

Officers Report

Planning Application No: 144289

PROPOSAL: Planning application to demolish swimming pool and annexe building and erect 1no. detached dwelling.

LOCATION: Land off Station Road Reepham Lincoln LN3 4DN
WARD: Cherry Willingham

TARGET DECISION DATE: 07/04/2022
DEVELOPMENT TYPE: Minor - Dwellings
CASE OFFICER: Joanne Sizer

RECOMMENDED DECISION: Grant permission subject to conditions.

This application has been referred to the Planning Committee, following objections from the Parish Council and other 3rd parties.

Description:

The site is a triangular piece of land and forms part of the curtilage of 1 Station Road, situated immediately to the south-west. The site contains a two storey outbuilding associated with no.1, which would be demolished to make way for development.

An active railway line runs on the south-eastern edge of the site. The site fronts Station Road along its north-western boundary. The pinnacle of the triangle to the north east is adjacent to a level crossing over the railway line.

The site is within the Reepham Conservation area. 1, 3 and 5 Station Road are a row of traditional railway cottages which front the road and are locally important buildings. On the opposite side are more recent (late 20th / early 21st century) dwellings.

The application seeks planning permission to erect one dwelling. The proposals have been amended and relate to details submitted on 29 September 2022.

Relevant history:

131610 - Outline planning application to erect 1no. dwelling with all matters reserved – Granted Conditionally 06/11/2014

98/P/0309 - Planning application to erect canopy and porch to dwelling and to erect pitch roof over existing flat roofed garage. Approved 01/06/1998.

96/P/0577 - Planning application to erect a two storey extension to existing dwelling. Approved 30/10/1996.

W80/870/92 – Erect detached garage. Approved 05/01/1993.

Representations:

Chairman/Ward member(s): None received to date.

Reepham Parish Council:

14/10/22:

Councillors' comments have been received as follows:

- this is still an unacceptable design for this conservation area
- only a few minor changes to front elevation and it does not address our concerns about the material used, vehicular access etc.
- Therefore, the comments made in our initial response (attached) remain unaltered.

10/02/22: Reepham Parish Council has raised the following concerns:

1) The scale and appearance of the proposal:

The proposal should be sympathetic to the street scene in relation to the conservation area – it is NOT

The massing is too large, therefore out of proportion in comparison with surrounding properties

The suggested materials are inappropriate for the conservation area; being too modern for the surrounding area; therefore will 'jar'. For example, the proposal suggests a zinc covered roof, which will not blend in with the pantile roofs nearby

The supporting statement states that the proposal will be in keeping with the local vernacular. However, this is misleading as clearly it will not.

There is no reference to how the proposal will respect the conservation area policy

2) The Parish Council queries why there appears to be no provision for any sustainable aspects of a development eg solar panels etc.

3) The Parish Council considers there to be inadequate provision for access/egress when other cars are parked on the development.

Local residents:

Penates Et Lares, 5 Station Road has raised concerns/objections as summarised below:

04/10/22:

- Slightly better design but still not in keeping with the surroundings.

- The windows are inelegant and the material is alien to the area.
- It does not take reference to any surrounding building in the Conservation Area.

01/08/22:

- The revised plans for the site are an improvement
- The design is still not in-keeping with the surrounding area, especially the large glass window.
- The materials do not reflect those locally or within the Conservation area
- The number of cars using the site should be limited as access to the site is hazardous
- The rendered finish of the cottages is not authentic as these were brick cottages which have been recently altered and not a feature associated with the Conservation area.

24/02/22:

- Inadequate location, design and impact upon traffic
- The proposals would be detrimental to the street scene and Conservation Area.
- Visibility is poor near the site and access is a highway safety issue.
- The design and material choice of the dwelling is inappropriate for the area and not in keeping with the Conservation Area.
- Impact on the occupiers from the use of the railway should be considered.
- The Location of the access, railway crossing and highway parking will be a hazard.

8 Station road Raises concerns:

01/04/22 – The type of building is not in keeping with the rest of the properties.

1 Laburnum Court: Supports the proposal

- A great improvement to what is there now.

LCC Highways/Lead Local Flood Authority:

22/02/22 – Does not wish to restrict the grant of permission:

Request the following informative' s should permission be granted:

- The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

- Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following links: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management> Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

Network Rail:

07/03/22 –

Works in Proximity to the Operational Railway Environment

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include demolition and construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Condition recommended:

Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority. Contact details for Asset Protection are supplied below and we would draw the developers' attention to the attached guidance on Network Rail requirements.

Drainage

It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets.

Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. Please note, further detail on Network Rail requirements relating to drainage and works in proximity to the railway infrastructure is attached for your reference.

Condition Recommended:

It is expected that the preparation and implementation of a surface water drainage strategy addressing these above points will be conditioned as part of any approval.

Boundary Treatments, Landscaping and Lighting

Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway.

Condition Recommended:

The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

Note to Developer:

The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Railway Level Crossings

It is noted that the proposed development site is in close proximity to the Reepham Station railway level crossing. Railway safety is of paramount importance to us and we would ask that level crossing safety leaflets are included in information/welcome packs provided to the new homeowners at the site. These can be provided by ourselves upon request from the developer or alternatively information is available online via the following link

<http://lxresource.co.uk/campaigns/distraction-campaign>.

In addition, the level crossing approaches, gates, warning signs and signals should remain clear and unobstructed at all times both during demolition/construction works and during subsequent operation of the site. This is in order to ensure that all crossing users can enter and leave the crossing area safely and unobstructed at all times.

Archaeology: None received to date:

Conservation Officer:

28/09/22: The design is an improvement, offering a modern yet vernacular appearance that will work in the Conservation Area. Concerns are raised in relation to the larger glazed opening on the gable end and is detrimental to the character of the conservation area. Modern materials and design have

also already taken their toll on the character and appearance of the Conservation Area. An alternative choice and special attention should be given to materials on all new development proposals.

13/05/22

The applicant has confirmed that the building proposed to be demolished does not have any historic significance.

Previous comments requested that the proposed plans should show neighbouring buildings in order to demonstrate that an acceptable relationship will be maintained. This information is not shown in the revised plans.

Previous comments advised that traditional vernacular materials should be used although there may be some opportunities for contemporary materials which reflect the colour and textures of traditional materials. The material palette has now been revised to include brick and red standing seam cladding. The red standing seam cladding is proposed to be used on the roof, some of the elevations and as feature detailing around some windows and doors. The overall amount of this material should be reviewed and reduced to avoid it being a dominant feature. Details of the material specification are also required although this could be conditioned.

The further information and amendments requested above should be provided to the planning case officer within a timescale that would allow for the case to be determined within its deadline. The planning case officer should assess the request above and set a suitable timescale for this further submission.

15/03/22

The application is located in Reepham Conservation Area and within the setting of the Railway Cottages which are identified as important buildings within the conservation area character appraisal and contribute towards the character and appearance of the area.

The building proposed to be demolished is a swimming pool with an annexe. No information has been submitted about the age or any associated significance of the existing building. Further information is required.

The proposed building is between one and two-storeys with a pitched roof, and this is reflective of houses in the surrounding area. The proposed building follows a similar footprint to the existing building although the first floor is larger. The proposed plans should show neighbouring buildings in order to demonstrate that an acceptable relationship will be maintained.

The proposed floor plans do not match the footprint of the building as shown on the proposed site plan. Amendments are required to ensure that all plans are consistent.

The architectural design is contemporary. While a contemporary design could sit successfully within the area, the design at present is not a vernacular design and would disrupt the overall street scene. Traditional vernacular

materials should be used although there may be some opportunities for contemporary materials which reflect the colour and textures of traditional materials. For example, some elements of red zinc cladding may sit well against traditional red clay pan tiles. The material palette should be reviewed.

The existing hedge makes a positive contribution to the conservation area, and this should be retained. Boundary treatments are not clearly shown although this detail could be conditioned. A large area of hard surfacing is proposed in front of the building which would be used for parking. Landscape mitigation and high quality surface materials would be required to ensure there is not an adverse impact on the street scene. These details could be conditioned.

Overall, the proposed design needs further consideration given to its context and in particular an appropriate palette of materials. The further information and amendments requested above should be provided to the planning case officer within a timescale that would allow for the case to be determined within its deadline. The planning case officer should assess the request above and set a suitable timescale for this further submission. If the further information and/or amendments requested are not delivered or deliverable within this timescale, then this application should be determined on the basis of our objection as set out above.

Environmental Protection:

06/10/22 - I refer to the above and the amended plans. I have reviewed the revised information and have no further comments to add to those originally made dated 4 th March 2022.

28/07/22 - I request that conditions 5, 6 and 7 of the expired outline planning permission 131610 relating to contamination, construction method statement and noise and vibration are added to this application.

04/03/22: I request that conditions 5, 6 and 7 of the expired outline planning permission 131610 relating to contamination, construction method statement and noise and vibration are added to this application

Idox checked 10/10/22

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

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP13 Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP16: Development on land affected by Contamination

LP17: Landscape, Townscape and Views

LP25: The Historic Environment

LP26: Design and Amenity

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

- **Reepham Neighbourhood Plan (NP)**

Reepham was designated a Neighbourhood Plan Area in July 2017. There is however no Plan in circulation to consider at the time of assessing this application.

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

- **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)."

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

- **National Planning Practice Guidance**
- **National Design Guide (2019)**
- **National Design Code (2021)**

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- **Draft Central Lincolnshire Local**

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)

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

<https://central-lincs.inconsult.uk/CLLP.Draft.Local.Plan/consultationHome>

Other:

S72(1) of the Listed Buildings Act 1990

Main issues

- Principle of residential development
- Character and Appearance
- Residential Amenity/Neighbouring amenity
- Highway Safety
- Drainage

Assessment:Principle of Residential 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 Policy LP2 and LP4:

Local policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. This policy identifies Reepham as a medium village and 'unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local community support, the following applies in these settlements:

- they will accommodate a limited amount of development in order to support their function and/or sustainability.
- no sites are allocated in this plan for development, except for Hemswell Cliff and Lea.
- typically, and only in appropriate locations, development proposals will be on sites of up to 9 dwellings or 0.25 hectares for employment uses. However, in exceptional circumstances proposals may come forward at a larger scale on sites of up to 25 dwellings or 0.5 hectares per site for employment uses where proposals can be justified by local circumstances'.

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 site is considered to be located within the built footprint of Reepham village and the development therefore retains the cores shape and form of the settlement. The location of the application site and the proposed development

being within an established residential area of the village is also not considered to significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement. Considerations relating to the settlements character and appearance will be discussed later in the report and subject to this matter and all other material considerations being found acceptable; the site can be considered an appropriate location for the development as required by Policy LP2 of the CLLP. Additionally Local policy LP4 sets out appropriate growth levels for small and medium villages and indicates Reepham to have a growth level of 10%. An updated LP4 table for housing growth (dated 30th september 2022) in medium and small village's states that Reepham has a remaining growth level of 47 dwellings. The provision of one additional dwelling is therefore within the identified growth limits as set out in Policy LP4 and contributes to Central Lincolnshire housing supply.

Character and appearance, including the Historic Environment.

The site lies within the Reepham Conservation Area and lies immediately adjacent to a traditional row of railway cottages which are noted to be locally important buildings. Opposite the site, more recent residential development comprising large two storey dwellings are found.

S72(1) of the Listed Buildings Act 1990 places a statutory general duty that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that [conservation] area." In accordance with Chapter 16 of the NPPF, Policy LP25 of the CLLP also guides that: Development within, affecting the setting of or affecting views into or out of a Conservation Area should preserve features that contribute positively to the areas character appearance and setting.

Additionally Policy LP26 of the CLLP relates to appropriate design and impact upon the character of the area. It requires that all development proposals must 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.

This policy is considered to be in accordance with chapter 12 of the NPPF and full weight therefore afforded to them in the assessment of this application.

The site comprises a wedge of curtilage enclosed by a hedge and developed out with a number of non-historic outbuildings. The site, other than the hedge running along the front boundary does not therefore make an obvious positive contribution towards the character of the area/conservation area and the principle of replacing the existing buildings with an appropriately designed dwelling is therefore considered acceptable.

Concerns have been raised by local residents and the Parish Council in relation to the design and material choice of the dwelling not being reflective

or in-keeping with the traditional character of the area and that of the Conservation Area. It is nevertheless noted that the character of the area is formed by dwellings and buildings which are very varied in terms of their age, size, scale and design. The properties within the area are also constructed with varying materials and finishes.

The proposed dwelling is designed to be between one and two storeys, with a pitched roof, which is reflective of some houses within the surrounding area and the building currently occupying the site. The footprint of the proposed dwelling is also similar to the existing building and consequently is a suitable replacement in terms of its size and scale, and impact upon the character of the street-scene.

The architectural design of the dwelling is however contemporary and although the Conservation officer notes that a modern approach could be successful within the area, concerns over it not being domestic in character were raised. They advised that a more vernacular design and choice of materials should be used to enable the dwelling to be more considerate to its local context.

These concerns were relayed to the agent and amendments to the design have been submitted. The revised design relates to fenestration details and providing a more vernacular approach. Concerns have still been raised by a local resident and the Parish Council in relation to the changes and proposed material palette still not being in keeping with the character of the area/Conservation Area. The Conservation officer has advised that the design of the dwelling is now more appealing, being modern but offering a vernacular that is not harmful to the setting it sits within. The Conservation officer has however raise concerns in relation to the glazed gable end forming the north east side elevation and the materials proposed. These features are considered to have the potential to be harmful to the character of the area and Conservation Area. The glazed gable end is however only on a single storey element of the building and with appropriate materials will appear in-keeping with the modern design of the new dwelling, which has been supported by the Conservation Officer. A condition can also be used to secure appropriate material choices which will ensure the dwelling reflects the valued characteristics of the area. Regard is also given to the design and presence of the existing building to be demolished in this regard and it considered that with a condition securing appropriate materials, the development will not be harmful to the character of the area or features that contribute positively to that of the Conservation area.

Consideration must also be given to hard and soft landscaping, and boundary treatments as these are also important elements relating to the development and its impact upon the character of the area and Conservation area. The hedge running along the front boundary of the site is noted in this regard and consequently further information would therefore be required in this regard and conditions used to secure an appropriate scheme.

Neighbouring and Residential Amenity:

CLLP Policy LP26 sets out Amenity Considerations and guides that all the 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. This policy is considered to be in accordance with paragraph 130 of the NPPF and full weight afforded to it in the assessment of this proposal.

With regards to neighbouring amenity consideration is given to the occupiers of No 1 Station Road. The proposed dwelling is noted to be of a similar size and scale to the existing building which it will replace and is sited in a similar position. The proposed dwelling would not therefore result in a significant change through its presence and not considered to be overbearing or harmful to the occupiers of No 1. There are also no windows proposed on the side elevation facing onto No 1 Station Road and consequently the dwelling would not result in harm through overlooking. The garden area of No 1 Station Road would however be reduced in size as a result of the development. There would however be some amenity space remaining to enable it to function as a private space/storage area. This change is not therefore considered significantly harmful to the occupiers of No1 and warrant refusal of the application. No objections/concerns have been received in this regard also.

In terms of the amenity afforded to the occupiers of the host dwelling, it is noted that the relationship between it and No1 Station Road is considered acceptable subject to adequate boundary treatments being in place and this could be secured through a condition.

The presence of the working railway line running to the rear of the site is however a consideration in terms of noise, vibration and contamination impacts. Policy LP16 of the CLLP relates to land affected by contamination and is in accordance with Paragraphs 183 -185 of the NPPF. Environmental Protection have not raised any objections to the development subject to a contaminated land assessment, demolition method statement and a noise and vibration study, with mitigation measures being submitted to and approved in writing prior to works commencing on site. Network rail have also noted in their response that due to the line being active, the developer needs to provide adequate soundproofing for each dwelling. The securing of such details through the use of pre commencement conditions was also done through the determination of application 131610 which related to the same site and type of development. It is therefore considered that the living conditions of the proposed occupiers can be safeguarded through the submission and approval of further information and appropriate mitigation measures.

Network Rail have also set out in their response that the development must not be detrimental to the safety and use of the railway line/network and have highlighted the need for a demolition and construction methodology, including details of demolition and construction, earthworks and excavations, use of crane, plant and machinery, drainage, lighting and boundary treatments to be

submitted and approved prior to works (including demolition) commencing on site/

The proposed development subject to control through conditions is therefore considered to be in accordance with the amenity considerations set out in Policy LP26 of the Central Lincolnshire Local Plan.

Highway Safety

Policy LP13 of the CLLP states that Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported. This policy is considered to be in accordance with Chapter 9 of the NPPF and full weight afforded to it in the determination of this application.

Concerns have been raised locally regarding access and parking arrangements associated with the new dwelling and the relationship it shares with the Highway and level crossing. No concerns have however been raised by the Local Highway Authority in this respect, nor network rail. Consequently there is no evidence which suggests that the access and parking arrangements associated with one additional dwelling would be detrimental to highway safety.

The proposals are therefore considered to be relevantly in accordance with Policy LP13 of the CLLP and guidance within the NPPF.

Contamination and Drainage:

Policy LP 16 relates to Development on Land Affected by Contamination and LP26 the amenity impacts of proposed development. This policy is considered to be in accordance with Paragraphs 183 -185 of the NPPF and full weight therefore afforded to it in the determination of this application.

Policy LP14 - Managing Water Resources and Flood Risk relates to adequate drainage provision for the site. This Policy is relevantly in accordance with Chapters 14 and 15 of the NPPF and full weight afforded to it.

In terms of contamination West Lindsey Environmental Health have identified that the site due to its location and previous uses has the potential to be affected by Contamination. Based upon this and the fact that no information has been provided with the application, they have advised that a pre commencement condition is necessary to secure an appropriate contamination report to be undertaken and any remediation measures to be carried out as part of the development.

In terms of drainage and the disposal of surface and foul water no specific drainage details have however been submitted with the application and the extent of contamination on site is also not known. Consequently further details of drainage will also need to be secured through an appropriate condition to ensure the site and development can be adequately drained.

Consequently, with conditions in place securing adequate contamination measures and drainage details, the development is considered to be in accordance with Policies LP14 and LP16 of the Central Lincolnshire Local Plan.

Other matters

None.

Conclusion and Planning Balance:

The proposed development has been assessed against Local Plan policies
LP1: A Presumption in Favour of Sustainable Development
LP2: The Spatial Strategy and Settlement Hierarchy
LP3: Level of Growth
LP4: Growth in Villages
LP13 Accessibility and Transport
LP14: Managing Water Resources and Flood Risk
LP16: Development on land affected by Contamination
LP17: Landscape, Townscape and Views
LP25: The Historic Environment
LP26: Design and Amenity

Consideration has also been given to the draft Central Lincolnshire Local Plan but limited weight afforded to its policies at this time. Guidance within the NPPF and NPPG has also been considered as well as the duty contained within S72(1) of the Listed Buildings Act 1990.

In light of this assessment it is considered that the proposals subject to conditions are considered to be principally acceptable and do not result in harm to the character of the area, highway safety or on neighbouring uses. Conditions securing further details in relation to drainage, contamination and materials also ensure the development is acceptable and grant of permission subject to the following conditions is therefore recommended.

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

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

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

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

2. No development shall take place until full details of the proposed foul and surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter

be implemented in full before the building is first occupied and retained thereafter.

REASON: To ensure that an adequate scheme serves the development and protects the Water environment in accordance with the provisions of Policies LP14 and LP16 of the Central Lincolnshire Local Plan and guidance within the National Planning Policy Framework.

3. No development shall take place until, a contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment in accordance with Policy LP16 of the Central Lincolnshire Local Plan and guidance within the NPPF.

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Statement shall provide for:

- i. Method of demolition;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. wheel washing facilities;
- v. measures to control the emission of dust and dirt during construction;
- vi. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- vii. Any lighting scheme;
- viii. Safeguarding measures to prevent disruption or encroachment on the adjacent operational railway land and infrastructure.

REASON: To minimise disruption to neighbouring land, including the adjacent operational railway land and crossing, during the construction phase, in accordance with Policy LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

5. No development shall take place until a scheme for noise and vibration mitigation, including soundproofing measures in relation to the occupation of the dwelling hereby approved, has been submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented prior to the occupation of the dwelling and thereafter maintained.

REASON: To protect the occupants from noise associated with the adjacent operational rail use and to ensure a reasonable standard of amenities in accordance with saved policy LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

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

6. 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:

UKSD-SA-08-0004 - B00 site location plan received 10th February 2022

UKSD-SA-08-0005 E00 Block plan received 18th July 2022

UKSD-SA-08-0002-F.00 Floor Plans received 29th September 2022

UKSD-SA-08-0003-F.00 Elevations Plan received 29th September 2022

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with Policy LP1 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. The approved Construction Method Statement required by Condition 4 above shall be implemented and adhered to throughout the construction period.

Reason: To minimise disruption to neighbouring land, including the adjacent operational railway land, during the construction phase, in accordance with Policy LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

8. Notwithstanding the details submitted, no further development other than the demolition of the existing building and laying of the foundations for the dwelling hereby approved shall take place until details of all external materials, their finish and colour have been submitted to and approved in writing by the Local Planning Authority. Details shall include, all external surfaces, roof materials and windows/glazed screens. The development shall then be carried out in accordance with the approved details and retained/maintained thereafter.

Reason: To ensure the development is not harmful to the character and appearance of the area and Conservation area in accordance with Policies LP25 and LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

9. Notwithstanding the details submitted and prior to the first occupation of the dwelling, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning authority. They shall then be implemented in accordance with the approved details and retained in perpetuity.

Reason: To safeguard the character of the area and Conservation Area and the amenity of the neighbouring property and operational railway in accordance with Policies LP25 and LP26 of the Central Lincolnshire Local Plan and guidance in the NPPF.

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

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

REASON: To safeguard the character and appearance of Reepham Conservation Area and safeguard the adjoining residential property and operational railway land in accordance with Policies LP25 and LP26 of the Central Lincolnshire Local Plan and guidance in the NPPF.

Notes to the Applicant

Network Rail Consultation Response and supporting information.
For further information in relation to the details and requirements requested by Network Rail, please see their response and supporting information received on 07 March 2022 attached to the permission or using the following link and application reference number. <https://planning.west-lindsey.gov.uk/planning/>

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



SITE LOCATION PLAN 1:1250