

# **Officers Report**

## **Planning Application No: 144010**

**PROPOSAL:** Planning application for Two dwellings

**LOCATION:** 18 South Drive Stow Lincoln LN1 2DH

**WARD:** Stow

**WARD MEMBER(S):** Cllr Mrs Tracey Coulson

**APPLICANT NAME:** Mr M White, Prestige Developments Ltd.

**TARGET DECISION DATE:** 6<sup>th</sup> July 2022

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** George Backovic

**RECOMMENDED DECISION:** Grant permission, with conditions

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This application is referred to the Planning Committee following representations made by Stow Parish Council in regard to its compliance with the newly adopted Sturton by Stow and Stow Neighbourhood Plan.

### **Description:**

The application as submitted was for a variation of house types although the permission, which was granted in 2017 expired on 1<sup>st</sup> May 2021 and I have no evidence before me that would indicate that development had lawfully “commenced” in accordance with s.56 of the Town & Country Planning Act 1990. In view of this ambiguous position and on this basis the application is being considered as an application for two new dwellings although it is noted that the permission for the single dwelling granted on plot 2 remains extant until 3<sup>rd</sup> August 2023 (and is considered to be a realistic fallback position).

The applicant has confirmed that their preference would be to implement the current application rather than the extant one. This was in a response to a query from the case officer as the area covered by extant plot 2 is slightly larger than that submitted for this application.

Planning permission is sought for two dwellings within the large garden of The Old Rectory, Stow. The dwelling would be accessed via the existing vehicle access and a new shared driveway to be 5m wide. The dwellings would be located at the end of the access road in the south west corner of the site.

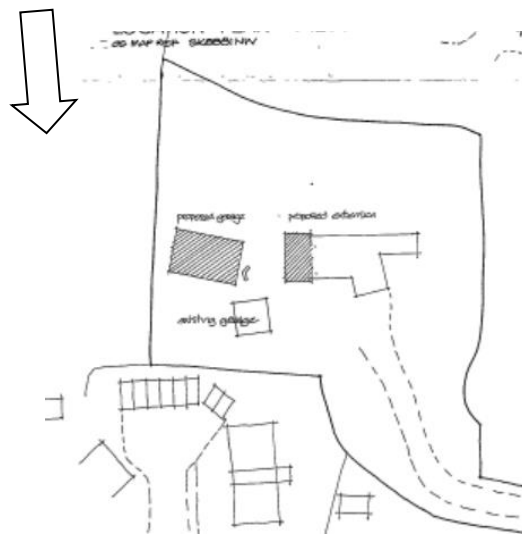
Plot 1 has a width of 22m with a length of 39m. A two and a half storey 6 bed pitched roof detached house with 2 bedrooms within the roofspace illuminated by rooflights on the rear slope of the roof is proposed. Eaves height is 5.4m rising to a ridge of 9.2 m above ground level. It will also have a one and a half storey gable roofed projection from the front elevation on the eastern end of the dwelling, 4.2m to eaves and 6.8m ridge.

A detached double garage is proposed at right angles to the main house approximately 3m from the boundary with "Horseshoe House" (HH) to the west. This is a large detached house with a detached garage and outbuildings set in a large garden. The existing boundary is shown below. The main body of the house is located approximately 25m beyond this boundary. The closest building to plot 1 is a detached garage with a blank gable end facing the site.



The location of the garage and the residential curtilage is shown below and is taken from plans approved in 2004 for an extension to Horseshoe House and a detached garage/ store (Ref: M04/P/1334). The side (western) elevation of plot 1 at its closest will be 7.9m from the boundary and 12.5 m from a first-floor balcony on the rear elevation of plot 1.

Application Site



To the north of plots 1 and 2 are the rear garden areas of dwellings that face onto St Marys Crescent. From the front of plot 1 to the rear boundary at its closest is a distance of 12.9m. Measured from the nearest window in the new dwelling to the rear boundary this rises to a 32m separation distance.

Plot 2 has a width of 22 m and a length of approximately 39 m. The design is virtually identical to that of plot 1 with the main change being the introduction of dormer windows to the one and a half storey offshoot providing illumination to the bedroom accommodation compared to a window in the gable end of plot 1. There is a distance from the front of plot 2 to the rear boundaries of dwellings that face St Marys Crescent of 22 m rising to 26m. It is located

approximately 30 m from “The Old Rectory” to the west and approximately 50m from the boundary with Orchard House, a large detached dwelling to the east of the site.

**Relevant history:**

136472 Planning application to erect 2 dwellings. Approved 5th October 2017.

141102 Request for confirmation of compliance with conditions 1 - 7 of planning permission 136472 granted 5 October 2017. Approved 9/6/2020.

140893 Application for 1 dwelling, plot 2 with associated private drive access. Approved 4<sup>th</sup> August 2020.

**Representations:**

**Chairman/Ward member(s):** No comments received.

**Stow Parish Council** (Summary):

15.05.22: Since our response of 14/1/22, the Sturton by Stow & Stow Neighbourhood Plan (SbS&SNP) has passed inspection and is being voted upon in a referendum later this month (May 26th). The SbS&SNP decision notice says: - "Government planning guidance advises that where a decision statement has been made detailing the intention to send a neighbourhood plan to referendum, such as for the Sturton by Stow and Stow Neighbourhood Plan, that plan can be given significant weight in planning decision-making, so far as the plan is material to the application."

This clearly indicates that WLDC should take the SbS&SNP into account when considering this amendment of application, no 144010. This SbS&SNP states that local residents do not want to see anymore large 5/6-bedroom houses, with numerous bathrooms, built in Stow. Rather, they want to see smaller, lower cost housing being built, that both local younger and retired people could afford and move into, thus maintaining the viability of the local community.

14.01.22: We wish to withdraw our response of 'no objection' to the revised design. We do **object**, inter alia due to the huge increase in size of the houses proposed in 144010 compared with those in previous application 136472, and due to the failure to identify how foul sewage will be handled. There is a very disturbing tendency for applicants to obtain planning permission for small, attractive houses, then sell the land on which planning permission has been granted to a developer who then alters the design to much larger houses. When approving these increased size developments, WLDC is making rulings which are contrary to the wishes of the residents in our Parish.

23.12.21: No objections to the design changes indicated in application 144010, but would like to see the finishes proposed for the buildings, for our comment before construction is allowed to commence.

**Local residents:** 4 representations have been received from Horseshoe House **objecting** to the application

Objection (summary)

The proposed plans are the wrong type and size of dwelling and they are totally inappropriate. The sheer size of the newly proposed 3 storey property would have significant visual and environmental impact. The building is proposed to be sited extremely close to our boundary hedge which significantly increases its impact as the plans depict a monumental expanse of brickwork and vast amount of roof tile. The current proposal is both imposing, oppressive and will significantly impact on our enjoyment of our property and its surroundings.

The newly proposed property is also significantly closer to our boundary and in no way resembles the house that was granted from the original planning permission. The proposed large balcony on the second floor overlooks our entire back garden and is close to and directly adjacent to our hot tub, sunbathing deck and summerhouse. This is our tranquil area of retreat that we have developed for much valued family leisure and well-being time.

The original application sited "affordable housing" as one of the planning objectives, yet the proposed building has obviously been targeted at the high-end executive market and does not meet the local housing needs of our community. There are no details about boundary walls or fencing required for privacy yet there are 2 doors opening onto the boundary which will create significant noise.

The local residents on South Drive and St Marys Crescent expressed concern about the increased traffic on a very narrow road on the approach to the site during the original planning application (136472.) The newly proposed dwellings are designed for large families which significantly increases traffic flow as they will have a higher number of occupants and predictably more vehicles and noise.

There are 3 major mature ash trees standing on our land, close to our boundary between our property and the proposed Plot 1. Current guidance states that buildings should not be built within 21m of this type of mature tree therefore a full tree survey should be submitted. We are extremely concerned that damage could be caused to the tree roots since the proposed building is extremely close to the boundary. The proposed garage appears to be sited at a distance of only 1m from our boundary and watercourse and mature ash tree.

There are two 11 KV, pole mounted, high tension cables, running close and parallel to this boundary, directly above the proposed building plans for Plot 1.

"Is your proposal within 20m of a watercourse "has been ticked "No". This is incorrect. There are 2 watercourses, one that runs along the adjoining boundary and another along the southern boundary of the proposed development. Our dyke provides important drainage both to our property and garden and it adjoins the drainage systems of the surrounding farmland, but this has also not been declared in the application.

There is no indication as to the location of the proposed soakaway. The proposed plot is situated on heavy clay therefore we are also extremely concerned about surface water drainage. The size of the proposed property will also significantly increase demands on water and sewage management, and we question whether a soak away would cope with the amount of surface water run-off.

There are numerous errors and omissions in the submitted Design and Access Statements.

West Lindsey Local plan states that backland or tandem developments are “unusually granted permission”

It is contrary to Policy RES 1 – Housing Layout and Design.

Our garage (omitted from the original planning application site plan) was designed in 2004 and built in 2005 with the future in mind. It was designed and constructed, so that it can be easily converted to a bungalow when we retire (within the next 2 years if not before.) This has always been the plan and we intend to run a bed and breakfast business from this “dwelling”. We are in the process of having our plans drawn and will be following this with an application to apply for change of use. This pre-existing building is directly adjacent and in close proximity to the newly proposed dwelling and garage. We request that you take this into consideration also as it is already built and does not impede or affect other surrounding properties at present.

The applicant’s original concept was to apply to build 2x low level bungalows. This has significantly changed beyond recognition since 2017 and could be construed as “planning creep.” The development appears to be being applied for on an ad hoc basis, despite a series of stringent conditions, originally imposed by West Lindsey relating to the granted permission for this infill tandem development (136472.) Stow is a Tier 6 settlement and has limited capacity for development. It is therefore vitally important that any granted development addresses local need and ensures that any developments are sympathetic to their surroundings.

The landscaping conditions were approved by West Lindsey in 2020 however the application 140893 submitted with these plans failed to notify Horseshoe House as an adjacent property, during the consultation process.

**LCC Highways:** Does not wish to restrict the grant of permission.

**Landscape and Tree Officer:** Having looked at the proposed landscaping on Dwg No. 129/21/07/E, the planting scheme appears suitable.

**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:

Policy LP1: A Presumption in Favour of Sustainable Development

Policy LP2: The Spatial Strategy and Settlement Hierarchy

Policy LP3: Level and Distribution of Growth

Policy LP4: Growth in Villages

Policy LP13: Accessibility and Transport

Policy LP14: Managing Water Resources and Flood Risk

Policy LP17: Landscape, Townscape and Views

Policy LP26: Design and Amenity

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

- **Sturton by Stow and Stow Neighbourhood Plan (NP)**

On 26 May 2022 the referendum on the Sturton by Stow and Stow Neighbourhood Plan was held. Residents voted in favour of West Lindsey District Council using the neighbourhood plan to help it determine planning applications in the Sturton by Stow and Stow parish areas. The Neighbourhood Plan was formally “made” at the Full Council meeting of 4<sup>th</sup> July 2022, and now forms part of the statutory development plan against which decisions must be made. Full weight in decision making is now given to the policies it contains.

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

Relevant policies of the NP include:

Policy 1: Sustainable Development

Policy 2: Residential Development Management

Policy 4: Housing Mix and Affordability

Policy 5: Delivering Good Design

Policy 13: Flood Risk

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

- **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)**

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)**
  - **National Design Model Code (2021)**
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- **Consultation Draft Central Lincolnshire Local Plan Review June 2021 (DCLLPR)**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given)

S1 The Spatial Strategy and Settlement Hierarchy  
S2 Growth Levels and Distribution  
S6 Reducing Energy Consumption – Residential Development  
S20 Flood Risk and Water Resources  
S22 Meeting Accommodation Needs  
S46 Accessibility and Transport  
S48 Parking Provision  
S52 Design and Amenity  
S65 Trees, Woodland and Hedgerows

## **Main issues**

Principle

Impacts on amenities of existing residents

Design

Drainage

Highway Safety

Noise and Disturbance

## **Assessment:**

### **Principle: LP2, LP4 of the CLLP and Policy 2 and policy 4 of the NP**

Policy LP2 designates Stow a tier 6 small village where unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local community support\*\*\*\*, the following applies:

- It 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.

Policy LP4 establishes the total level of % growth for Stow, and further policy requirements in respect of identifying whether a site would be suitable for development. Policy LP4 permits 10% growth in Stow. The latest monitoring of growth update information shows the remaining growth for Stow is 0 dwellings. This, however, includes the 2 dwellings previously granted approval on the site so there will not be an increase in the number of dwellings. LP4 sets a sequential test with priority given to brownfield land or infill sites, in appropriate locations, within the developed footprint of the settlement. The previous applications passed the sequential test and were considered an appropriate location for development.

The Parish Council have made representations, stating that under the Neighbourhood Plan, residents “want to see smaller, lower cost housing being built...”. The NP forms part of the statutory development plan against which decisions must be made.

Policy 2 of the Neighbourhood Plan provides support for the location of housing within “built up areas”.

Policy 2 states that *“Proposals for residential development of up to...four dwellings in Stow, on infill and redevelopment site will be supported where...a) they fill a gap in an existing frontage, or on other sites, within the existing or planned built-up area\* of the villages (as shown in Policy Map 2.1 and Policy Map 2.2);*

These are shown on “*Policy Map 2.2 Stow Built Up Area*”, and the site lies within it.

Criteria (f) states that *“f) the proposed development does not result in back-land development, unless it is demonstrated that a particular back-land development will not unacceptably reduce the amenities\*\* which neighbouring residents may reasonably expect to enjoy;”*



The development would be within the formal “built up area” within the plan, but to the rear of dwellings within St Marys Close. However, it is within an area where residential dwellings are already established, with Horseshoe house to the west, and Orchard House and 18 South Drive to the east. It is considered therefore to meet the criteria for an “infill” plot. An assessment of neighbouring amenity is provided further in this report.

Policy 2 does not set out any criteria restricting the size of new dwellings.

Policy 4 of the Neighbourhood Plan states “New residential development should provide a range of housing types and a mix of tenures based on identified housing needs in the most up-to-date housing needs assessment available at parish or District, or housing market area level.”.

The development proposes two large, six bedroom dwellings. The most recent Housing Needs Assessment for Central Lincolnshire (April 2020)<sup>1</sup> considers:

*“Households with dependent children are expected to see the strongest growth... followed by single person households and couples without children...”*

*“There is also implied to be a **relatively sizeable need for two-bedroom properties (28%) and homes with at least four bedrooms (22%)**. Substantially fewer households (7%) would be expected to need only one bedroom, albeit acknowledging that this is influenced by the stock of housing that is currently available. It is estimated that meeting this need could require over two thirds (69%) of new homes to be houses, surpassing the more limited contribution of bungalows (20%) and flats (11%). This does, however, provide only an illustrative interpretation of available evidence, which should be used for guidance and monitoring purposes but should not be prescribed as an explicit requirement for individual sites given that they will need to respond to changing market demands and take account of viability considerations.”*

The Housing Needs Assessment does therefore consider the evidence implies a need for larger family homes, with households with dependent children seeing the most growth. Whilst the “mix” across the site is limited, only two dwellings are being proposed.

Whilst the concerns of the Parish Council are recognised, it is considered therefore that the development would not be in direct conflict with policy 4.

This is noted although it is not a prohibitive policy and for a small scale development of 2 dwellings it does not represent a reason to withhold

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<sup>1</sup> Document HOU001 (<https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library/>)

consent. The principle of the development is therefore accepted and supported. Detailed considerations are set out below.

### **Impacts on Neighbours**

Policy LP26 requires that amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. NP policy 2 (c) says new dwellings will be supported if certain criteria are met, including that “(c) they do not unacceptably reduce the privacy and/ or amenity of nearby properties;”

This is consistent with section 12 of the NPPF Achieving well-designed places and in particular paragraph 130 f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and is afforded full weight in the determination of this application.

The objections to the proposal from Horseshoe House (HH) are noted. The closest building on plot 1 to HH would be the detached double garage. It measures 6.4m x 6.3m, is 2.5m to eaves with a ridge of 4.9m. The roof slope falls away from the boundary which is approximately 3m to the west. The blank rear elevation would be approximately 7m from the blank rear gable end of the garage within the residential curtilage of HH. Measured from the plans approved in 2004 this shows a footprint of 13m x 8m with an eaves of approximately 3m rising to ridge of approximately 5.7m.

At ground floor level on the side (eastern) elevation will be a double set of bi-fold glazed doors to an “open plan living area”, 7.9m from the boundary. Views will be restricted by the existing hedgerow running along the boundary through which views of the upper sections of the existing buildings are partly visible. Complaints about noise from this opening have been made by HH on the potential impacts on their enjoyment of their outside garden area, however the development proposed is for a dwellinghouse, and noise generated from its residential use would not be expected to result in having an unduly adverse effect upon a neighbouring property. Objections on the grounds of an oppressive outlook are also made although with a distance of almost 8m from the side of plot 1 to the boundary with HH this is not accepted as a significant issue particularly with the main dwelling being approximately a further 25m away.

At first floor level on this elevation is a narrow window serving an ensuite shower room. As this is not serving a main habitable room, it is not conducive to active overlooking, and this arrangement is considered acceptable.

The case officer has been informed by the applicants’ representative that there appears to be an ownership dispute with some of the existing hedgerow being removed. On this basis the applicants have agreed to a 1.8m fence being placed along this boundary to deal with any potential further removal of the hedgerow in order to restrict visibility. This is secured by condition.

The other ground floor windows that face west do so at distances of 12.2 m and 15.2 m. At first floor level a balcony at a distance of 12.2m is proposed to the rear of the dwelling. Views to the west and east will be restricted by 3 obscure glazed side panels. The two panels closest to the rear wall are labelled as 2m in height and this tapers down to a height of approximately 1m. This will limit visibility together with the distances involved.

No adverse impacts are considered to arise on HH that would justify a refusal of permission from Plot 1. Plot 2 is even further away from HH and will have negligible to no impact. Concerns have been raised about potential damage to trees within the garden area of HH with a request for a tree survey to be carried out. This is not reasonable or proportionate. The trees are not subject to a Tree Preservation Order. This would be a private matter and not relevant to the consideration of the application. Drainage and highway safety concerns have also been raised by HH. These issues are addressed later in this report.

Distance separation of between approximately 32m rising to 45m from the nearest windows on plots 1 and 2 that face the rear boundaries of dwellings that face onto St Marys Crescent ensure no adverse impacts. Orchard House is located over 50m to the east and this distance separation will ensure negligible to no impacts.

No adverse impacts on existing residential amenities will arise principally due to the layout proposed, distance separation and existing or proposed boundary treatment and it would be in accordance with LP26 and Policy 2 (1(c)) of the Neighbourhood Plan. Furthermore, it would meet Policy 2 (1(f)) which states that:

*“the proposed development does not result in back-land development, unless it is demonstrated that a particular back-land development will not unacceptably reduce the amenities\*\* which neighbouring residents may reasonably expect to enjoy;”*

As set out before, development would take place within the designated “built area” where residential development is already established. Whilst neighbour comments are noted, as set out above, it would not be expected to unacceptably reduce neighbouring amenities and would comply with policy 2 (1(f)).

### **Design LP26**

Policy LP26 requires high quality design that that contributes positively to local character, landscape and townscape.

NP policy 2 states that new dwellings should be “well designed and in keeping with their local surroundings, and respect the character of the area - including any heritage assets;”

Policy 5 sets out the Neighbourhood Plan policy on “Good Design”. As appropriate to their scale nature and location, developments should demonstrate good quality design and respect the character and appearance

of the surrounding area. This will be done by assessing it against the Character Area (CA) chapter of the Neighbourhood Profile. It is located within CA 3 – Stow Village.

These policies are consistent with section 12 of the NPPF Achieving well-designed places and is afforded full weight in the determination of this application.

Within Character Area 3 are “Layout Types” 1 is mainly low-density housing ranging from very large houses to small cottages, many houses with large gardens or a small acreage. These houses are mainly situated along through roads, but some are on mews-style developments. Layout Type 2 is some higher density housing on the west side of South Drive, on St Mary’s Crescent, and in a row opposite Manor Farm. This variety is reflected in the different house types that can be viewed from within the site and is reproduced below.

Existing housing (photographs taken from the application site). The large house is the Old Rectory (18 South Drive) with the houses to the left facing St Marys Crescent. The house on the right is located to the east of the site.



There is no established design or vernacular architecture in the area although the predominant material is brick. The traditional design of the brick faced units is described at the start of this report and is considered suitable and appropriate. The objections from the Parish Council in relation to the increase in size from that originally approved are noted, however, the large plot size allows the increase in size without any adverse impacts arising. Materials are those that have been previously approved on this site. A landscaping scheme forms part of the application and is considered suitable, a condition will be imposed requiring implementation and replacement planting if required. It would be in accordance with LP26, and policies 2 (1(b)) and policy 5 of the Neighbourhood Plan.

### **Flood risk and drainage**

Policy 13 of the Neighbourhood Plan recommends use of sustainable drainage systems where practical and for development not to increase flood risk. Policy LP14 of the CLLP requires proposals demonstrate that they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical whereas NPPF Paragraph 169 requires this for only major developments. However, there is general consistency in requiring developments do not lead to increased risk of flooding therefore Policy 13 and LP14 are given full weight.

The site is in flood zone 1 (Low Probability Land having a less than 1 in 1,000 annual probability of river or sea flooding) therefore the main considerations are the means of foul and surface water drainage. The parish have objected on the grounds that disposal of foul waters is unknown. The extant permission for a single dwelling proposed connection to a mains sewer which is the preferred option and this can be conditioned. Surface water will drain to soakaways which is considered appropriate and accords with Policy 13 and LP14.

### **Highway Safety:**

LP13 is consistent with NPPF paragraphs 110-112 as they both seek to ensure an efficient and safe transport network. No objections are raised by the Highways Authority to the proposal. Adequate onsite parking and turning provision is made. It would be in accordance with LP13 and NP policy 2 (1(d) and (e)).

### **Noise and Disturbance**

Objections made on the grounds of increased noise and disturbance from 2 dwellings are noted although next to existing dwellings these are rarely grounds to refuse consent. The proposed use is compatible with a residential area. This remains the case. Development would be compliant with LP26 and NP policy 2 in this regard.

### **Other Matters**

Superseded policy: Reference is made to policies contained within the former PPG3 (superseded in 2012 by the NPPF) and West Lindsey Local Plan. This has been superseded by the Central Lincolnshire Local Plan and no longer forms part of the statutory development plan. It is not a material consideration. This application has been assessed against the provisions of the current development plan, namely - Central Lincolnshire Local Plan (2017) and Sturton by Stow and Stow Neighbourhood Plan, made 4<sup>th</sup> July 2022.

Alleged "errors" in the submitted Design and Access Statement. The comments made are noted however this is document is not determinative and the application has been considered under the umbrella of the Development Plan and any other material considerations.

Future plans of neighbours: The plan to convert the existing garage of Horseshoe House into a bungalow / Bed & Breakfast (which would require planning permission) is not a relevant material consideration.

Impact on neighbours Trees: This is considered a private matter and not relevant to the consideration of this application.

Lack of consultation with Neighbours on approved Landscaping proposals on previous scheme:

This is not a requirement and is not relevant to the consideration of the current application.

### **Planning balance and conclusion**

This is an application for 2 dwellings on land previously granted permission for the same number of dwellings. Subject to the imposition of safeguarding conditions no adverse impacts are considered to arise and the development

would be in accordance with policies LP13, LP14, LP17 and LP26 of the Central Lincolnshire Plan and Policies 1, 2, 4, 5 and 13 of the Sturton by Stow and Stow Neighbourhood Plan and permission is recommended.

**Recommendation: Grant Permission subject to the following conditions**

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

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

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

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

None.

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

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

Site Layout with boundary details and Landscaping Dwg. No. 129/21/07/E

Plot 1 Ground Floor Plans and Front Elevation Dwg. No. 129/21/01/B

Plot 1 Floor Plans and Elevations Dwg. No. 129/21/02/B

Plot 1 Garage Details Dwg. No. 129/21/05

Plot 2 Ground Floor Plan and Elevations Dwg. No. 129/21/03

Plot 2 Ground Floor Plan and Elevations Dwg. No. 129/21/04

Plot 2 Garage Details Dwg. No. 129/21/05

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

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

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

4. No development, other than to foundations level shall take place until a scheme for the disposal of foul waters have been submitted to and approved

in writing by the Local Planning Authority. Foul drainage shall be to the main public sewer unless detailed evidence is submitted demonstrating that this is not feasible, for costs or practicality reasons. The agreed details must be implemented in full prior to occupation.

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

**5.** The materials used in the development shall match those previously approved by application 141102 on 9<sup>th</sup> June 2020

Facing Bricks- Ibstock Alderley Rustic Blend  
Roof tiles- Sandtoft Humber plan tiles- Natural red

Any variation must be approved in writing by the Local Planning Authority.

**Reason:** As these are the materials proposed and considered acceptable to secure a satisfactory visual appearance in accordance with Policy LP26 of the Central Lincolnshire Local Plan

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

**6.** All planting, seeding or turfing comprised in the approved details of landscaping shown on Dwg. No. 129/21/07/E shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

**7.** The boundary fencing shown on Dwg. No. 129/21/07/ E must be implemented in full prior to occupation of any dwelling and retained thereafter.

**Reason:** To restrict overlooking of neighbouring dwellings in accordance with LP26.

**8.** 2m high glazed screens to the sides of the first-floor balconies on the rear elevations shall be in place prior to occupation of the dwellings and maintained thereafter.

**Reason:** To restrict overlooking of neighbouring dwellings in accordance with LP26.