



## **Officers Report**

### **Planning Application No: 140077**

**PROPOSAL:** Planning application for 1no. dwelling, including upgrade of access, private drive and new associated garage - redesign of approved plot 2 under application number 135838

**LOCATION:** Land adjacent to 2 Church Street Glentworth Gainsborough DN21 5DG

**WARD:** Hemswell

**WARD MEMBER(S):** Cllr P Howitt-Cowan

**APPLICANT NAME:** Mr and Mrs D Walker

**TARGET DECISION DATE:** 25/11/2019

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** Daniel Evans

**RECOMMENDED DECISION:** Grant Permission Subject to Conditions

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This application has been referred to the planning committee in view of the objections from the Ward Member and neighbours, and the Parish Council who consider that the application proposes development that would be contrary to the newly made Glentworth Neighbourhood Plan.

#### **Description:**

The application site comprises of an area of undeveloped land located within the defined settlement of Glentworth.

The site consists of an area of well-maintained grassed land which slopes downhill from south to north, away from the access. There are hedges and trees to the boundaries, with existing brick built structures towards the front of the site. The existing access is a single private track that runs along the rear boundaries of 4 – 12 Kexby Road and provides access to the rear for a number of these properties. The site lies within an Area of Great Landscape Value.

The application seeks permission to amend the housetype previously approved in 2017, under planning permission 135838.

#### **Relevant history:**

137969: Planning application to remove condition 18 of planning permission 135838 granted 30 June 2017- the retention of garage – granted 16/08/2018

135838: Planning application for 2no. new dwellings – granted 30/06/2017

97/P/0133: Erect double garage – granted

98/P/1006: To erect outbuildings – granted

#### **Representations:**

Chairman/Ward member(s):

Cllr. P. Howitt-Cowan (in summary) –

- Favour the previous approval.
- The design will dwarf the entire plot akin to urban housing in a rural setting.
- The revised dwelling will be of such a mass and height that it would intrude upon the landscape.
- Destroy the symmetry of the proposed dwellings.
- The development will cram into a limited space which is inappropriate and intrusive.
- Matters in relation to previous conditions.

Glentworth Parish Council:

(in summary)

- No reference is made to the Glentworth Neighbourhood Plan.
- The scale and massing of the proposed dwelling will impact on the views and vistas identified within the neighbourhood plan.
- The access is unsuitable.
- Concerns raised regarding the location of drainage pipes underneath the access.
- There is evidence of Great Crested Newts and Water Voles inhabiting the pond adjacent to the site.
- Concerns in relation to the possible disposal of foul water into the adjacent pond/water course. There is also no known solution to the proposed package treatment plant.
- Matters in relation to the Anglian Water sewerage pumping station in Glentworth.
- We formally request that given the scale and range of concerns expressed here by the Parish Council and in view of the number of local resident objections, this matter is considered by the full Planning Committee.

Local residents:

Objections received from:

4, 6 and 30 Church Street Glentworth. 2, 4, 6, 8, 12 and Willow Brook, Kexby Road, Glentworth.

The grounds of objection are summarised below:

- Impact on local wildlife, notably Water Voles, Bats, Great Crested Newts.
- Impact on access.
- Access is not suitable.
- Construction traffic.
- Drainage is not acceptable.
- Security issues as a result of access.
- Discrepancies over information submitted.
- Impact on private views.
- Impact on amenity by virtue of overlooking.
- Proposal is too large for the site (overdevelopment).
- Impact on neighbourhood plan views.

- Design is out of character.
- Matters in relation to the Human Rights Act.

Comments of support received from:  
2 Church Street, Glentworth.

Comments of support are summarised below:

- The design is more fitting to the size and location in that the mixture of brick and stone reflects local materials.
- The size of the building is more fitting to the size of the plot without effecting the south elevation.

LCC Highways:

(in summary) No objections.

Archaeology:

(in summary) The proposed development should be subject to the same archaeological conditions as that previously approved for the larger site. We reiterate our earlier advice.

Natural England:

(in summary)

- The proposal is a small scale development taking sub-optimal habitat for GCN (if they are even in that pond)
- Your authority would need to be proportionate in their determination here i.e. the costs on the developer to do further survey work against the recommendations of the ecologist.
- The report follows a method statement approach that will protect GCN from killing or injury during works – this will prevent contravention of the legislation and therefore need for a licence.
- Land being taken south of the pond is closer to the road etc. If GCN are there, they will be moving north and northeast around better areas of habitat (these are unaffected)
- Hibernacula will provide an enhancement on site.

We would therefore suggest that the Ecology report is acceptable in this case.

**Relevant Planning Policies:**

National Guidance:

National Planning Policy Framework (NPPF) -

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

National Planning Practice Guidance -

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

Local Guidance:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the relevant documents of the statutory Development Plan are the provisions of the Central Lincolnshire Local Plan (April 2017); and the Glentworth Neighbourhood Plan which was formally made on 4<sup>th</sup> November 2019, following a successful referendum.

Under planning law<sup>1</sup>, if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

#### Central Lincolnshire Local Plan (2012-2036):

Following adoption at Full Council on 24<sup>th</sup> April 2017 the CLLP forms part of the statutory development plan\*. The policies considered relevant are as follows:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP10: Meeting Accommodation Needs

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity

LP25: The Historic Environment

LP26: Design and Amenity

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

#### Neighbourhood Plan:

##### Glentworth Neighbourhood Development Plan

On 5 September 2019 a referendum was held on the Glentworth Neighbourhood Plan. A majority of residents voted in favour of wanting West Lindsey District Council to use the neighbourhood plan for Glentworth to help it decide planning applications in the neighbourhood area. A neighbourhood plan comes into force as part of the statutory development plan\* once it has been successful at referendum. The Neighbourhood Plan has now been formally made on the 4<sup>th</sup> November 2019. The relevant policies are:

Policy 1: Views

Policy 3: Design and Character of Development

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

#### Other Guidance

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<sup>1</sup> S38(5) of the Planning & Compulsory Purchase Act 2004 (as amended)

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

<https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

**Main issues**

- **Principle of Development**
- **Ecology**
- **Character and Visual Impact**
  - *Neighbourhood Plan Views*
  - *Area of Great Landscape Value*
- **Residential Amenity**
- **Highway Safety and Parking**
- **Foul and Surface Water Drainage**
- **Other matters**

**Assessment:**

Principle of Development

The principle of development for one dwelling on this site has already been established by planning permissions 135838 and more recently 137969. Whilst this application would grant a new permission for the site, the most recent extant permission (137969) must be acknowledged and given significant weight in this decision, as a potential “fallback”.

This permission has not yet commenced or had its pre-commencement conditions (numbers 2, 3, 4, 5, 7, 8 and 9) discharged. This an extant permission which still has over 18 months to commence works on the site. It is considered that the principle of housing development on the site has already been established in extant planning permission 137969 therefore the principle of residential development on the site has already been deemed to accord with local policies LP2 and LP4 of the CLLP.

For the purposes of policy LP4, Glentworth has a growth allowance of 15% (14 dwellings) – development of the application site (under application 135838) has already been calculated as part of the permitted growth in the village of 11 dwellings.

Accordingly, it is not necessary to revisit the matter of principle. Nevertheless, it is necessary for this decision to consider whether the revised design is acceptable in all other regards.

Another significant consideration is the adoption of the Glentworth Neighbourhood Plan, made in November 2019. Whilst the principle of development would not be found contrary to the provisions of the Neighbourhood Plan, it contains policies on views; and design & character, which the application now requires to be considered against.

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

### Ecology

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Central Lincolnshire has many areas which are noted for their natural beauty and biodiversity value. These areas also support a wide variety of species and habitats, and form an important part of the network of biodiversity sites within the wider environment.

Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System<sup>2</sup> advises that it is essential that the presence or otherwise of protected species and the extent to which they might be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision.

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

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

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

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

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *‘planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats’*
- *‘opportunities to incorporate biodiversity in and around developments should be encouraged’.*

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<sup>2</sup> <https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>

An 'Ecology and Protected Species Survey' has been submitted in support of the application.

The results of the survey are summarised below.

#### Great Crested Newts

The results of the survey indicate that the pond has potential to support great crested newts, there are records of this species close by and some areas of the site are considered to offer good terrestrial habitat for great crested newts during their terrestrial life phase. In such cases it is usually necessary to undertake further survey work in order to establish the presence of great crested newts and if required to secure a Natural England European Protected Species licence.

However, the report states: *"in certain cases, when the scale of the works is low, it is possible to time the works appropriately, or adjust the area of impact or amend the working methods/practices in order to avoid any risk of injury or disturbance to great crested newts and their places of shelter. In such cases it may be possible to proceed without the requirement for further survey work or a European Protected Species licence as the work will not result in a breach of the relevant legislation". "For this site, given the areas affected and the nature of the surrounding habitats it is considered that with appropriate working practices and timing, it is possible to undertake the proposed work without the risk of a breach in the legislation protecting great crested newts."*

A strict Method Statement in order to ensure legal compliance and to prevent any inadvertent mistakes which could result in a breach of the legislation which protects great crested newts and their habitats is proposed. Advice has been sought from Natural England to ensure the proposed method statement is acceptable, their advice is set out below.

- *"The proposal is a small scale development taking sub-optimal habitat for GCN (if they are even in that pond)*
- *Your authority [WLDC] would need to be proportionate in their determination here i.e. the costs on the developer to do further survey work against the recommendations of the ecologist.*
- *The report follows a method statement approach that will protect GCN from killing or injury during works – this will prevent contravention of the legislation and therefore need for a licence.*
- *Land being taken south of the pond is closer to the road etc. If GCN are there, they will be moving north and northeast around better areas of habitat (these are unaffected)*
- *Hibernacula will provide an enhancement on site.*

*We would therefore suggest that the Ecology report is acceptable in this case".*

In accordance with the Natural England advice, the approach adopted is acceptable in this instance and therefore should permission be granted, an appropriate condition should be applied to ensure compliance with the method statement.



### Bats

The site has moderate potential for foraging and commuting bats. The report recommends that precautions are taken so that the development of the site does not have a negative impact on the availability of commuting and foraging areas for bats within the local landscape. This includes the use of artificial light to ensure dark corridors are maintained around and across the site and the provision of bat boxes.

### Badgers

No further work or mitigation is required in respect of this species, but as badgers are a mobile species, it is recommended that vigilance is maintained for signs of badger activity.

### Water Vole

No signs of use by water vole were noted during the survey. No further survey work or mitigation is required in respect of this species. It is recommended that vigilance is maintained for signs indicative of water vole presence.

### Birds

The hedgerows and trees on site have high potential for use by nesting birds. The report recommends that any vegetation clearance work should commence outside the active nesting season, which typically runs from March through to late August. If work commences during the bird breeding season, a search for nests will need to be carried out before work begins, and active nests should be protected until the young fledge.

### Habitats and Plant species

The habitats and plant species recorded on the site are common and widespread in the local area and in the country. The hedgerows on site do not meet the required criteria of 7 woody species within a 30m length to qualify as important under the Hedgerow Regulations 1997. No invasive plant species listed on Schedule 9 were recorded.

Overall, it is considered that the development can be completed without an adverse impact on ecology subject to the development proceeding in strict accordance with the measures and method statement outlined within the 'Ecology and Protected Species Survey'. The proposal therefore accords with policy LP21 of the Central Lincolnshire Local Plan, Circular 06/2005 and guidance within the NPPF.

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

### Character and Visual Impact

Policy LP26 seeks to ensure development respects the existing topography, landscape character and identity, and relates well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths. Policy LP17 seeks to protect and enhance the intrinsic value of our landscape and townscape. Policy 3 of the Glentworth neighbourhood plan

states that “*Development proposals will be supported where their design and detailing complement the established character of the village as described in the Neighbourhood Character Profile Report*”.

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

*Church Road South - “A mixture of housing styles and building materials used on this part of Church Street, but all have good sized front gardens with wide range of trees and hedging. Range of different property styles with large executive detached properties, semi-detached dormer bungalows and detached bungalows”.*

*Kexby Road/Hannover Hill – “A range of brick semi-detached brick cottages on the left hand side with large front gardens some with large side and back gardens”. Buildings consist of “Red brick.”*

Taking account of the advice contained within the character profile and from undertaking an extensive site visit. It can be concluded that the character of the area is established by an eclectic mix of dwelling, styles and forms. The materials are predominantly brick with pantile or concrete tile roofs.

The dwelling approved under application 137969 consists of a detached dormer bungalow with a total height of approximately 7.2m and eaves height of approximately 3.1m. The materials as indicated on the drawings consisted of predominantly render and a mix of brick and grey green Cedral boarding. The revised design approach is set out within the submitted design and access statement. To summarise, the revised dwelling is a two-storey property which has a symmetrical principal frontage. There is a stepped down projection to the rear which provides an overall ‘U’ shaped plan form. The height to the eaves of the principal element of the dwelling is 4.875m with a ridge height of 8.16m. An indication of a traditional materials palette such as a mix of traditional facing brick, stone and clay pantiles is provided on the drawings and the dwelling includes traditional features such as gable wall tumbling.

Given the mix of dwellings in the immediate locality, the design is considered to be appropriate and the proposal will be expected to integrate into the surrounding character. The site boundary has been extended to the north and as such the proposal will not appear overly dominant within the plot. To ensure a high quality finish, final material details should be secured via condition.

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

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

### *Neighbourhood Plan Views*

Policy 1 of the neighbourhood plan identifies key local views within the village and surrounding area. The view towards the village from Hannover Hill (No.5) and the view Northwest from Middle Street (No.10) are identified as a key local views which this development may be visible within.

View no.5 is noted for the following reason:

*“This “gateway” view of the village across the paddock where horses and chickens currently graze, including the horse chestnut tree at the junction of Hanover Hill, Chapel Lane and Kexby Road provides a first impression of a quiet, rural settlement in a green setting enhanced by mature trees”.* The view, as set out within the Character Profile, is depicted below:



It is noted that the above image does not appear to correspond to the position of the view as set out within policy map 1(a).

View no.10 is noted for the following reason:

*“Glimpses of the church, Glentworth Hall and the characteristic pantile roofs, softened and harmonised by the trees. Emphasises the discrete rural setting”.* In contrast to the above, view no.10 is not depicted within the Character Profile.

Policy 1 states that *“Development proposals will be supported where they take account of Key Local Views and have demonstrated how they are maintaining and responding positively to such views”.* Section 3.1.1 of the submitted Design and Access Statement outlines how the design of the proposal responds to the neighbourhood plan views.

The application site is located amongst a number of dwellings and will be viewed in the context of the nearby structures. The proposal, as approved under application 137969, consisted of a dormer bungalow with a ridge height of approximately 7.2m. The proposal was to be predominantly cream rendered. The revised design contains a dwelling with a total ridge height of approximately 8.1m with a locally inspired materials choice consisting of brick, stone and a pantile roof.

The view depicted below was taken during the site visit and is taken from Hannover Hill looking towards the site, where view no.5 is identified on policy map 1(a).



In relation to view No.5, the view displays an element of sylvan charm albeit including the roofscape of residential properties along Kexby Road and Church Street. From this view there appears to be a distinct materials palette to this part of the village consisting of pantile roofs and red brick with some uPVC conservatories visible. The use of render is not frequent.

Although the proposed structure will be of a larger scale to that previously approved by approximately 0.9m, it is noted that the materials palette is more traditional and in keeping with the surrounding area. A rendered gable end in this location would appear more visible and impact the view more significantly than the revised proposal given the materials choice. The rear projection of the proposed dwelling would be visible, nevertheless would reinforce the established character and roofscape.

With respect of view No.10, this view represents a similar character to view No.5 albeit with distant views of the Church tower. Given the proximity and scale of properties along Kexby Road, it is anticipated that the proposal, when viewed from view No.10, will appear as an additional pantile roof amongst a roofscape which consists of predominantly pantile roofs. Therefore, the proposal would display features which are “*characteristic*” of the notable view as set out within the definition.

Overall, when considering the dwelling which could be built in this location as a result of extant permission 137969, it is considered that the revised design of the dwelling would have a negligible impact, and would therefore maintain and respond positively to the identified important views (No.5 & No.10). The proposal is therefore deemed to accord with policy 1 of the Glentworth Neighbourhood Plan.

### *Area of Great Landscape Value*

The considerations of Policy LP17 are particularly important when determining proposals which have the potential to impact upon Areas of Great Landscape Value. To accord with the provisions of Policy LP17 Development proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements.

The current site is largely undeveloped with natural screening towards the boundaries. Given the fall-back position offered by the extant planning permission, although the proposal is likely to be visible from the east, given the high quality traditional design, it would not detrimentally impact the special characteristics of the landscape. The landscaping within the plot will be addressed by suitable conditions to ensure that appropriate landscape treatment is provided and retained to assimilate the development into its surroundings.

To conclude this section, it is considered that the design of the proposal is acceptable and will not detrimentally impact the character of the area. The proposal therefore complies with policy LP26 and LP17 of the Central Lincolnshire Local Plan and policy 1 and 3 of the Glentworth Neighbourhood Plan.

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

### Residential Amenity

Local Plan Policy LP26 states that planning permission will be granted for new development provided the proposal will not adversely affect the residential

amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance.

Concerns have been raised during the consultation with regard to overlooking impact. In granting permission for the dwellings on this site the previous planning officer concluded *“that the development would not result in significant increase in overlooking, loss of light or overshadowing of existing neighbouring properties”*. It is necessary for this assessment to consider if the re-design would lead to an unacceptable impact over and above the previous proposal.

The previously approved dwellings contain 2no. habitable windows at first floor level at the front elevation, which serve bedrooms. Measured from the centre point of the windows, the windows to the front were situated at a height of approximately 3.6m. The proposed design contains 3no. windows at first floor level to the front elevation. 2no. of which are habitable, serving bedrooms, the other window serves a bathroom which will be obscure glazed. Measured from the centre point of the windows, the windows to the front of the proposal are at a height of approximately 4m. The proposed dwelling is set back approximately 21m from the rear fences and approximately 34m from the rear of the house of the nearest properties on Kexby Road. They are separated by the existing access road and existing and proposed garages will also provide additional screening between the properties. The centre of the windows are approximately 0.4m higher than the previously approved dwelling. Overall, given the minor increase in height and taking into consideration the existing arrangements on site, it is considered that the proposed dwelling will not significantly increase overlooking impacts that would detrimentally impact the residential amenity of neighbouring residents.

#### Amenity Space

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

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

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

#### Highway Safety and Parking

Although concerns have been raised during consultation in relation to the proposed access. The principle of the access to this site was established by application 135838 and 137969, which remain a “fallback”, and to refuse on highway safety grounds without any material change in circumstance would be unreasonable. An appropriate condition will ensure the access is completed to the satisfaction of the highway authority. The proposed access, parking and turning arrangements are acceptable and the proposal accords with policy LP13 subject to receiving such detail.

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

#### Foul and Surface Water Drainage

Concerns have been raised during the consultation period that the dwelling would overload the mains sewerage system. As a point of clarity, this application is not proposing to connect to the mains sewer. The applicant has advised that foul drainage will be dealt with via a package treatment plant and surface water will be disposed of via an existing water body. No additional details have been submitted and it is acknowledged that a suitable condition could secure such details. Subject to receiving further details, the scheme accords with policy LP14 of the Central Lincolnshire Local Plan.

It is proposed to discharge the clean treated water from the wastewater treatment plant into the pond, which will then overflow into the stream as it does currently. This was addressed by the ecologist who advised there is no perceived detriment to the ponds wildlife.

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

#### *Other matters*

##### Archaeology

The LCC Historic Environment Officer reiterated their previous advice following the previous applications which stated, *“this development site is within the former medieval settlement of Glentworth, and any development has the potential to disturb remains from this period and possibly earlier”*. This matter was previously dealt with via an appropriately worded condition and the same approach is deemed to be appropriate.

#### **Conclusion**

The decision has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP4: Growth in Villages, LP10: Meeting Accommodation Needs, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity and LP25: The Historic Environment, LP26: Design and Amenity of the Central Lincolnshire Local Plan and Policy 1: Views and Policy 3: Design and Character of Development of the Glentworth Neighbourhood Development Plan in the first instance and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance. In light of this assessment it is considered that the principle of development is acceptable. The design is deemed to be appropriate and the development would not be expected to detrimentally impact the character of the area. The proposal will not be likely to spoil the special characteristics of the important views within the settlement. The proposal would not be likely to unduly impact the residential amenity of neighbouring residents and no harm would be expected to arise to highway safety. The proposal will not be expected to harm the character of the Area of Great Landscape Value. The development should

protect the biodiversity value of the site and the development has been shown that it can acceptably mitigate for any harm caused to protected species, particularly Great Crested Newts. The proposal is therefore acceptable.

#### Draft 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 for the disposal of the foul and surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full before the building(s) are first occupied.

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

3. No development shall take place until details of all external wall and roofing materials, surface materials to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

**Reason:** To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact in accordance with Central Lincolnshire Local Plan Policy LP26.

4. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter retained at all times.

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

5. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be removed,



retained or planted, fencing and walling have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that a landscaping scheme to enhance the development is provided in accordance with Central Lincolnshire Local Plan Policy LP17 and LP26.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with Central Lincolnshire Local Plan Policy LP17 and Policy LP26.

7. No development shall commence until, full details of the treatment of all boundaries of the site, including where appropriate, fencing, walling hedgerows to be retained, or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the dwellings are first occupied.

**Reason:** To ensure the provision of appropriate boundary treatment in the interest of the visual and residential amenity of the area in accordance with Central Lincolnshire Local Plan Policy LP17 and LP26.

8. No development shall take place until a scheme of ecological enhancements including the provision of Bat and Bird boxes within the site, have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** As recommended under sections 5.2, 5.3 and 5.4 of the 'Ecology and Protected Species Survey' by Inspired Ecology Ltd dated November 2019, to protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

9. No development shall take place, including ground scraping until a scheme for the protection of trees on the site (including accurate survey of trees and root protection areas and timetable for implementation of measures) have been submitted to and approved in writing by the Local Planning Authority and such measures shall be erected in the positions approved before the development is commenced and thereafter retained until completion of the

development. Nothing shall be stored or placed in any area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

**Reason:** To safeguard the existing trees on the site during construction works, in the interest of visual amenity in accordance with Central Lincolnshire Local Plan Policy LP17.

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

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

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

11. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 10 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

**Reason:** In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

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

12. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 10.

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

13. Following the archaeological site work referred to in condition 10 a written report of the findings of the work shall be submitted to and approved in writing

by the local planning authority within 3 months of the said site work being completed.

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

14. The report referred to in condition 13 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

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

15. The development shall be carried out strictly in accordance with the method statement and mitigation measures recommended within section 5.1 (pages 13-17) of the 'Ecology and Protected Species Survey' by Inspired Ecology Ltd dated November 2019.

**Reason:** To ensure the development proceeds in accordance with the approved method statement in relation to Great Crested Newts to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

16. 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: 19/179/Ex – 01, 19/179/Pr – 01, 19/179/Pr – 02, 19/179/Pr – 04, 19/179/Pr – 03 Revision A dated August 2019 and RDS 11230/08 dated February 2016. 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 Central Lincolnshire Local Plan Policy LP26.

17. The minimum width of the access shall be 4.5 metres for the first 10m and alterations approved under condition 4 to facilitate this shall be completed before the first dwelling is occupied and shall be retained thereafter.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

18. Prior to any of the buildings being occupied the private drive shall be completed in accordance with the details approved under condition 4.

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

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

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 1, Class A, B, C, D and E (or any order revoking and re-enacting that Order with or without modification), there shall be no external alterations or extensions to the building and extension including the insertion of new windows or dormer windows nor structures placed within the curtilage of the dwelling other than as authorised by this permission.

**Reason:** To safeguard the character and appearance of the building and its surroundings in accordance with policies LP17, LP26 of the Central Lincolnshire Local Plan.