

Officers Report

Planning Application No: 137057

PROPOSAL: Planning application for the residential development of 5no. detached dwellings.

LOCATION: Bleak Farm High Street Cherry Willingham Lincoln LN3 4AH

WARD: Cherry Willingham

WARD MEMBER(S): Cllr Mrs A Welburn, Cllr Mrs M Palmer and Cllr Mr C Darcel

APPLICANT NAME: Mr H Roe

TARGET DECISION DATE: 02/02/2018 (Extension to 04/05/18)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

The application has been referred to the Planning Committee at the request of the Ward Member

Proposal:

This full application has been submitted to construct five two storey four bedroom dwellings with two front facing dwellings and three behind.

Site:

The application site is an area of land (0.32 hectares) positioned in the centre of Cherry Willingham. The wider site has a previous agriculture history of being farmstead (farmhouse and barns) but this use has now ceased. This site is now in an untidy condition with a derelict lean to barn to the front and a modern portal framed agricultural building (open to ends and sides) and orchard to the rear. Its appearance includes piles of rubble, bricks, roof tiles, timber and other items. The site is set just back from and above the highway and slopes upwards from north to south. The site is open to the north boundary with the occasional tree with a mix of fence panels, walls and hedging to the east. The south boundary is screened by high trees and hedging. The west boundary is screened to the rear half by high hedging and is open to the front half. Neighbouring dwellings are adjacent or opposite to the north, east and south. The remainder of the unused agricultural site sits to the west including the run down unoccupied farmhouse. A protected tree sits in the south west corner of the site. There are Listed Buildings in the vicinity of the site. These are:

- The Manor House - Grade II Listed (approximately 26 metres to the south east)
- 21, 23, 25 and 27 High Street - Grade II Listed (approximately 95 metres to the west)

Amended drawings have been submitted primarily to alter the design of plots 1 and 2 but additionally to move plot 5 further away from the protected tree. A 14 days re-consultation process has been instructed.

Relevant history:

132418 - Outline planning application for erection of up to 13no. dwellings with all matters reserved and the conversion of a barn to a dwelling – 23/08/16 - Granted with Legal Agreement

Representations

Cllr Welburn:

- The Planning Committee stated for the outline that they wished the details to go back to them for consideration: As this is a new full application. In view of this request and the interest shown by the members I am surprised that the application has not been referred automatically to the planning committee.
- Paragraph 58 of the NPPF, as well as the adopted Local Plan policy, seeks to ensure good design that will establish a strong sense of place, add to the overall quality of the area, respond to local character (there is some strength of character in this part of the village) and optimise the potential of the (larger) site to accommodate development. This design is very generic and has no design theme to complement the site and its setting next to the farmhouse and at the historic centre of the village. No consideration is apparent of heritage or streetscape issues and the site's relationship with the street scene.
- Policy LP11 - This site is big enough for affordable housing and Cherry Willingham needs a mix of housing types. This is referred to in our emerging local plan.
- LP12 - The High Street is already heavily congested and at certain times is one lane only, there is little provision for parking in this design which will increase road side parking. The High Street is on a bus route and whilst we have a good bus service this is not available on Sundays or evenings and cars are an integral part of people's lives in a rural area. The High Street is a main through route and will be affected by an increase in traffic upon the stopping of Hawthorn Rd. cars parked on the side of the road will create a bottle-neck. We also have limited availability in the local surgery.
- LP25 - The centre of Cherry Willingham is our heritage asset and could easily have been made a conservation area. There are TPOs on some of the trees on the site as well as an old orchard. All the houses on the opposite side of the road are non-designated heritage buildings in our neighbourhood plan and as such this area need more thought in the design of any housing on this site to preserve the street scene.

Cherry Willingham Parish Council: Objections and comments

Visual Impact and Design

- The design is very generic and has no design theme to complement the site and its setting next to the farmhouse and at the historic centre of the village.
- No consideration is apparent of heritage or streetscape issues and the site's relationship with the street scene.
- Traditional materials are being proposed (e.g. clay pantiles) which is good, given the style of dwelling proposed, but the detailing is somewhat bland and suburban.
- Proportions/detailing for some window openings need reviewing and chimney stacks should be larger as a design feature to be proportionate to the scale of the dwellings and to enliven the roofscape (see immediately across the road. A more bold but honest contemporary approach would be a better fit for the site and strengthen 'sense of place'.

Landscaping

- No tree retention/planting plans in respect of the orchard have been provided.

Other

- Wishes to flag up that affordable housing is needed as part of this development in due course 3.
- CIL is now also in place.
- The site as a whole should be considered at the same time.
- Has concerns that the whole site will end up a 'bitty' design if the whole site is not considered at the same time.

Local residents: No representations received to date

LCC Highways/Lead Local Flood Authority: No objections subject to conditions and advisory notes

Archaeology: No archaeological input required

Conservation Officer: No objection subject to conditions

Representations received 16th April 2018:

I would indeed refer you to my previous comments and would be disappointed if we could not obtain a much better design, something that reflected the lost buildings as a starting point, at the very least.

Representations received 18th January 2018:

The proposed development is within the wider setting of two listed buildings, and I understand too, that the farmhouse is still extant on site. I am concerned that the proposed development appears standard and formulaic, particularly when you take into account the heritage assets that existed and how these contributed, most unusually, to a streetscape.

Historic farmsteads tend to be located in remote settlements unless these were 'town farms' often built as a result of Enclosure Awards. I would advise that in the setting of listed buildings, we need to know more about how design impacts upon setting. Currently, the application contains insufficient information, which does not then allow the LPA to have 'special regard' as is required under section 66 of the LB&CA Act 1990.

Tree and Landscape Officer: Objection

Representations received 3rd April 2018:

The revised dwelling position at plot 5 now has the house fully outside the 10.3m RPA of the nearest TPO oak. The oak is shown in a slightly incorrect position a bit too far to the west, although it is now shown in a more accurate position than the earlier plans when it was shown a few metres to the east side of the red site line, and this latest plan now shows the TPO tree a few meters to the west of the red line of the site. Protective fencing should be erected at 10.3m from the tree stem, and not from the tree positions shown on the plans. Protective fencing should be erected prior to commencement of site clearance and setting out, and should be retained in the approved position until completion of works. No drainage excavations, patios, paving, etc should be installed within the tree RPA. There should be no changes in existing/current ground levels within the tree RPAs.

Representations received 22nd February 2018:

The position and size of the plot 5 dwelling is too close to the large TPO oak and would create a need for cutting back the crown to make space for the building, additional cutting back of the crown to make space for construction activity around the house as it is being built, plus the proximity to such a large tree is likely to lead to future pruning pressures from new residents. The position of the plot 5 dwelling in front of the tree will also partially hide the tree and reduce the amenity it provides to the area. With these issues in mind, I therefore object to the proposed development in this current layout. If the application results in planning permission being granted, details of tree protection, including type and position, will be required.

A scheme of landscaping should also be required to soften the impact of the development to the area, provide visual amenity, and provide some small mitigation measure for the loss of the old orchard and its important habitat/biodiversity value.

IDOX checked: 16th April 2018

Central Lincolnshire Local Plan 2012-2036 (CLLP)

Following adoption at Full Council the CLLP forms part of the statutory development plan. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policies considered relevant are as follows:

LP1 A Presumption in Favour of Sustainable Development
LP2 The Spatial Strategy and Settlement Hierarchy

LP3 Level and Distribution of Growth
LP10 Meeting Accommodation Needs
LP13 Accessibility and Transport
LP14 Managing Water Resources and Flood Risk
LP16 Development on Land Affected by Contamination
LP17 Landscape, Townscape and Views
LP25 The Historic Environment
LP26 Design and Amenity

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>

Cherry Willingham Neighbourhood Plan

Cherry Willingham Parish Council have publicised their Draft Neighbourhood Plan (Reg.14). A public consultation has been completed for a 7 week period from the 20th January 2018 to 3rd March 2018. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. With consideration given to paragraph 216 of the National Planning Policy Framework the draft version of the SNP can only be afforded little weight as aspects of clear community support cannot be demonstrated until the consultation results are known. The policies relevant to this application are noted to be:

Policy H3: Infill Development and Redevelopment Opportunities
Policy HE1: Protecting the Historic Environment
Policy D1: Design Principles for Cherry Willingham

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/cherry-willingham-neighbourhood-plan/>

National Planning Policy Framework

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

National Planning Practice Guidance

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

Other

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

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

Greater Lincolnshire Biodiversity Action Plan 2011-20 (3rd Edition)

<http://www.glnp.org.uk/admin/resources/lincs-bap-2011-2020-review-2015final.pdf>

Main issues:

- Principle of the Development
Central Lincolnshire Local Plan 2012-2036
National Planning Policy Framework

*Cherry Willingham Draft Neighbourhood Plan
Extant Planning Permission 132418
Concluding Assessment*

- Listed Buildings
- Visual Impact
- Residential Amenity
- Archaeology
- Impact on Trees
- Highway Safety
- Foul and Surface Water Drainage

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.

Central Lincolnshire Local Plan 2012-2036:

Local policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Cherry Willingham as a large village and *'to maintain and enhance their role as large villages which provide housing, employment, retail and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth'*. LP2 states that most of the housing growth in Cherry Willingham will be *'via sites allocated in this plan, or appropriate infill, intensification or renewal within the existing developed footprint'*. The application site is not an allocated site but is an appropriate infill site within the developed footprint of Cherry Willingham.

National Planning Policy Framework:

The Central Lincolnshire Local Plan was formally adopted on 24th April 2017 following an examination in public. This established a deliverable five year supply of housing land. The latest review published January 2018 identified a housing supply of 6.19 years.

Cherry Willingham Draft Neighbourhood Plan:

As listed above the Draft Neighbourhood Plan currently has little weight in the decision making process, however the relevant policies are listed on the policies section above.

Policy H3 sets out criteria for infill development placing importance on the character of the area and the impact on the setting of heritage assets.

Policy HE1 provides a map identifying the position of Listed Buildings (Map 3) and Non-Designated Heritage Assets (Map 4) within the settlement and importance on protecting their setting.

Policy D1 provides design principles for all new development in the settlement and sets out criteria in different categories such as character, landscape and parking.

Extant Planning Permission 132418:

The application site is the eastern section of a larger site given outline planning permission for residential development (see history section) on 23rd August 2016. This permission gave three years for the submission of the reserved matters application, namely access, scale, appearance, layout and landscaping.

Concluding Assessment:

It is therefore considered that the principle of residential development on the site has already been established and the development can be supported subject to satisfying other material considerations.

Impact on Listed Buildings and Non-Designated Heritage Assets

The site is located within the setting of Listed Buildings. The Manor House is to the south east and is divided from the site by other residential dwellings. The Listed Buildings off High Street are almost 100 metres away. The setting of these Listed Buildings is currently harmed by the current untidy condition of the site and the adjacent land to the west.

Local policy LP25 of the CLLP states that *'Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire'* and provides a breakdown of the required information to be submitted as part of an application in a heritage statement.

In the Listed Building section of LP25 it states that *'Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building'*.

Policy HE1 of the Cherry Willingham Draft Neighbourhood Plan (CWDNP) sets out criteria for protecting Heritage Assets within Cherry Willingham. Map 3 (pg30) and Map 4 (pg31) of the CWDNP identifies the location of Listed Building and Non-designated Heritage Assets. In particular criteria 2 of HE1 states that *'The setting of an asset is an important aspect of its special architectural or historic interest and proposals that fail to preserve or enhance the setting of a heritage asset shall not be supported'*.

Guidance contained within Paragraph 128 of the NPPF states that *'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'*.

Paragraph 132 states that *'great weight should be given to the asset's conservation'* and that *'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'*.

Paragraph 133 provides guidance that *'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent'*.

Paragraph 135 states that *'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*.

The impact of a development of the setting of a listed building is more than just its visual presence and annex 2 of the NPPF defines the setting of a heritage asset as:

'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

Paragraph 13 (Conserving and Enhancing the Historic Environment) of the NPPG (Reference ID: 18a-013-20140306) further supports this definition declaring that *'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage'* and *'although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors'*.

The Local Authority's Conservation Area Officer (CAO) has stated that *'the proposed development appears standard and formulaic, particularly when you take into account the heritage assets that existed and how these contributed, most unusually, to a streetscape'* and that *'currently, the application contains insufficient information, which does not then allow the LPA to have 'special regard' as is required under section 66 of the LB&CA Act 1990.'*

The application has included the submission of a Heritage Statement dated 3rd April 2018 which states that *'there is no major impact on any listed buildings in the immediate nearby area because of the privacy and shelter provided by existing boundary trees/ hedgerows creates a buffer between the application site and the listed buildings further afield'*.

The comments of the Conservation Officer are noted, however the site already has outline permission (132418) for residential dwellings. Included in the outline application which gained permission was an indicative layout which suggested that the dwellings to the rear of the site were to be more standard dwellings with possibly a small run of agricultural barn style terraced dwellings (plots 2-4) to the front. However planning permission 132418 does not include a condition stipulating that the dwellings to the front are designed with an agricultural barn appearance.

Taking into consideration the condition of the site and the planning history of the site it is considered that the proposal due to the siting, scale, massing and design of the dwelling will at least preserve the setting of nearby Listed Buildings and non-designated heritage assets. Therefore the proposal will accord with local policy LP25 of the CLLP, policy HE1 of the DWCNP, the statutory duty set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance within the NPPF.

Visual Impact

Objections have been received from the local ward member and the Parish Council in regards to the visual impact of the development.

Local policy LP26(c) of the CLLP states that *All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:*

c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;

Cherry Willingham Draft Neighbourhood Plan (CWDNP) sets out criteria for infill developments (Policy H3) and design principles (Policy D1). Policy D1 states that *'proposals shall only be supported where they are of a high standard of design that have fully considered the relevant design principles'* The site as observed at the site visit is currently in poor condition in terms of its ground condition, existing derelict buildings, piles of different materials and other items left on site such as a bath, oil drum and tyres. The condition of the site currently detracts from the street scene along the High Street and the setting of the nearby listed buildings to the west and the buildings opposite which are considered as non-designated heritage assets in the CWDNP.

The development proposes to construct five detached two storey dwellings with 4 bedrooms to be constructed from (identified on application form):

- Brick
- Clay Pantiles
- UPVC windows and doors

The proposed three dwellings behind plots 1 and 2 are standard dwellings but each dwelling has a different design therefore provides more interest than a development which proposes an identical dwelling and plot layout for plot 3-5. The submitted heritage statement states that *'in terms of detailing on the proposed elevations, the units (in particular units 1 & 2) reference the historic use of the site and the exact details can be dealt with via condition(s)'*.

The site is in a prime location in the centre of the settlement and in desperate need of redeveloping to improve the visual appearance and street scene along this stretch of high Street.

The site is 0.32 hectares in size and can accommodate the five dwellings proposed whilst providing sufficient garden space and off street parking. In comparison to the indicative site layout (L-BOW-025-SLPP Revision E dated 11th September 2015) proposed in outline planning permission 132418 this development provides less density of dwellings from 7 to 5 dwellings.

The area around the development site includes a mix of frontage dwellings and dwellings will sit further back from the main highways through Cherry Willingham along cul-de-sacs or no through roads. This includes Becke Close to the south east/south and Blacksmith's Green to the north.

Therefore given the present condition of the site the proposal will not have a significant adverse visual impact on the site, the street scene or the surrounding village of Cherry Willingham therefore accords to local policy LP17 and LP26 of the CLLP, policies H3 and D1 of the DWCP and guidance within the NPPF.

Residential Amenity

The site has neighbouring dwellings adjacent or opposite in all directions. No objections have been received from neighbouring residents.

On the opposite side of High Street to the north is 4, 6, 8 and 10 High Street. To the east of the site is 1 High Street, 4, 6, 8 Church Lane and 5 Becke Close. To the south is 8 and 10 Becke Close. The proposed dwellings given the separation distance will not impact on the living conditions of these neighbouring dwellings through a loss of privacy, an overbearing impact or a loss of light.

To the west of the site is Bleak Farm Farmhouse which is unoccupied and currently in an uninhabitable deteriorating condition. Although it seems unlikely it is possible that this dwelling could be refurbished and occupied again in the future. Proposed plot 4 and plot 5 will have bedroom windows which will look towards the east and south elevations of the farmhouse and the rear garden space. The farmhouse would still have some areas of privacy in its rear garden space. Consideration is given to the separation distances and the proposed uses of the rooms. Therefore it is considered that some overlooking of the farmhouse would occur if occupied but not to a significant degree. The proposed dwellings will not cause an overbearing impact or loss of light on the farmhouse.

It is important to consider the impact of the proposed dwellings on each other although there is a degree of buyer beware. The proposed dwellings have been positioned and designed including first floor openings to ensure the dwellings will not have a significant harm on the living conditions of the future residents.

Due to the close proximity of neighbouring dwellings it is considered that a construction method statement is required to ensure the construction phase considers the neighbouring residents. This will be condition on the permission.

The proposal includes parking to the side of plot 1 (1 space for plot 1, 2 and 3) and an area of 6 parking spaces (2 spaces for plot 1, 2 and 3) between the rear boundaries of plot 1/2 and the north side boundary of plot 3. The parking spaces to the side of plot 1 is not ideal but the amount of vehicle movements will not significantly disturb the residents of plot 1. The parking to the rear has close access to each serving dwelling and will be covered by natural surveillance from the rear of plots 1, 2 and 3.

Overall it is therefore considered that the proposed dwellings will not have a significant impact on the living conditions of neighbouring dwellings or future residents of the site therefore is in accordance with LP26 of the CLLP and guidance contained with the NPPF.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objections to the proposal.

Impact on Trees

The application site includes a protected tree in the south west corner of the site and an old traditional looking orchard to the rear.

Protected Tree:

The relocation of plot 5 has moved it outside the root protection area of the protected tree and provided better clearance from its crown. The Authority's Tree and Landscape Officer has no objections regarding the protected tree subject to conditions requiring appropriate protective measures to be installed prior to commencement until completion and that no excavation occurs within the root protection area.

Orchard:

The southern part of the site includes an old orchard which can already be removed through the building out of extant planning permission 132418.

Paragraph 118 of the NPPF states that:

'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'*

Local Policy LP21 states that:

'All development should:

- *protect, manage and enhance the 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; minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity'.*

Pages 139-142 of the Greater Lincolnshire Biodiversity Action Plan 2011-2020 (3rd Edition) describes the importance in retention of Traditional Orchards. It states that *'traditional orchards are defined as groups of fruit or nut trees planted on vigorous rootstocks at low densities in permanent grassland, and managed in a low intensity way'* and that they have declined 60% since the 1950's.

The alteration of the layout by moving plot 5 further north has allowed some of the Orchard Trees to remain in place as stated on proposed site plan J1548-PL-02 dated March 2018. Again the Authority's Tree and Landscape Officer has not objected to the part removal of the Orchard.

Given the orchard trees can be removed through extant planning permission 132418 the proposed retention of some of the orchard trees through this development is welcomed.

Subject to conditions the development will accord with LP21 of the CLLP and guidance contained with the NPPF.

Highway Safety

The proposed vehicular access off High Street will utilise an existing access in the north west corner of the site. High Street has a 30mph speed limit and the observation views were considered acceptable at the site visit.

The Highways Authority at Lincolnshire County Council have not objected to the proposed access subject to conditions. The proposal would therefore not have an adverse impact on highway safety and accords to local policy LP13 of the CLLP and guidance contained within the NPPF.

Foul and Surface Water Drainage

The application form states that foul drainage will be disposed of to the mains sewer. Surface water is proposed to be dealt with through soakaway which is a method of sustainable urban drainage system and is encouraged, however the suitability of the site for soakaways has not been justified through appropriate testing. Therefore it is considered that foul and surface water is addressed by the use of a condition.

Other Considerations:

Flood Risk

The site sits within flood zone 1 therefore has the lowest risk of flooding therefore meets the NPPF sequential test.

Contamination

Due to the historical use of the site and storage of chemicals it is considered necessary to include a precautionary contamination condition in the interest of public health and safety.

Community Infrastructure Levy

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. Details in relation to CIL have been sent to the agent/applicant in emails dated 3rd January 2018.

An updated additional information and assumption of liability forms has not been submitted following the email sent on 15th February 2018. On measuring the floor space of the dwellings it is estimated that the total floor space created will be approximately 990m². Therefore using this approximate figure the development, which is located in the Lincoln Strategy Area will be liable to a CIL payment required prior to commencement of the development of approximately £24,750. An advisory note will be attached to the permission.

Affordable Housing

The proposal is below the dwelling and floor space limit for an affordable housing contribution to be required in accordance with local policy LP11 of the CLLP and provisions of the NPPF.

Conclusion and reasons for decision:

The decision has been considered against policies LP1 A presumption in Favour of Sustainable Development, LP2 The Spatial Strategy and Growth in Villages, LP10 Meeting Accommodation Needs, LP13 Accessibility and Transport, LP14 Managing Water Resources and Flood Risk, LP16 Development on Land Affected by Contamination, LP17 Landscape, Townscape and Views, LP21 Biodiversity and Geodiversity, LP25 The Historic Environment and LP26 Design and Amenity of the Central Lincolnshire Local Plan 2012-2036 in the first instance, relevant policies of the Cherry Willingham Draft Neighbourhood Plan and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

In light of this it is considered that the principle of the development is acceptable including the contributing five dwellings on an appropriate site with the developed footprint of a large settlement and towards the housing supply in Central Lincolnshire. The proposal will not have a significant adverse visual impact on the site, the surrounding area or the street scene and will preserve the setting of nearby Listed Building and Non-Designated Heritage Assets. It not have a significant harmful impact on the living conditions of neighbouring dwellings, trees, highway safety, archaeology or drainage. This is subject to pre-commencement conditions.

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

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 details of the external materials listed below have been submitted or inspected on site and agreed in writing by the Local Planning Authority.

- A one metre square sample panel of brickwork, mortar and bond.
- Roof materials
- rainwater goods and downpipes including the colour
- All windows including section drawings and colour finish.
- Doors

The brickwork panel constructed shall be retained on the site until the development hereby approved has been completed.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding area including the Listed Buildings and Non-Designated Heritage Assets to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policies H3, HE1 and D1 of the Cherry Willingham Draft Neighbourhood Plan.

3. No development shall take place until details of a scheme for the disposal of foul sewage and surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) have been submitted to and approved in writing by the Local Planning Authority. No occupation shall occur until the approved scheme has been installed.

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, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Draft Neighbourhood Plan.

4. No development shall take place until, details of the form and position of the protection measures to protect the tree adjacent the south west boundary of the have been submitted to and approved in writing by the Local Planning Authority. The details to include a plan showing the root protection area of the tree and no excavation or land level changes within the root protection area. The approved protection measures shall be installed prior to commencement and retained in place until the development is completed.

Reason: To safeguard the existing boundary trees during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policies LP17, LP21, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. No development shall take place until a landscaping scheme has been submitted including details of:
 - the height and materials used for the boundary treatments
 - the surface material of the road and parking spaces
 - the species, height, position and planting formation of any hedging and/or trees.

have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Draft Neighbourhood Plan.

6. No development shall take place until a construction method statement has been submitted and agreed in writing by the local planning authority. The approved statement(s) shall be adhered to throughout the construction period. The statement shall 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) 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;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policies LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

7. 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:

- J1598-PL-02 Rev 04 dated March 2018 - Proposed Site Plan
- J1598-PL-03 Rev 02 dated March 2018 – Plot 1 and 2 Proposed Floor Plans
- J1598-PL-04 Rev 02 dated March 2018 – Plot 1 and 2 Proposed Elevations and Sections Plan
- J1598-PL-05 Rev 01 dated November 2017 – Plot 3 Proposed Floor Plans
- J1598-PL-06 Rev 01 dated November 2017 – Plot 3 Proposed Elevations and Sections Plan
- J1598-PL-07 Rev 01 dated December 2017 – Plot 4 Proposed Floor Plans
- J1598-PL-08 Rev 01 dated December 2017 – Plot 4 Proposed Elevations and Sections Plan
- J1598-PL-09 Rev 02 dated December 2017 – Plot 5 Proposed Floor Plans
- J1598-PL-010 Rev 01 dated November 2017 – Plot 5 Proposed Elevations and Sections Plan

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Draft Neighbourhood Plan.

8. Before the dwellings are occupied, the access and the individual drives/parking and turning spaces shall be completed in accordance with the approved proposed site plan J1598-PL-02 Rev 04 dated March 2018 and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building 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, local policies LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Draft Neighbourhood Plan.

9. The proposed driveways and turning spaces shown on plan proposed site plan J1598-PL-02 Rev 04 dated March 2018 shall be constructed from a permeable material and retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036

10. 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) 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.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

NONE