

Officers Report

Planning Application No: 141348

PROPOSAL: Planning application for demolition of existing dwelling, erection of 1no. replacement dwelling and 3no. new dwellings, with associated garaging and new vehicular access.

LOCATION: 27 Prebend Lane Welton Lincoln LN2 3JR

WARD: Dunholme and Welton

WARD MEMBER(S): Cllr Mr S England, Cllr Mrs D M Rodgers, Cllr Mrs C M Grimble

APPLICANT NAME: Mr & Mrs Sykes

TARGET DECISION DATE: 04/09/2020

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

Planning Committee:

This application is considered necessary to present to planning committee due to third party objections from the Ward Member, Parish Council and neighbours. This includes the Parish Council objecting on neighbourhood plan grounds.

Description:

The application site includes a single storey unoccupied bungalow with roof accommodation and a single driveway to the front. The bungalow has a modest front garden with a larger rear garden. The site is flat and measures 27 metres wide and 77 metres long. The site is set just back from Prebend Lane to the east and The Cloisters to the north. The rear garden includes a number of trees and some outbuildings. The front part of the site is screened by low hedging to the north boundary, high hedging/trees to the east boundary and low/high planting to the south boundary. The side boundaries are screened by a mix of high hedging, high trees and low fencing. The rear part of the site is screened by high hedging/fencing to the north boundary and high trees/hedging to the south boundary. The west boundary is screened by high fence panels. Neighbouring dwellings are adjacent or opposite each boundary. The site is in a Limestone Minerals Safeguarding Area and Public Rights of Way Welt/42/3 runs adjacent the front east boundary.

The application seeks permission for demolition of existing dwelling, erection of 1no. replacement dwelling and 3no. new dwellings, with associated garaging and new vehicular access.

The application has included the submission of amended drawings to amend the scale and position of plots 1 and 2 which required a 14 day reconsultation

period The amendments were made following concerns of the impact of plot 1 and 2 on the character of the area and amenity of the neighbours.

Relevant history:

Rear garden section of the site:

Pre-application 138057 - Pre-application enquiry to erect 1no. dwelling.

Conclusion:

"It is therefore considered that the proposal is likely to be supported through a formal planning applications"

Representations

CLlr England: Objection and Call to Planning Committee

I respectfully request that should the officer be minded to grant this application that the final determination be made by the planning committee.

The proposal is wholly inappropriate for the setting, and whilst the demolition of the existing dwelling maybe acceptable and in keeping the remainder of the proposal would provide no benefit and would be outweighed by significant harm to the surrounding properties and the environment. The proposal is in contravention to policies LP 2 LP 13 LP 17 LP 26 LP 52 of the CLLP and policy EN 1 of the Welton by Lincoln NP

Welton Parish Council: Objections (summarised)

Allocated Sites

- This application does not sit within the designated sites for development in the Welton-by-Lincoln Neighbourhood Plan and this should be taken into account and the application should be refused; Policy LP52 of the Central Lincolnshire Local Plan - Adopted April 2017: Residential Allocations - Large Villages applies.

Highway Safety

- The proposed access from The Cloisters is unsuitable for large vehicles such as delivery and removal lorries
- The increase in vehicles is also of great concern, possibly as many as ten would impact on Prebend Lane which is already overburdened, taking into account that there is a large development of approximately 350 dwellings currently under construction at the end of Prebend Lane.
- The access to the proposed two new properties from Prebend Lane would seriously impact on the flow of traffic with it being so close to the junction with Rivehall Avenue.
- If this development was granted permission, the route for and parking of construction vehicles and deliveries will need to be managed in such a way that they do not cause any disruption to the movement of traffic on Prebend Lane or accessing the site through the centre of the village.

- There would be a significant level of nuisance resulting from the movement of vehicles to and from the proposed development past existing residences both on Prebend Lane leading to an unacceptable proliferation of vehicular access on to an already busy road to the detriment of highway safety and The Cloisters, a no through road; refer to Policy LP13 of the Central Lincolnshire Local Plan - Adopted April 2017: Accessibility and Transport and Policy LP26: Design and Amenity.

Residential Amenity

- The proposed development would dramatically change the view from and be overbearing on neighbouring properties, including the adjacent property to the South which is extremely close to Plot 2.

Trees

- The number of trees that will be lost is outrageous, albeit some are not considered to be of importance; the environment is a high priority for the Parish Council, see Policy EN1 of the Welton-by-Lincoln Neighbourhood Plan; also refer to Policy LP17 of the Central Lincolnshire Local Plan - Adopted April 2017: Landscape, Townscape and Views;

Drainage

- The drains and sewers in Welton are also at saturation point and there have been concerns regarding flooding in this area historically.

Other

- This is yet another example of backland and tandem development. If permission is granted it would set a precedent for other properties with large gardens in this neighbourhood to follow suit.
- The infrastructure in Welton is already at bursting point with the development already under construction at the end of Prebend Lane and those already built the increase has been quite significant; refer to Policy LP12 of the Central Lincolnshire Local Plan - Adopted April 2017: Infrastructure to Support Growth.
- The Parish Council respectfully requests that this application is put before the Planning Committee.
- Policies LP2 and LP4 of the Central Lincolnshire Local Plan - Adopted April 2017 state “the term ‘demonstration of clear local community support’ means that at the point of submitting a planning application to the local planning authority, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise. If, despite a thorough, but proportionate, pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council” and Welton-by-Lincoln Parish Council does not support this application and has not been consulted by the applicant.

Local residents: Objections (summarised) received from:

- 12, 14 Kingsway, Welton

- 25, 27, 29 Prebend Lane, Welton
- 1, 2, 3, 4, 6 The Cloisters, Welton

Highway Safety

- Will double vehicular use of The Cloisters largely occupied by elderly/disabled persons.
- The Cloisters is not suitable for a large delivery vehicles or large numbers of parked work vehicles.
- Site traffic should be restricted to Prebend Lane.
- The roads are narrow and can hardly cope with 2 cars passing never mind HGV's.
- Impact on quality of life by traffic from noise and dust.
- New residents or visitors parking on The Cloisters will make manoeuvring more difficult.

Trees

- All mature deciduous trees on the site are to go.
- Many trees and hedges will be uprooted.

Residential Amenity

- New homes are not far behind my house and intrusive additions of windows or additional first floor rooms would be of detriment to 12 Kingsway.
- Loss of light on 25 Prebend Lane from the front of plot 2 significantly extending past front of property. Overshadowing loss of light to bedroom window. Rear section loss of light to sitting room, lounge and patio. In breach of 45 degree rule.
- Second floor windows on side elevation will overlook property and garden of 25 Prebend Lane,
- Plot 1 will block virtually all light from the south on 29 Prebend Lane.
- Proposed dwelling will overlook 6 The Cloisters impacting on privacy.
- Plot 3 and 4 will overlook 14 Kingsway.
- Plot 3 and 4 gravel driveway will result in additional unnecessary noise from vehicles.

Drainage

- Worried about demand on the sewerage system and flooding.
- I would like to see what drainage details are intended.

Visual Impact

- Overdeveloped and not in keeping with character of neighbouring properties and street scene.
- Shoehorning 4 dwellings into space available.
- Plot 1 positioned much closer to Prebend Lane than current bungalow.

Landscaping

- Concerned over trimming back of hedge.

Ecology

- Lots of wildlife on site including foxes, birds, squirrels, grass snakes.

Other

- Noise, mess and movement of building supplies down our narrow cul-de-sac will be a real problem.
- Work should commence to rear of site first.
- Lorries through residential area where children play.
- Construction access better from Prebend Lane.

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

Representation received 1st October 2020:

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

Representation received 7th August 2020:

Please request applicant demonstrate a minimum of 3 parking spaces (excluding garage) not to be located within turning area for plot 2.

LCC Minerals and Waste: No objections

WLDC Tree and Landscape Officer: No representations received to date

LCC Archaeology: No representations received to date

LCC Public Rights of Way: No representations received to date

Ramblers Association: No representations received to date

IDOX checked: 1st October 2020

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 Welton Neighbourhood Plan (Made 5th September 2016); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

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

Relevant policies of the CLLP include:

LP1 A Presumption in Favour of Sustainable Development

LP2 The Spatial Strategy and Settlement Hierarchy

LP3 Level and Distribution of Growth

LP10 Meeting Accommodation Needs

LP13 Accessibility and Transport

LP14 Managing Water Resources and Flood Risk

LP17 Landscape, Townscape and Views

LP21 Biodiversity and Geodiversity

LP25 The Historic Environment

LP26 Design and Amenity

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

- **Welton Neighbourhood Plan (WNP)**

Relevant policies of the NP include:

Policy D1 Village Character

Policy D2 Safe Environment

Policy EN1 Environmental Capital

Policy EN3 Flood Risk

Welton-by-Lincoln Village Character Assessment January 2016 – Area B Kingsway (pg38-40)

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

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

The site is in a Limestone 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 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)**

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

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

Main issues:

- Principle of the Development
Central Lincolnshire Local Plan 2012-2036
Welton Neighbourhood Plan
Concluding Assessment
- Visual Impact
- Residential Amenity
- Minerals Resource
- Highway Safety
- Drainage
- Archaeology
- Trees
- Landscaping

Assessment:

Principle of the Development

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

Central Lincolnshire Local Plan 2012-2036:

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

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

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

The development plan does not have a specific policy, and is otherwise silent on the demolition and replacement of a dwelling within a settlement.

Welton Neighbourhood Plan:

Policy D1 of the WNP protects the character of the village from harmful development.

Policy D2 of the WNP promotes the creation of safe environments for the community.

Policy EN3 protects the village from flood risk and encourages sustainable urban drainage systems.

Concluding Statement:

The proposed development is considered an appropriate infill/intensification within the developed footprint of Welton and will provide an additional three market dwellings to the housing supply in Welton and Central Lincolnshire.

The principle of redeveloping the site for four dwellings is therefore considered to accord with the development plan. It would be considered to be in accordance with local policy LP1, LP2, LP3 of the CLLP, policy D1 of the WNP and the provision of the NPPF. This is subject to consideration of all other planning matters, including design and amenity, as addressed below.

Visual Impact

Objections have been received in relation to the visual impact and overdevelopment of the site.

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

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

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

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

Policy D1 of the WNP protects the character of the village from harmful development.

The Welton Character Assessment states the following:

"Throughout Kingsway and the adjoining cul-de-sacs many properties have an open plan layout, with little or no boundary treatment. Where boundaries do

exist, they typically take the form of formal hedgerow planting. Gardens mostly retain their lawns and many host a variety of trees and shrubs.” (pg39)

“The western side of Prebend Lane forms the eastern edge of this character area and is lined by more residential buildings. Along this length of Prebend Lane there is a relatively consistent building line. However, in almost all other respects properties differ (Fig 44). Terraces line the northern proportion of Prebend Lane, whilst further south as the road moves towards the village centre; detached dwellings are the main building typology. Individually, these detached buildings display a wide variety of forms, roof styles and pitches. This is likely to be the result of piecemeal development and redevelopment through the decades, which has produced a great variety of housing types along a relatively short stretch of road”. (pg40)

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

The development proposes to provide two 3 bedroom and two 4 bedroom detached dwellings measuring (approximate taken from submitted plans):

	Measurements (Metres)			
	Ridge Height	Eaves Height	Width	Length
Plot 1	8.9	5.1	10	15.5
Plot 2	8.9	5.1	10	15.5
Plot 3	6.3	2.68	14	21.5
Plot 4	6.3	2.68	10.3	21.6

The elevation plans for each dwelling includes a facing materials schedule. The proposed materials are acceptable apart from the facing red and buff brick which will need to be approved through a condition before any development above ground level.

The surrounding area comprises a mix of dwelling scales, appearance, age, position within the plot and garden sizes. This is emphasised by the Welton Character Assessment. The proposed front two dwellings (plot 1 and 2) will not be forward of the building line along Prebend Lane and would not be considered to be out of scale or proportion with the neighbouring dwellings or their plot sizes.

Plot 3 and 4 to the rear of the site are lower level dwellings which two storey dwellings to the south west and modest bungalows to the north west. Both the plots face south west with plot 3 being adjacent The Cloisters which is dominated by frontage highway facing bungalows. The north west elevation of plot 3 does include openings including a door flanked by windows at ground floor window and a first floor gable end window. It is additionally considered that with appropriate landscaping in place only the first floor window will be visible from The Cloisters. In the side facing elevation of plot 3 on The Cloisters will match the side facing elevation of 14 Kingsway.

Each of the dwellings will have external garden spaces which will be more than in keeping with the surrounding dwellings.

Therefore the development is not considered to have a harmful visual impact on the character and appearance of the street scene or the surrounding area and would accord to local policy LP17 and LP26 of the Central Lincolnshire Local Plan, policy D1 of the WNP and the provisions of the NPPF and the National Design Guide.

It is considered that policies LP17, LP26 and D1 are consistent with the visual amenity guidance of the NPPF and can be attached full weight.

Residential Amenity

Objections have been received in relation to residential amenity. As previously stated plots 1 and 2 raised concerns and have subsequently been revised in order to respond to and mitigate those concerns.

The site is in a residential area therefore there are a number of residential dwellings which are adjacent or opposite the site. These are:

- 25 Prebend Lane to the south east
- 29 Prebend Lane to the north west
- 12 Kingsway to the south west of the site
- 14 Kingsway to the south west of the site
- 4 The Cloisters to the north west of the site
- 6 The Cloisters to the north west of the site
- 2 Rivehall Avenue to the north east of the site

25 Prebend Lane (25PL):

Proposed plot 2 would be the closest dwelling to 25PL with its south east side elevation approximately 2.1 metres from north west side elevation of 25PL. The north west elevation of 25PL has one modest ground floor obscurely glazed window. Although this window is obscurely glazed it does still receive light and appears to be the only window serving the room which is not likely to be a habitable room. The scale and position of plot 2 will have an impact on the amount of light received by this window, however consideration has to be given to the fact that 2 metre boundary treatments could be installed on the shared boundary without planning permission in accordance with Schedule 2 Part 2 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore some loss of light to the window is likely to occur but given the fallback position this is not considered to be sufficient reason to refuse planning permission.

Proposed plot 2 would have rear first floor windows that would allow some overlooking of the rear garden space of 25PL but not to a harmful degree as the immediate garden space outside the rear elevation of 25PL would remain private. This would be a typical arrangement with two storey dwellings within a residential location.

The front elevation of proposed plot 2 is in line with the front elevation of 25PL.

The side south east elevation of proposed plot 4 which faces the end of the rear garden of 25PL would only have one first floor window serving the ensuite to bedroom 2. This would view into the end of the rear garden to 25PL. However the window would be conditioned to be obscurely glazed and the residents of 25PL would still have areas of privacy in their rear garden.

The south east elevation of plot 4 runs adjacent the shared boundary with 25PL but is primarily single storey and would not have a significant overbearing impact or cause a significant loss of light on the garden of 25PL.

29 Prebend Lane (29PL):

Proposed plot 1 would be the closest proposed dwelling to 29PL with its north west side elevation approximately 2 metres from the shared boundary and approximately 8.5 metres from the south east side elevation of 25PL.

Proposed plot 1 would sit further back than 29PL therefore the south east side gable elevation window will not be impacted by loss of light.

Proposed plot 1 extends a further 12 metres back from the rear elevation of 29PL with approximately 7 metres of this being two storey in height. The proposed position of plot 2 would have some impact on light received by the rear garden and rear windows of 29PL but not to a significant degree to warrant refusal. The separation distance between proposed plot 1 and 29PL will be sufficient to reduce any overbearing impact.

The side north west elevation of plot 1 has no first floor windows therefore the level of privacy to the rear garden of 29PL will be maintained.

The rear elevation of proposed plot 3 which faces 29PL would only have one first floor rooflight opening serving the stairs on the north east roof plane which is not considered as primary living accommodation.

12 Kingsway (12K):

Proposed plot 4 would be the closest proposed dwelling to 12K. The south western section of the proposed dwelling to plot 4 is single storey and approximately 4.6 metres from the shared boundary with 12K. Proposed plot 4 only has one hobby room rooflight at first floor level facing 12K and this is approximately 16 metres from the shared boundary and 28 metres from the rear elevation of 12K.

14 Kingsway (14K):

Proposed plot 3 and 4 would be the closest to 14K. The first floor windows/rooflights on proposed plots 3 and 4 are approximately 16 metres from the shared boundary and 28 metres from the rear elevation of 14K. At its closest proposed plot 3 is approximately 12.5 metres from the shared boundary with 14K.

6 The Cloisters (6TC):

Proposed plot 3 would be the closest to 6TC but at its nearest would be 12 to 16 metres from the side elevation of 6TC. Proposed plot 3 would have one first floor bedroom window on its north west elevation and a first floor rooflight opening serving the stairs on the north east roof plane. These openings would not overlook the rear garden of 6TC.

The nearest first floor bedroom window to proposed plot 1 would be 25 metres from the rear elevation of 6TC.

4 The Cloisters (4TC) and 2 Rivehall Avenue (2RA):

4TC and 2RA are on the opposite sides of The Cloisters and Prebend Lane therefore significantly separated from the proposed dwellings.

The driveway to plot 3 and 4 will be particularly close to the rear garden on 14 Kingsway and will partly be constructed from gravel which has been objected to by a neighbour in terms of noise disturbance. The driveway will only serve 2 three bedroom dwellings therefore any noise caused would be modest given the traffic journeys generated and the low speed of the vehicles.

It is additionally relevant to assess the impact of the proposed dwellings on each other. The proposed dwellings are positioned so that the dwellings are sufficiently separated to ensure there is no harm to their living conditions. Each proposed dwelling has more than sufficient external amenity space. The application has included a Construction Management Plan Revision A dated 29th September 2020 and Construction Site Plan 1633S/19/25 dated September 2020. The CMP provides the following key procedures:

- Plot 3 and 4 to be constructed first using direct access from Prebend Lane.
- The vehicular access from The Cloisters serving plots 1 & 2 will not be allowed to be used by vehicles any larger than a 'Transit' sized van.
- All contractor traffic and material delivery vehicles will be encouraged to exclusively access the site from Prebend Lane.

The detail within the CMP is considered acceptable and would be recommended as a condition on the permission to adhere to.

Therefore the development would not have a significant harmful impact on the living conditions of neighbouring or future residents and accords to local policy LP26 of the Central Lincolnshire Local Plan 2012-2036, policy D1 of the WNP and the provisions of the National Planning Policy Framework.

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

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 application has included the submission of a Minerals Assessment received 27th July 2020. The Minerals and Waste team at Lincolnshire County Council have no objections to the development.

It is considered that the site has and would have a residential use in an area dominated by residential dwellings. The extraction of a minerals resource would not be practical in such an area and the development would have a negligible impact with respect to sterilising the mineral resource.

Therefore the proposal would not significantly sterilise the minerals resources in West Lindsey. The development therefore would accord with policy M11 of Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) and the provisions of the NPPF.

It is considered that policy M11 is consistent with the minerals guidance of the NPPF and can be attached full weight.

Highway Safety

There have been objections received in relation to highway safety from residents.

The development would include the removal of the existing vehicular access to 27 Prebend Lane and the installation of three new vehicular accesses. Two of the new access would be off Prebend Lane which has a 30mph speed limit and observation views appeared acceptable at the officer's site visit.

The third new vehicular access would be off The Cloisters and serve both proposed plot 3 and 4. The Cloisters is a 30mph cul-de-sac and observation views appeared acceptable at the officer's site visit. The site plan identifies a 4.4 metre wide vehicular access which would allow two cars to pass safely.

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

Therefore the development would not have a harmful impact on highway safety and accords to local policy LP13 of the Central Lincolnshire Local Plan 2012-2036, policy D1 of the WNP and the provisions of the National Planning Policy Framework.

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

Drainage

The application form states that foul water is to be disposed of to the mains sewer and surface water is to soakaways. The use of a sustainable urban drainage system (SuDs) for surface water is encouraged, however the suitability of the sites ground conditions for soakaways has not been detailed or established. A comprehensive drainage strategy has not been submitted or any percolation tests to demonstrate the porous nature of the ground. The Environment Agency maps suggest a low risk of surface water flooding on the site which further confirms the need for further details.

It is therefore considered that foul and surface water would be capable of being addressed by condition and subject to these details is likely accord with local policy LP14 of the CLLP, policy EN3 of the ENP and the provisions of the NPPF.

It is considered that policy LP14 and EN3 are consistent with the drainage guidance of the NPPF and can be attached full weight.

Archaeology

To date there has been no comment received from the Historic Environment Officer at Lincolnshire County Council. The site is already occupied by the dwelling to be demolished and had disturbance through domestic use.

Therefore subject to conditions the development would not have a harmful archaeological impact and accords to local policy LP25 of the Central Lincolnshire Local Plan 2012-2036 and the provisions of the National Planning Policy Framework.

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

Trees

The application site includes a number of trees however none of them are protected and would not require any permission to be removed. However the Local Planning Authority does have a statutory duty set out in section 197 of

the Town and Country Planning Act 1990¹ for the preservation and planting of trees through condition. The application has included an arboricultural report dated June 2020 by AWA Tree Consultants. The Authority's Tree and Landscape Officer has to date not formally commented on the application but has verbally stated that all the trees are categorised as Class C trees therefore have low value in terms of their condition and amenity value. The submitted site plan includes details of landscaping including the planting of new trees to help mitigate for the trees to be removed.

It is therefore considered that the development would not have a harmful impact on trees and accords to local policy LP21 of the Central Lincolnshire Local Plan 2012-2036, policy EN1 of the WNP and the provisions of the National Planning Policy Framework.

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

Landscaping

The landscaping details on submitted site plan are all acceptable, however details of tree species have not been submitted. These details can be covered by a condition on the permission to be submitted prior to occupation and planted during the first planting season following completion of the development.

It is therefore considered that the development would not have a harmful visual impact through landscaping and accords to local policy LP17 of the Central Lincolnshire Local Plan 2012-2036, policy D1 of the WNP and the provisions of the National Planning Policy Framework.

It is considered that policy LP21 and D1 are consistent with the tree protection guidance of the NPPF and can be attached full weight.

Other Consideration:

Demolition

The application includes the demolition of the existing dwelling on the site but no demolition method statement has been submitted. Therefore a demolition condition should be attached to the permission to ensure the demolition works are completed in a manner which will cause minimal disruption to the surrounding area.

Public Rights of Way

The Construction Site Plan 1633S/19/25 dated September 2020 demonstrates that the construction phase will have little or no impact on the use of the Public Rights of Way.

¹ <https://www.legislation.gov.uk/ukpga/1990/8/section/197/2011-11-15?wrap=true&timeline=true>

Community Infrastructure Levy

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. Details in relation to CIL have not been received from the agent. The site is within charging zone 1, where the charge would be £25 per square metre for houses which is due prior to commencement of the development.

Pre-commencement conditions

The agent has agreed in writing to the pre-commencement conditions attached to the planning permission.

Conclusion and reasons for decision:

The decision has been considered against policies LP1 A presumption in Favour of Sustainable Development, LP2 The Spatial Strategy and Settlement Hierarchy, LP3 Level and Distribution of Growth, LP10 Meeting Accommodation Needs, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP21 Biodiversity and Geodiversity, LP25 The Historic Environment and LP26 Design and Amenity of the adopted Central Lincolnshire Local Plan 2012-2036, policy D1 Village Character, D2 Safe Environment, EN1 Environmental Capital and EN3 Flood Risk of the Welton Neighbourhood Plan and policy M11 of the Lincolnshire Minerals and Waste Local Plan (LMWLP) in the first instance. Consideration has additionally been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and the National Design Guide. In light of this it is considered that the principle of the proposal is acceptable and will provide four dwellings (one replacement) towards the housing supply of Central Lincolnshire. The development would not have a harmful visual impact on the site or the street scene and would not harm the living conditions of neighbouring dwellings and the future residents. It would not have a harmful impact on highway safety, drainage, biodiversity, a minerals resource and archaeology. This is subject to the approval and adhering to a number of conditions.

Human Rights Implications:

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

Legal Implications:

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

Representors to be notified -

(highlight requirements):

Standard Letter

Special Letter

Draft enclosed

Prepared by: Ian Elliott

Date: 1st October 2020

Recommended Conditions:

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

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

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

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

2. No development must take place until a demolition method statement for the existing dwelling (27 Prebend Lane) to be demolished has been submitted to and agreed in writing by the local planning authority. The approved statement must be adhered to. The statement must provide for:
 - (i) measures to control the emission of dust and dirt;
 - (ii) details of noise reduction measures;
 - (iii) a scheme for recycling/disposing of waste;
 - (iv) 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 nearest neighbouring dwellings and the surrounding area from noise, dust and vibration to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and D1 of the Welton Neighbourhood Plan.

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:
 - 1633S/19/15B dated 15th September 2020 – Plot 1 Floor and Roof Plan
 - 1633S/19/16B dated 15th September 2020 – Plot 1 Elevation and materials schedule
 - 1633S/19/17B dated 15th September 2020 – Plot 2 Floor and Roof Plan
 - 1633S/19/18B dated 15th September 2020 – Plot 2 Elevation and materials schedule
 - 1633S/19/19A dated 26th May 2020 – Plot 3 Floor and Roof Plan
 - 1633S/19/20A dated 26th May 2020 – Plot 3 Elevation and materials schedule
 - 1633S/19/21A dated 26th May 2020 – Plot 4 Floor and Roof Plan

- 1633S/19/22A dated 26th May 2020 – Plot 4 Elevation and materials schedule
- 1633S/19/23D dated 29th September 2020 – Site 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 LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

4. The development must be completed in accordance with the Construction Management Plan Revision A dated 29th September 2020 and Construction Site Plan 1633S/19/25 dated September 2020.

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

5. No development above ground level must take place until details of the red and buff brick type have been submitted to and agreed in writing by the Local Planning Authority. The development must be completed in accordance with the approved brick.

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 to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

6. No development above ground level must take place until details of the tree species, planting arrangement and aftercare of all new trees have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the development site is appropriately landscape with a mix of native trees to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy EN1 of the Welton Neighbourhood Plan.

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

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy EN3 of the Welton Neighbourhood Plan.

8. No occupation of each individual dwelling must take place until their vehicular access, individual driveway and turning space has been fully completed in accordance with site plan 1633S/19/23D dated 29th September 2020.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework, local policies LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

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

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

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy EN1 of the Welton Neighbourhood Plan.