

Officers Report

Planning Application No: 146226

PROPOSAL: Planning application to erect 1no. paragraph 80 dwelling.

LOCATION: Land off Owmbly Wold Lane Owmbly Barnetby

WARD: Kelsey

WARD MEMBER(S): Cllr P Morris

APPLICANT NAME: Ms Victoria Midgley

TARGET DECISION DATE: 19/04/2023 (Extension to 2nd June 2023)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

Planning Committee:

This application has been referred to the Planning Committee following third party objections and a departure from the Central Lincolnshire Local Plan.

Description:

Proposal:

The development proposes to construct one single storey dwelling with attached annex. The dwelling would be a five bedroom dwelling including a games room and internal swimming pool. The attached annex would have 2 bedrooms. Vehicle access to the site would be among the north west boundary with associated garden space and at least 8 car parking spaces. The development has been submitted as an exemplar dwelling in an isolated location in consideration of paragraph 80 of the National Planning Policy Framework.

Concept:

The aspiration of the applicants is to “*create a landmark home that has truly unique and iconic architecture with the bonus of self-sustaining grounds*”. The dwelling is proposed to be a modern farmstead sustainably built and influenced by the agricultural ridge and furrow landscape. Construction would include sustainable hempcrete walls/ceilings, limecrete floor, red cedar timber wall finish and planted roofs.

Hempcrete is “*the popular term for a hemp-lime composite building material. It is created by wet-mixing the chopped woody stem of the hemp plant (hemp shiv) with a lime based binder to create a material that can be cast in moulds. This forms a non-load bearing, sustainable, ‘breathable’ (vapour permeable) and insulating material that can be used to form walls, floor slabs, ceilings and roof insulation, in both new build and restoration projects.*”

Limecrete is *“a combination of natural hydraulic lime and lightweight aggregate as sharp sand and glass fibres. This creates a breathable material which can be used as an alternative to concrete.”*

The gardens and grounds would be based on permaculture which is *“an intentionally planted integrated eco system of trees, shrubs and plants that provide food for humans and habitat for wildlife while continually improving soil quality.”*

Site:

The application site is an agricultural field (0.05 hectares) to the north of Grasby along Owmbly Wold Lane. The site slopes upwards to the north east and south east. The adjoining land to the south west and north west slopes upwards away from the site. Access to the site is via Owmbly Wold Lane which is a single track highway initially constructed from hardstanding and then turning to a more agricultural style track.

The site boundaries are open to the remainder of the agricultural field to north east and south east. The south west boundary is screened by field hedging with trees along the north west boundary. Agricultural fields are adjacent or opposite in all directions.

Public rights of way Sear/46/1 is adjacent to the north west boundary of the site and is part of Owmbly Wold Lane.

Relevant history:

143958 – Pre-application enquiry for 1 dwelling – 22/12/21

Extracts from letter:

“The proposed development has not to date been assessed by a design review panel and this process would be expected to be completed prior to any formal application being submitted. It is advised that a design review panel is only an advisory process and positive advice from the review panel does not automatically guarantee an approval of planning permission.”

“The site is located over 1000 metres from the nearest settlement/built form (Grasby, Owmbly and Searby) and sits within lower ground to the surrounding attached and adjacent fields which enhances the isolated feel of the site. It is therefore considered that the location would be likely to be considered as an isolated location in accordance with the high court judgement and paragraph 80 would be highly likely to be engaged.”

“The proposed dwelling is highly unlikely to meet an essential need to the effective operation of a rural operation. It would likely be a direct departure from the Central Lincolnshire Local Plan, namely policies LP2 and LP55.”

“It is highly likely that the site would be considered to be in an isolated location far away from places, buildings and people therefore triggers paragraph 80 of

the NPPF. The design has the potential to be sensitive to its location but the submission does not fully justify that the dwelling would meet the high bar set by paragraph 80 of the NPPF in terms of exceptional quality and truly outstanding.”

“The field is classed in Natural England’s East Midlands Agricultural Land Classification Map as grade 2 (very good). This designates the site as being very productive for agricultural use for crop growing therefore the proposed dwelling would mean the loss of grade 2 agricultural land which forms part of a wider agricultural field. No justification for this loss or results of soil testing have been submitted with this pre-application to determine the acceptability of building on this fertile land. It is therefore advised that soil testing would be required by a professionally qualified person and justification for the loss of fertile agricultural land.”

Representations

Representations made in relation to the application, the substance of which are summarised below (full representations can be viewed online).

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

Parish/Town Council/Meeting: No representations received to date

Local residents: Representations received from:

Objections:

14 Station Road, Grasby

28b Grasby Road, Grasby

31 Vicarage Lane, Grasby

4 Church Hill, Grasby

Chime Cottage, 5 Church Side, Grasby

The Cottage Main Street, Searby

Manor Farm, Owmbly

Paragraph 80

- Part 1 of category one is subjective. Part 2 of category one is not met as does not enhance the rural setting. Therefore paragraph 80 not met.
- Does not have the qualities to outweigh loss of valuable land.
- Is not truly outstanding or of exceptional quality.
- Not enhance the immediate setting or sensitive to defining character of the local area.

Highway Safety

- Lane is used by tractors and not suitable for other vehicles.
- Owmbly Wold Lane does not appear to be satisfactory for proposed dwelling with proposed 8 parking spaces.
- Owmbly Wold Lane is narrow and unlit.
- With agricultural use particularly in busy periods Owmbly Wold Lane is not conducive to additional traffic.
- Difficult for refuse lorries/emergency vehicles to attend.

- Owmbly Wold Lane is tarmac for some distance then becomes green lane which dwelling is accessed off.
- Important construction and agricultural traffic will need to work around each other at busy times.

Visual Impact/Character

- Substantial harm on Area of Great Landscape Value.
- Peace and tranquillity of Area of Great Landscape Value and open countryside would be adversely impacted.
- Detract from rural landscape.
- Harm and spoil the special open countryside landscape which is visually uninterrupted by buildings or dwellings.

Use

- The field is for agriculture.
- Land has been farmed for 60 years and remnants of old farmstead no longer exist.
- On grade 2 agricultural land which is very good quality and vital not to lose for food production and high yield of quality crops.
- Concerns proposed tree line on south boundary which borders with Manor Farm agricultural land would overhang crops in field causing problems for machinery and shadow crops.
- Large should be left behind plating line for tractors.
- Like a condition that applicants cannot complain about farm activity disturbing them e.g. smell, mud, dust, spraying etc.

Public Right of Way

- Lane is used by dog walkers and horses
- Any vehicular traffic to and from development will force people off the bridleway.
- Deliveries/haulage vehicles during construction would further devalue the bridleway.
- Impact the enjoyment of the Public Right of Way.
- Loss of amenity to residents, dog walkers, hikers, cyclist, horse riders and other users of the bridleway.
- Isolated peaceful bridleway should not be spoilt.
- Use would be compromised.

Ecology

- Should be protected for geese, foxes, hare and deer.
- Development would disturb habitats of many native species.
- Disturb natural habitat which supports native species including skylarks, grey partridge, 3 species of deer, hares, golden dove, 3 species of owl, buzzards, red kites, sparrow hawk and kestrel.

Open Countryside

- Protected open countryside and views.
- Impact on enjoyment of open countryside.
- Dwelling would be situated within open countryside.

Infrastructure

- Any services to development above ground level would have negative effect on the surrounding nature of the area.
- Services below ground will disrupt users during construction.
- No reference to water supply.
- Concerned about availability of enough water to fill these water bodies and the stream. Understanding that run-off from house/buildings will be used along with rainfall. Concerned not enough so pull water from surrounding fields into dip of land where dwelling is.
- Concerned there will be a future application for a borehole.
- Concerned about lowering water table and affect crops close by.
- Water is a precious resource and essential for growing crops.

Scale

- Out of proportion for location as very large and detached annex. Previous buildings very small and presumably of traditional Lincolnshire vernacular design.

Other

- Provide holidays/outside activity.
- Will be another holiday development damaging landscape

General Observations:

Somerby Top Farm, Somerby

- Own land opposite to the North West.
- Likely to have significant impact on operations of business and business likely to have significant impact on occupants.
- Owmbly Wold Lane used by dog walkers/agricultural machinery.
- Agricultural machinery uses all times of day and at certain times late into the night or early in the morning which could cause nuisance to residents.
- Noise and Odour nuisance from farm activity.
- Spreading manure and slurry on the fields.
- Code of good agricultural practice requires us to “avoid spreading solid manure, slurry or dirty water in fields close to and upwind of houses.
- Livestock farm granted on this basis.
- Could risk viability of the farm and jobs.
- Condition that occupants cannot complain about nearby agricultural operations. If added no objections.

Supports:

17 Front Street, Grasby

9 Bentley Lane, Grasby

21 Riby Road, Keelby

Coppice House, Brigg Road, Moortown

2 Church View, Main Street, Searby

26 Victoria Road, Keelby

9 Lincoln Drive, Caistor

3 Keyworth Drive, Caistor

Rochford Farm, Smithfield Road, North Kelsey Moor
Willow Farm, Silver Street, Barton Upon Humber
Leden House, High Street, Barrow Upon Humber

Visual Impact

- Sensitive home farm design which is sustainable and benefit community providing organic vegetables and jobs for local people.
- Wonderful addition to the community.
- Carefully considered and fit well in landscape.
- Truly sustainable habitation.
- Appreciate the lengths gone to making as ethical and ecological as possible.
- Would not be obtrusive to view.
- Clear intention for property to be increasingly hidden as trees develop.
- Tree lined nature of Owmbly Wold Lane would serve to hide property from a distance.
- Visionary project reinstating demolished historic Top Farmhouse.
- The project is near a quarry and not far from a vineyard. It can hardly be described as an unspoilt area or out of place.

Highway Safety

- Narrowness of lane should not be a concern for period of construction.

Biodiversity

- Benefit from many trees being planted.
- Well thought out and every advantage from the ecological point of view.
- Would like to see more projects like this connecting people to nature.
- Have a positive ecological impact.
- Provide valuable and improved habitats for native species.
- Green roofs of dwelling will support more diversity than field.
- Very substantial Biodiversity Net Gain.
- Some areas for local wildlife like a lake.

Climate Change

- New trees represents most efficient carbon capture technique.
- The vision of a lower carbon footprint with a view to self-sufficiency and inter-generational living is the way forward.

Residential Amenity

- Would not overlook residents.

Use

- Comments are speculative about future use (holiday let).
- Environmental value of field is negligible.
- Existing monoculture of site interior will be replaced by diverse planting and new watercourse.
- One of first permaculture farmsteads and will be a beacon of light.

Other

- Rather see sustainable building with permaculture ethics as opposed to many other ways someone could utilise land.
- Wide range of environmental consideration and improvements embedded in project supported by expert analysis and evaluation.
- If approved by panel deserves to be built.
- Create rural jobs in community and in construction/maintenance.
- Well thought out sustainable family home and small environmental business providing organic produce to local community.

LCC Highways/Lead Local Flood Authority: No objections with advice Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

- The site is accessed via a public right of way with no proven vehicular access rights over the track, the applicant should investigate whether this will have an impact on the proposals.
- There are no highway safety concerns with the proposed access to the site which has good visibility and a satisfactory access from the main A1084.
- The site provides sufficient parking and turning within the extent of the site.
- Although Owmbly Wold Lane is narrow it would not be reasonable to request any improvements for the provision of one dwelling however the applicant should consider the construction traffic to the site to minimise impact to the PROW.

WLDC Environmental Officer: Comments

Ground Water

I note from TLP Ground Investigations Ltd dated 25.2.2022 paragraph 3.5 entitled soakaway testing refers to "*the site being located within Zone III (Total Catchment) of a Groundwater Source Protection Zone. This may place restrictions the types of surface water / effluents that are permitted to be released to ground and into the aquifer*". As such, I would recommend consultation with the Environment Agency.

Contamination

I am satisfied with the TLP Ground Investigations regarding contamination at the site, however, I would recommend that the following be included: -

If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local

Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Rainwater Harvesting – Private Water Supply

With reference to the main water supply I note from the information that a Rainwater Harvesting System is proposed at this development. As such, this would be classed as private water supply, and as such will need to be Risk Assessed and sampled in accordance with the Private Water Supply (England) Regulations 2018. This is to ensure the water supply is wholesome and does not present a potential risk to human health. (NB: This will still apply even if the grey water is solely used for flushing the toilets).

The Drinking Water Inspectorate (DWI), guidance on Regulation 13 of the Private Water Supplies (England) Regulations 2018, with regards to the Planning Application advises that local authority staff dealing with planning applications should have procedures in place to identify premises served by private water supplies. The purpose of these procedures is to ensure that no planning application is granted for any premises that is to obtain a supply of water for domestic purposes from a new or reinstated private supply before the relevant local authority staff with responsibility for private water supplies have risk assessed and monitored it in accordance with the private supply regulations.

Environment Agency: Does not wish to comment

It does not appear to fit any of the criteria on our consultation checklist, when to consult the Environment Agency.

LCC Archaeology: No objections

Lincolnshire Ramblers: Comment

Not against the development but concerned about the amount of traffic on Owmbly Wold Lane especially during construction phase. Lane is a narrow bridleway used by walkers and horse riders. Would like to see a low speed limit on Owmbly Wold Lane.

WLDC Tree and Landscape Officer: Comments

- Planting is unusual and can be invasive but selected in relation to permaculture so no objections.
- Boundary planting very important for screening/softening.
- Require substantial planting.
- Mixed native species provide low level screening.
- New boundaries for north east and south east boundaries.
- South west boundary has low level field screening. Additional infill planting and other additional trees, shrub planting required.

ECM Checked: 15th May 2023

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 2023) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan 2023 (CLLP)**

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
 - S5 Development in the Countryside
 - S6 Design Principles for Efficient Buildings
 - S7 Reducing Energy Consumption –Residential Development
 - S20 Resilient and Adaptable Design
 - S21 Flood Risk and Water Resources
 - S23 Meeting Accommodation Needs
 - S47 Accessibility and Transport
 - S49 Parking Provision
 - S53 Design and Amenity
 - S56 Development on Land Affected by Contamination
 - S57 The Historic Environment
 - S60 Protecting Biodiversity and Geodiversity
 - S61 Biodiversity Opportunity and Delivering Measurable Net Gains
 - S66 Trees, Woodland and Hedgerows
 - S67 Best and Most Versatile Agricultural Land
- <https://www.n-kesteven.gov.uk/central-lincolnshire>

- **Searby cum Owmbly Neighbourhood Plan (NP)**

Searby cum Owmbly has to date not applied to have their parish designated as a neighbourhood area for the purposes of producing a neighbourhood plan. There is currently no neighbourhood plan to consider.

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is not within a Minerals Safeguarding Area, Minerals or Waste site/area.

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

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

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

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 80 states:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it:*
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*

Paragraph 126 states:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

Paragraph 133 states:

“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life⁵¹. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”

Paragraph 134 states:

“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) *development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) *outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

Paragraph 174 states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”*

The glossary of the NPPF defines the best and most versatile agricultural land as “land in grades 1, 2 and 3a of the Agricultural Land Classification”

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**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

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

- **National Design Model Code (2021)**

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

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).*

Other:

Natural England's Guide to assessing development proposals on agricultural land dated 5th February 2012

<https://publications.naturalengland.org.uk/category/5954148537204736>

Main issues:

- Principle of the Development
Local Policy S1 and S5 of the Central Lincolnshire Local Plan 2023
Paragraph 80 of the National Planning Policy Framework
Concluding Assessment
- Best and Most Versatile Land
- Visual Impact
- Residential Amenity
- Highway Safety
- Public Right of Way
- Biodiversity
- Renewable Energy
- Archaeology
- Drainage
Foul Water
Surface Water

Assessment:Principle of the Development

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

Local Policy S1 and S5 of the Central Lincolnshire Local Plan 2023:

Local policy S1 sets out a spatial strategy and settlement hierarchy from which to focus housing growth. In this case it is important to assess where the sites sit within the settlement hierarchy.

The glossary section of the CLLP defines the 'developed footprint' of a settlement '*as the continuous built form of the settlement and excludes:*

- *individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- *gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- *agricultural buildings and associated land on the edge of the settlement;*
and
- *outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement."*

The site is located a considerable distance (at least 1020 metres) and is clearly dispersed and detached from the continuous built form of Grasby. Therefore the site is considered as being in the open countryside meaning tier 8 of local policy S1 applies as well as local policy S5 of the CLLP. Collectively local policy S1 and S5 (Parts A, B, D and G) of the CLLP protect the rural character of the open countryside from inappropriate housing development. S5 Part D states that '*applications for new dwellings will only be acceptable where they are essential to the effective operation of rural operations listed in tier 8 of policy S1*'. The application does not include any details justifying an essential need for a rural operation and this is confirmed in section 16 of the application form. The proposed dwelling would therefore not be essential to the effective operation of a rural operation and would not accord with local policy S1 and S5 of the CLLP.

Paragraph 80 of the National Planning Policy Framework:

As referred to in the development plan section of this report paragraph 80 of the National Planning Policy Framework resists the development of isolated homes in the open countryside unless the development meets certain criteria. One of the criteria (criteria a)) is an essential need which has already been assessed above as not being met. Criteria b), c) and d) are not relevant to this development. The only relevant criteria is criteria (e) which states that:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- e) the design is of exceptional quality, in that it:*
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas;*
 - and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."*

This application has been submitted putting a case forward that the proposed single dwelling meets the exceptional quality standards set out in paragraph 80(e) of the NPPF.

As previously stated the Local Planning Authority acknowledges paragraph 133 of the NPPF in that they must have regard to any recommendations made by a design review panel. However it is the Local Planning Authority that are the decision maker.

The applicants organised a face to face design review panel meeting with design midlands which took place on Wednesday 20th July 2022 and included a site meeting. Following the formal letter response from design midlands dated 1st August 2022 the applicants with their consultants reviewed the development and commissioned a landscape specialist.

Following amendments to the development the applicants organised a second virtual design review panel meeting over Microsoft Teams with design

midlands which took place on Wednesday 23rd November 2022. A formal response letter from design midlands was received on 14th December 2022.

Both letters from design midlands have been submitted with the application. Both meetings were attended by the case officer of this application in primarily a listening capacity only.

The formal letter dated the 14th December 2022 is the most up to date response based on amendments made through the design process of the applicants. The letter summarises that:

“The design approach has resulted in a scheme with a modern interpretation of a farmstead typology. The proposals promise an exemplary scheme which will enhance its immediate setting and raise the standard of design in rural areas.”

Therefore there are two important factors to assess in relation to paragraph 80. These are:

1. Is the site located in an isolated location in the countryside

The determination on whether the dwelling can be considered as in an isolated location is the responsibility of the determining Authority which in this case is the Local Planning Authority.

In terms of the isolated location of the site it is essential to reference and give significant weight to a high court judgement namely, Braintree District Council v Secretary of State for Communities and Local Government 2018 EWHC case C1/2017/3292, which expressly considered the meaning of “isolation” in planning policy terms. This upheld a previous judgement that the word ‘isolation’ should be given its ordinary meaning of **“far away from other places, buildings or people; remote”**. (*emphasis added*)

The site is located over 1000 metres from the nearest settlement/built form (Grasby, Owmbly and Searby) and sits within lower ground to the surrounding attached and adjacent fields which enhances the isolated feel of the site. It is therefore considered that the application site is in an isolated location in accordance with the high court judgement and paragraph 80 is engaged.

2. Is the design of exceptional quality

Objections have been received in relation to the development not meeting criteria e) of paragraph 80 with some acknowledgements of the subjective nature of the matter.

Criteria e) of paragraph 80 qualifies exceptional quality in that it:

- *“is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*

The concept and objective of the proposed dwelling single storey dwelling (see plan below) is set out briefly at the start of the report.



The dwelling has been subject to detailed scrutiny and questioning by an experienced design review panel which has overall concluded positively to the amended proposal in terms of its architecture and enhancing qualities.

The application site is set within a dip in the agricultural field landscape with land levels climbing gently in all directions. The cumulative linear form of the dwelling has been created to reflect the gentle undulations of the land and the design references the ridge and furrow character which can characterise agricultural fields. The single storey height of the dwelling is influenced not only by its setting within the dip of the land but the overarching ridge and furrow concept. The proposal would include extensive soft landscaping to identify the boundaries of the site whilst increasing the biodiversity of the site.

The overarching design of the dwelling includes it being off the grid and being self-sustainable in terms of renewable energy technology. This is described within the submitted design and access statement and in summary the dwelling would utilise:

- Solar Photovoltaic Panels
- Battery Storage
- Solid Fuel
- Heating Recovery System (use of air from swimming pool/drying room)
- Triple Glazing
- Hempcrete (exceptional thermal mass capture)
- Microgrid System (Complete biomass that converts woody biomass into electricity)

- Limecrete (absorbs carbon dioxide)

Environmentally the proposed dwelling would be a super insulated building making use of natural light and hydrology.

West Lindsey is a rural district with a high percentage of open countryside land which is generally flat or gently undulating. The concept and architecture of the dwelling is not considered to be currently present within the West Lindsey district which represents such a design. It is acknowledged that the uniqueness of the design and setting does not automatically mean that the proposal meets paragraph 80 of the NPPF.

Concluding Assessment:

The proposed dwelling would be for occupation of Mr and Mrs Midgely and their family including their parents in an open countryside location and would not be essential to the effective operation of an existing rural operation. It would be a direct departure from the Central Lincolnshire Local Plan, namely policies S1 and S5.

The proposed dwelling would be located in an isolated location therefore paragraph 80 of the NPPF is engaged.

Consideration has been given to the recommendations of the design review panel, the supporting statements with the application and all representations based on paragraph 80 of the NPPF. The site has additionally been visited by the case officer to understand the context of the site and the surrounding area. The high bar set by paragraph 80 of the NPPF has been recognised throughout the design review process and assessment by the case officer. It is additionally recognised the extent of how subjective the matter of design and exemplary design can divide opinion and this is demonstrated by the representations received from residents within and outside West Lindsey.

It is the case officer's recommendation that the proposed dwelling is unique in its concept and meets the high truly outstanding bar require by paragraph 80 in terms of architecture and design in rural areas. The dwelling as discussed on the visual impact section later in the report would be concealed to the wider area by land levels but would enhance the immediate setting to the required significant benchmark.

- *truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."*

The development would not accord with local policy S1 and S5 of the CLLP therefore would be considered a departure from the CLLP. However the development would be considered to meet the high bar set by the criteria within paragraph 80 of the CLLP for isolated dwellings. In this particular case

significant weight is afforded to the development satisfying paragraph 80 of the NPPF and the written guidance of the design review panel.

On this basis this would outweigh the open countryside location.

Best and Most Versatile Land

Objections have been received from residents in relation to the loss of grade 2 agricultural land used for food production.

Paragraph 67 of the NPPF states that *“proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.*

With the exception of allocated sites, significant development resulting in the loss of the best and most versatile agricultural land will only be supported if:

- a) The need for the proposed development has been clearly established and there is insufficient lower grade land available at that settlement (unless development of such lower grade land would be inconsistent with other sustainability considerations); and*
- b) The benefits and/or sustainability considerations outweigh the need to protect such land, when taking into account the economic and other benefits of the best and most versatile agricultural land; and*
- c) The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and*
- d) Where feasible, once any development which is supported has ceased its useful life the land will be restored to its former use (this condition will be secured by planning condition where appropriate).*

Where proposals are for sites of 1 hectare or larger, which would result in the loss of best and most versatile agricultural land, an agricultural land classification report should be submitted, setting out the justification for such a loss and how criterion b has been met.”

The application site is classed in Natural England’s East Midlands Agricultural Land Classification Map as grade 2 (very good) land. The land therefore qualifies as best and most versatile land (BMV land).

Natural England defines grade 2 agricultural land as *“land with minor limitations that affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown. On some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops, such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than grade 1”.*

Consideration is additionally given to Natural England advice which states that *“You should take account of smaller losses (under 20ha) if they’re significant when making your decision.”*

The application form states that the site has an agricultural field use of 0.5 hectares (5750 square feet). The application has included some soil testing results from T.I. Soil Ecology Laboratory but the document lacks a professional opinion from the author on the agricultural land classification of the site.

Consideration is given to Natural England advice which states that *“You should take account of smaller losses (under 20ha) if they’re significant when making your decision.”*

The application includes a comment from the current landowner (the farmer) who declares that the field has been used for growing potatoes, Oil Seed Rape, Winter Wheat and Peas (arable use). The area covered by the application site is poorly suited for crop development and yield because:

- It is in a dip and often waterlogs.
- compaction has further degraded the area
- was formerly part of an old small farm yard (Owmbly Top Farm) so was not originally arable and has been reclaimed from a compacted crew yard
- Yields are impossible to predict and can lead to a financial loss for the area.

The application also includes a professional opinion from Ashley Agronomy and Agroecology and from Caterina Di Garbo (landscape architect).

The opinion from Ashley Agronomy and Agroecology considers the soil testing completed by T.I. Soil Ecology Laboratory. The letter states that the results from T.I. Soil Ecology Laboratory demonstrates that:

“These show a bacterially dominant soil. No fungi were identified, and no protozoa (flagellate, amoebae, ciliates) or nematodes were present. This soil is biologically degraded and will depend on higher levels of artificial (fertilisers, pesticides) and organic (manures) inputs. The interpretation would be that the soil health is POOR.”

Caterina Di Garbo concludes that given the comments from the farmer the land at best can be classified as Class 3b (moderate quality agricultural land). The professional opinion states that the loss would be a *“negligible loss and that and that on balance the wider site aspirations would comprise of net moderate beneficial effects on soil health and overall increase in productivity and yields in a broader sense.”*

The land measures only 0.5 hectares and is part of a wider agricultural field which could still be farmed for very good crop production. Whether the development would lead to a loss of very good, moderate or poor agricultural land, its loss would not be considered as unacceptably harmful and would accord with local policy S67 of the CLLP and the provisions of the NPPF.

Visual Impact

Local policy S53 of the CLLP sets out 10 criteria's based on design and amenity. As a paragraph 80 of the NPPF dwelling the visual impact of the development would have an extremely high bar when it comes to design and enhancing the immediate setting.

As the submitted development is a paragraph 80 dwelling and design has been previously discussed it is considered that criteria 1 (Context), 2 (Identity), 3 (Built Form), 5 (Nature) and 8 (Homes and Buildings) of S53 are the most relevant to the development.

The Identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The Authority's Tree and Landscape Officer has no objections to the development but has placed a significant importance to the planting and landscaping of the site.

The site is within the setting of an Area of Great Landscape Value but this is 850 metres away to the north east.

The application has included a Landscape Visual Assessment (LVA) dated October 2022 by a professional landscape architect. In summary the LVA outlines:

- The hidden position of the proposed dwelling from wider views.
- The site is not a valued landscape in planning terms.
- The site is within the setting if an Area of Great Landscape Value.
- Mixed tree planting along the Site boundaries, would be perceived from the Area of Great Landscape Value as a new introduction in its setting and would be seen as a linear tree belt/small copse.

The proposed development would be single storey structure located in a dip in the landscape and would be well concealed from wider views by land levels and existing/proposed boundary screening. However just because the dwelling would be expected to be well screened it does not automatically mean it would not have an unacceptable harmful visual impact on the character and appearance of the site and its agricultural setting.

Whilst it could be argued that a proposed dwelling of exceptional quality should be viewed in the landscape it is considered that the ridge and furrow concept to this dwelling has been applied to purposely restrict its presence to blend into its immediate open countryside setting.

Conditions requesting comprehensive external material and landscaping details would be attached to any permission.

It is considered that the type, position and scale of the development would not have an unacceptable harmful visual impact on the character of the site and the surrounding area in its open countryside setting. In fact the proposal

would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The development would therefore be subject to further details accord to local policy S53 of the Central Lincolnshire Local Plan, and the provisions of the NPPF, particularly paragraph 80.

Residential Amenity

The proposed dwelling would be isolated from any residential uses therefore would not unacceptably harm the living conditions of neighbouring dwellings.

The occupants of the proposed dwelling would be living in an area surrounded by agricultural fields where farm activities would occur that at times could cause some disturbance to their living conditions. This has been commented on by local residents and the farmers that farm the land. It is likely that at times disturbance would be caused in the form of odour from slurry spreading and noise from agricultural machinery particular during busy times. Slurry spreading and machinery noise would not be expected to be to a degree that it would cause an unacceptable harmful disturbance on the potential future occupiers.

The development would therefore not be expected to have an unacceptable harmful impact on the living conditions of neighbouring dwellings and would accord to local policy S53 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

Highway Safety

Objections have been received in relation to highway safety, particularly in relation to construction and domestic use meeting with agricultural vehicles during busy times of farm activity on the adjoining fields.

The proposed development would be accessed off Owmbly Wold Lane which is a single track no through lane which starts as a tarmac surface and becomes more of a farm track the further you travel along it. The lane is therefore primarily used by agricultural traffic and possibly dog walkers that park their vehicles along the lane.

Owmbly Wold Lane does not comprise any formal passing places but informal passing places do exist in the form of field access points or areas of wider grass verge. The lane has a speed limit of 60mph but this speed would be unlikely given its width and condition.

The proposed dwelling would be served by at least 8 off street parking spaces which is more than adequate and turning space within the site.

The Highways Authority at Lincolnshire County Council have no objections to the development including access from the A46, off street parking and no reasonable need for improvements to Owmbly Wold Lane. Advice has been provided in terms of vehicular access rights and construction traffic.

Therefore the development would not have an unacceptable harmful impact on highway safety and would accord to local policy S47 and S49 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

Public Right of Way

Objections have been received in relation to potential disturbance the development would have on the use of the public rights of way by local residents, hikers, dog walkers, cyclists and horse riders.

Public rights of way Sear/46/1 runs along the length of Owmbly Wold Lane connecting to other public rights of way to the north east. The public right of way shares the surface with vehicles almost exclusively of an agricultural nature.

The development proposes a single dwelling therefore traffic generated would be modest. It is acknowledged that traffic generation would be more often during the construction process but this would be for a temporary period and would be controlled through a construction management plan being conditioned on any permission.

It is not considered that the proposed development would have an unacceptable harmful impact on the use or enjoyment of the public rights of way.

Biodiversity

Objections have been received in relation to the impacts of the development on biodiversity.

Local Policy S60 of the CLLP states:

“All development should:

- a) protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*
- b) minimise impacts on biodiversity and features of geodiversity value;*
- c) deliver measurable and proportionate net gains in biodiversity in accordance with Policy S61; and*
- d) protect and enhance the aquatic environment within or adjoining the site, including water quality and habitat.”*

Local policy S61 of the CLLP requires *“all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management”*. Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain*

for biodiversity should be calculated using Natural England's Biodiversity Metric".

Guidance contained within paragraph 174 and 179 of the NPPF encourages the protection and enhancement of protected species (fauna and flora) and providing net biodiversity gains.

This application was valid on 22nd February 2023 when the adopted Local Plan was the Central Lincolnshire Local Plan 2012-2036. Whilst revoked policy LP21 of the Central Lincolnshire Local Plan 2012-2036 required some net biodiversity gain it did not require at least 10%. In this case with consideration given to the date of validation it is considered that it would be unreasonable to expect the applicant to satisfy the requirements of local policy S60(c) or S61 of the CLLP.

However this application has included a Preliminary Ecological Appraisal (PEA) by KJ Ecology Ltd dated February 2022. Whilst this report is 15 months old it is still considered as valid. In summary section 4.2 of the PEA sets out the following recommendations:

- Precautionary measured for badgers.
- A bird nesting survey if works commence between March and August (bird breeding season).
- On completion an area should be sown with a wildflower meadow mix and cut in late August. This will benefit wildlife from insects to birds. Other planting should include RHS Bee friendly plants.

In addition the proposed development would involve considerable planting which would enhance the fauna and flora value of the sites arable field use.

The application site does not include any protected trees within the site or on its boundaries. The only trees close to the site or on its north west boundary shared with Owmbly Wold Lane. The Authority's Tree and Landscape Officer has not objected to the development or requested any protective measures for trees along the north west boundary.

The proposed development subject to conditions would therefore not be expected to have an unacceptable harmful impact on protected species or trees and accords to local policy S60 and S66 of the CLLP and guidance contained within the NPPF.

Renewable Energy

Local policy S6 and S7 of the CLLP sets out design principles for efficient buildings and reducing energy consumption. Local policy LP7 states that:

"Unless covered by an exceptional basis clause below, all new residential development proposals must include an Energy Statement which confirms in addition to the requirements of Policy S6".

Local policy S7 provides guidance and criteria on the generation of renewable electricity and the limit on the total energy demand for each single dwelling (“not in excess of 60 kWh/m²/yr”).

As previously stated this application was valid on 22nd February 2023 when the adopted Local Plan was the Central Lincolnshire Local Plan 2012-2036. Revoked policy LP19 of the Central Lincolnshire Local Plan 2012-2036 required consideration of renewable energy developments but it did not require all development to reduce energy consumption.

In this case with consideration given to the date of validation it is considered that it would be unreasonable to expect the applicant to submit an energy statement.

However the development is proposed to be a self-sustainable off grid dwelling which uses renewable energy sources and construction materials which absorbs carbon dioxide from the atmosphere. This includes:

- Solar Photovoltaic Panels
- Battery Storage
- Solid Fuel
- Heating Recovery System (use of air from swimming pool/drying room)
- Triple Glazing
- Hempcrete (exceptional thermal mass capture)
- Microgrid System (Complete biomass that converts woody biomass into electricity)
- Limecrete (absorbs carbon dioxide)

Archaeology

The Historic Environment Officer (HEO) at Lincolnshire County Council has no objections to the development. The proposed development would not have an unacceptable harmful impact on archaeology and would accord to local policy S57 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

Drainage

Foul Water:

The application form states that foul water would be discharged to a package treatment plant. Given the location this would be likely to be considered acceptable providing it can be evidenced that there is no mains sewer within reasonable proximity to the site. Planning Practice Guidance¹ states that “Where a connection to a public sewage treatment plant is not feasible (in terms of cost and/or practicality) a package sewage treatment plant can be considered.”

¹ Planning Practice Guidance – Water Supply, wastewater and water quality Paragraph: 020 Reference ID: 34-020-20140306 <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality#water-supply-wastewater-and-water-quality--considerations-for-planning-applications>

Surface Water:

The application form states that surface water is or would be discharged to a sustainable urban drainage system such as a pond or lake. No specific details have been submitted with the application.

It is considered that details of foul and surface water drainage can be addressed through a condition. The development would not be expected to have an unacceptable harmful impact on drainage and accord to local policy S21 of the CLLP and the provisions of the NPPF.

Contamination

The application has included the submission of a Site Investigation Report by TLP Ground Investigations Ltd dated 25th February 2022. The Authority's Environmental Officer has considered the submitted Site Investigation Report and is satisfied with its content recommending a pre-cautionary contamination condition is attached to any permission. This is considered as reasonable and necessary.

The proposed development would not be expected to have an unacceptable harmful contamination impact and would be expected to accord with local policy S56 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

Other Considerations:

Landscaping

The application includes a landscape plan (01 Rev D dated 22nd February 2022) with details of hard and soft landscaping. Whilst the landscaping plan provides detail of where planting and hardstanding would be located it does not provide specific details such as planting (species, planting formation) or specific details on gates, railings, hardstanding type etc.

It is therefore considered relevant and necessary to attach a comprehensive landscaping plan to any permission.

Community Infrastructure Levy

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The development would be liable to a CIL payment.

Holiday Use

Comments have been received in relation to the site being used as holiday accommodation. This application has been submitted as a residential family home and not as holiday accommodation.

Pre-commencement Condition

The agent has formally agreed in writing to the single recommended pre-commencement condition.

Conclusion and reasons for decision:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S5 Development in the Countryside, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption – Residential Development, S20 Resilient and Adaptable Design S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S49 Parking Provision S53 Design and Amenity, S56 Development on Land Affected by Contamination, S57 The Historic Environment, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S67 Best and Most Versatile Agricultural Land of the Central Lincolnshire Local Plan 2023 in the first instance and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and the National Design Guide. In light of the above assessment it is considered that the proposed development would not accord to local policy S1 and S5 and is therefore considered a departure of the Central Lincolnshire Local plan 2023. However weight is afforded to paragraph 80(e) of the National Planning Policy Framework for isolated dwellings of exceptional quality in the open countryside and guidance provided by a design review panel. In this case it is considered that the application has demonstrated that the proposed dwelling is truly outstanding and would significantly enhance its immediate setting. Therefore the harm caused by the location of the development are outweighed by the satisfying of paragraph 80(e) of the National Planning Policy Framework. The development would not unacceptably visually harm the character and appearance of the site or the surrounding open countryside nor unacceptably harm the living conditions of the nearest neighbouring occupiers. Furthermore the proposal will not have an unacceptable harmful impact on highway safety, archaeology, drainage, ecology, trees or contamination.

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

Representors to be notified -

(Highlight requirements):

Standard Letter **Special Letter** **Draft enclosed**

Prepared by: Ian Elliott

Date: 15th May 2023

Recommended Conditions:

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

1. The development hereby permitted must 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 must take place until a construction method statement has been submitted and agreed in writing by the local planning authority. The statement must provide for:

- (i) the routing and management of 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) wheel cleaning facilities;
- (vi) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

The development must be completed in strict accordance with the approved details.

Reason: To restrict disruption to the use of Owmbly Wold Lane for farm activity and recreational use of the public rights of way to accord with the National Planning Policy Framework and local policy S47 of the Central Lincolnshire Local Plan 2023.

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 must be carried out in accordance with the following proposed drawings:

- 499.10 Rev A dated 17th February 2023 – Site Plan
- 499.11 Rev A dated 31st January 2023 – Elevation and Floor Plans

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

4. No construction works above ground level must take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation must occur until the approved scheme has been carried out in strict accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy S21 of the Central Lincolnshire Local Plan 2023.

5. No development above ground level must take place until details (including the colour) of all external and roofing materials to be used have been submitted to and approved by the Local Planning Authority.

Reason: To safeguard the character and appearance of the site and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

6. No occupation must take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:

- Type, height and position of all soft and hard boundary treatments.
- Details of all new hard landscaping within the site such as gates, fencing, walls and railings.
- Details of all new turfing.
- Material finish of all hardstanding (access road, driveways, patios and paths).
- Species, planting height, formation, position and aftercare of all new trees and hedging.
- Species, planting height, formation, position and aftercare of all new infill hedging.

Reason: To ensure that appropriate landscaping is introduced and would unacceptably harm the character and appearance of the site or the surrounding area to accord with the National Planning Policy Framework and local policies S53 and S66 of the Central Lincolnshire Local Plan 2023.

7. No occupation of the dwelling must take place until the access, vehicle parking and turning space identified on site plan 499.10 Rev A dated 17th February 2023 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy S47 and S49 of the Central Lincolnshire Local Plan 2023.

8. The development hereby approved must only be carried out in accordance with section 4.2 of the Preliminary Ecological Appraisal by KJ Ecology Ltd dated February 2022.

Reason: To respond to the enhancement recommendations of the updated survey by KJ Ecology Ltd to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

9. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

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

10. All planting and turfing comprised in the approved details of landscaping (see condition 6 above) must be carried out in the first planting and seeding season following 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 must be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework and local policies S53 and S66 of the Central Lincolnshire Local Plan 2023.

11. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F and G of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted must not be extended, altered and no buildings or structures shall be erected within the curtilage of the dwelling 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 character and appearance of the dwelling, the site and its surrounding in accordance with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

12. Notwithstanding the provisions of Classes A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted gates, fences, walls or other means of enclosure must be erected within or on the curtilage of the dwelling 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 character and appearance of the dwelling, the site and its surrounding in accordance with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.