

Officers Report

Planning Application No: 141174

PROPOSAL: Planning application for erection of 1 no. dwelling

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

WARD: Hemswell

WARD MEMBER(S): Cllr P Howitt-Cowan

APPLICANT NAME: Mr A Rashid

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

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant permission with conditions

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

Description:

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

The application seeks permission to erect one dwelling.

Relevant history:

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 Withdrawn by applicant 17/06/2019.

Representations:

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

Glentworth Parish Council (In Summary):

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

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

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

3. We believe the development on this site as proposed is inappropriate in its scale, massing and design and therefore contrary to Policy 3 of the GNP.

Given the nature of our objections we would request that this application is considered by the full Planning Committee in the event that the officer recommendation should be to grant consent.

Local residents:

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

In summary the comments are as follows:

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

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

Archaeology: No representations received to date.

Natural England: No comments to make.

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

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

Lincolnshire Bat Group:

Additional consultation carried out 19th August 2020

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

LCC Rights of Way: No representations received to date.

Relevant Planning Policies:

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

Development Plan

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

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

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP10: Meeting Accommodation Needs

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

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

- **Glentworth Neighbourhood Plan (NP)**

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

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

Policy 3: Design and Character of Development
Character Profile

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

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

National policy & guidance (Material Consideration)

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

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

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

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

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

Other Guidance

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

Main issues

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

- Highways;
- Drainage

Assessment:

Principle

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

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

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

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

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

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

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

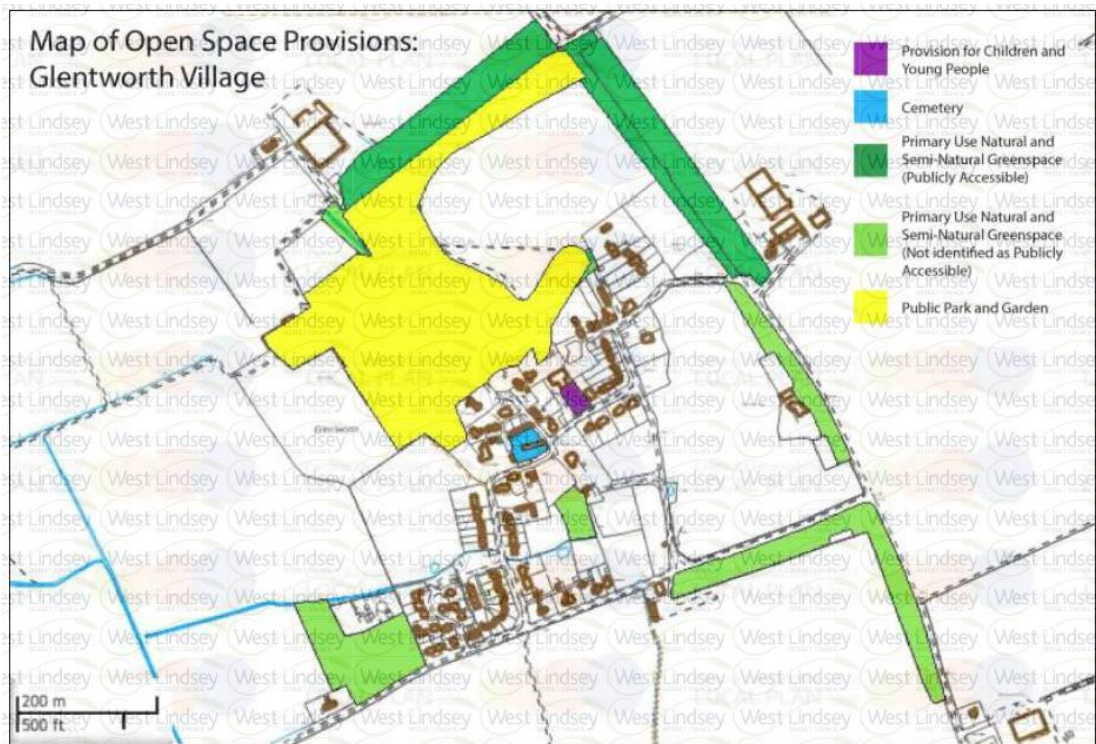
It is considered that policy LP2 and LP4 are consistent with the sustainability and housing growth guidance of the NPPF and can be attached full weight.

Open Space and Planning Condition

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

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

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



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

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

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

Reason: To ensure the provision of public open space.

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

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

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

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

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

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

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

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

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

Footpath

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

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

Residential Amenity

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

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

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

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

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

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

Amenity Space

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

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

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

Character and Visual Impact

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

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

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

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

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

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

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

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

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

Ecology

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

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

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

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

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

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

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

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

The results of the surveys are summarised below:

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

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

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

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

Great Crested Newts / Reptiles

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

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

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

Bats

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

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

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

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

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

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

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

Trees

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

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

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

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

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

Highways

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

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

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

Drainage

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

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

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

Other matters

Underground Drainage

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

Conclusions and reasons for decision:

The decision has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP4: Growth in Villages, LP10: Meeting Accommodation Needs, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity and LP25: The Historic Environment, LP26: Design and Amenity of the Central Lincolnshire Local Plan and Policy 3: Design and Character of Development of the Glentworth Neighbourhood Development Plan in the first instance and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

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

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

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

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

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

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

None.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notes to the Applicant

COMMUNITY INFRASTRUCTURE LEVY

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

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

Highways

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

Human Rights Implications:

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

Legal Implications:

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