

## **Officers Report**

### **Planning Application No: 146066**

**PROPOSAL:** Planning application for the erection of 1 no. two storey detached dwelling with garage and orangery, the renovation of existing granny flat/summer room and the renovation and extension of a granary/workshop and covered garage space to form 1 no. new dwelling.

**LOCATION:** Land adj to 12-14 High Street Scotter Gainsborough DN21 3TW

**WARD:** Scotter and Blyton

**WARD MEMBER(S):** Cllrs Mrs M Snee, Cllr Mrs L Clews and Cllr Mrs L A Rowlings.

**APPLICANT NAME:** Mr Mike Lings

**TARGET DECISION DATE:** 10/03/2023 (ext of time agreed until 31/03/2023)

**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 Committee, following objections from the Parish Council and other 3<sup>rd</sup> parties, particularly around the scale of the proposed development.

#### **Description:**

The site is located within the built footprint of Scotter and is surrounded by 2 storey residential dwellings on all sides. The site currently comprises part of the large garden afforded to 12-14 High Street Scotter which is a large two storey detached dwelling fronting the High Street and is located in the north west corner of the wider site. There is also a range of mainly single storey outbuildings (with a two storey element that fronts the High Street) on the eastern boundary of the site. There is an existing access into the site from the High Street to the east of the host dwelling.

The application seeks planning permission to erect 1 no. two storey detached 4 bed dwelling with an attached two bay garage off the west elevation of the dwelling with a workshop above and a single storey orangery off the rear (south) elevation of the dwelling. The dwelling is to be located towards the southern end of the plot and would be approximately 5.2 metres to the eaves and 8.3 metres to the ridge (there is a lower 1.5 storey element off the west (side) elevation approximately 2.9 to the eaves and 6.5 metres to the ridge and a lower 2 storey off shoot off the south (rear) elevation approximately 5.1 to the eaves and 6.8 metres to the ridge.

The main two storey element is located approximately 12.9 metres from the southern boundary of the site (the orangery is located approximately 8.6

metres from the boundary) and 6.4 metres from the western boundary and 5.5 metres from the eastern boundary. The proposed dwelling is accessed off the existing access off the High Street and has off road car parking to the north west and to the side (west) of the dwelling and landscaping to the north east and a large rear garden to the south and to the side of the proposed dwelling.

It is also proposed to renovate the range of mainly one storey outbuildings (with a two storey element that fronts the High Street) on the eastern boundary of the site which will include renovating the existing granny flat/summer room at the southern end of the range of outbuildings and converting the 2 storey former granary/workshop and covered garage space at the northern end of the range of outbuildings to form 1no.new dwelling 3/4 bed dwelling. The new dwelling will have gardens to the south/west and off road car parking/turning areas to the south of this garden.

The host dwelling will also be accessed off the existing access off the High Street and will retain a garden to the south with car parking located towards the southern end of this garden.

Amended plans have been received in response to comments made by the Conservation Officer.

#### **Relevant history:**

**W88/673/80** - Extension to dwelling. Granted 18/07/80.

**W88/308/81** - Conversion of outbuilding into hairdressing salon. Granted 27/04/81.

**142090** - Outline planning application for the erection of 2no bungalows with access and layout to be considered & not reserved for subsequent applications. Granted 04/03/2021.

**143136** - Pre-application enquiry to erect 1no. dwelling [2 storey]. Following advice given 18/06/2021. *'In conclusion, it is considered that the principle of development this site can be supported as this site already has outline planning permission (142090) for 2 bungalows. The proposal to erect one detached two storey four bed dwelling can also be supported as it is considered that the proposal will not harm the character and appearance of the street-scene, nor the living conditions of neighbouring occupiers or future occupiers of the proposed dwelling. Furthermore, the proposal will retain a range of barns which are non-designated heritage assets.'*

**144160** - Planning application for the erection of a single, two storey detached house with garage and orangery, partial demolition, renovation and extension of an existing granny flat/summer room and partial demolition, renovation and extension of a granary/workshop and covered garage space to form new dwelling. Withdrawn 02/02/2022.

#### **Representations:**

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

**Parish Council:** The Parish Council do not support this application due to the proposed dwelling being 2 storeys, which would be of detriment to the neighbouring properties. This was clear made clear on the original application for bungalows.

**Local residents:** 1, 2 & 3 Crown Gardens, 16 & 18 High Street and 1 Cedar Close, Scotter object for the following reasons:

- The original permission (142090) was for single storey dwellings, the new plans have a potential of 3 storey.
- Condition No.7 of 142090 restricted the dwellings to single storey only to preserve the character of the area and to integrate with the adjoining built residential form and to protect residential amenity.
- Condition No.8 of 142090 removes certain permitted development rights in the interests of residential amenity.
- Negative effect on residential and visual amenity.
- The dwelling will potentially tower over neighbouring dwellings. This is a huge issue as the proposal has the potential to eventually put on a third storey.
- The high street is already a heavily residential area, a house of that height and size, and with balcony style windows and doors is going to lead to massive privacy issues for all surrounding houses. All surrounding properties and gardens including my own, will have the issue of being overlooked, overshadowed, issues with loss of light and over dominance.
- The proposal is not in accordance with the Scotter Neighbourhood Development policy -D5 point b) "be of a scale, height, mass and layout that respects its immediate surroundings including where appropriate, the scale and location of adjacent properties or the character and appearance of the countryside"
- The Scotter neighbourhood plan Policy T9, states there should be a minimum of three parking spaces for a four bedroomed property, this is failed to be met.
- The High Street as it stands, already cannot cope with the surface water and floods regularly. Not only is this an issue for properties but also pedestrians, it's dangerous due to the sheer amount of water.
- This application doesn't really differ much from the previous application number 144160 which was refused on many of the same grounds [nb: this application was withdrawn by the applicant].
- We have observed Pipistrelle bats flying over the proposed property's garden every summer, as well as lots of birds and hedgehogs using these gardens as a wildlife corridor. The large scale proposed dwelling could have an impact.
- The plans do not accurately show neighbouring dwellings and the existing granary and granny flat are inaccurate. The site also slopes and this is not shown on the plans. The east wall of the granary has recently been restored and this is not accurately shown on the plans.

- The protected species survey was done on the basis of 2 single storey bungalows and not a large detached dwelling and needs reviewing.
- No details on how the proposal will increase biodiversity.
- We have noted evidence of bats in the local vicinity, has a bat survey been conducted on the existing buildings
- Foul drainage is a concern and will not cope with this additional development.
- Soakaways will not work because of the high water table.
- Obviously the intention is to use the orangery roof as a balcony. Why else would there be folding doors from the master bedroom? This would have massive implications on our privacy at 16 High Street.
- My original objection to a 2nd storey balcony still applies. I appreciate it has been revised but it will still allow unhindered views of the rear of my house (bedroom) and garden.
- A two storey house would affect our light and biodiversity in our garden.
- Line of rebuilt outbuildings and downpipes and soakaways of the converted outbuildings could be on my property.
- Whilst the proposed brick work would be in keeping with Crown Garden's cul de sac and the Granary estate we feel a stone exterior would be much more in keeping with the traditional look and feel of the existing outbuildings.
- Should planning be granted we wish to express that in a developed residential area there needs to be strict hours of site operation to avoid disturbance to neighbouring properties with work only between 8am and 5pm Monday to Friday.

**LCC Highways and Lead Local Flood Authority:** This proposal is for the erection of 1no. two storey detached dwelling with garage and orangery, the renovation of existing granny flat/summer room and the renovation and extension of a granary/workshop and covered garage space to form 1no. new dwelling utilising an existing access which is suitable to accommodate the proposals. Adequate parking and turning is provided within the site to allow vehicles to access and egress the site in a forward gear, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety. Two informatives are suggested.

**Archaeology:** Following submission of the new Statement of Heritage Significance we would recommend that no further archaeological input be required. The document has sufficiently recorded the historic development and condition of the surviving parts of the historic farmstead as a record of their current condition prior to development. It would therefore not be proportionate to require further recording of these buildings on archaeological grounds.

Recommendation: no further archaeological input required.

**Conservation Officer:** The outbuildings at 12-14 High Street have two records within the Historic Environment Record (MLI125781 & MLI125783).

Due to this recording, the farm buildings are considered to be non-designated heritage assets by the Local Planning Authority.

The former farm buildings were built in the 19th century in an L-shaped pattern around a regular courtyard with brick walls and pantile roofs.

Under LP25 of the Central Lincolnshire Local Plan the proposal will need to preserve or enhance the historic character and townscape features of the heritage asset.

Supports the proposal following the submission of amended plans which have removed the proposed roof lights from the front (north) elevation and the side (east) elevation and the use of a conservation style vent for the shower extractor fan on the side (east) elevation.

In relation to a section of the proposed outbuildings (the single storey covered garage attached to the south elevation of the 2 storey former granary) and the wall on the northern boundary attached to the 2 storey granary proposed to be removed/re-built; there is significance in this material and the HS notes there is moderate/high historic significance in what is retained in the wall/outbuilding. However, I would expect a CARE report to determine whether the retention of the wall/outbuilding is possible. If this is not a viable option I would consider its removal (A suitable condition that determines the findings of the CARE report would be sufficient to assist the methodology of the approach).

**LCC Minerals and Waste:** 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 in April 2017), the Scotter Neighbourhood Plan (adopted in January 2018) and the Lincolnshire Minerals and Waste Plan - The Core Strategy & Development Management policies (adopted in June 2016).

**Development Plan:**

The following policies are particularly relevant:

\*Central Lincolnshire Local Plan 2012-2036

LP1: A presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

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

*\*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 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 and LP26 is consistent with section 12 of the NPPF in requiring well designed places. The above policies are therefore attributed full weight.*

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

### Scotter Neighbourhood Plan

Policy H4: Small Scale Residential Development

Policy D5: Design of New Development

Policy T9: Parking and Parking Standards

<https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Scotter%20Final%20Neighbourhood%20Development%20Plan.pdf>

### Lincolnshire Minerals and Waste Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies.

The Site Locations were adopted in December 2017. The site is not within an allocated Minerals Site or Waste Site/Area.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

### Submitted Central Lincolnshire Local Plan:

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (Reg18) 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 (Reg19) draft of the Local Plan has been published (16th March) - and has now been subject to a further round of public consultation which expired on 9th May 2022.

On the 8th July 2022 The Draft Local Plan Review was submitted to the planning inspectorate in order for it to commence its examination. The examination hearing took place between 15th November 2022 and 16th December 2022. Consultation on the post-examination modifications to the Plan, commenced on 13th January 2023 and will close on 24th February 2023.

The 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 the Reg19 Plan (as the 2nd draft) where its policies are relevant, but this is still limited whilst consultation is taking place and the extent to which there may still be unresolved objections is currently unknown.

The plan review submitted for examination is at an advanced stage but is still open to alterations so at this stage may be attached some weight in the consideration of this application.

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

#### 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>

#### **Main issues**

- Principle of Development
- Residential Amenity
- Visual Amenity
- Non Designated Heritage Asset
- Ecology
- Highway Safety
- Foul and Surface Water Drainage
- Garden Space

- 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.

It is proposed to erect 1no.new two storey detached dwelling and convert existing outbuildings to form another dwelling. The principle for new residential development on this site has already been established by the grant of outline planning permission (142090) in March 2021 for 2 bungalows. This is an extant permission that may be attached weight as a realistic fallback position.

### 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.

The proposed two storey new dwelling is located towards the south of a large plot surrounded by other two storey dwellings on all sides. The dwelling is approximately 5.2 metres to the eaves and 8.3 metres to the ridge (there is a lower 1.5 storey element off the west (side) elevation approximately 2.9 to the eaves and 6.5 metres to the ridge and a lower 2 storey off shoot off the south (rear) elevation approximately 5.1 to the eaves and 6.8 metres to the ridge. The proposed new dwelling and the proposed conversion of outbuildings to a dwelling will both be accessed off the existing access off the High Street.

The main two storey element of the proposed new dwelling is located approximately 12.9 metres from the southern boundary of the site (the orangery is located approximately 8.6 metres from the boundary) and 6.4 metres from the western boundary and 5.5 metres from the eastern boundary. The proposed dwelling is located approximately 37 metres (its two storey rear off shoot) from the nearest parts of the dwellings to the south off Sands Lane and 32.7 metres from the rear elevation (the conservatory) of the host dwelling and 6.5 metres from the southern end of the outbuildings and approximately 28.5 metres from the main part of the outbuildings to be converted to a dwelling. The proposed dwelling (smaller 1.5 storey element off the west elevation) is located approximately 8.4 metres to the north east of No.2 Cedar Close. The proposed dwelling is located approximately 10.7 metres from the attached double garage of No.3 Cedar Close and 17 metres from the main two storey element of this dwelling. Finally the proposed dwelling is located approximately 20 metres to the south west from the nearest elements of No.16 High Street

There are not expected to be issues of loss of light or over dominance with the proposed new dwelling as there is considered to be ample separation



distances between the proposed 2 storey dwelling and surrounding two storey dwellings. There are also no issues of loss of light or over dominance in regards to the conversion of existing outbuildings.

The front (north) elevation of the proposed dwelling will have two windows, an entrance door with flanking windows and two garage doors at ground floor level and 3 first floor windows and 3 roof lights in the attached 1.5 storey element of the proposed dwelling off the western elevation. This elevation will look out onto the driveway/car parking area and landscaping to the north with the boundary of the outbuildings approximately 9.4 metres to the north with car parking for the proposed outbuilding conversion beyond and the gardens for the conversion further to the north. The southern boundary of the host dwelling is located approximately 12.6 metres to the north west of the main two storey element of the dwelling with car parking beyond for the host dwelling and gardens for the host dwelling further to the north.

The rear (south) elevation will have a set of bi-fold doors, five windows and a door at ground floor level overlooking the rear garden for the proposed dwelling with boundary treatments beyond. At first floor level two windows, a velux balcony window and balcony inset into the roof of the 1.5 storey western element of the proposed dwelling. A set of folding doors with a Juliette balcony is also proposed at first floor level in the 2 storey rear off shoot. The windows will overlook the rear garden of the host dwelling with the inset balcony being approximately 15.5 metres from the southern boundary of the site with the large rear gardens of properties fronting Sands Lane beyond (the balcony has restricted views to the west). The set of folding doors with a Juliette balcony in the 2 storey rear off shoot will overlook the roof of the proposed orangery with the garden of the proposed dwelling beyond. This opening is approximately 13.2 metres from the southern boundary of the site with the large rear gardens of properties fronting Sands Lane beyond

The west elevation will have a solid door to the garage, the side window of a bay window and large bi-fold doors to the orangery which will overlook the garden of the proposed dwelling with the boundary treatments on the western boundary beyond. At first floor level there is a 'slit' window in the rear off shoot approximately 24 metres from the western boundary.

The east elevation will have eight windows on the ground floor level which will overlook the garden of the proposed dwelling with the boundary treatments on the eastern boundary beyond. At first floor level there is a 'slit' window in the rear off shoot and a window to an en-suite if it is minded to grant this application a condition will be attached to the decision notice to ensure these windows are obscurely glazed to prevent overlooking of the garden of no.16 High Street to the east.

The conversion of the outbuilding located on the eastern boundary of the site and fronting the High Street will mainly utilise existing openings. The eastern elevation will have no openings apart from a small first floor 'slit' window at the top of a staircase which will be obscurely glazed if it is minded to grant permission. The northern elevation will have a ground floor window at ground

floor level (utilising an existing bricked up opening) and two small first floor 'slit' windows which will overlook the High Street with No.1 The Granary approximately 18 metres to the north. The west elevation will have ground floor openings only overlooking the garden and car parking afforded the proposed conversion apart from one first floor window in the side (west) elevation of the 2 storey former granary located approximately 14.6 metres from the side elevation of the host dwelling. The southern elevation will have ground floor openings only overlooking the garden and car parking afforded the proposed conversion apart from one first floor window in the southern elevation of the 2 storey former granary which will overlook the garden afforded the conversion and 2 roof lights overlooking the roofs of the outbuildings to the south. Three roof lights are also proposed in the flat roofs proposed on the re-built car port and the new element off the west elevation of the former granary.

It is therefore considered that the proposal will not have an unacceptable harmful impact on the living conditions of neighbouring dwellings in terms of residential amenity either through overlooking or overshadowing and would accord to Policy LP26 of the Central Lincolnshire Local Plan and Policy D5 of the Scotter Neighbourhood Plan.

#### 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, streetscene 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.

Policy H4 of the Scotter Neighbourhood Plan states that residential developments will be supported within the existing built form of the settlement if they are of an appropriate scale, density and form to the size, character and appearance of Scotter, provide a mix of dwellings (where appropriate) and deliver good quality design.

Policy D5 of Scotter Neighbourhood Plan states that new development should deliver good quality design and particularly relevant to this proposal development should reinforce the distinct local character (as detailed in the Scotter Village Character Assessment 2016) in relation to scale, mass, form, density, character, landscape setting and materials and be of a scale, height, mass and layout that respects its immediate surroundings including where appropriate, the scale and location of adjacent properties.

The site is located within the built footprint of Scotter and is mainly surrounded by two storey dwellings on all sides. An existing access will be utilised off High Street with an access drive is down the centre of the site which will lead to the proposed four bed detached 2 storey dwelling which is located towards the southern end of the site. The proposed dwelling is approximately 5.2 metres to the eaves and 8.3 metres to the ridge (there is a lower 1.5 storey element off the west (side) elevation approximately 2.9 to the eaves and 6.5 metres to the ridge and a lower 2 storey off shoot off the south (rear) elevation approximately 5.1 to the eaves and 6.8 metres to the ridge.

The proposed dwelling has an attached double garage and has off road car parking to the north west and to the side (west) of the dwelling and landscaping to the north east and a large rear garden to the south and to the side of the proposed dwelling.

It is also proposed to renovate the range of mainly one storey outbuildings (with a two storey element that fronts the High Street) on the eastern boundary of the site which will include renovating the existing granny flat/summer room at the southern end of the range of outbuildings and converting the 2 storey former granary/workshop and covered garage space at the northern end of the range of outbuildings to form 1 no. new dwelling 3/4 bed dwelling. The new dwelling will have gardens to the south/west and off road car parking/turning areas to the south of this garden.

The host dwelling will also be accessed off the existing access off the High Street and will retain a garden to the south with car parking located towards the southern end of this garden.

The front of the site where the host dwelling and the outbuildings proposed to be converted are located are within Character Area B – Residential Ribbon Development of the Scotter Village Character Assessment 2016 and the southern end of the site is located within Character Area L – Backland Development and ad-hoc Residential Clusters. The proposed 2 storey detached dwelling has existing back land development to the west in the form of 2 storey detached dwellings and there are two storey semi-detached dwellings to the south off Sands Lane. To the north there is the two storey detached host dwelling and one storey and 2 storey outbuildings proposed to be converted with 2 storey detached dwellings beyond on the other side of the High Street. To the north east of the site is a detached dormer style dwelling (No.16 High Street).

The previously approved application (142090) for the erection of 2no bungalows with access and layout to be considered & not reserved for subsequent application was granted with a condition that restricted development to single storey dwellings only (Condition No.7 of 142090) which was imposed primarily to protect the residential amenity of neighbouring dwellings as two dwellings were proposed with smaller separation distances (especially to No.2 Cedar Close to the west) than the current application under consideration.

It is considered that the proposed 2 storey detached dwelling which is set in a large plot with more than adequate separation distances to neighbouring dwellings and with existing two storey detached backland development to the west and mainly other two storey dwellings on the other sides of the site is acceptable in terms of its scale. It is also of a design that complements the existing diverse mix of styles in the locality of the site.

The proposed dwelling will have materials to match the existing buildings on the site which will be conditioned if it is minded to grant permission. However, the proposed southern (rear) elevation of the orangery and two storey off-shoot will have western cedar cladding. The new elements of the conversion will have bricks and pantiles to match the existing buildings.

A mature fruit tree will be retained to the north of the proposed dwelling and new 1.8 metre high timber fence is proposed on the eastern boundary with internal boundaries of brick walls, mixed hedging and 1.8 metre high timber fencing.

This part of Scotter is predominately comprised of two storey detached dwellings in a mix of styles and materials but the main materials are red brick and pantile roofs (most of which are concrete tiles). The proposed conversion with new elements to match and the proposed new 2 storey dwelling located in a large plot with a design and materials to complement surrounding dwellings including 2 storey backland development immediately to the west is acceptable.

It is therefore considered that the proposal would not have an unacceptable harmful visual impact on the street scene. The proposal is considered to accord with Policy LP17 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

#### Non Designated Heritage Asset

The range of outbuildings on the eastern boundary of the site which date from the late 18th or early 19th century are non-designated heritage assets which are mentioned on the Historic Environment Record (as is the host dwelling which has recently been renovated by the applicant).

Policy LP25 of the Central Lincolnshire Local Plan states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

The Conservation Officer supports the proposal following the submission of amended plans and appropriate conditions if it is minded to grant this application.

The proposals will retain the range of outbuildings, utilise existing openings in the main and will use a palette of traditional materials. The proposal is therefore considered to accord with the NPPF and Policy LP25 of the Central Lincolnshire Local Plan.

### Ecology

A Protected Species Survey (Andrew Chick Ecological Consultant, January 11<sup>th</sup> 2021) has been submitted as part of this applications supporting documentation. The survey was originally submitted as part of the previously withdrawn application (144160) for a 2 storey detached house and the conversion of the outbuildings.

The site was surveyed on 6th January 2021 and this application was validated on the 06/01/2023 with the report stating that the data used in the report is considered accurate for two years. Therefore the final report with a date of the 11/01/2021 is still acceptable.

The protected species survey report covers the outbuildings and the garden where the proposed dwelling will be located. The report states the following results:

- The habitat types and plant species recorded on the site are common and widespread in North Lincolnshire. There are no habitats or plants of local importance or significance.
- No bats or signs of bats including bat droppings were found in any of the buildings and the roof voids.
- Within the garden is a single mature pear tree. The tree had signs of some management but was assessed as having low bat roost potential. To the rear of the garden was a larger number of small fruit trees, which were all assessed as having negligible bat roost potential.
- The buildings have the potential to support nesting by house sparrow, although no birds were recorded during the survey.
- Mature hedgerows on the southern and western boundaries provide suitable nesting and foraging habitat for breeding birds.
- No barn owls were seen during the course of the daylight survey, no evidence of either current or past roosting by this species was found within the survey buildings.
- No ponds were found in the immediate environs of the survey site. No ponds were located on the local Ordnance Survey 1: 25 000 scale map (there was no access to the surrounding garden, but a check of publicly available imagery did not reveal any obvious garden ponds).

In light of the above findings a suitably worded condition will be attached to the decision notice if it is minded to grant permission to ensure development is carried out in full accordance with the recommendations contained within

the Protected Species Survey (Andrew Chick Ecological Consultant, January 11<sup>th</sup> 2021)

### 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 application seeks planning permission to erect 1no. two storey detached 4 bed dwelling with an attached two bay garage located towards the southern end of the site. The proposed dwelling is accessed off the existing access off the High Street and has off road car parking to the north west and to the side (west) of the dwelling.

It is also proposed to renovate the range of mainly one storey outbuildings (with a two storey element that fronts the High Street) on the eastern boundary of the site to form 1no. new dwelling 3/4 bed dwelling. The new dwelling will have gardens to the south/west and off road car parking/turning areas to the south of this garden. The dwelling will be accessed off the existing access off the High Street

The host dwelling will also be accessed off the existing access off the High Street and will retain a garden to the south with car parking located towards the southern end of this garden.

Lincolnshire County Council Highways have been consulted on the application and raise no objections to the proposal.

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; and
- c) 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.

In terms of parking Policy T9 - Parking and Parking Standards of the Scotter Neighbourhood Plan details the following minimum parking standards:

- a) 1 or 2 bedrooms = 2 spaces
- b) 3 or 4 bedrooms = 3 spaces
- c) 5 or more bedrooms = 4 spaces

It is considered that the proposed new dwelling with an attached double garage, car parking to the west and to the north west meets these standards and the conversion of the outbuildings with a large area of hardstanding also meets the above standards. The host dwelling will have car parking at the southern end of its retained garden which could also accommodate 3 spaces if needed.

The proposal is considered to accord with Policy LP13 of the Central Lincolnshire Local Plan, Policy T9 of the Scotter Neighbourhood Plan and the NPPF. If it is minded to grant permission the informatives suggested by the Highways Authority will be attached to the decision notice.

#### Foul and Surface Water Drainage

The application form states that the mains sewer will be used to dispose of foul sewerage and states that soakaways will be used to deal with surface water drainage. The appropriateness of the intended method(s) cannot be assessed at this stage however the use of a sustainable urban drainage system is advised. If permission was to be granted a planning condition to secure full foul and surface water drainage details would be recommended.

A condition would also be attached to the decision notice if formal planning permission were to be applied for, 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

The development provides for an acceptable amount of private amenity space for the proposed new dwelling, the converted dwelling and the host dwelling.

#### Other Matters

##### Permitted Development

It is proposed to convert a historic range of outbuildings which are recorded on the Lincolnshire Historic Environment Record, and can be considered a non-designated heritage asset. If it is minded to grant permission certain permitted development rights should be removed in order to protect this non-designated heritage asset, the setting of the asset and visual amenity.

##### Waste

Each property (including the host dwelling) will have an area in garden to allow storage of waste/recycling bins.

##### Minerals and Waste

The application site is within a Mineral Safeguarding Area (MSA). Policy M11 of the Core Strategy & Development Management policies (CSDMP 2016) therefore applies. A minerals assessment was submitted as part of the Outline permission (142090) which stated that a sand and gravel extraction company would not be interested in extracting from this site for the following reasons:

- a) The site is small in scale and is surrounded by residential development; therefore noise, dust and vibration nuisance would be too great.
- b) The owner of the land would not be willing to make the land available for mineral extraction and the other adjoining residents would not find a quarry an acceptable neighbour to their houses.
- c) In view of the above it is highly unlikely that planning permission would be granted for this use in this residential location.

Lincolnshire County Council Minerals and Waste have been consulted but have made no comments or objections on this application.

### Plans

The plan on the right hand side of the submitted proposed site layout/block plan (J561-002 C dated 24/02/2023) is 1:500 scale and not 1:1250 as stated.

### **Balancing evaluation and conclusion:**

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, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity, LP25: The Historic Environment and LP26: Design and Amenity of the adopted Central Lincolnshire Local Plan and the policies contained in the Scotter Neighbourhood Plan (Policy H4: Small Scale Residential Development, Policy D5: Design of New Development and Policy T9: Parking and Parking Standards) and guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

It is proposed to erect 1no.new two storey detached dwelling and convert existing outbuildings to form another dwelling. The principle for development on this site has already been established by the grant of outline planning permission (142090) in March 2021 for 2 bungalows.

It is also considered that the proposal will not have an unacceptable harmful impact on the living conditions of neighbouring occupiers or have an unacceptable harmful visual impact on the street scene. Furthermore, it is considered that the proposal will retain the range of outbuildings which are non-designated heritage assets and will not have an unacceptable harmful impact on highway safety.

### **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:**

2. Notwithstanding the submitted plans and Drawing No. J561-004 B dated 07/11/2022 and J561-030 C dated 24/02/2023 in particular no development shall take place on the conversion of the existing outbuildings or work on the existing wall on the northern boundary until a structural report (to include a full specification and methodology of the repairs to be undertaken to safeguard the buildings) has 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 (see notes to the applicant below).

**Reason:** To ensure the works will not result in the collapse of this Non-designated heritage asset and to ensure the use of appropriate methods of repair in accordance with the NPPF and Policy LP25 of the Central Lincolnshire Local Plan.

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

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: J561-010 D dated 03/03/2023, J561-030 C dated 24/02/2023 (see Condition No.2), J561-020 E dated 28/02/2023, J561-002 C dated 24/02/2023 and Drawing No. J561-004 B dated 07/11/2022 (see Condition No.2). 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.

4. The new dwelling and converted dwelling shall not be occupied until the first floor window to an en-suite and first floor window to the master bedroom in the east elevation of the proposed new dwelling (Drawing: J561-010 D dated 03/03/2023) and a first floor window at the top of a staircase in the eastern elevation of the converted former granary (Drawing: J561-030 C dated 24/02/2023 and J561-020 E dated 28/02/2023) have been fitted with obscure glazing and retained as such thereafter.

**Reason:** To prevent unacceptable levels of overlooking on neighbouring properties, in accordance with the National Planning Policy Framework, Policy LP26 of the Central Lincolnshire Local Plan and Policy D5 of the Scotter Neighbourhood 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 this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

**6.** No development, other than to foundations level shall take place until details of all new external timber windows and doors at a scale of no less than 1:20 and glazing bars at scale of 1:1 to include method of opening, cills, headers and lintels, colour and finish are submitted and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

**7.** No development, other than to foundations level shall take place until a 1m square sample panel of the proposed new brickwork/stonework, showing the coursing of the brickwork/stonework, colour, style and texture of the mortar and bond of the brickwork/stonework have been provided on site for the inspection and approval in writing by the Local Planning Authority (the sample is to be retained on site until the new development is completed). The development shall thereafter be constructed in accordance with the approved details (see notes to the applicant below).

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

**8.** 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 prior to occupation of the dwelling. The approved drainage must be retained thereafter.

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

9. The development shall be carried out in full accordance with the recommendations contained within the Protected Species Survey (Andrew Chick Ecological Consultant, January 11<sup>th</sup> 2021).

**Reason:** To safeguard wildlife in the interests of nature conservation in accordance with National Planning Policy Framework and Policy LP21 of the Central Lincolnshire Local Plan.

10. 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.

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

11. Notwithstanding the provisions of Classes A, AA, B, C, D, and E of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the building hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the host dwelling, no new hardstanding and gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the living conditions of the host and neighbouring dwellings and the resulting amount of space around the host dwelling and to safeguard the character and appearance of the building and its surroundings in accordance with Policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

**Notes to the Applicant**

Condition No.2

The report required by this condition must be undertaken by a CARE (The Conservation Accreditation Register of Engineers) accredited professional.

Highways

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 road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

**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.