

Officers Report

Planning Application No: 142666

PROPOSAL: Application for approval of reserved matters for Plot 1, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 to erect 9no. dwellings with access considered.

LOCATION: Plot 1 Land south of Eastgate Scotton Lincolnshire DN21 3QR

WARD: Scotter and Blyton

WARD MEMBER(S): Cllr M Snee, Cllr L Clews and Cllr Mrs L A Rollings

APPLICANT NAME: Mr and Mrs Robinson

TARGET DECISION DATE: 11/05/2021 (Extension until 28th May 2021)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant reserved matters approval

Description:

The application seeks approval of reserved matters only for 1 dwelling, considering only the outstanding matters of **appearance, landscaping, layout and scale**, following outline permission 139520 granted 16th January 2020 with access considered.

The application site is a plot of agricultural land facing Eastgate on the 9 dwelling self-build site given outline planning permission in planning application 139520. The site is adjacent and above the level of the highway with hedging to the front north west boundary. The site is open to the north east and south east boundaries with areas of open boundary treatment and fencing to the south west boundary. Neighbouring dwellings are opposite to the south west and north west with open fields in all other directions.

There are two Listed Buildings to the west of the site. These are:

- Church of St Genwys – Grade I Listed
- Acacia Cottage – Grade II Listed

The site is also within a Sand and Gravels Minerals Safeguarding Area.

Relevant history:

135056 - Outline planning application for proposed development for 9no. dwellings with access to be considered and not reserved for subsequent applications – 12/01/17 - Granted time limit and other conditions (Planning Committee)

139520 - Outline planning application to erect 9no. dwellings with access to be considered and not reserved for subsequent applications - 16/01/20 - Granted with Legal Agreement (Planning Committee)

140545 - Application for approval of reserved matters for the erection of 1no. dwelling and detached garage with annex accommodation, considering appearance, landscaping, layout and scale - following outline permission 139520 granted 16 January 2020 (Plot 9) – 18/06/20 - Granted with conditions (Planning Committee)

Approval of reserved matters for other plots on the site have been considered, as follows:

140547 - Application for approval of reserved matters for the erection of 1no. dwelling, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 (Plot 5) – 18/03/20 - Granted time limit and other conditions

140579 - Application for approval of reserved matters for the erection of 1no. dwelling, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 (Plot 7) – 01/04/20 - Granted time limit and other conditions

140918 - Application for approval of reserved matters for appearance, landscaping, layout and scale for Plot 7 following outline planning permission 139520 granted 16 January 2020. Resubmission of 140579 (Plot 7) – 28/05/20 - Granted time limit and other conditions

141524 - Reserved matters application for Plot 4, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 to erect 9no. dwellings with access considered (Plot 4) - 19/10/20 - Granted time limit and other conditions

141546 - Reserved matters application for Plot 6, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 to erect 9no. dwellings with access considered (Plot 6) – 23/10/20 - Granted time limit and other conditions

141602 – Application for approval of reserved matters for Plot 2, considering appearance, landscaping, layout and scale, following outline planning permission granted 16 January 2020 for 9no. dwellings with access considered (Plot 2) - 21/10/20 - Granted time limit and other conditions

Representations:

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

Scotton Parish Council: Objections

- Planning consent for Plot 1 was for a bungalow and the proposed design appears to be a Chalet house with an additional storey.
- The proposed design is out of character to those planned within this development and with the designs within the village.
- The proposed design for drainage is not included and there does not appear to have been a model to provide evidence that soakaways will be able to cope with additional surface water within this development.

Local residents: Objections received from:

32 Eastgate, Scotton
The Old Rectory, 7 Eastgate, Scotton

Appearance

- The proposed bungalow is obviously of a very modern style which would be totally out of character and incompatible with the majority of dwellings along this stretch of Eastgate (the oldest part of Scotton) as well as the proposed dwellings on the rest of this site. Several buildings on Eastgate are of historical interest and some listed. The majority of dwellings on Eastgate are of red brick and tile construction and therefore this proposed bungalow would certainly not enhance the character of the Eastgate street scene or the village.
- Old Rectory itself was built in the late 1700's with further additions in the early 1800's and 1900's. We have concerns with the design elements and materials proposed for this site.

Landscaping

- Will there be fencing erected along our eastern boundary of 32 Eastgate – if so how high?
- Hard landscaping – there seems to be a lot, will this contribute to excess water run-off onto Eastgate, 32 Eastgate and The Old Rectory?

Layout

- Given that there are 9 proposed large family dwellings the assumption that each household could potentially have 3-4 cars, this would suggest that there would be an increase of between 27-36 motor vehicles travelling on Eastgate, not to mention visitors and the impact on parking in the area.

Residential Amenity

- The south west elevation appears to stretch for a considerable length of our eastern boundary (32 Eastgate) which would obstruct any remaining views we have to the east which combined with the proposals for Plot 9 means that our current views over open fields would be virtually non-existent as well as restricting light levels to our garden. The south west elevation has several windows which would overlook our property and impinge upon our privacy. Scotton Neighbourhood Plan policy 4 states that any development should not cause harm to the private amenity of adjacent

properties along Eastgate. The proposed orientation of this bungalow would cause harm to us.

- External lighting – if security lighting to the rear using PIR movement sensors are used we are concerned that these lights may be triggered every time we step out of the house or walk down the garden. Causing annoyance and light pollution?

Access

- When did the change from one access to three accesses take place as it seems excessive for nine houses? Was there ever any consultation about this material change?

Other

- Why is the road being widened now when there has been no need for it historically for other developments within the village?
 - Impact the road widening will have on the environment. The hedgerows which are scheduled to be ripped out to make way for the three driveways (which would appear to be wider than the main carriageway of Eastgate) provide nesting and roosting sites for many types of native birds, there are also bats, hares hedgehogs and nesting pheasants within the site.
6. Hard landscaping - what measures will be taken to manage the inevitable excess water run-off onto.

Historic England: Comment

We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

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

LCC Archaeology: No representations received to date

WLDC Conservation Officer: No objections

I have no comments to make other than that the proposed development is set back to allow a view of the church on approach to Scotton.

LCC Minerals and Waste: No representations received to date

IDOX checked: 18th May 2021

Relevant Planning Policies:

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

Development Plan

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

Relevant policies of the CLLP include:

LP1 A presumption in Favour of Sustainable Development

LP14 Managing Water Resources and Flood Risk

LP17 Landscape, Townscape and Views

LP25 The Historic Environment

LP26 Design and Amenity

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

- **Scotton Neighbourhood Plan (SNP)**

On 6 May 2021 the referendum on the Scotton Neighbourhood Plan was held. Residents voted in favour of West Lindsey District Council using the neighbourhood plan to help it determine planning applications in Scotton. As it has been successful at referendum the Scotton Neighbourhood Plan should now be given full weight in such decision making. The relevant policies are:

Policy 4 The Allocation of Land South of Eastgate

Policy 11 Safeguarding Important and Distinctive Landscape Features

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

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

The site is in a Sand and Gravels Minerals Safeguarding Area and policy M11 of the Core Strategy applies, however this was assessed during the outline planning application 139520 and no safeguarding objections were received from the Minerals and Waste Team at Lincolnshire County Council

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

National policy & guidance (Material Consideration)

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

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

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**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/collections/planning-practice-guidance>

Other

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/section/66>

Main issue:

Planning permission has already been granted. This application considers only whether to approve the reserved matters of scale, appearance, layout and landscaping.

- Scale and Appearance

In planning law¹, these are defined as:

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

‘Scale’ – the height, width and length of each building proposed within the development in relation to its surroundings.

- Layout

‘Layout’ – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

- Landscaping

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

¹ Article 2, The Town & Country Planning (Development Procedure) (England) Order 2015 (as amended)

Assessment:

Scale and Appearance

Objections has been received in terms of the scale and appearance of the proposed dwelling.

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'*.

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

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

Criteria a), b) and d) of policy 4 of the SNP provides direction on the scale and material finish of the development.

Criteria a) states that *"It should include some two and three bedroom dwellings"*.

Criteria b) states that *"the height of the building, or buildings, should be no higher than existing buildings in the immediate locality"*.

Criteria d) states that *"the materials used for the development should take inspiration from the local vernacular around the site as described in Table 12"*.

In response to this criteria in approved outline application 139520 the officer's report stated the following *"The dwellings in the locality are mixed in size, type and appearance from bungalows to two storey dwellings"*. Table 12 (pg74 Eastgate) provides no reference to a preferred material pallet and only a single photograph of a dwelling with the streetscene. However it does state that the materials should take inspiration from the local vernacular.

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.

Condition 10 of outline planning permission states that:

“The proposed dwelling to the front of the site and immediately adjacent the shared boundary with 32 Eastgate, Scotton must be a single storey dwelling.”

This condition relates to plot 1. The Parish Council have concerns that the proposed dwelling is not a single storey dwelling and appear to have an additional storey. The proposed dwelling, as identified by the floor plan, only has a ground floor therefore the development adheres to the single storey dwelling (bungalow) condition.

The 4 bedroom bungalow is proposed to have roof levels of differing height. These are (all approximate from submitted plans):

- The north east half would be 6.2 metres high (4.7 metre eaves)
- The south west half would be 3.5 metres high (2.6 metre eaves)
- 24 metres long including the front and rear projection.
- 14.2 metres wide

The dwelling and integral garage are proposed to be constructed from (see elevation plans, application form and design and access statement):

Walls:

Crest Dorking Dark Multi with grey mortar



K-Rend silicone scraped self-coloured render in Champagne



Roof Tile:

Sandtoft 20/20 interlocking concrete roof tiles – Colour Antique Slate.



Windows & Doors: Light grey uPVC or aluminium casement style.

Front and Garage Doors: Dark grey composite

Rainwater Goods: Dark grey uPVC gutters and downpipes

Fascias: Dark grey uPVC fascias and soffits

Eastgate predominantly comprises red brick dwellings with red pantile and grey concrete roofs. One dwelling is cream rendered (28 Eastgate) and one has a grey/black slate effect roof (Blackthorns). The history section of this report identifies four of the sites nine plots currently have reserved matters approval. At least Four (plot 2, 4, 5 and 7) out of six plots have approval for a red brick and slate roof finish. The proposed materials are therefore considered acceptable.

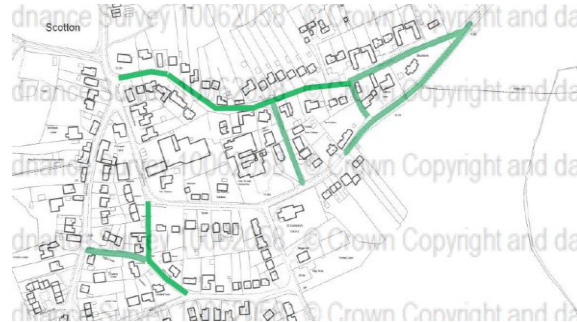
To date plot 2 (141602) is the only reserved matters application which has met the aspiration of criteria a) of policy 4. The proposed dwelling in this application will provide a four bedroom bungalow. This is acceptable as there is still the potential for further two and three dwellings on the remaining plots.

The dwellings in the locality are of a mixed scale but are predominantly two storey dwellings along Eastgate. However plot 1 as already confirmed has been conditioned to accommodate a single storey dwelling only. The plot is certainly of a size which can accommodate the proposed dwelling.

Policy 11(2) of the SNP provides protection to identified green lanes (map 10 (pg66)) and POLICY 11(3) protection of important views (view 1 on map 9 (pg65)). The important view is additionally considered in SNP policy 4 criteria h) to enable the framed view of the Grade I Listed Church to be retained as you travel into the village along Eastgate. The important view at point 1 and the green lanes are identified on the photo and map below.



(View 1 Photo)



(Green Lane Map)

It is pertinent to clarify that the indicative site plan (PF/19/03 Rev E) submitted in outline planning application 139520 identified a red dash line which demonstrated a clear path to the listed building. The Authority's Conservation Officer (CO) welcomed the indicative layout as it would "*open up and frame a view of the grade I listed church*".

This application has respected this and included the same red dashed line on the submitted site and location plan (1143.01 Rev A dated 27th April 2021). The submitted site plan additionally includes the retention of the front hedging to respect and reinforce the green lane character of Eastgate.

The general locality of the area (Eastgate/Crapple Lane) is a mix of different red brick buildings which includes yellow, white and blackened colour shades.

It is considered relevant and necessary to remove permitted development for first floor accommodation and changes to the roof. Therefore classes AA, B and C of Schedule Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification)

It is therefore considered that the scale and appearance of the proposed dwelling is acceptable and would not have a harmful visual impact on the site, the street scene, the green lane or the important view and accords to local policy LP17 and LP26 of the CLLP, policy 4 and 11 of the SNP and the provisions of the NPPF.

It is considered that policy LP17, LP26, policy 4 and policy 11 are consistent with the design, character and visual amenity guidance (Chapter 12) of the NPPF and can be attached full weight.

Layout

An objection has been received in relation to off street parking.

Policy 4 criteria i) and j) of the SNP provides direction on garden amenity and off street parking provision. The proposed dwellings would sit in a plot measuring approximately 50 metres in length and approximately 17.5 metres in width. The layout provides sufficient off street driveway parking and space for turning to allow a vehicle to enter and leave the site in a forward gear.

The dwelling would be located approximately 14 to 16 metres from the front boundary set back into the site which still leaves a more than adequate rear garden space. Vehicular and pedestrian access to the plot is via a shared vehicular access with plot 2. The Highways Authority at Lincolnshire County Council have no objections to the proposed off street parking provision and turning spaces.

The impact of the development on the living conditions of adjoining residents will be discussed later in this report. The layout of the plot is therefore acceptable and accords to local policy LP17 and LP26 of the CLLP, policy 4 of the SNP and the provisions of the NPPF.

It is considered that policy LP17, LP26 and policy 4 are consistent with the design, character and visual amenity guidance (Chapter 12) of the NPPF and can be attached full weight.

Landscaping

A comment has been received in relation to the landscaping to the south west boundary.

Policy 4 criteria e) and f) of the SNP provide direction on landscaping.

Details of landscaping have been submitted on the proposed site plan (1143.01 Rev A dated 27th April 2021) and are overall considered acceptable. This includes the south west boundary being retained as existing with 1.8 metre fencing where required. The external area of the plot will be laid to grass apart from the driveway, patio area and paths to the sides of the dwelling. The driveways and patios will be conditioned to be constructed from a permeable material and retained thereafter. The landscaping includes areas of planting and some trees within the site. The planting will mitigate for the loss of hedging to form the vehicular access. Paragraph 10.4 of the submitted Design and Access Statement provides a list of the species to be planted and the planting scheme if the front hedgerow requires some infilling.

The landscaping of the site is therefore considered to be acceptable and accords to local policy LP17 and LP26 of the CLLP, policy 4 and 11 of the SNP and the provisions of the NPPF.

It is considered that policy LP17, LP26, policy 4 and policy 11 are consistent with the landscaping guidance of the NPPF and can be attached full weight.

Other Considerations:

Heritage

The proposal has the potential to have an impact on the setting of Church of St Genwys (Grade I Listed) and Acacia Cottage (Grade II Listed). The impact of the development on the view of St Genwys as you enter the village from the west is additionally a consideration. No objections have been received on heritage grounds.

Local policy LP25 of the CLLP states that *'Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire'* and provides a breakdown of the required information to be submitted as part of an application in a heritage statement.

In the Listed Building section of LP25 it states that *'Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building'*.

Policy 4 criteria h) of the SNP places importance on the *"need for the development to be set back and be able to frame the important view (View 1 on Map 9) of Grade I Listed church as approach village centre from Eastgate"*

Paragraph 193 states that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*.

The impact of a development on the setting of a listed building is more than just its visual presence and annex 2 of the NPPF defines the setting of a heritage asset as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

As previously stated the Conservation Officer welcomed the indicative layout as it would *"open up and frame a view of the grade I listed church"*. The siting of the proposed dwelling set back from Eastgate respects the building line required to retain a framed view of the grade I listed church as you approach the village from Eastgate. The Conservation Officer has confirmed her view that the position of the proposed dwelling would retain the line of sight to the Listed Church.

The principle of housing on this site has already been granted (outline) planning permission, and it is an allocated housing site (A5a) in the SNP.

Therefore the siting, design and material finish of the proposed dwelling will preserve the setting of the Listed Buildings whilst retaining the framed view of St Genwys Church and accord to local policy LP25 of the CLLP, policy 4 of the SNP, the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the provisions of the NPPF.

It is considered that policy LP25 and Policy 4 are consistent with the heritage guidance of the NPPF and can be attached full weight.

Residential Amenity

Policy 4 criteria g) of the SNP states “it does not cause unacceptable harm to the private amenity of adjacent properties along Eastgate”.

The proposed dormer bungalow will have a neighbouring dwelling opposite to the north west (Old Rectory, 7 Eastgate) and adjacent to the south west (32 Eastgate). Plot 2 to the north east has reserved matters approval (141602) for a bungalow but this is yet to be built. Plot 9 to the south east has reserved matters approval for a two storey but this is yet to be built.

7 Eastgate and Plot 9:

The existing dwelling to the north west is on the opposite side of the road and the front elevation of approved Plot 9 (140545) is approximately 35 metres from the rear elevation of the proposed bungalow in this application. Plot 9 (see below) as approved additionally has an outbuilding which on the plan below is positioned close to the shared boundary with plot 1. A condition (No.6) on the reserved matters approval (140545) requires detail of the final position of the outbuilding. A condition discharge application (142374) has been submitted but not determined as yet. It is not expected that the amenity of the future residents of plot 1 would be significantly affected by the final approved position of the outbuilding.



(Approved plan from 140545)

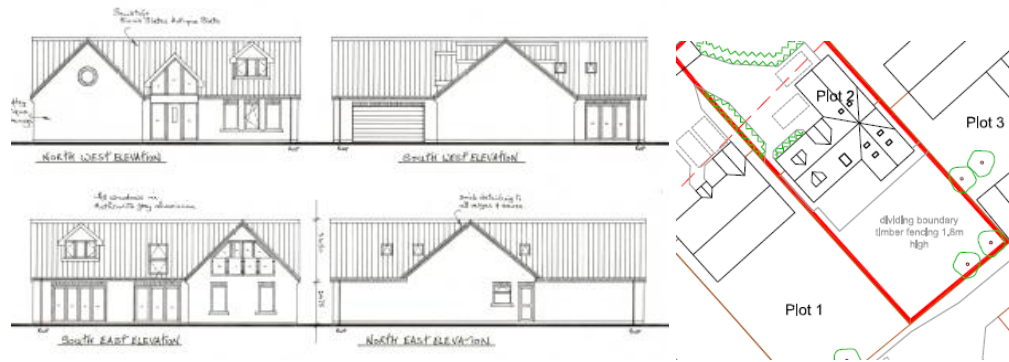


(Plan under consideration from 142374)

The proposed development would therefore not have a significant impact on the living conditions of 7 Eastgate or the potential future occupants of plot 9. The final approved outbuilding to plot 9 is not expected to have a harmful impact on the future occupants of plot 1.

Plot 2:

Plot 2 has reserved matters approval for a single storey dwelling (see approved plans below) but no works have commenced to date.



The proposed dwelling along the shared boundary has a eaves height of approximately 3.5 metres and a ridge height of 6.2 metres with the roof falling away from plot 2. The north east elevation of the proposed dwelling would be approximately 1.9 metres from the shared boundary and 3.3 metres from the nearest south west elevation (no openings) of the dwelling approved for plot 2. The proposed scace of the dwelling and position of the openings would not have a significant impact on the living conditions of the potential future occupants of Plot 2. The approved dwelling for plot 2 would likewise not harm the living conditions of the potential future occupants of Plot 1.

32 Eastgate:

The proposed dwelling includes one high level window on the south west elevation but this window is purely for the purposes of light to the living area as the dwelling is single storey.

Concerns have been raised that first floor windows would overlook the rear garden of 32 Eastgate. The proposed bungalow does not have any first floor accommodation therefore there will be no overlooking from the first floor window. however the height of part of the bungalow could potentially lead to some first floor accommodation being introduced in the future through the installation of a mezzanine floor which could be served by the single first floor window. To protect the amenity of neighbouring dwellings it is considered relevant and necessary to add a condition to the permission stopping the insertion of first floor accommodation.

No openings would overlook the rear garden/elevation of 32 Eastgate due to the existing and proposed landscaping to the south west boundary. 32 Eastgate is a two storey dwelling with rear first floor windows but these will not overlook the rear private garden space of the proposed dwelling.

The south west elevation of the proposed dwelling runs along and would be approximately 2 metres from the shared boundary with 32 Eastgate. Approximately 13.5 metres would be alongside the rear garden of 32 Eastgate. Plot 1 does sit lower down than 32 Eastgate and the south west half of the proposed dwelling has an eaves level of approximately 2.6 metres and a ridge height of 3.5 metres. The higher part of the proposed dwelling is approximately 7.7 metres from the shared boundary.

The proposed scale of the dwelling and position of the openings would not have a significant impact on the living conditions of 32 Eastgate. The position of 32 Eastgate would likewise not harm the living conditions of the potential future occupants of Plot 1.

The proposal would therefore not be expected to have a significant overbearing impact, cause a significant loss of light or impact on the privacy of the existing and future neighbouring dwellings due to the separation distance, the position of openings, landscaping and ground levels. The development will accord with local policy LP26 of the CLLP, policy 4 of the SNP and the provisions of the NPPF.

It is considered that policy LP26 and policy 4 are consistent with the residential amenity guidance of the NPPF and can be attached full weight.

Drainage

Planning permission has been granted and this application considers only those matters that were reserved at the time of approval.

Policy 4 criteria k) of the SSNP states *“adequate foul water discharge provision to the agreed standards of Anglian Water in respect of mains drainage or the Environment Agency where a connection to the public sewerage network can be demonstrated not to be feasible”*.

A drainage condition (number 7) is attached to outline planning permission 139520 for provision of drainage facilities to service the site. This will provide a connection to the foul water only sewer which is close to the site.

Foul Water:

Site plan 1143.01 Rev A dated 27th April 2021 identifies connection from the proposed dwelling to the main sewer along Eastgate. The foul water scheme is considered acceptable and will be conditioned to be installed prior to occupation.

Surface Water:

Site plan 1143.01 Rev A dated 27th April 2021 identifies surface water being dealt with by a soakaway of suitable size in the rear garden and connection to the dwelling. Condition discharge application 142004 dated 21st December 2020 included percolation tests for the site demonstrating that the site was suitable for soakaways. As a form of sustainable urban drainage the use of a soakaway is considered acceptable. The appropriateness would be inspected by a Building Inspector as part of building regulations. The surface water scheme is considered acceptable and will be conditioned to be installed prior to occupation.

The development would accord with local policy LP14 of the CLLP, policy 4 of the SNP and the provisions of the NPPF.

For this plot only the submitted details satisfies condition 7 of outline permission 139520.

It is considered that policy LP14 and policy 4 are consistent with the drainage guidance of the NPPF and can be attached full weight.

Community Infrastructure Levy (CIL)

Paragraph 82 of the Community Infrastructure Levy section in the NPPG (reference 25-082-20190901) states that *'If the necessary qualification requirements are met and the application process is completed within required timescales, an exemption from the Community Infrastructure Levy will be available to anybody who is building their own home or has commissioned a home from a contractor, house builder or sub-contractor. Individuals benefiting from the exemption must own the property and occupy it as their principal residence for a minimum of 3 years after the work is completed.'*

The proposed dwelling is a self-build dwelling as secured by the legal agreement signed as part of the outline permission. The development is therefore exempt from paying a CIL contribution.

Conclusion and reasons for decision:

The decision has been considered against local policies: LP1 A Presumption in Favour of Sustainable Development, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP25 The Historic Environment and LP26 Design and Amenity of the Central Lincolnshire Local Plan 2012-2036, policy 4 and 11 of the Scotton Neighbourhood Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and the National Design Guide. In light of the assessment the scale, appearance, landscaping and layout of the development is acceptable. The development would provide a four bedroom single storey dwelling on the site as conditioned in the outline permission and would not have a harmful visual impact on the site or the street scene and would preserve the setting of the nearby listed buildings. It would not have a harmful impact on the living conditions of neighbouring dwellings or drainage.

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**

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

NONE (see outline permission 139520)

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

NONE

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

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

- 1143.01 Rev A dated 27th April 2021– Site Plan with Drainage and Landscaping details, Elevation Plans, Floor Plan and Materials Schedule

The works must be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

2. All the boundary treatments shown on site plan 1143.01 Rev A dated 27th April 2021 must be completed prior to occupation of the approved dwelling.

Reason: To ensure that the landscaping is installed in accordance with approved plan and in the interest of residential amenity to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

3. No occupation of the dwelling must take place until the proposed driveway and turning space identified on site plan 1143.01 Rev A dated 27th April 2021 has been fully completed. The driveway and turning space must be retained as such thereafter.

Reason: To ensure off street parking provision is provide prior to occupation to accord with the National Planning Policy Framework, local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood Plan.

4. All hardstanding identified on site plan 1143.01 Rev A dated 27th April 2021 must be constructed from a permeable material and retained thereafter.

Reason: To reduce the risk of surface water flooding on the site and the highway to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood Plan.

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

5. All trees and planting identified on site plan 1143.01 Rev A dated 27th April 2021 must be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner. The trees and planting must be completed in accordance with the details described in the landscaping section of the design and access statement dated 26th August 2020. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure that the landscaping is installed in accordance with approved plan and to maintain the character of the area including the green lane to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

6. The proposed dwelling must only comprise ground floor living accommodation with no habitable first floor accommodation.

Reason: To protect the neighbour's rear garden area from undue loss of privacy from overlooking to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood.

7. Notwithstanding the provisions of Classes AA, B and C of Schedule Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted must not have a first floor or any roof alterations 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 amenity of neighbouring dwellings to accord with the National Planning Policy Framework, local policy LP26 of the Central

Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood.