

## **Officers Report**

### **Planning Application No: 145868**

**PROPOSAL:** Planning application for proposed erection of 2no. dwellings, construction of vehicular access road and change of use of agricultural land to a paddock.

**LOCATION:** Land off Private Lane Normanby-By-Spital Market Rasen LN8 2HF

**WARD:** Waddingham and Spital

**WARD MEMBER(S):** Cllr J J Summers

**APPLICANT NAME:** Mr John Coles

**TARGET DECISION DATE:** 03/02/2023

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** Richard Green

**RECOMMENDED DECISION:** Grant with conditions attached.

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This application has been referred to the Planning Committee following objections from third parties on balanced planning matters.

#### **Description:**

The site is located within the developed footprint of Normanby-By-Spital and is thought to have been used for agriculture in the past with agricultural buildings having now been removed with the concrete bases of the said buildings remaining. To the north of the site is a two storey detached dwelling (No.32 Oaklands, Main Street), to the south is a two storey detached dwelling (No.18 Keepers Cottage, Main Street) and to the west is a two storey detached dwelling (No.22 The Poplars, Main Street) and No.30 Threshers Cottage, Main Street which is a two storey attached dwelling. To the east is an agricultural field.

The site is accessed off Private Lane via an existing access to the east of 'West View' and the proposed access goes to the side (west) of a modern portal framed agricultural building to the field to the south (via an unmade track, then grass and an existing opening into the field to the south). The access then goes along the back of the rear garden of 'West View' and across the field to join an existing track on the west boundary of the field (to the rear of properties off Main Street) that leads to the site. The nearest Listed Building (School and School House, Main Street) to the site is located approximately 87 metres to the north west and the nearest Listed Buildings to the access are located approximately 72 metres to the north west (High House, Private Lane) and 106 metres to the north west (Church of St Peter).

The application seeks permission to construct two, 3 bed detached dwellings with Plot 1 at the eastern end of the site and Plot 2 at the western end. The application also seeks to construct a vehicular access road as described

above and change the use of agricultural land to a paddock (approximately 0.27 Hectares in size) to the north of the vehicular access and to the south of dwellings off Private Lane. The paddock will be in the ownership of the applicant/owner.

Plot 1 is a 2 storey detached dwelling with off road car parking and turning areas located to the north and west of the dwelling and garden areas mainly to the east and to the south. Plot 1 has a maximum ridge height of approximately 7.2 metres and a maximum eaves height of 5 metres

Plot 2 is a single storey detached dwelling with off road car parking and turning areas to the east and north east and garden areas mainly to the south and west. Plot 2 has a maximum height of approximately 5.2 metres.

The dwellings are of a modern design and feature brick and timber cladding for the external walls and profile sheeting for the roofs.

Amended plans have been received and re-consulted upon.

**Relevant history:**

**144910** - Pre-application enquiry to erect 2no. dwellings. Advice given 24/06/2022 *'In conclusion, it is considered that the principle of development for two dwellings on this site could be supported, subject to an appropriate design which addresses residential amenity, visual impact, highway safety issues and other matters.'*

None.

Land to the south:

**134381** - Planning application for change of use of land to domestic garden area [No.18 Main Street]. Granted 22/06/2016.

**Representations:**

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

**Parish Council:** Normanby by Spital Parish Council have no objections to the amended plans.

**Local residents:** Barleyfields, Harvest House, Rase Lodge and West View, Private Lane, Normanby By Spital have made a joint representation objecting to the application for the following reasons:

- We do not object to the principle of development (on the two plots) or the proposed design.
- We do have significant concerns regarding the proposed vehicular access route and the paddock.

- The vehicular access road and the paddock are clearly development and an intrinsic part of the proposal and therefore must be considered against policies LP2, LP4, LP17, LP26 and LP55 of the Central Lincolnshire local Plan.
- The vehicular access road is approximately 350 metres in length and runs around the rear of seven existing properties and across the middle and along the side of an agricultural field. It is considered that the access is contrived and incongruous, would be outside of the established built footprint of the village, is out of keeping with the character of the village, would have a harmful impact on the countryside setting of the village and is not in accordance with relevant Central Lincolnshire local Plan policies.
- The vehicular access will have a significant negative impact on residential amenity as it will overlook private rear gardens and will cause a loss of privacy, noise and disturbance and there will be an increase in artificial light and glare from car headlights.
- The proposed paddock is also considered contrary to policy and will have a significant negative impact on residential amenity as it adjoins neighbouring properties and will lead to odour and noise.

High House Farm, Private Lane, Normanby By Spital support the application: As our boundary joins Mr Coles plot (Bellamy Repairs) is in full support of his plans. We think it is a good use of a piece of waste land.

**LCC Highways and Lead Local Flood Authority:** The existing access from the adopted highway is currently non metalled and made of unbound material, please request the applicant demonstrate access improvements in line with current LCC spec. A footway link to connect to the existing footway to the west of the site will be required.

Further comments received: This proposal is for the erection of 2 dwellings and access road, the access meets the guidelines set out in Manual for Streets, adequate parking provision is proposed within the limits of the site and the proposal will not impact flood risk. Therefore, it is considered that the proposals would not result in an unacceptable impact of highway safety and flood risk. One condition and 3 informatives are suggested.

**Archaeology:** No representations received to date.

**Relevant Planning Policies:**

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

**Development Plan:**

The following policies are particularly relevant:

\*Central Lincolnshire Local Plan 2012-2036

LP1: A Presumption in Favour of Sustainable Development  
LP2: The Settlement Hierarchy  
LP3: Level and Distribution of Growth  
LP4: Growth in Villages.  
LP13: Accessibility and Transport  
LP14: Managing Water Resources and Flood Risk  
LP17: Landscape, Townscape and Views  
LP21: Biodiversity and Geodiversity  
LP25: The Historic Environment  
LP26: Design and Amenity  
LP55: Development in the Countryside

*\*With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021). LP1 is consistent with NPPF paragraph 11 as they both apply a presumption in favour of sustainable development. LP2, LP3 & LP4 are consistent with NPPF chapter 5 as they both seek to deliver a sufficient supply of homes. LP13 is consistent with NPPF paragraphs 110-113 as they both seek to ensure an efficient and safe transport network that offers a range of transport choices. LP14 is consistent with paragraphs 159 to 169 of the NPPF as they both seek to avoid putting inappropriate development in areas at risk of flooding. LP17 is consistent with NPPF paragraph 130 & 174 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside and are sympathetic to the built environment. LP21 is consistent with chapter 15 of the NPPF as they both seek to protect and enhance biodiversity. LP25 is consistent with chapter 16 of the NPPF as they both seek to conserve and enhance the historic environment. LP26 is consistent with section 12 of the NPPF in requiring well designed places and LP55 is consistent with paragraph 80 and paragraph 174 of the NPPF as they both seek to avoid isolated new homes in the countryside and both recognise the intrinsic character and beauty of the countryside. The above policies are therefore attributed full weight.*

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

#### Submitted Central Lincolnshire Local Plan:

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. Examination commenced on 15<sup>th</sup> November 2022 and closed on 16<sup>th</sup> December 2022.

The NPPF states:

“48. 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) 24.”

The Submitted Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), 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). Some weight may be given to the policies contained within the Submitted Plan.

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

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

#### Neighbourhood Plan

West Lindsey District Council has approved the application by Normanby by Spital Parish Council to have their parish designated as a neighbourhood area for the purposes of producing a neighbourhood plan. The Parish Council are now working towards the production of their neighbourhood plan.

The previous joint Normanby by Spital and Owmbly by Spital Neighbourhood Plan was withdrawn.

#### 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 July 2021. Paragraph 219 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**  
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**  
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**

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

### Listed Building Legal Duty

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

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

### **Main issues:**

- Principle of Development
- Residential Amenity
- Visual Impact
- Access and Highway Safety
- Foul and Surface Water Drainage
- Garden Space and Landscaping
- Other matters

### **Assessment:**

#### Principle of Development

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

The settlement of Normanby by Spital is designated as a small village under Policy LP2 of the Central Lincolnshire Local Plan. The site is located within the developed footprint of Normanby by Spital and is surrounded by residential dwellings on three sides (apart from to the east) and is therefore within the first category of land to be developed under the sequential test in Policy LP4.

In the Central Lincolnshire Local Plan, it is acknowledged there can be up to 10% growth with small scale development of a limited nature (around 4 dwellings per site) being accommodated within Normanby by Spital. As of the 06/01/2023, the following table shows that there is a remaining growth of 13 dwellings left to be accommodated at Normanby by Spital:

<https://www.west-lindsey.gov.uk/planning-building-control/planning/planning-policy/evidence-base-monitoring/housing-growth-medium-small-villages-policy-lp4>

This proposal is for two dwellings which is in line with the limited nature of development promoted through Policy LP2 for small villages such as Normanby by Spital and there is growth remaining in this settlement. The site is also considered to be an appropriate location for growth. The principle of development can therefore be supported.

In regards to the proposed vehicular access the route follows an existing track tight to the western boundary of the wider agricultural field over the majority of the proposed route. There is one section of the route (approximately 88 metres in length) which does not follow the boundary of the agricultural field and instead will follow the southern boundary of the proposed paddock. One of the main reasons for this part of the access route is to take it away from the small rear gardens of three dwellings located to the north (Barleyfields, Harvest House and Rase Lodge Private Lane). The proposed access route is considered to be acceptable and will not have a detrimental impact on the open countryside or conflict with neighbouring properties (as considered below).

In regards to the paddock, the site is located in the countryside. Policy LP55 of the Central Lincolnshire Local Plan sets out the considerations for development in the open countryside. Part E specifies that proposals for non-residential developments will be supported provided that the rural location is justifiable by means of proximity to existing established businesses or natural features, the location is suitable in terms of accessibility, the location would not result in conflict with neighbouring uses and that the development is of a scale commensurate with the proposed use and with the rural character of the location.

The proposal is for a change of use of part of an agricultural field to a paddock. It is considered to be an appropriate proposal under Policy LP55 of the Central Lincolnshire Local Plan as it is a recreational use that needs such a countryside location and it is unlikely to have an unacceptable impact upon the character of the rural landscape or conflict with neighbouring properties (as considered below).

Furthermore, Policy LP55 seeks to protect the best and most versatile agricultural land. The High-Level Natural England maps indicate the site is in Agricultural Land Classification (ALC) 3 – Good to moderate, with some land around Normanby By Spital classed as Grade 2 - Very Good.

Policy LP55 part G seeks to protect the best and most versatile agricultural. The site is not located on the best agricultural land but is instead sited on good to moderate and the site is small at only 0.27 Hectares and it is considered that it could easily revert back to agricultural use if the paddock use was to cease.

It is therefore considered that the proposed paddock is acceptable in principle.

#### Visual Impact

Local Plan 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. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

Local Plan Policy LP26 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 are well designed in relation to siting, height, scale, massing and form. The policy also states that the proposal should respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area and should use appropriate, high quality materials which reinforce or enhance local distinctiveness. Any important local view into, out of or through the site should not be harmed.

The site is considered to be located within the developed foot print of Normanby By Spital as it is surrounded by other dwellings on all sides apart from to the east. There are a variety of house designs and materials in the immediate vicinity of the site and therefore it is considered that the modern design of the two proposed dwellings and the proposed palette of materials (brick and timber cladding for the external walls and profile sheeting for the roofs) is acceptable.

The proposed vehicular access will follow an existing track for the majority of its route apart from an 88 metre section immediately to the south of the proposed paddock. The location of the paddock with gardens of dwellings to the west, north and to the east provides a logical rounding off from the wider agricultural field which does not allow the aforementioned 88 metre section of the vehicular access to jut out into the wider agricultural field.

It is therefore considered that the proposal would not have an unacceptable harmful visual impact on the street scene or the countryside subject to appropriate landscaping conditions (see below).

#### Residential Amenity

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

Plot 1 is a 2 storey detached dwelling with off road car parking and turning areas located to the north and west of the dwelling and garden areas mainly to the east and to the south. Plot 1 has a maximum ridge height of approximately 7.2 metres and a maximum eaves height of 5 metres. The main two storey element of the dwelling (there is a single storey porch off the north (front) elevation and a single storey lean to element off the rear (south) elevation) is located approximately 13.9 from the northern boundary/rear garden of 'Oaklands, Main Street' and 23 metres from the southern



boundary/rear garden of 'Keepers Cottage, Main Street' and 10 metres to the east of Plot 2. There are no over dominance or loss of light issues with Plot 1.

In terms of overlooking, Plot 1 will have no openings in its west elevation and three windows at ground floor level and a set of bi-fold doors onto a balcony at first floor level in the east elevation which will overlook part of the garden afforded the host dwelling with an agricultural field beyond. The north (front) elevation will have a solid entrance door with two flanking windows and 3 further windows at ground floor level and three windows at first floor level and the side (north) elevation of the aforementioned balcony. The first floor windows are located approximately 13.9 to 15 metres from the northern boundary/rear garden of 'Oaklands, Main Street' which is considered to be an adequate separation distance with trees within the garden of Oaklands in this location giving screening. The balcony is located approximately 16 metres from the very end of this neighbouring rear garden with an agricultural field to the east and will not lead to overlooking issues. The south (rear) elevation will have three windows and a set of bi-fold doors at ground floor level and a set of bi-fold doors and the side (south) elevation of the aforementioned balcony. The first floor window and balcony are located approximately 23.5 metres from the southern boundary and the rear part of the large rear garden of 'Keepers Cottage, Main Street' which is considered to be an adequate separation distance with a large tree on this southern boundary in this location giving some screening.

Plot 2 is a single storey detached dwelling with off road car parking and turning areas to the east and north east and garden areas mainly to the south and west. Plot 2 has a maximum height of approximately 5.2 metres. In terms of overlooking the west (side) elevation will have a window and a door at ground floor level overlooking the garden to the west afforded the host dwelling. The east (side) elevation will have two windows (with a further window set further back) which will overlook the boundary treatments between the two plots, with the blank side (west) elevation of Plot 1 further beyond. The front (north) elevation will have a solid entrance door with flanking windows with two further large windows at ground floor level which overlook landscaping/garden to the north with the northern boundary approximately 11.7 metres away. The south (rear) elevation will have three sets of bi-fold doors at ground floor level overlooking the rear garden afforded the host dwelling with the southern boundary approximately 17.4 metres away.

There are no residential amenity concerns with the proposed paddock as it is currently part of an agricultural field and animals could be placed on this land currently without planning permission. It is also considered that the proposed vehicular access will not lead to residential amenity concerns as the access only serves two dwellings and has been deliberately sited away from the small rear gardens of dwellings to the north of the proposed paddock and as the route passes to the south of the paddock there are no dwellings which could be affected from the glare of vehicle lights as is the case for the rest of the route.

It is therefore considered that the proposed dwellings, paddock and vehicular access route will not have an unacceptable harmful impact on the living conditions of neighbouring dwellings or that of the occupants of the proposed dwellings.

#### Access and Highway Safety

Policy LP13 of the Central Lincolnshire Local Plan 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.

The planning application seeks full planning permission to erect two dwellings and construct a vehicular access and change the use of agricultural land to a paddock. The site is accessed off Private Lane via an existing access to the east of 'West View' and the proposed access goes to the side (west) of a modern portal framed agricultural building to the field to the south (via an unmade track, then grass and an existing opening into the field to the south). The access then goes along the back of the rear garden of 'West View' and across the field to join an existing track on the west boundary of the field (to the rear of properties off Main Street) that leads to the site. Each dwelling will have off road car parking and turning areas.

Following the submission of amended plans Lincolnshire County Council's Highways Team have no objections to the scheme and the proposal is considered to be acceptable in terms of access and parking arrangements, traffic generation and highway safety.

Paragraph 110 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The proposed car parking and access arrangements detailed above are considered to be sufficient for two detached 3 bedroomed dwellings. The proposal is considered to accord with Policy LP13 of the Central Lincolnshire Local Plan and the NPPF. If it is minded to grant permission the condition and informatives suggested by Highways will be attached to the decision notice.

#### Foul and Surface Water Drainage

The application form states that foul sewerage will be dealt with via package treatment plants and states that soakaways will be used for the disposal of

surface. The appropriateness of the intended method(s) cannot be assessed at this stage; if permission was to be granted a planning condition to secure full foul and surface water drainage details would be recommended including percolation tests.

A condition should also be attached to the decision notice if permission was to be granted requiring that any hardstanding should be constructed from a porous material and be retained as such thereafter or should be drained within the site.

#### Garden Space and Landscaping

The development provides for an acceptable amount of private amenity space for the proposed new dwellings and if it is minded to grant permission appropriate conditions will be attached to the decision notice to secure full details of landscaping and boundary treatments.

#### **Other matters:**

##### Listed Building

The nearest Listed Building (School and School House, Main Street) to the site is located approximately 87 metres to the north west and the nearest Listed Buildings to the access are located approximately 72 metres to the north west (High House, Private Lane) and 106 metres to the north west (Church of St Peter). Owing to these large separation distances and the fact that there are other buildings in between the proposal site/access route and these listed buildings it is considered that the proposal will preserve the setting of these nearby listed buildings. The proposal therefore accords with the NPPF, Policy LP25 of the Central Lincolnshire Local Plan, Policy 6 of the Great Limber Neighbourhood Plan and the statutory duty in S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

##### Ecology

The site has been cleared and the concrete bases of former buildings have been revealed. Therefore it is not considered that the site requires an Ecological Appraisal.

##### Waste Disposal

Amended plans have been received and re-consulted upon showing a bin collection point on a concrete base immediately to the south west of the access off Private Lane.

##### Emergency Vehicles

The minimum road width for a fire appliance is 3.7metres and the access road on the submitted plans is 4.1metres in width. Amended plans have been received and re-consulted upon which show a 16.8 metre turning circle for a fire appliance to the north east of Plot 1.

#### **Conclusion and Reasons for Decision**

The decision has been considered against Policy 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, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity, LP25: The Historic Environment, LP26: Design and Amenity and LP55: Development in the Countryside of the Central Lincolnshire Local Plan and the guidance contained in National Planning Policy Framework and National Planning Practice Guidance and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In light of this assessment the principle of development can be supported as the proposal for two dwellings which is in line with the limited nature of development promoted through Policy LP2 for small villages such as Normanby by Spital and there is growth remaining in this settlement. The site is also considered to be an appropriate location for growth.

In regards to the proposed vehicular access the route follows an existing track tight to the western boundary of the wider agricultural field over the majority of the proposed route. There is one section of the route (approximately 88 metres in length) which does not follow the boundary of the agricultural field and instead will follow the southern boundary of the proposed paddock. One of the main reasons for this part of the access route is to take it away from the small rear gardens of three dwellings located to the north (Barleyfields, Harvest House and Rase Lodge Private Lane). The proposed access route is considered to be acceptable and will not have a detrimental impact on the open countryside or conflict with neighbouring properties.

In regards to the paddock it is considered to be an appropriate proposal under Policy LP55 of the Central Lincolnshire Local Plan as it is a recreational use that needs such a countryside location and it is unlikely to have an unacceptable impact upon the character of the rural landscape or conflict with neighbouring properties.

Furthermore, the proposal would not unacceptably harm the character and appearance of the street scene or countryside, nor the living conditions of the neighbouring occupiers or the proposed dwellings and it is considered that the proposal will not affect the setting of nearby Listed Buildings.

**Recommendation: Grant planning permission subject to the conditions below:**

**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: 30922-105 dated 11/02/2022, 30922-106 dated 11/02/2022, 30922-107 dated 11/02/2022, 30922-103 A dated 19/01/2023, 30922-101 A dated 19/01/2023 and 30922-104\_REV C dated 19/01/2023. 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 in the interests of proper planning.

3. The development hereby permitted shall not be occupied before a footway to match the existing width, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

**Reason:** To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with the National Planning Policy Framework and Policies LP13 and 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 and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and completed prior to occupation of the dwelling it serves.

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

5. No development, other than to foundations level shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details. The details submitted shall include; the proposed colour finish, rainwater goods and type of pointing to be used.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of the locality in accordance with the National Planning Policy Framework and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

6. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

**Reason:** To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

7. No development, other than to foundations level shall take place until, a scheme of landscaping including details of the size, species and position or density of any trees and hedging to be planted and boundary treatments (including boundaries within the site) and hardstanding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

**Reason:** To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the locality in accordance with the National Planning Policy Framework and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

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

8. All planting and turfing approved in the scheme of landscaping under condition 7 shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or hedging 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. The landscaping should be retained thereafter.

**Reason:** To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the locality in accordance with the National Planning Policy Framework and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

**Notes to the Applicant**

Highways

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; [www.lincolnshire.gov.uk/highways-planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)

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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link:

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

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences 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 link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

The private track may be subject to amendments by the Local Planning Authority to ensure the track is fit for purpose.

**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.