.

Paragraph 92 of the NPPF supports development proposals that allow for the creation of healthy and safe places. This is reinforced by paragraph 110 of the NPPF which requires that development proposals provide safe and suitable access to all users. Paragraph 111 of the NPPF in turn states that development proposals can only be refused on highways grounds where there is an unacceptable impact on highway safety, or the wider cumulative impact would be severe.

No objection has been received from the Local Highway Authority at Lincolnshire County Council who raised no objection to the proposed development. This was subject to the condition that a pedestrian footway is provided in order for a safe pedestrian access to the new dwellings. This can be secured via planning condition, as is recommended. There are no concerns in relation to a lack of visibility and the number of vehicular movements that would be generated as a result of the erection of three residential dwellings would not have an unacceptable impact on highway safety or an unacceptable cumulative impact on the wider network.

However, it is considered that it would be unreasonable for this to extend beyond the access to Plot 3. This is partially because of the pedestrian footway on the other side of the road but also because extend the footpath all the way to Glentham Methodist Church would require the removal of a section of wall and there would be a high likelihood of an unacceptable harm or total loss of the tree at the far corner of Plot 3. This would have a detrimental impact the character and appearance of the street scene. This tree is a dominant feature on the street scene and its loss would not be acceptable. The wording of the suggested condition will therefore be slightly altered to reflect this.

In respect of the above, it is considered that the proposed development would accord with Policies S47 and S49 of the CLLP and paragraphs 92, 110 and 111 of the NPPF.

Archaeology

Policy S57 of the CLLP requires that development proposals should take opportunities to protect and where possible, enhance the significance of heritage assets. Appropriate assessment proportional to the significance of a potential heritage asset should be submitted and where this is still sufficient, appropriate intrusive and non-intrusive mitigation should be undertaken. Similar guidance is also contained within paragraph 205 of the NPPF.

It was previously determined by Lincolnshire County Council's Historic Environment Officer that insufficient information had been submitted with the application due to the site being located within a site of archaeological interest. Following the submission of an Archaeological Investigation Report, it was concluded that no significant findings had been recorded. As such, no further archaeological consideration was required.

It is therefore considered that the proposed development is in accordance with Policy S57 of the CLLP and paragraph 205 of the NPPF.

Climate Change

Policy S6 sets out the overarching principles that relate to design of energy efficient buildings. In turn, Policy S7 outlines a specific requirement for all new residential development to be accompanied by an Energy Statement. This

sets out two criteria which require that new residential development provides generates at least the same amount of on-site renewable energy as the dwelling consumes. The second criteria sets out that no single dwelling should exceed a total energy demand of 60 kWh/m²/yr with a site average of 35 kWh/m²/yr.

This application has been accompanied by an Energy Statement which concludes that the total energy demand of the new dwellings would be less than 32kWh/m² /yr. There is some concern with regard to the Energy Statement as it does not provide an average space heating demand or a calculation of the total energy output of the solar array on each dwelling. However, the Proposed Elevations and Proposed Site Plan show that there would be 14 solar panels on each dwelling facing east and west. These would be mostly situated on the garages.

The first criteria of Policy S7 makes it clear that each dwelling should ideally generate the same amount of renewable energy on-site (and preferably on plot) as what would be consumed. Therefore, the dwellings would each need to generate 32 kWh/m²/yr. Although no specific calculation has been provided, other submitted Energy Statements for residential development have managed to achieve the required levels an energy output of 380-watt solar panels. The specification provided shows that the output of the solar panels on these dwellings would be up to 405. It is therefore considered to be highly likely that the proposal would comply with the first criteria of Policy S7.

In relation to the second criteria, it is considered that even though there a site average space heating demand or measurements for the individual plots have not been provided, the average total energy demand would comply with Policy S7. In addition, the u-values for the proposed development would comply with the recommended u-values that are set out in the Energy Efficiency Design Guide. The EPC rating of the new dwellings also suggests a high energy efficiency for the proposed dwellings (scoring 84/100 or a B rating).

Whilst it is considered that there would be some departure from the requirements of Policy S7, the proposal is broadly consistent with criteria's 1 and 2. There is more potential for solar gain on-site as the roof space has not been covered with solar panels. Notwithstanding that 14 solar panels would likely be sufficient, there is also policy reasons to avoid plastering the entire roof space with solar panels. The site is situated in a rural location with the setting of two heritage assets including the Grade II Listed Rose Cottage. It is considered that situating the solar panels on the garages away from the street scene would be better preserve the setting of the Listed Building.

In addition, and notwithstanding the previous paragraph, substantial weight is attached to the benefits of the provision of renewable energy as stated within Policy S14 of the CLLP. Paragraph 158 of the NPPF in turn recognises that even small-scale renewable energy production is invaluable in achieving reductions in carbon emissions. This proposal if granted, would achieve a material improvement on development that has been previously approved by allowing for all dwellings to be largely energy independent from low carbon

sources. This is in accordance with the ambition of paragraph 152 of the NPPF which seeks to achieve radical cuts in greenhouse gas emissions.

This is subject to the imposition of four standard conditions relating to the requirement that the proposed development is undertaken in accordance with the submitted Energy Statement, preventing the supply of piped natural gas and performance measurements.

Ecology & Biodiversity

Policies S60 and S61 of the CLLP requires that development proposals do not have an unacceptable impact on ecology or biodiversity and should take opportunities to provide a net gain in biodiversity wherever possible. These requirements are also contained within paragraph 174 of the NPPF. Given that the requirements of Policies S60 and S61 are consistent with the NPPF, they are afforded full weight. Paragraph 180 states further that some harm to biodiversity is permitted but where there is significant harm, planning permission should be refused.

The proposed development has been accompanied by a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain calculation which had concluded that due to the low ecological baseline of the site, a net gain of 36% could be achieved.

The holding objection from the Lincolnshire Wildlife Trust is noted. It is considered that a Landscape Management Plan can be secured via the imposition of a pre-commencement condition as the ecological baseline has already been provided. The recommendation of the PEA will also be conditioned on the decision notice.

Subject to the imposition of the two conditions described above, it is considered that the proposed development would be in accordance with Policies S60 and S61 of the CLLP and paragraph 174 of the NPPF.

Flood Risk

Policy S21 of the CLLP requires that development proposals do not have an unacceptable impact on flood risk and implement appropriate mitigation (such as the use of SuDS) wherever possible. This policy is consistent with the requirements of paragraphs 159 and 167 of the NPPF and is therefore afforded full weight. Paragraphs 159 and 167 of the NPPF respectively require that development should be diverted away from areas at the highest risk of flooding and that all development proposals should not increase the risk of flooding elsewhere.

The proposed development is located within Flood Zone 1 which is at the lowest risk of flooding. No objections or concerns have been raised in relation to flood risk or drainage. Only limited drainage information has been provided with this application. Therefore, it is considered that the proposed development would be in accordance with the above policies subject to one

condition requiring the submission of a foul sewage and surface water drainage scheme.

The comments from a local resident about the impact on water resources are noted. However, no reply has been received from Anglian Water and the above condition will ensure that the proposed development has appropriate drainage.

It is considered that the proposed development is in accordance with Policy S21 of the CLLP and paragraphs 159 and 167 of the NPPF.

Other Matters:

Community Facilities

Some of the representations received relate to the impact of the proposed development on Glenthams Methodist Church which is considered to be an important community facility in Glenthams. The comments relate in part to loss of view which is not a material consideration and the indirect impact on the church. Policy S50 is generally not supportive of the loss of community facilities. However, in this instance the proposed development would not result in the loss of this facility and there is an adequate separation distance between Plot 3 and the church. A condition requiring protective fencing will be placed on the decision notice for this application.

Other Comments

It is noted that Glenthams Parish Council raised comments that stated that the 10% growth limit of the village had already been exceeded. This is no longer considered to be a material consideration due to the most recent Central Lincolnshire Local Plan (adopted April 2023) no longer containing a quantitative growth limit for settlements. This related to the 2017 iteration of the Central Lincolnshire Local Plan which is no longer the adopted development plan for Central Lincolnshire.

Conclusion:

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S4: Housing Development in or Adjacent to Villages, S6: Design Principles for Efficient Buildings, S7: Reducing Energy Consumption – Residential Development, S14: Renewable Energy, Policy NS18: Electric Vehicle Charging, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S49: Parking Provision, S50: Community Facilities, S53: Design and Amenity, S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains and S67: Best and Most Versatile Agricultural Land of the Central Lincolnshire Local Plan.

In light of the assessment outlined in this report, it is considered that subject to conditions, the proposed development is acceptable on its merits. It is therefore recommended that planning permission is granted subject to conditions.

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

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

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

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

2. No development shall take place until a scheme of foul sewage and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance the approved details.

Reason: To ensure appropriate foul sewage and surface water drainage in accordance with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

3. Prior to the commencement of construction works on any dwelling, including footings being commenced, a scheme shall be agreed in writing with the Local Planning Authority relating to the verification of the post-construction energy performance of the dwelling(s) to be constructed under this permission, including a mechanism for the provision of the verification to individual home owners. The approved scheme shall be implemented in full, including mechanisms by which any shortfall in performance against the updated Energy Statement received 13th September 2023 will be mitigated.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

4. Prior to the commencement of the development, a Biodiversity and Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following details:
 - Details of the size, species, planting arrangement and position of all trees, hedgerows and other vegetation to be planted in accordance with the details in the submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment for land off Caenby Road, Glentham, dated July 2023 and Biodiversity Metric 4.0 Calculations received 29th August 2023.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

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

5. 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: 40823-04 and 40823-05 received 3rd May 2023 and 4823-03 REV A, 40823-07_Rev A_ and 40823-06_Rev A_Plot 3 received 14th September 2023. 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 S53 of the Central Lincolnshire Local Plan.

6. No development above foundations level shall take place until a full schedule of materials has been submitted to and agreed in writing with the Local Planning Authority. The development thereafter shall be undertaken in strict accordance with the approved details.

Reason: To preserve the setting and significance of adjacent heritage assets in accordance with Section 66(1) of the Planning Listed Buildings and Conservation Areas Act and Policy S57 of the Central Lincolnshire Local Plan.

7. No development on the garage to Plot 3 shall take place until protective fencing has been placed on the existing tree shown on 4823-03 REV A in accordance with the British Standard – BS5837:2012. The protective fencing shall remain in place until the completion of the construction works.

Reason: In the interests of amenity and biodiversity in accordance with Policies S60 and S66 of the Central Lincolnshire Local Plan.

8. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 14th September 2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

9. No services shall be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

10. The development hereby permitted shall be undertaken in accordance with the mitigation and enhancements in the following ecological documents:

- Preliminary Ecological Appraisal and Biodiversity Net Gain assessment for land off Caenby Road, Glentham dated July 2023;

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S60 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

11. The development hereby permitted shall not be occupied unless a full frontage footway, with width matching the existing frontage footway at Chapel Court, has been installed to connect the development to the access to Plot 3, which 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 Policy S47 of the Central Lincolnshire Local Plan.

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling(s) hereby approved.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

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 their private and family life, their home, and their 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

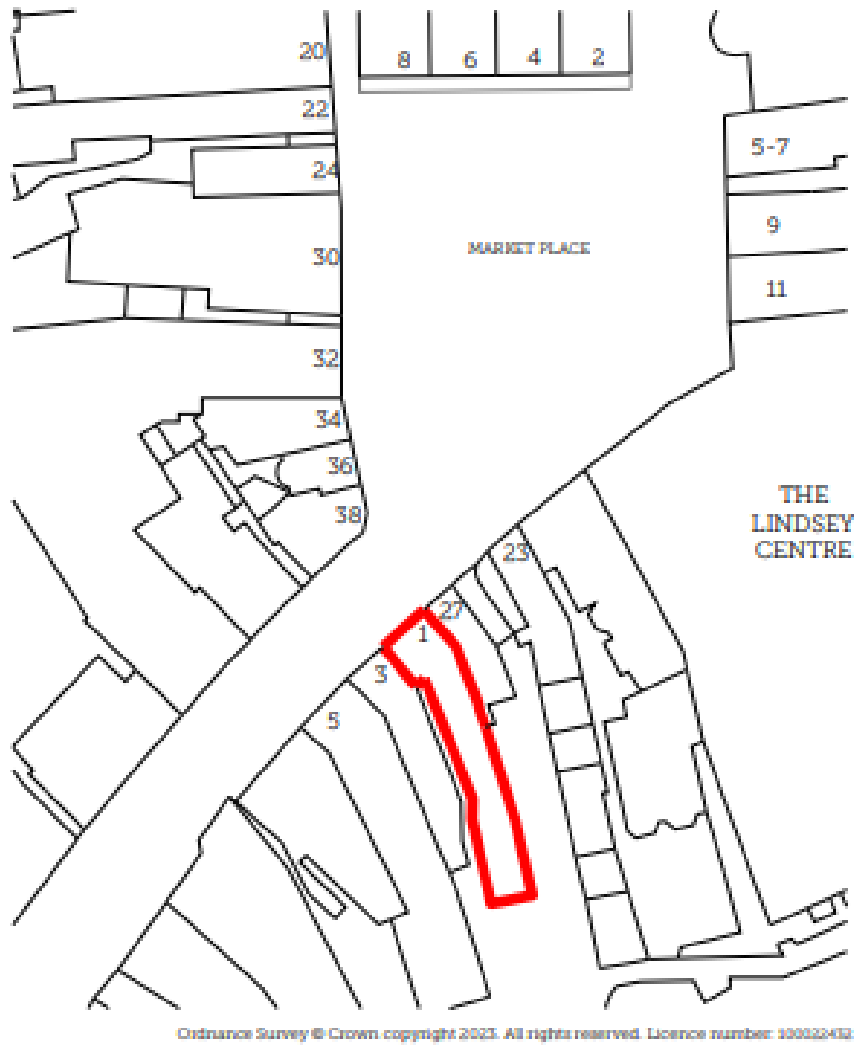
Special Letter

Draft Enclosed

Decision Level

Committee

Site Location Plan 146926 and 146927



01 | SITE LOCATION PLAN

Scale 1:1250 @ A3

Officers Report

Planning Application No: 146926

Listed Building Consent: 146927

PROPOSAL: Planning application to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

AND

Listed building consent to replace shopfront and facade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.

LOCATION: 1 Silver Street Gainsborough Lincolnshire DN21 2DT

WARD: Gainsborough South West

WARD MEMBER(S): Cllr J S McGhee and Cllr T V Young

APPLICANT NAME: Mr Adair

TARGET DECISION DATE: 04/09/2023

DEVELOPMENT TYPE: Minor all others and Listed Building Alter/Extend

CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant planning permission and listed building consent with conditions

The application is referred to the planning committee for determination in line with the constitution as the proposal is considered to be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan 2023.

Site Description: The application site comprises of a Grade II Listed Building within the Gainsborough Town Centre. The property is a three storey terraced building that fronts on to the southern side of Silver Street, one of the main routes through Gainsborough Town Centre. The site is within the Gainsborough Town Conservation Area, within close proximity to a number of Grade II Listed Buildings and is also within the Gainsborough Primary Shopping Area.

The Historic England listing describes the property as follows¹

¹ <https://historicengland.org.uk/listing/the-list/list-entry/1359762?section=official-list-entry>

SILVER STREET 1. 5315 (South-East Side) Nos 1 and 3 SK 8189 1/120 II GV

2. C18. 3 storeys in red and painted brick with coped parapet. 4 windows, painted brick voussoirs, hung sashes without glazing bars, 2 modern shop fronts. Centre passage entry.

Nos 1 to 7 (odd) form a group together with No 10 Silver Street and Nos 21 to 27 (odd) Market Place. Nos 25 and 27 Market Place being of local interest.

The Proposal: The application seeks planning permission and listed building consent for the replacement of the shop front and facade (Silver Street), the introduction of 3no. new shop units and frontages along the east elevation (Curtis Walk). The proposals also include external and internal alterations to facilitate the new shop units and 3no. flats above, consisting of two one-bedroom flats and one three bedroom flat. The proposed development would benefit from the Townscape Heritage funding scheme.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015² a site notice was displayed on 31/08/2023 and a notice has been placed in the local newspaper on 07/09/2023. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

Relevant history:

W33/LB/40/91- Listed Building consent to display 2 signs. Granted 11/12/91.

W33/A/16/91- Consent to display non-illuminated fascia sign and non-illuminated projecting sign. Consent granted 11/12/91.

Representations:

Full versions of the following representations can be found on the council's website using the following links:

146926- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146926>

146927- <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146927>

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

² <https://www.legislation.gov.uk/ukxi/2015/595/article/15>

Gainsborough Town Council: The committee resolved to support the application subject to consideration of sufficient fire escape routes at the rear of residential properties/flats.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

WLDC Growth Team: In principle and subject to normal planning considerations, the Growth Team are supportive of the proposal for the following reasons:

- The proposal strongly aligns to the wider regeneration and investment objectives for Gainsborough's town centre, such as heritage led regeneration with reinstatement of traditional shop fronts and creation of upper floor residential space to support the integration of multiple uses across the town centre space.
- Enhanced retail offer – whilst the town centre currently has several vacant retail units, a high proportion of the vacant retail units in the immediate vicinity are of a much larger size. The smaller scale units proposed would bring a new offer and strengthen the variety of options available to traders within the historic heart of Gainsborough.
- A busier street scene encourages greater use of the existing linkage between Heaton Street and the Market Place.
- Complements the existing primary retail use of space on Curtis Walk.
- Improves the street scape in the immediate vicinity of Curtis Walk and onto Silver Street.

WLDC Conservation Officer: No objections. Email (dated 08/09/2023) sent to case officer with queries re proposed materials. Points in the email have been responded to by the agent (dated 11/09/2023). No further comments have been received.

Local residents: No representations received to date.

LCC Highways/Lead Local Flood Authority: No objections. This site is in a highly sustainable location within the town for the siting of flats. There will be no impact on the public highway as a result of external changes to the shopfront.

Environment Agency: No representations received to date.

Archaeology: The building affected by this planning application is of local significance. It is a Grade II listed building within the Gainsborough Conservation Area. As such I recommend that an Historic Building Recording is carried out. The report produced should be sent to and approved by LCC Archaeology Section prior to any alterations being carried out at 1 Silver Street.

ECM Checked: 18/09/2023

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 2023); the Gainsborough Town Neighbourhood Plan (made 2021); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan 2023 (CLLP)***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S37: Gainsborough Town Centre and Primary Shopping Area

Policy NS41: City and Town Centre Frontages

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

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

- ***Gainsborough Neighbourhood Plan MADE 2021 (NP)***

Relevant policies of the NP include:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 8 A Mix of Housing Types

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan>

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

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

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 latest iteration of the NPPF was published in September 2023.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

- ***National Planning Practice Guidance***
<https://www.gov.uk/government/collections/planning-practice-guidance>
- ***National Design Guide (2019)***
<https://www.gov.uk/government/publications/national-design-guide>
- ***National Design Code (2021)***
<https://www.gov.uk/government/publications/national-model-design-code>

Other

Statutory Duties under Sections 16, 66 and 72 of the Town and Country Planning (Listed Buildings & Conservations Area) Act 1990.

Gainsborough Town Centre Conservation Area Appraisal

Main issues

- Principle of Development;
- Impact on designated heritage assets, including the host listed buildings;
- Design and Visual Impact;
- Impact upon Residential Amenity;
- Highways and Parking;
- Drainage;
- Other Matters.

Assessment:

Principle of Development

The application seeks planning permission for a new hardwood timber shopfront, the conversion of the upper floors to 3no. flats as well as the installation of 3no. shop units, along with other internal and external works and repairs. The Central Lincolnshire Local Plan contains a suite of policies to guide development within the Town Centre.

Gainsborough is designated as a Main Town within Policy S1 of the CLLP. Policy S1 states that: *'To maintain and enhance their roles as main towns, and to meet the objectives for regeneration, Sleaford and Gainsborough will, primarily via sites allocated in this Local Plan and any applicable neighbourhood plan, be the focus for substantial housing development supported by appropriate levels of employment growth, retail growth and wider service provision. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.'*

Policy S3 of the CLLP relates to new housing in the Main Towns of Central Lincolnshire and states that: *Within the developed footprint* of the Lincoln Urban Area and Main Towns and Market Towns, development proposals at appropriate locations** not specifically identified as an allocation or an area for change in this plan will be supported in principle.*

Paragraph 86 of the NPPF is supportive of residential development within Town Centre locations as it helps to ensure their vitality by increasing the total population living in close proximity to local amenities. Significant weight is also attached to securing the future use of a designated heritage asset.

The Gainsborough Town Centre section of Policy S37 of the CLLP states that; *'Development proposals within Gainsborough Town Centre, not in E Use Class will be considered on their merits subject to satisfying the criteria in a)-e) where relevant and providing that they will:*

- f) not result in large gaps between town centre uses in frontages;*
- g) not detract from or otherwise harm or conflict with town centre uses; and*
- h) be compatible with maintaining or enhancing Gainsborough Town Centre as a sub-regional shopping destination.*

Proposals for residential or commercial development above town centre uses will be supported providing that the proposed use would not be likely to introduce conflict with existing uses.'

Point 4 of Policy NPP19 of the GNP states that; *Development proposals for the use of upper floors of commercial premises within the town centre for residential use will be supported where it can be demonstrated.*

With regard to the shop units, the site is within the Gainsborough Primary Shopping Area where such retail units on ground floors are supported in principle given that they will contribute towards the vitality and viability of the town centre. The proposals will also help to assist in wider regeneration of the town centre by offering an improved retail offer given the smaller units proposed.

Overall, the site is located within the developed footprint of Gainsborough, being within the town centre. The proposal will maintain a retail use on its ground floor level and would therefore meet within criteria f-h of Policy S37.

The residential development element of the proposals is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35, S37 and NS41 of the CLLP.

Impact on designated heritage assets including the host listed building

The application site comprises of a Grade II Listed building and lies within the setting of other Grade II Listed buildings as well as being within the Gainsborough Town Centre Conservation Area.

The applications propose several alterations to the building externally and internally, comprising of:

- The installation of new timber shop front with awning and façade to Silver Street frontage (north elevation);
- Installation of 3no. shop units and frontages to Curtis Walk (east) along with internal works to divide the units;
- Internal alterations to form 3no. flats;
- External repairs and alterations to the existing building, including new window and door openings;
- Installation of new zinc pitched roof to rear part of building along Curtis Walk above new shop units.

Section 16 (2) of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Building & Conservation Areas) Act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. This aim is echoed within policy NPP18 of the NP.

Policy NS41 of the CLLP states that:

*'Proposals for new frontages or alterations to existing frontages within an identified centre will be permitted provided the proposal: a. is of a high quality design and is sympathetic in scale, proportion and appearance to the building of which it forms part, and to the character of the surrounding street scene; and
b. protects, and where possible enhances, traditional or original frontage or features that are of architectural or historic interest, particularly if the building is listed or within a conservation area; and
c. is designed to allow equal access for all users.'*

Point 8 of Policy NPP18 of the NP states that; *Development proposals for the renovation of buildings and shopfronts in the Town Centre that reinforce its historic character and comply with West Lindsey District Council's shopfront improvement scheme will be supported.*

The existing site comprises of a Grade II Listed building with a frontage located on the south side of Silver Street and a more modern red brick extension to the south, along Curtis Walk. The application has been accompanied with a large number of plans with annotations, materials info including window and door details.

The proposed new timber shopfront and façade onto Silver Street is of a design that is appropriate, reflecting its historic appearance whilst also helping to improve the frontage along this main route through Gainsborough Town Centre. The applicant and agent have been involved with the councils Townscape Heritage team to design an appropriate shop front, with reference to the historic design. The new shop frontages along Curtis Walk will have timber cladded folding shutters, with royal blue glazed bricks on the surrounds these are considered to be of a design that would enhance this part of the conservation area. Other external alterations along the Curtis Walk elevation include the insertion of new window openings to serve the flats. Pantile roof repairs on the building will be like for like and copings will be replaced with stone. Full proposed replacement window detail drawings have been provided and are considered to be acceptable. The internal works to form the 3no. flats, include the repair of existing staircases and retention of features such as fireplaces. New internal divides are also proposed in the ground floor south section of the building to form the 3no. new shop units. The full scope of the works shown on the proposed plans have also been reviewed by the councils Conservation Officer and have been found to be acceptable in terms of the impact on historic fabric and that they would preserve the special historic interest of the host building.

The comments from Lincolnshire County Council archaeology department requiring the submission of a historic building record are noted. This has been discussed between the case officer and conservation officer. Many photographs and existing plans have been

submitted with the application and it is not considered necessary or reasonable to request any further information to be conditioned.

Overall, the works would preserve the special historic interest of the host listed building and the conservation area. In addition to this, the proposal would enhance the street scenes within the Town Centre with improved and new shop fronts that reflects the history of the building in a sympathetic way. The proposals would accord to Statutory Duties, the policies within the Development Plan and Section 16 of the NPPF.

Impact upon Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

There are no concerns in relation to overlooking, over dominance or loss of light over adjoining properties. All three of the units meet with the nationally described space standards. The main living areas of the flats and bedrooms would all be served by windows, allowing adequate light to enter the rooms. In terms of noise, a level of noise is to be expected in a town centre location. One of the adjoining units is a fast food takeaway, however it is not considered that there would be any unacceptable noise, odour or extraction impacts for the occupiers of the flats and is considered to be acceptable.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats, other grassed amenity areas are available within the town centre area, notably along the Riverside Walk.

The development would therefore not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with policy S53 and the provisions of the NPPF, particularly paragraph 130(f).

Highways and Parking

No objection has been received from the Local Highway Authority relating to the proposed development. Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling plus visitor spaces. The proposal does not include any dedicated parking provision for the flats. It is noted that no parking provision has been requested by the highway's authority, stating that the development is in a highly sustainable location. The Gainsborough NP does not contain any specific figures with regard to parking provision for new dwellings within the town.

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including the bus station, it is considered that the non-inclusion of parking provision is acceptable in this case. It is also

considered that the benefits of restoring and bringing the upper floors of this Grade II listed building back into use greatly outweighs the harm caused by the lack of parking provision and the departure from local policy S49 of the CLLP. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance.

Drainage

The site benefits from existing foul and surface water drainage connections which the proposed flats and shop units will link into. The proposals will not increase the external floor space of the existing building. Given the existing drainage connections at the site it is not considered necessary to request any further details to be submitted in this respect.

Other Matters-

Flood Risk- The majority of the site is located within Flood Zone 2 with a small area to the rear being located within Flood Zone 3, the application has been accompanied with an FRA. With regard to the ground floor use of the building, as existing it is a retail use, therefore there is no change in the vulnerability category as defined in the flood risk vulnerability table in the NPPF. The external façade and new shop frontage works would not increase the risk of flooding to others, given that there would be no increase in the floor space. In addition to this none of the 3no. flats are located at ground floor level, whilst their ground floor access is located in Flood Zone 2, this is the same as the existing situation at the site. There is to be no increase in external floor space and therefore it is not considered that the proposal would increase the risk of flooding for others and future occupiers would be safe in a flood event. Overall, matters of flood risk are considered to be acceptable.

Minerals Safeguarding Area- Changes of use to existing buildings and listed building consent applications are considered to be exempt from safeguarding considerations. In any case, due to the development being within the continuous developed footprint of Gainsborough it is not considered that safeguarding considerations are engaged in this case.

Energy Policies- It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to take into account improving energy efficiency, in this instance, it is not considered necessary to request that any amendments are made to the proposals given that the site comprises of a listed building, in a conservation area and within the setting of other listed buildings where such new internal materials, solar panels and air source heat pumps, for example would likely not be supported.

Community Infrastructure Levy- West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The development

would be located within Zone 4 West Gainsborough therefore would not be liable to a CIL payment.

Planning Application Conclusion:

The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, Policy S6: Design Principles for Efficient Buildings, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S23: Meeting Accommodation Needs, Policy S37: Gainsborough Town Centre and Primary Shopping Area, Policy NS41: City and Town Centre Frontages, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S57: The Historic Environment of the Central Lincolnshire Local Plan and the policies contained within the Gainsborough Neighbourhood Plan and the statutory duties contained within the 'Act' in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

In light of this assessment it is considered that the principle of development in this location can be supported. The proposed external alterations would enhance the character and appearance of the conservation area and the street scene in this town centre location. The proposals would enhance the host listed building and the impacts on this historic fabric have been found to be acceptable. Matters of highway safety, residential amenity, flood risk and drainage are also considered to be acceptable. The proposal does represent a departure from the provisions of Policy S49, however as detailed in the above report, the heritage benefits that the scheme would bring is considered to outweigh the lack of proposed parking provision in this case. The application is therefore recommended for approval, subject to conditions.

Listed Building Consent Conclusion:

The proposal has been considered against the duty contained within section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. In light of this assessment, the proposal is considered as preserving the desirability of the Listed Building and its setting. Furthermore, the proposed development will preserve the desirability of the special architectural features or historic interest it possesses. The consent is therefore recommended for approval, subject to conditions.

RECOMMENDATION- Grant planning permission and listed building consent with the following conditions.

Recommended Conditions- Planning Permission 146926

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:

Site Location plan inc. block plan 2419-OS01;
Proposed Roof plan 2419-BC05 Rev A;
Proposed Ground Floor Plan 2419- BC01 Rev A;
Proposed East elevation 2419- BC01 Rev A;
Proposed North Elevation 2419- BC06 Rev A;
Proposed First Floor Plan 2419- BC02 Rev A;
Proposed Second Floor Plan 2419- BC03- Rev A;
Proposed Third Floor Plan 2419- BC04 Rev A;
Proposed Section Elevation AA 2419-BC10 Rev A;
Proposed Ridge and Eaves Detail 2419 BC12;
Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
Proposed Curtis Walk Shopfront Details 2419- BC09;
Proposed South Elevation and Section BB 2419-BC11- Rev A;
Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
Proposed W.05 window details 2419- W02;
Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;

Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.

All received 7th August 2023

And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and

approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023 from Scorer Hawkins Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby

listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repainting works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the Gainsborough Conservation Area. To preserve the fabric and appearance of the host listed building and setting of the nearby listed buildings to accord with the National Planning Policy Framework and local policies S53 and S57 of the Central Lincolnshire Local Plan and NPP6, NPP7 and NPP18 of the Gainsborough Neighbourhood Plan and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

Highways

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences

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 the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Shopfront Colour

A suitable heritage colour should be used in the painting of the shop front/façade.

Recommended Conditions- Listed Building Consent 146927

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:

- Site Location plan inc. block plan 2419-OS01;
- Proposed Roof plan 2419-BC05 Rev A;
- Proposed Ground Floor Plan 2419- BC01 Rev A;
- Proposed East elevation 2419- BC01 Rev A;
- Proposed North Elevation 2419- BC06 Rev A;
- Proposed First Floor Plan 2419- BC02 Rev A;
- Proposed Second Floor Plan 2419- BC03- Rev A;
- Proposed Third Floor Plan 2419- BC04 Rev A;
- Proposed Section Elevation AA 2419-BC10 Rev A;
- Proposed Ridge and Eaves Detail 2419 BC12;
- Proposed Silver Street Shopfront Details 2419- BC07 Rev A;
- Proposed Curtis Walk Shopfront Details 2419- BC09;
- Proposed South Elevation and Section BB 2419-BC11- Rev A;
- Proposed W.01, W.03, W.06 and W15 Window details 2419- W01;
- Proposed W.05 window details 2419- W02;

Proposed M& E Third Floor 2419-ME04;
Proposed W.16 Window Details;
Proposed M&E Ground Floor 2419- ME01;
Proposed M&E Second Floor 2419- ME03;
Proposed W.17, W.24 Window Details 2419- W04;
Proposed W.23 Window Details 2419- W06;
Proposed W.20, W.21 Windows Details 2419- W08;
Proposed W.18, W.19 Window Details 2419- W07;
Proposed Interior Door Details 2419- D02;
Proposed M & E First Floor Plan 2419- ME02;
Proposed Exterior Door Details 2419-D01;
Proposed Flat 1 Kitchen 2419- K01;
Proposed Flat 2 en- suite 2419- B03;
Proposed Flat 2 Kitchen 2419- K02;
Proposed Flat 1 Bathroom 2419-B01;
Proposed No.8 Kitchen 2419- K03;
Proposed Flat 2 Bathroom 2419- B02;
Proposed No.8 Bathroom 2419- B04.

All received 7th August 2023

And;

Email from agent received 11 September 2023 (including internal shutter details).

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.

3. Prior to any internal insulation being installed a specification of the insulation to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

4. Where any repair/replacement is required on the pantile roof, the roof tiles to be used shall match the existing pantiles exactly in terms of size, shape and colour unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

5. Prior to the installation of the stone floor tiles, a specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

6. Prior to the installation of the awning hereby approved and to be installed to the front façade/shop front on Silver Street an exact specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

7. The glazed brick hereby approved to be used on the shop frontages shall be Royal Blue glazed brick by Ibstock, as detailed in email received 11th September 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

8. Prior to the installation of the zinc roof covering hereby approved an exact specification and drawings detailing the style, widths, rolls, fascia's and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

9. Prior to any works commencing in respect of the render, a specification of the proposed render to be used/replaced shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

10. Prior to the installation of any new coping stones, provision shall be made on site for the Local Planning Authority to inspect the existing and proposed coping stones to be used in the development hereby approved. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

11. Prior to any repair works to the brick wall forming the eastern elevation, a plan showing the extent of any repairs along with specification details of the proposed mortar to be used in any repair/repointing works shall be submitted to and approved in writing by the Local

Planning Authority. The development shall only proceed in accordance with the agreed details and be retained as such thereafter.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

12. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the Grade II Listed Building and to accord with the National Planning Policy Framework.

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

None.

Notes to the Applicant

Hidden Historic Features During the works, if any hidden historic features are revealed they must be retained in-situ. Works must cease within the relevant area of the building and the Local Planning Authority notified immediately.

Shopfront Colour- A suitable heritage colour should be used in the painting of the shop front/façade.

Human Rights Implications:

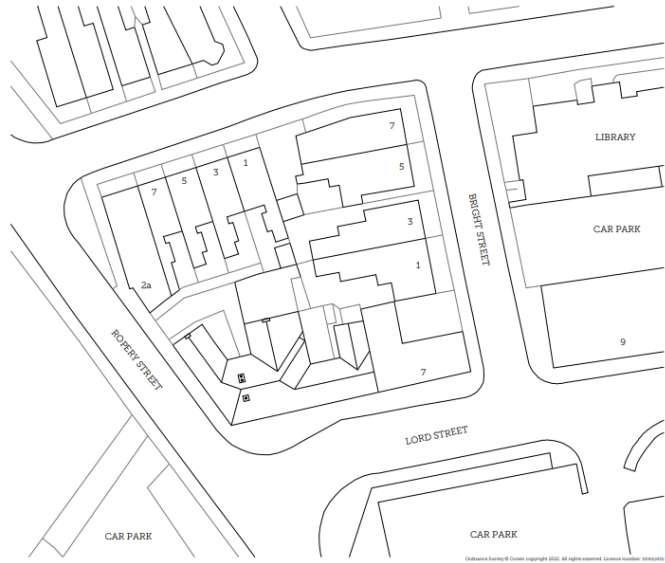
The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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



01 | SITE LOCATION PLAN
Scale 1:1250 @ A3



02 | PROPOSED BLOCK PLAN
Scale 1:500 @ A3

Officers Report

Planning Application No: 146815

PROPOSAL: Planning application for the refurbishment of the front façade, replacement roof covering and conversion of upper floor into 1no. residential unit.

LOCATION: 1-5 Lord Street Gainsborough Lincolnshire DN21 2DD

WARD: Gainsborough South West

WARD MEMBER: Cllr Miss J S McGhee and Cllr T V Young

APPLICANT: Mr S. Bejugam, "HDS Properties LTD.", C/O Agent, Scorer Hawkins Architects

TARGET DECISION DATE: 25/07/2023

DEVELOPMENT TYPE: Change of Use

CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Grant permission

The application is referred to the planning committee for determination, in line with the constitution as the proposal is considered to be a departure from Policy S49 - Parking Standards of the Central Lincolnshire Local Plan 2023.

Description:

The application site comprises of a commercial building located on the corner of Lord Street and Ropery Road in Gainsborough Town Centre. The ground floor is occupied by an ice-cream shop, café/restaurant and beauty salon. The

The site is located within Gainsborough Town Conservation Area with No.7 Lord Street to the east, Grade II listed and No.'s 1-7 Cobden Street, Grade II listed to the rear.

The application seeks permission to change the use of the first floor from offices/storage to 1 flat along with external alterations to the front façade of the building comprising:

- Remove existing concrete tiles and replace with slate tiles to match adjacent
- Re-build chimney and replace lead flashings
- Reinststate 2 clay chimney pots
- Replace rainwater goods with cast-iron
- Remove entrance porch
- Rationalise and remove redundant wiring boxes to frontage
- New hand-painted traditional signage board with 9kw LED strip lighting
- New canvas awning
- Replace all windows with double-glazed timber sash windows
- New Painted timber door

Relevant history:

145310 - Planning application for part change of use of residential flat to takeaway ice cream shop and the installation of a servery hatch, GC, 16/9/22.

Representations:

Chairman/Ward member(s): None received.

Parish/Town Council/Meeting: No objections.

Local residents: None received.

LCC Highways: No objections, requested informatives.

Archaeology: No objections

Conservation: 'No1-5 Lord Street and 2 Ropery Road is a terrace of properties located to the west of the Gainsborough Town Centre Conservation Area. The existing properties follow the footprints in the early 20th century maps. Evidence of earlier built form may be found but this has not been investigated as there is no heritage statement present. The frontage appears to be originally Victorian with English garden wall brickwork, dentilated brick eaves and chimney stacks, and arched brick headers. There is evidence of 20th century alterations with modern blue engineering bricks and uPVC windows.

Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

The property is within the setting of multiple listed buildings. To the immediate east is the grade II listed 7 Lord Street and to the immediate north is the grade II listed 2a Ropery Road and 1-7 Cobden Street. Additionally, the property is within the setting of the grade I listed The Old Hall.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposal offers positive alterations for the setting of the listed buildings and conservation area with the general repairs, reinstatement of the slate roof, and the improvement to the window designs and materials. The removal of the entrance porch with closed pediment is supported; the current style has a closed pediment which is traditional in shape but is a modern mirrored addition which is out of place with the remaining block. The alterations shall make a positive impact upon the conservation area and setting of the listed buildings.' Conditions requested.

ECM: Checked 20/9/23

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 Gainsborough Town Neighbourhood Plan (Made June 2021) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan**

The most relevant draft policies are as follows:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S48: Walking and Cycling Infrastructure

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Gainsborough Neighbourhood Plan**

The most relevant draft policies are as follows:

- NPP1: Sustainable Development
- NPP6: Ensuring High Quality Design
- NPP7: Ensuring High Quality Design in each Character Area
- NPP18: Protecting and Enhancing Heritage Assets
- NPP19: Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan>

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

The site is in a Sand and Gravel Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/directory-record/61697/minerals-and-waste-local-plan-core-strategy-and-development-management-policies>

National policy & guidance (Material Consideration)

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

National Planning Practice Guidance -

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

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

Other Guidance:

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990.
Section 72 of the Planning (Listed Building & Conservation Areas) act 1990.

Main issues

- Principle of Development
- Impact on Conservation Area and Setting of Listed Buildings
- Visual impact
- Highway safety
- Residential Amenity
- Other Matters

Assessment:

Principle of Development

Gainsborough is situated within Tier 2 of the settlement hierarchy outlined in Policy S1 which outlines the development strategy as follows:

To maintain and enhance their roles as main towns, and to meet the objectives for regeneration, Sleaford and Gainsborough will, primarily via sites allocated in this Local Plan and any applicable neighbourhood plan, be the focus for substantial housing development supported by appropriate levels of employment growth, retail growth and wider service provision. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.

Policy S2 outlines that 12% of the housing growth within Central Lincolnshire should be developed within Gainsborough subject to the principles in Policy S3 of the CLLP. The proposed development is located within close proximity to Gainsborough Town Centre and is considered to qualify as an 'appropriate location' that is within the 'developed footprint' of Gainsborough. It is also considered that the proposed change of use would comply with the overarching provisions of Policy S3. The proposal would not unacceptably harm the character and appearance of the area or any designated heritage assets. It is also acceptable in the sense that it would be subservient to existing development and is in a sustainable location where it is close to essential amenities with

the location also promoting active travel. There are no affordable housing implications associated with this application.

Furthermore, paragraph 86 f) of the NPPF is supportive in principle of residential development within Town Centre locations. It states that planning decisions should recognise the important role that residential development plays in ensuring the vitality of centres and development should be encouraged in appropriate locations.

Therefore, based on the above assessment, it is considered that the proposed flat is acceptable in principle.

Impact on Conservation Area and Setting of Listed Buildings

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced. In addition to this, the site is located within Gainsborough Town Conservation area and therefore Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. It goes on to advise that unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposals do not harm the significance of the asset and or its setting.

Policy NPP18 of the GNP seeks to retain and enhance the heritage values of Gainsborough.

The NPPF similarly sets out policies for conserving and enhancing the Historic Environment. NPPF paragraph 197 a) requires LPA's, in determining applications, take account of (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 199 requires, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The application seeks permission for alterations which comprise:

- Remove existing concrete tiles and replace with slate tiles to match adjacent
- Re-build chimney and replace lead flashings
- Reinststate 2 clay chimney pots
- Replace rainwater goods with cast-iron
- Remove entrance porch
- Rationalise and remove redundant wiring boxes to frontage
- New hand-painted traditional signage board with 9kw LED strip lighting
- New canvas awning
- Replace all windows with double-glazed timber sash windows
- New Painted timber door

The proposed alterations are an improvement on the current materials and will give the building, and separate businesses ran from the building, a uniform appearance and enhance the conservation area.

The Conservation Officer has stated that *'The proposal offers positive alterations for the setting of the listed buildings and conservation area with the general repairs, reinstatement of the slate roof, and the improvement to the window designs and materials. The removal of the entrance porch with closed pediment is supported; the current style has a closed pediment which is traditional in shape but is a modern mirrored addition which is out of place with the remaining block. The alterations shall make a positive impact upon the conservation area and setting of the listed buildings.'* And recommends a number of conditions to ensure appropriate materials and finishes are used.

It is considered that due to the minimal nature of the works proposed along with the use of sympathetic materials they would not harm the setting of the conservation area or that of the nearby listed buildings. The overall appearance of the existing building will be altered using traditional materials and therefore it is considered that the proposed alterations are appropriate to the setting and will preserve the conservation area.

Overall, the proposed alterations preserve the setting of the nearby listed buildings and the Gainsborough Town Conservation Area. Consequently, it is considered that the proposed works are in accordance with policy S57 of the CLLP policy NPP18 of the GNP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Visual impact

Policy S53 of the CLLP requires 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 which demonstrates a sound understanding on their context. 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. Important views into, out of and through a site should also be safeguarded.

Policy NPP6 and NPP7 of the GNP seek to achieve high quality design.

The proposed alterations are set out in the section above of this report. The alterations to the building are minimal and will contribute towards the Shop Front Improvement Scheme and will respect the wider townscape and the ambition of West Lindsey District Council to transform the heart of its town centres through heritage-led regeneration. Overall the appearance and scale of the proposed works are appropriate and the proposal will not cause a detrimental visual impact subject to conditions. The proposal therefore complies with policy S53 of the CLLP and policies NPP6 and NPP7 of the GNP.

Highway Safety

Policy S49 states that for flatted development with Gainsborough Town Centre should have 1 space plus visitor allowance. The proposal does not provide any parking which would be contrary to policy S49.

However, given the flat's sustainable location within the town centre and with the absence of concerns from LCC highways it is considered that this would be acceptable. The overall level of departure from Policy S49 is therefore considered to be minimal and would be outweighed by the site specific material considerations outlined in this section and the benefits of securing further residential development in a spatially optimal location that is close to Gainsborough Town Centre.

Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things. Furthermore, paragraph 130 f) of the NPPF requires that development proposals provide a high standard of residential amenity for both existing and future users.

Due to the nature of the proposed external works there will be no adverse impacts on nearby residents and the conversion of the upper floor to 1 flat is considered acceptable given its town centre location and would not be detrimental to neighbouring uses.

Other Matters

Energy Efficiency

It is noted that Policy S13 of the CLLP encourages applicants to consider all opportunities to improve energy efficiency and where such efforts achieve an improved EPC rating would be supported in principle. Notwithstanding that the wording of Policy S13 only encourages applicants to take into account improving energy efficiency. In this case the agent has considered the above and stated:

- *A water butt is not practical in this situation given the location and space.*
- *PV's could be an option and details could be conditioned to give the owner the option.*
- *Windows and doors are already being upgraded*

- Heat pumps could be an option and details could be conditioned to give the owner the option.
- Insulation will be added to the internal walls.

The above is considered acceptable under complies with policy S13.

Mineral Safeguarding

Policy M11 of the LMWLP requires that development proposals do not result in the unnecessary sterilisation of the potential minerals reserves. Paragraph 211 of the NPPF requires that planning decisions should give great weight to the benefits of mineral extraction, including to the economy. Paragraph 212 states that development should not normally be permitted in Minerals Safeguarding Area if it might constrain future minerals development. Policy M11 of the LWMLP is consistent with the requirements of Section 17 of the NPPF and is therefore afforded full weight.

Changes of use to existing buildings are considered to be exempt from safeguarding considerations. It is not considered that the safeguarding considerations are engaged in this instance as it is not considered that there would be an intensification of activity on site.

Conclusion

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2: Level and Distribution of Growth, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns S13: Reducing Energy Consumption in Existing, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S48: Walking and Cycling Infrastructure, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment of the CLLP NPP1: Sustainable Development and policies NPP6: Ensuring High Quality Design, NPP7: Ensuring High Quality Design in each Character Area, NPP18: Protecting and Enhancing Heritage Assets and NPP19: Improving the Vitality of the Town Centre of the Gainsborough Town Neighbourhood Plan.

The proposal is considered to not have a harmful visual impact and to not detract from the visual amenity of the site, the street scene, historic environment or the surrounding area. Whilst no parking is provided, the proposal is within a sustainable location in the town centre. The proposal is not considered to have an adverse impact on the residential amenity of neighbouring properties. The proposal is recommended for approval 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. Prior to their installation, details of the colour of the new windows, doors and awnings shall be submitted to and approved in writing by the Local Planning Authority. The approved colour shall be used on the new windows doors and awnings and retained thereafter.

Reason: To ensure the use of an appropriate colour within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

3. Prior to re-roofing, a sample of the natural Welsh slate shall be provided on site or full details submitted to and approved in writing by the Local Planning Authority. The approved slate shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

4. Prior to the removal of the 2 chimneys, photographs of the existing chimneys, shall be submitted to the local planning authority. The replacement chimneys shall be re-built to match the detailing of the original.

Reason: In the interests of visual amenity within the Conservation Area and to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

5. Prior to installation, details of the mortar mixes for the rebuilt chimneys and the brick pointing shall be submitted to and approved in writing by the local planning authority. The approved details shall then be used.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

6. All new external works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials within the Conservation Area and in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and policies S53 and S57 of the Central Lincolnshire Local Plan.

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the approved plans: 2440-PP01 dated 14/9/2023, 2440-PP02 dated 15/9/2023, 2440-PP03 and 2440-OS dated 12/05/23 and 122022-03 B dated 24/1/23 and in any other approved documents forming part of the application.

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

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

None