

Officers Report

Planning Application No: 145047

PROPOSAL: Planning application to erect 8no. dwellings.

LOCATION: Land at Good's Farm Meadow Lane Reepham Lincoln LN3 4DH

WARD: Cherry Willingham

WARD MEMBER(S): Cllr Christopher Darcel, Cllr Cherie Hill and Cllr Mrs Anne Welburn

APPLICANT NAME: M Good and Son Ltd.

TARGET DECISION DATE: EOT to 30/03/2023

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Defer and delegate approval to officers' subject to completion of a Unilateral Undertaking under S106 not to commence construction of the plots (7 and 8) until such time that an order to divert footpath Reep/129/1 has been confirmed.

This application has been referred to the Planning Committee because of objections from the Parish Council and other third parties, and in view of the planning history of the site.

Description:

The application site is located to the northern edge of the village of Reepham. The site has an area of approximately 0.49ha and principally comprises a number of farm buildings positioned either side of a concrete and rough tarmac apron, with a grassed area to the west. Beyond this is the end of a terraced block, 1 to 5 Althea Terrace with long amenity areas to the rear leading to outbuildings including garaging. To the north of the site is open farm land. The front portion of the farm yard falls within the Reepham Conservation Area.

The farm yard entrance is located on The Green and is positioned between Reepham Manor a large detached dwelling in substantial grounds and 2 The Green a dormer bungalow. This access includes a public bridleway (Reep/51G129/10) and right of way (Reep/129/1).

To the western side of the entrance is a traditional brick barn building with a hipped cement fibre roof. This is located at the back edge of the highway with a narrow grass verge.

It is proposed to erect 8 detached dwellings. Planning permission is sought in full.

The Green is proposed to be slightly realigned using some of the grass verge on the southern side and tying into the respective existing widths either side of the proposed access. The widening into the grass verge utilises land that forms part of the adopted highway.

Plot 1: A 4 bed pitched roof detached dwelling in an inverted “r” shape. The main body of the house is approximately 14.9m x 16.2m with a two storey off shoot to the rear approximately 4.9m x 6.1m. Eaves height is 5.6m rising to a ridge of 8.6m. A pitched roof double garage set back approximately 7m within its plot and attached to a double garage serving plot 2 is proposed. Eaves height is 2.5m rising to a 6.3m ridge. A home office is proposed in the roof of the garage accessed by an external staircase.

The off shoot to the rear is closest to the side of the rear garden of 2 The Green at a distance of approximately 8.5m with the main house approximately 13.9m distant.

Plot 2: A four bed pitched roof detached dwelling with the main body of the house measuring 6.2m x 12.6m with a two storey off shoot to the west setback from the front and rear elevation and just below the main ridge, measuring 5.4m x 3.8m. Eaves height is 5.2m rising to a ridge of 8.4m.

A pitched roof double garage set back approximately 7m within its plot and attached to a double garage serving plot 1 is proposed. To the south is a link to the double garage with a 5th bedroom in the roofspace.

It does not neighbour existing housing.

Plot 3:

Two Storey 3 bed detached pitched roof house 6.6m x 12.98m. Eaves height is 5.5m rising to an 8.8 m ridge. At right angles attached to the house is a double garage with a “snug living “space within the roof illuminated by roof lights.

At its closest it is approximately 10m from the side of 5 Althea Terrace to the west rising to a maximum of 12m

Plot 4:

A two storey 3 bed detached pitched roof house in an “r” shaped layout. The main body of the house measures 12.5m x 5.6m. Maximum eaves height is 5.1m rising to a ridge of 8 m. A gable roof projection from the south east elevation contains bedroom 2 next to the attached double garage

At its closest it is approximately 13m from the rear garden/amenity area of 5 Althea Terrace rising to a maximum of 22 metres.

Plot 5: A four bed pitched roof detached dwelling with a two storey glazed pitched roof link to a double garage with an office in the roof space above. There is a two storey small pitched roof projection to the rear containing a staircase and landing area

The main body of the house is rectangular in shape and measures 14.9m x 5.9m. Maximum eaves height is 5.4m rising to a ridge of 8.6m. The materials proposed for the house and garage are red brick with a grey slate roof.

It is located next to plot 4 and plot 6 and in terms of existing housing at its closest it is located 24m from the rear of 5 Althea Terrace to the west.

Plot 6:

This is a two storey 3 bed pitched roof detached house with an attached double garage. There is a two storey and single storey projection at a right angle to the front elevation. The two storey section has a large entrance hall and stairs at ground floor with the stairs continuing to a landing and bathroom at first floor. The ground floor projection is labelled as “snug living”.

The main body of the house measures 12.8 m x 6m. Maximum eaves height is 5.3m rising to a ridge of 8.8m.

Plot 7: This is a 3 bed two storey pitched roof detached house in an inverted “i” shape with a projection to the north of a double garage with something labelled a “snug living” area above. The main body of the house measures 13m x 6m. Maximum eaves height is 5.6m rising to a ridge of 8.7m.

It is not located in close proximity to existing housing with plots 6 and 8 to the south.

Plot 8:

This is identical to plot 7 with the only difference being the materials. The house will be in buff brick with a red clay pantile roof. The garage will have grey/black cladding to the walls with a red clay pantile roof.

Relevant history:

138041 -Planning application for erection of 25 dwellings, including the reconstruction of the existing barn and boundary walls to facilitate its use as a single dwelling, associated garaging, car parking, access roads, landscaping, public open space and footpaths. This was refused planning permission on 9th October 2018 for the following reasons:

1. The proposed development would be contrary to the spatial strategy set out within policies LP2 and LP4 of the Central Lincolnshire Local Plan (2017) by proposing a development significantly over 9 dwellings within a medium village without the demonstration of clear local community support or adequate exceptional reasons to justify this over provision.

2. The proposed development would detract from the character and significance of the area, extending the development into the open countryside and in a location beyond the core shape and form of the village without proper consideration of other potentially more appropriate locations. In addition to this, the proposal would require the removal of an important building within Reepham Conservation Area and would detract from the setting of a grade II* listed church of St Peter and St Paul. In addition to this, insufficient

information has been provided to prove that the site is not of archaeological interest. The proposals would therefore be contrary to policies LP2, LP4, LP17, LP25 and LP26 of the Central Lincolnshire Local Plan and provisions of the NPPF.

3. The proposed development would not provide a suitable housing mix to support sustainable development through providing insufficient affordable housing to assist to meet the housing need of Central Lincolnshire contrary to policy LP11 of the Central Lincolnshire Local Plan.

4. Insufficient evidence has been provided to show that protected species known to use the traditional barn would not be harmed contrary to policies LP21 of the Central Lincolnshire Local Plan.

138941 - Planning application for demolition of brick-built barn, and alterations and rebuilding of stone boundary wall. This was refused on 15.03.2019.

Appeals were subsequently lodged and both applications were considered at a Public Hearing Held on 24th and 25th November 2020. Both appeals were dismissed on 15th December 2020.

Representations:

Chairman/Ward member(s): Cllr Welburn requested the application be determined at planning committee.

Reepham Parish:

09.02.23: Whilst the Parish Council acknowledge and welcome the minor amendments made to the design of some of the proposed dwellings, they do not address the vast majority of the concerns that were raised by the Council in its initial response submitted to WLDC on 21 June 2022. In particular, they do not address:

1. The concerns regarding site access and the impact the current proposal has on the existing properties along The Green.
2. The scale and mass of the proposed buildings and how they would totally dominate the surrounding bungalows and terrace houses.
3. The adverse effect on the existing character of the conservation area in general and the neighbouring residents in particular.

20.07.22: Reepham Parish Council welcomes the reduced scale of development compared to previous applications, it's containment within the footprint of the existing farmyard and also the retention of the historic barn. However, concern remains on the detrimental effect on the Conservation Area that would be caused by the proposed dwellings and the realignment of the public highway. The residential properties in that area of the village are bungalows and relatively low-rise terraced houses. The historic barn is of similar proportions. The height and mass of the proposed houses are totally out of proportion and would dominate the area. The proposed realignment of The Green would result in steeply sloped accesses to bungalows on the opposite side of the road, reduced grass verges and adversely affect the general character of the conservation area. Increasing the width of the initial section of the access road into the development, by extending it towards the

garden wall to the east, would significantly reduce the visual impact of any new access road whilst still maintaining access for larger vehicles. It is noted that the application documentation does not include a detailed topographic survey to provide a record of existing land levels. Unfortunately, the floor levels of the newly constructed properties on Fiskerton Road are significantly above the original ground levels and this has inevitably increased their visual dominance and adversely affected neighbouring properties. It is therefore requested that a detailed topographic survey record be obtained and that any approvals relating to this site specify that finished floor levels are no more than 200mm above the existing ground level beneath the building's footprint. This would control the height of any buildings. The applicant has explained that the area to the north of plot 06 that presently falls within the footprint of one of the farm buildings was not included within the site in order to limit the encroachment into open countryside. Whilst this is welcomed, any future approval should be conditional on the remains of that building being totally removed and the area being returned to agricultural use in order to minimise the risk of the development creeping northwards in the future. In summary, the proposed houses and the realignment of the public highway would be at odds with Policy LP25 of the Local Plan, which states that development within a Conservation Area, or affecting its setting, should preserve features that contribute positively to its character, appearance and setting. The present proposals do not.

Local residents:

Letters objecting to the application, have been received from:

5 Station Road; 1 Althea Terrace; 4 Althea Terrace; 5 Althea Terrace;
1 Church Lane; 15 Church Lane; 16 Church Lane; 1 The Green; 2 The Green;
5 The Green; 11 The Green; 14 The Green; 5 Smooting Lane;
5 Station Road; 4 Carpenters Close

Summary of objections with full details available on website:

Design not in keeping with the village; Houses too large: They will be dominant in the same way that the unfortunate new houses recently built on Fiskerton Road dominate existing properties. The height and mass of the proposed new buildings are out of scale with the surroundings and are inappropriate in the Conservation Area; Negative impact on character of Reepham and conservation area; Not a brownfield site on agricultural land; Loss of grass verge damaging; Plots 3 and 4 in particular would dwarf our property and Althea Terrace; Highway safety already existing issues about this with narrow roads - removal of the 1.5 metres outside the property will make the drive very steep for my elderly parents; More than sufficient room to provide an offset junction towards the Manor House garden wall without any need to realign The Green; Development of this site would be a gateway to further development and a further loss of historical views within a conservation area;

The position of my property in relation to the road is most certainly not accurate in the drawings and so the impact of any southwards relocation of

the highway on the amenity of my property cannot be properly assessed using them; Impact of demolition on quality of life; This area is currently a particularly peaceful and tranquil part of the village conservation area. These qualities are enjoyed by those that live nearby which will be destroyed by this application; Dwellings represents the creation of an additional enclave of exclusivity available only to purchasers of a certain socio-economic consideration; I refer to a nearby recent development on Mayfair Close in Cherry Willingham, where owners/residents of properties built more recent than that of ours', and Althea Terrace (and may I add, not within a conservation area), were very dissatisfied and concerned that they were to lose their privacy rights. Therefore, the developer was only granted planning permission if all first floor, and above windows were installed using 'frosted glass' only. We ask for this to be a compulsory requirement, for the lifetime of all properties, if of course planning permission is granted for the proposed development (145047).

I am concerned about the road layout through the proposed development straight out into open countryside. I can't help but think this application for 8 dwellings is only stage 1. Assuming this is approved there is a risk that another and another application will follow.

I disagree with the assessment that this proposed development would have a minimal impact on the Conservation Area. In fact, this north-east quadrant is arguably the most sensitive part of the of Conservation Area

Plans for the new properties show only two parking spaces per house. This is quite inadequate for 4-5-bedroom properties. The evidence for this number of parking spaces is based on the 2011 Census. There is more car ownership in the village now than there was

Reepham Neighbourhood Plan Steering Group in response to a submission on behalf of the applicant to the draft Neighbourhood Plan (*These total over 20 pages and are available to view in full on the West Lindsey District website*) In summary they object to the application and the conclusions reached by the applicant. They exclude the site as they are "constrained to comply with the current CLLP which states under policy LP2. The term 'developed footprint' of a settlement is defined as the continuous built form of the settlement and excludes:

"agricultural buildings and associated land on the edge of the settlement;"

Representations in support; 3 Fiskerton Road:

The following comments are based on my 50+ years of living and working within the parish as a farmer. I support the Good's proposal as it is, a considered and appropriate application that can provide a number of benefits to the village. The key advantage would be a massive reduction of HGV traffic that currently travels through the Green/on Smooting Lane. This will alleviate all current pressures on the immediate area and make effective use of a brown field site. The proposal also retains aesthetic use of the current stone wall on The Green and the adjacent fertiliser store, whilst bringing them and

the surrounding area up to a modern standard. All pre-existing trees are retained within the proposal alongside all current views of the surrounding countryside. Most bungalows in and around the surrounding area, have had major alterations, often resulting in reclassification into dormer bungalows. In contrast to this, the proposed buildings are forward thinking and will not require further conversion later down the line; simultaneously enhancing the character of the conservation area. The site as it stands now is an outdated hub for the effective running of a farm and the ability to adhere to modern farming practices, would be much better suited on the proposed site outside of the village core.

29 Station Road: I write to support this planning application as in my view the Good's have been extremely patient and considerate to the village community in their proposals. They have held public consultations, and sent questionnaires to households to gather views and concerns. They have reduced the size of the development, and carried out other amendments to their proposals in response to public concern and objections.

LCC Highways: No objection subject to the inclusion of the following conditions:

No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of realigning the lane and junction of The Green and Meadow Lane) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

In order to achieve better visibility at the junction of Meadows Lane and The Green, the applicant proposes to make minor sympathetic amendments to the alignment of The Green.

These works will be undertaken within the extents of the highway maintained at public expense. An application has been made to divert Public Footpath no. 129, in accordance with the Definitive Map.

Conservation Officer: No objection subject to conditions.

The proposed site is located within and outside of the north boundary of Reepham Conservation Area (CA). In the local vicinity of the proposed site there are locally important buildings to the east, west and south that are identified within the conservation area appraisal. These buildings are:

- Reepham Manor; Blacksmith Row; The Barn; 1 The Barn; 11, The Cottage

Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

The grade II* listed Church of St Peter and St Paul is visible from the north public footpath that runs through the proposed site. Views of the church towers can be seen over the trees. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposal will impact upon the setting of the church by reducing the amount of visible space to see the church, however, it does not remove these views which will still be visible on the footpath when looking into the conservation area. The reduction in height of the proposed plots has been made to mitigate the impact from this proposal.

Under LP25 of the Central Lincolnshire Local Plan (CLLP, 2017) development affecting the setting of a listed building must be preserved or enhanced. The plot position, height and scale do not diminish the visual of the church from the footpath. The setting of the listed church is preserved as it is still visually dominant over the treeline when viewed from the north of the settlement. The proposal is accessed via The Green which is described in the conservation area appraisal as an informal character with curb-less green verges. The access to the site will be altered to accommodate the additional services. This will require the removal of a small portion of the green verge on the southern side of the road. This will harm the character of The Green by some loss of the green verge, however, the proposal mitigates this with the extension of green verges on the northern side of the road. This will lead to an alteration of the curb-less green verge but it would not harm the character that The Green offers.

Under LP25 of the Central Lincolnshire Local Plan (CLLP, 2017) development affecting the setting within or views in or out of a CA should preserve or enhance the features that positively contribute the area's character, appearance, and setting. This alteration will preserve the character within the CA by retaining the green verges by altering the position in order to allow for the development.

The size and scale of the properties will be two-storey with pitched roofs and chimneys. The size and scale of each plot is similar to that of the traditional barn structure to the south of the site. The visual impact upon the roofline and the views towards the conservation area from the north will not be negatively impacted as they preserve the size and scale of the existing buildings within the conservation area.

Views from within the conservation area would also be impacted. Buildings will be developed closer to the conservation area boundary than the previous agricultural buildings. The conservation area boundary and setting will be impacted upon by the loss of agricultural space and the connection of the settlement with the rural landscape.

Views from the south will preserve the brick barn and boundary wall. However, views of the agricultural landscape, when looking north, will be lost to more urban views. The impact on the setting has been mitigated through controlling the size and scale of the plots and the views from the south have retained a straight road to the agricultural fields to the north. The proposed plots offer a traditional vernacular approach to the primary elevations with some modern designs added in more discreet elevations.

Paragraph 206 of the National Planning Policy framework (NPPF, 2021) states that proposals that preserve the significance of a CA should be treated favourably.

Overall, the proposal preserves the significance of the listed church and the character of the conservation area as it retains the important views of the church and the visual of the agricultural land when viewed from the south entrance. The plots are of sympathetic vernacular style and scale which will preserve the character of the CA.

This proposal meets paragraph 206 of the NPPF and LP25 of the CLLP. I have no objections subject to condition:

1) No construction works above ground level must take place until the external materials listed below have been submitted or inspected on site and approved in writing by the Local Planning Authority.

-a one metre square sample panel of brickwork, mortar and bond. The brickwork panel constructed must be retained on the site until the development hereby approved has been completed.

-roof materials

-rainwater goods and downpipes including the colour

-all windows and, domestic doors and garage doors including section drawings

Reason: In order to preserve or enhance the character and appearance of the conservation area.

Tree and Landscape Officer:

30.01.23: I have no further issues with the landscape plan for the Reepham site. The plan and details are suitable.

27.01.23: I recommend removing the small-leaved lime and goat willow from the landscaping scheme due to their very close proximity to the dwelling and the risk of negative impacts likely to be caused by them.

23.08.22: (Conclusion)

There are various issues with this site layout that impact on the quality and effectiveness of the soft landscaping, as detailed above. I do not support this site layout under local policy LP17 due to the positions of the three northerly dwellings and their negative impacts on views from the surrounding countryside, and the lack of space between buildings and site boundary to

allow any worthwhile screen planting. Plot 05 would have the greatest impact as it is a long building with the full length across its rear being directly against the adjoining agricultural land, and it would be in full view to users of the PRowS to the north and NW of the site. The dwelling positions fragment the intended northerly hedgerow as a wildlife corridor and prevent it from providing effective low-level screening of the buildings.

A number of trees have been proposed along the easterly side, in strategic positions where they would screen and soften the new buildings in views from the east, however, the rest of the landscape tree positioning provides no worthwhile screening of the buildings in views from other directions. Other than the easterly side, the landscaping contributes little towards screening and softening the built environment of the site, particularly along its northerly side where it is adjoining open countryside with public rights of ways running through the site and continuing northwards and others to the NW of the site where there would be clear views of the proposed new buildings. At plots 05, 06 and 07 where the buildings are right on the edge of the site they leave no space for soft landscaping for mitigation. Ideally the dwellings on plots 05, 06 and 07 should be moved off the site boundary sufficiently to allow space for the boundary hedgerow to continue as a natural edge to the site for low-level screening, and it is preferable to allow space for a few trees between buildings and site boundary for higher-level screening, to reduce visual impact on the surroundings and to act as a continuous wildlife corridor.

The tree adjacent the parking area for plot 07 should be changed to one that would not drop a multitude of small, hard, round fruit over the nearest car and driveway each autumn. Additional hedgerow and tree planting should be required along the northerly site boundary fence between plots 06 and 07 rather than just the post and rail fence.

LCC Archaeology: This office is broadly in support of the conclusions of the Heritage Impact Assessment in relation to archaeology.

We agree with its assessment that: “Based on the results of the Desk Based Assessment, it is considered unlikely that the proposed development will impact upon remains with of greater than regional archaeological interest. Where found remains are most likely to be of local archaeological interest, related to Medieval and Post-Medieval rural land use, and the 18th/19th century farm within the southern position of the Site.”

“Groundworks associated with the construction of the proposed development may cause direct impacts through the removal or truncation of any below-ground archaeological deposits that may exist within the Site. Any buried archaeological deposits which may survive within the Site, either in previously undisturbed areas or beneath existing foundations, may be subject to direct adverse development impacts. “

It would therefore be proportionate to require the developer to commission a scheme of archaeological works to require monitoring and recording during the groundworks phase of development.

Recommendation: Prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features. “[Local planning authorities] require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.” National Planning Policy Framework, section 16, paragraph 205.

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 include

LP1: Presumption in favour of sustainable development
LP2: The spatial strategy & settlement hierarchy
LP4: Growth of villages
LP9: Health and wellbeing
LP10: Meeting accommodation needs
LP11: Affordable housing
LP12: Infrastructure to support growth
LP13: Accessibility and transport
LP14: Managing water resources and flood risk
LP17: Landscape, townscape and views
LP21: Biodiversity & geodiversity
LP25: The historic environment
LP26: Design and amenity

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)."

- National Planning Practice Guidance
- National Design Guide (2019)

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

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).

As the Neighbourhood plan is at regulation 14 stage only limited weight may be attached to its policies.

- **Draft 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. 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 closed on 24th February 2023. These were accompanied by Additional 'Minor' Modifications, Recommended Policies Map Modifications, a Further SA Addendum and HRA Addendum. The representations received and Committee responses are now available to view on the Local Plan Review page and in the Planning Policy Library (documents ref: STA031 and STA032).

Relevant Policies

Policy S1: The Spatial Strategy and Settlement Hierarchy
Policy S2: Growth Levels and Distribution
Policy S4: Housing Development in or Adjacent to Villages
Policy S5: Development in the Countryside
Policy S21: Flood Risk and Water Resources
Policy S47: Accessibility and Transport
Policy S49: Parking Provision
Policy S53: Design and Amenity

These policies are afforded more than limited weight

Reepham Parish Draft Neighbourhood Plan

Neighbourhood Area Designation – 13th July 2017. Regulation 14 consultation on the draft Reepham Neighbourhood Plan took place from 14 July to 8 September 2022. The next stage in the process would be submitting to WLDC for Regulation 16 submission consultation.

Relevant policies include

Policy 1: Historic Environment.
Policy 2: Design of New Development.
Policy 3: Residential Development on Infill sites.
Policy 4: Housing Type, Mix and Affordability.
Policy 8: Parking Standards
Policy 9: Accessibility - Pedestrian and Cycle Routes
Policy 11: Important Views and Vistas

<https://reepham.parish.lincolnshire.gov.uk/parish-information/neighbouring-planning/1>

These draft policies may be given only very limited weight at this stage, as the Plan is at an early stage of preparation, with the extent of unresolved objections unknown.

Main issues

Whether the revised proposal has overcome the reasons for the refusal and subsequent dismissal at appeal of application 138041 which was assessed against the provisions of the Central Lincolnshire Local Plan

Assessment:

Appeal proposed site plan

Application proposed site plan



The current application is on a much smaller area of land and for a third of the dwellings originally applied for which is demonstrated by the plans reproduced above. It is material to examine what the inspector considered the *main issues to be* and whether they are still valid or have been addressed by the application.

“1. Whether the proposed development would adhere to the spatial strategy in the development plan, with particular reference to whether there is clear local community support for it,”

Policy LP2 explains that unless otherwise promoted via a neighbourhood plan or through the demonstration of clear local community support, housing developments at Medium Villages such as Reepham will typically be on sites of up to 9 dwellings in appropriate locations. As the application exceeded the 9 dwelling threshold the Inspector was obliged to investigate this matter. The current application falls below this threshold so demonstration of community support is not a requirement for the current application.

“2. Whether, within the meaning of the development plan, the proposal has followed a sequential approach and would be in an appropriate location,”

The Inspector concluded his consideration of the sequential matter at 21 of his decision letter:

21. “Therefore, although considering sites in a ‘disaggregated way’ is not an unreasonable approach in the context of the sequential test in Policy LP4, it would nevertheless be unreasonable in this instance to prevent 25 homes on the edge of the village just because two could be delivered in it. Thus, in the circumstances, the proposal would be sequentially acceptable”

Arguments have been advanced that the site is not a brownfield site and so should not be developed. Although for a smaller number of dwellings it is considered reasonable to attach weight to the findings of the inspector who

concluded the sequential test had been met with the only site available, one that could accommodate only 2 dwellings. The Inspectors views on “disaggregation” expressed above considered it “unreasonable” to prevent homes on the “edge of the village” as he put it. It is reasonable to conclude the sequential test is met.

In terms of whether it was an appropriate location his consideration focussed on whether it would retain the core shape and form of the settlement.

“The existing farmyard at the appeal site reads as part of the line of development along the northern side of The Green and is therefore physically part of the village. The field beyond the farmyard is open countryside experienced in the context of other arable fields.”

“The appeal scheme would be experienced as a comparatively large single body of housing on the northern edge of the settlement and therefore it would extend the village in a direction that has not been subject to significant expansion. This would jar with the grain and layout of the village and would be more than a fraying of the settlement’s edge. Moreover, by projecting past the farmyard into an arable field the proposal would not amount to the infilling synonymous with this part of the village, such as Carpenters Close.” (Officer underlining)

“Accordingly, the proposal would fail to retain the core shape and form of the village and would significantly harm the settlement’s character and appearance and its rural edge. It therefore follows that the proposal would not be an ‘appropriate location’ under Policy LP4 of the LP.”

Plot 12 of the appeal scheme was the northern most plot, and its rear elevation was approximately 540 m north west of the proposed access. Plot 7 is the most northern plot of the application and is approximately 120 m north west of the proposed access. This is considered useful to illustrate the differences between the two schemes in terms of projection northwards. Expressed as a percentage the application site represents a 22.22 % projection compared to the appeal scheme. The application site does not project past the farmyard. The majority of the dwellings will be located primarily on the existing farmyard and space occupied by agricultural buildings.

The total size of the appeal application set out in the officer’s report was approximately 2.25ha which was split between the farm yard /farm buildings / concrete and rough tarmac apron and grassed area to the west comprising 0.93ha with the remaining open farm land at 1.32ha. The current application site is 0.49ha which is 52.6% of 0.93ha and 21.7% of 2.25ha. Due to the reduced size of the site and proposed layout it would be reasonable to conclude that it might represent a fraying of the settlement edge rather than “a comparatively large single body of housing” which would “jar with the grain and layout of the village”

It would be reasonable to conclude therefore that the application would retain the core shape and form of the village. In order for it to be considered an “appropriate location” there are additional requirements, the site if developed would:

- 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.

As reflected in the comments of the conservation officer above there is no doubt that there will be an impact on the settlements character and appearance and on the surrounding countryside and rural setting. With the amendments sought including to the landscaping proposals, which were all agreed by the applicant, no significant harm is considered to arise, thus meeting the test to be considered an appropriate location. The comments of the Reepham Neighbourhood Plan Steering Group refer to the definition of “developed footprint” as a reason to exclude the site from development. This is the correct approach in dealing with large villages where growth will be “via sites allocated in this plan, or appropriate infill, intensification or renewal within the existing developed footprint.” This is not the case for medium villages which is what Reepham is classified as by LP2. This supports growth in “appropriate locations” with no reference to the developed footprint. LP4 does however require the application of a sequential test which has been addressed earlier in this report. It would be in accordance with policies LP 2 and LP4. Policies LP2 and LP4 are consistent with NPPF chapter 5 as they seek to deliver a sufficient supply of homes where they are needed and are afforded full weight.

3. Whether the proposal would preserve or enhance the character or appearance of the Reepham Conservation Area (CA) and the effect on the setting of the CA;

“In order to achieve enhanced visibility splays, which would be necessary to accommodate the increase in vehicle movements that would occur as a result of the proposal, the brick-built barn and adjoining stone wall would be demolished. Both are important features in their own right as heritage assets, but they also add to the significance of the CA. Removing the prominent, attractive and historic barn would harm the character and authenticity of the CA because an important component of its significance is the collective presence of the historic ‘Important Buildings’ as identified in the CAA. The removal of an attractive historic building with a patina of age would also harm the CA’s appearance and its rural character. The same would apply to the wall, which is finished in local stone.”

The application does not propose the removal of the barn and stone wall, which is significant.

4. Whether the appeal scheme would preserve the setting of the Grade II* Listed building known as the Church of St Peter and St Paul;

“The agricultural field in the northern part of the appeal site contributes to the

setting of the Church because it provides a rural foreground to views from VP3, which is representative of several vantage points along the public right of way. It also contributes positively to the rural setting of the church when viewed from the north in a broad arc that encompasses VPs 2 and 8. That said, the large agricultural buildings that currently occupy the remainder of the site are prominent and of a scale that completes with, and detracts from, views of the church from this direction.

Removing the existing agricultural buildings would notably improve the setting of the church when viewed from the north and VP3. However, the appeal scheme would effectively block views of the church from VP3 and would be a prominent block of development with more of a presence than the existing barns. This would be due to the greater size of the built footprint and the northerly projection outside the farmyard.

Overall, I conclude that the proposal would moderately harm the setting of the Listed building and thus its significance. The setting of the listed building would not be preserved. The proposal would therefore be at odds with Policy LP25.”

VP3 (appeal submission)



VP3 (application)



This is a good demonstration of the different impacts arising. It would not block views of the church, would have a smaller footprint and does not project beyond the farmyard.

The impacts on the conservation area and the listed church were considered in detail by the conservation officer who concluded:

“Overall, the proposal preserves the significance of the listed church and the character of the conservation area as it retains the important views of the church and the visual of the agricultural land when viewed from the south entrance. The plots are of sympathetic vernacular style and scale which will preserve the character of the CA.”

It would be in accordance with LP25. Policy LP25 is in accordance with section “16. Conserving and enhancing the historic environment” of the NPPF (paragraphs 184 to 202) and is afforded full weight.

“5. Whether the proposal would make adequate provision for affordable housing.

LP11 requires a contribution towards affordable housing on developments of 11 dwellings or more, or on development sites of less than 11 units if the total floorspace of the proposed units exceed 1,000 sq.m. Paragraph 64 of the NPPF states that provision of affordable housing should not be sought for residential developments that are not Major Developments. Major Development is defined in Annex 2: Glossary as “For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.” The current application site covers 0.49 ha and a contribution would not be required.

Conclusion

In relation to the dismissed appeal it can be seen from the above that in relation to the main issues considered by the Inspector 2 are not relevant to the application (community support and affordable housing). Reason 4 for refusal of permission was due to insufficient evidence being provided to show that protected species known to use the traditional barn would not be harmed. The demolition of the barn does not form part of the application. It is considered reasonable to conclude that the application has successfully addressed the reasons considered at the appeal. It would be in accordance with LP2, LP4 and LP25.

Impacts on residential amenity by way of overlooking, loss of privacy and over dominance:

The closest existing dwellings to a proposed dwelling are 2 The Green, 5 Althea Terrace and 4 The Green. Taking these in turn:

2 The Green: A semidetached chalet bungalow with flat roofed dormer windows. The side of the bungalow faces onto the existing farm yard hardstanding, it is at a slightly higher level. It has the entrance door on this

elevation, a single obscure glazed window and a larger 3 pane window with the upper section of it visible above the existing close boarded fencing that runs along this boundary.

Plot 1 is the nearest and faces the rear garden area of number 2. The two-storey offshoot to the rear is closest. This was originally 7.6m to the side of the rear garden with a first-floor bedroom window. Amended plans were submitted which removed the first-floor window and increased the distance to 8.5m. The main body of the house is approximately 13.9m away. Given these distances and orientation it is considered there would be no adverse impacts by way of overlooking, loss of privacy or over dominance.

5 Althea Terrace: A two storey end of terrace dwelling with a flat roofed two storey rear extension. Its side runs directly along the boundary of the application site and has two windows in this elevation, one at ground floor one at first floor. There are also four windows on the rear elevation, 2 at ground floor and 2 at first floor. Plot 3 is the nearest dwelling. This was originally a 2 and a half storey 5 bed dwelling which has been revised to a 3 bed two storey dwelling with 5.5m high eaves and 8.8m high ridge. There is a distance of 10m from the rear elevation of the plot to the side of number 5 which increases to 12m. It is noted that the side of number 5 faces directly onto private land and given this context with the distances quoted above it is considered there would be no adverse impacts by way of overlooking, loss of privacy or over dominance. The rear of Plot 4 faces the long rectangular amenity area serving number 5. At its closest it is 14m rising to 22m which is considered acceptable.

4 The Green: A semi-detached bungalow with a rear garden approximately 19m long and 15m wide. The 6.6m wide blank gable of plot 3 will be set back one metre within its plot. There will be no overlooking leading to a loss of privacy and with a distance of 20m from the rear of 4 to the gable end of plot 3 it would not be over dominant.

It is considered that overlooking, loss of privacy and over dominance do not represent a reason to withhold consent and would be in accordance with LP26 of the Central Lincolnshire Local Plan. Permitted development rights for extensions and alterations to the roof will be removed by condition.

Objections have also been raised on the grounds of noise and disturbance to residents of The Green. This is noted however the access proposed is currently utilised by farm vehicles and the noise and disturbance arising from these would be far greater than for the 8 dwellings proposed. This is not considered to represent a reason to withhold permission. A construction management plan will also be conditioned. It would be in accordance with LP26. Policy LP26 requires that amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. This is consistent with section 12 of the NPPF and is afforded full weight.

Design, size and scale of the dwellings

This has been described at the beginning of the report with the scale of the dwellings relating to the agricultural barn that is to be demolished. This has been surveyed. The floor level is 15.78 with the eaves at 20.37 and the ridge at 23.16. The proposed eaves level of the new dwellings ranges from 20.36 to 21.08, a difference of 0.7m which is not considered significant. The proposed ridge level of the dwellings ranges from 23.59 to 24.85 (Plot 7), which is a difference of 1.69m although it is noted this is at the northern limit of the site and on this basis is considered acceptable. It is accepted that the proposed dwellings are larger than those in the immediate vicinity however this does not of itself represent a reason to withhold consent and it is noted no objections are raised by the conservation officer on this basis. Detailed impacts of the proposal have been addressed within this report with no significant impact arising. On this basis the design, size and scale does not represent a reason to withhold permission.

Highway Safety:

Objections from third parties have been raised on this issue with a lack of parking also referenced. No objections are raised by the Highways Authority subject to imposition of a condition. Additional plans have been provided which demonstrate that each plot can accommodate 3 car parking spaces on site (excluding garages). This is in accordance with the parking standards set out in the draft CLLP. It is considered that highway safety does not represent a reason to withhold consent. It would be in accordance with LP13.

Drainage and Flood Risk:

The site is located within Flood Zone 1; Low Probability Land having a less than 1 in 1,000 annual probability of river or sea flooding. Soakaway testing has confirmed that infiltration techniques are not suitable for the site. It is proposed that runoff from roads and roofs would be collected and routed via pipes and swales to an attenuation/storage area or pond located to the north with discharge rates limited to greenfield rates. A detailed scheme will be required by condition. No details of foul water disposal have been provided and this will also be the subject of a condition. Subject to this it would be in accordance with LP14.

Landscaping and Biodiversity.

Policy LP 21: Seeks to protect and enhance biodiversity. This is in accordance with section 15 of the NPPF "Conserving and enhancing the natural environment" and is therefore afforded full weight in the determination of this application (2021). As the site is primarily hard surfaced and occupied by buildings impacts on biodiversity are not considered likely. The only issues raised by the previous application related to the possible impact on bats within the barn to be demolished. The landscaping scheme proposed has taken on board all the suggestions of the Tree and Landscape officer and will add to the biodiversity value of the site. Implementation of the landscaping will be conditioned. Subject to this it would be in accordance with LP21.

Public Rights of Way Reepham/129/1

There is a discrepancy between the trodden route, that which is digitised on the Council's electronic working copy of the Definitive Map, and the Definitive

Map itself which was discovered during consideration of the planning application. The footpath runs straight through the middle of plot 8 and its dwelling, and cuts across the garden of plot 7. Proceedings have been initiated by the applicants for a diversion of the route. Initial comments have been received from Countyside Services:

“The existing *de facto* path is already the straight line, with the definitive route obstructed by agricultural buildings. I see no practical issue in the promotion of a straight line diversion between the green dots on the plan; with these dots corresponding to 2 points on the connecting public road, Meadows Lane, the northernmost being the existing point where the mapped footpath meets this. The diversion shouldn't over-write Meadows Lane.”



This process is currently underway and until successfully resolved development will be prohibited on plots 7 and 8.

Planning Practice Guidance¹ refers to the DEFRA Rights of Way Circular (1/09). It states:

“The grant of planning permission does not entitle developers to obstruct a public right of way. It cannot be assumed that because planning permission has been granted that an order under section 247 or 257 of the 1990 Act, for the diversion or extinguishment of the right of way, will invariably be made or confirmed. Development, in so far as it affects a right of way, should not be started and the right of way should be kept open for public use, unless or until the necessary order has come into effect... Planning authorities must ensure that applicants whose proposals may affect public rights of way are made aware of the limitations to their entitlement to start work at the time planning permission is granted. Authorities have on occasion granted planning permission on the condition that an order to stop-up or divert a right of way is obtained before the development commences. The view is taken that such a condition is unnecessary in that it duplicates the separate statutory procedure that exists for diverting or stopping-up the right of way, and would require the developer to do something outside his or her control.”

¹ Paragraph: 004 Reference ID: 37-004-20140306, Open space, sports and recreation facilities, public rights of way and local green space (<https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#public-rights-of-way>)

Consequently, the development will not be able to commence on plot's 7 and 8, unless an Order is granted separately, to formally divert the PRow. The development will also need to ensure that the PRow is not obstructed during the construction phase of development.

Archaeology:

The condition requested by Historic Services will be imposed in accordance with LP25.

Conclusion and planning balance:

The application has successfully addressed the reasons for the refusal and subsequent dismissal of the earlier larger application with no unacceptable adverse impacts arising subject to the imposition of the conditions suggested above. It would be in accordance with: policies LP2 The Spatial Strategy and Settlement Hierarchy; LP4 Growth in Villages; Policy LP13: Accessibility and Transport; Policy LP14: Managing Water Resources and Flood Risk; LP17: Landscape, townscape and views; LP21: Biodiversity & geodiversity; LP25: The historic environment; LP26: Design and amenity and a grant of permission is appropriate.

Recommended Conditions:

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

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

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

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

2. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework and policy LP25 of the Central Lincolnshire Local Plan.

3. No development shall take place until a scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any dwellings and maintained thereafter.

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

4. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (xi) Measures for tree and hedgerow protection;
- (xii) measures to protect Public Right of Way Reepham/129/1, and ensure its continuous use unencumbered and without obstruction.

Reason: In the interests of amenity in accordance with policy LP26.

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

5. No construction works above ground level must take place until the materials listed below have been submitted to or inspected on site, and approved in writing by the Local Planning Authority.

- a one metre square sample panel of brickwork, mortar and bond. The brickwork panel constructed must be retained on the site until the development hereby approved has been completed.
- roofing materials

- rainwater goods and downpipes including the colour
- all windows and, domestic doors and garage doors including section drawings

Reason: In the interests of the character and appearance of the site and Reepham Conservation Area in accordance with policy LP25.

6. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 2 at least 14 days before the said commencement.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and policy LP25 of the Central Lincolnshire Local Plan.

7. Following the archaeological site work referred to in condition 2 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the policy LP25 of the Central Lincolnshire Local Plan.

8. The report referred to in condition 7 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the policy LP25 of the Central Lincolnshire Local Plan.

9. 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:

Proposed Block Plan 825-2D-101B;
 Proposed Levels: 825-2D-105A;
 Plot 1 Floor Plans and Elevations; 825-2D-201C
 Plot 2 Floor Plans and Elevations; 825-2D-202C
 Plot 3 Floor Plans and Elevations; 825-2D-203B
 Plot 4 Floor Plans and Elevations; 825-2D-204C
 Plot 5 Floor Plans and Elevations; 825-2D-205D
 Plot 6 Floor Plans and Elevations; 825-2D-206C
 Plot 7 Floor Plans and Elevations; 825-2D-207C
 Plot 8 Floor Plans and Elevations; 825-2D-208C
 Soft Landscape Proposals 96/001/REV E

Materials Plan 825-2C-102
General Arrangement VD22649 Revision P01

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.

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

10. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of realigning the lane and junction of The Green and Meadow Lane) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development in accordance with policy LP13 of the Central Lincolnshire Local Plan.

11. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing 96/001/REV E) shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

12. Notwithstanding the provisions of Classes A, AA, B, and C, 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 dwellings hereby permitted shall not be altered or extended, 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 neighbouring dwellings and to safeguard the character and appearance of the dwellings and its surroundings in accordance with Policies LP25 and LP26 of the Central Lincolnshire Local Plan.