

**Development Control Committee
24 January 2006**

NU.1 S05/1602/06

Registration Date: 02-Dec-2005

Applicant	Menta Developments Ltd The White House, Casthorpe Road, Barrowby, Grantham, NG321DW
Agent	Peter Hemmens, Neil Dowlman Architecture 37, Westgate, Grantham, Lincs, NG31 6LY
Proposal	Erection of five dwellings
Location	Adj The White House, Casthorpe Road, Barrowby

Site Details	
Parish(es)	Barrowby C Class Road Radon Area - Protection required Area of special control for adverts Airfield Zone - No consultation required Drainage - Lincs

REPORT

The Site and its Surroundings

The application site forms part of the existing garden serving White House, which is sited on the south side of Casthorpe Road in Barrowby. White House itself is an old, imposing building positioned right up to the edge of Casthorpe Road and stands to the west of associated stable and ancillary buildings, adorned by a clock tower/cupola feature.

The existing entrance into the site and the road frontage are characterised by a high wall, with the vehicular entrance being located between the house itself and the stable buildings.

The application site is to the south-east of the dwelling and comprises of around 50% of the existing garden. The site is relatively level and is extensively landscaped with many mature trees and extends to a southern boundary common with the neighbouring dwellings to the west. The site measures approximately 0.4ha.

To the west of the site are residential properties set within extensive rectangular gardens. South and east of the site are open agricultural fields and to the north of the site are dwellings fronting The Square.

As the site is residential garden land its development would be classed as 'brownfield' in character.

Site History

None

The Proposal

Outline planning permission is sought for the erection of 5 dwellings on the site. The applicants have asked for the access and siting to be taken into account in the consideration of the application.

The existing access point onto Casthorpe Road would be widened with improvements made to the visibility splays in each direction and wider radii to the entrance walls. A 4.1m access road would be created, at a length of around 55m, to link the access point onto Casthorpe Road with the site.

The buildings are sited within a U-shape to create a courtyard development, with vehicular access through an arched entrance. Parking would be provided within the courtyard area and within integral garages to the dwelling.

Policy Considerations

Barrowby Village is considered to be a village that can sustain further development as defined by the Interim Housing Policy of June 2006. In terms of sustainability it is therefore considered that the proposed development conforms to the following national and local policy framework:

- PPS1 – Creating Sustainable Communities
- PPG3 – Housing
- PPS7 – Sustainable Development in Rural Areas
- PPG13 – Transport
- Policies S1, S2 and S4 of the Lincolnshire Structure Plan Draft Deposit (2004)

The site is clearly 'brownfield' in character is therefore sequentially preferable for redevelopment to 'greenfield' sites that may exist within the village. However, it is arguable that the development of the site complies with Policies H6 and EN1 of the South Kesteven Local Plan as dwellings in this location could be considered to be 'backland' in character and therefore contrary to the general form and character of the area.

Statutory Consultations

Parish Council: Comments awaited – notified 8 December 2005.

Local Highway Authority: Request refusal of the application – see below.

Community Archaeologist: No comments made.

Environment Agency: No comments made.

Representations as a result of publicity

The application has been advertised in accordance with established procedures and representations have been received from interested parties.

The following planning issues were raised:

- a) Impact on the character of White House.
- b) Loss of mature trees and impact on the natural landscape, environmental issues.
- c) Impact in traffic on narrow village roads.

- d) Poor vehicular access, highway safety issues.
- e) Impact on village services.
- f) Proximity of development to retirement bungalows to the north.
- g) Impact on wildlife, owls and bats are present on the site.
- h) Loss of frontage wall, characteristic of the area.
- i) Overlooking and loss of privacy.
- j) Noise and disturbance from access and cars using communal parking area.
- k) Impact from construction traffic – they will not have room to enter the site.
- l) Conflict with Local Plan policy.
- m) There are legal covenants on the land preventing development.
- n) Overdevelopment when considered against most garden sizes to adjacent dwellings.

Planning Panel Comments

10 January 2005 – Members to undertake a site inspection and the application be referred to the Development Control Committee for consideration.

Applicants Submissions

Highways Issues:

Casthorpe Road is a minor access road and carries very little traffic. It serves only the remaining properties in Barrowby and three other dwellings beyond. We understand that the present access would benefit from being upgraded and improved in any event and therefore this has formed the basis of your proposals. We note that the proposals satisfactorily accommodate the need for a turning head within the development. This will enable larger service vehicles to run to the site and exit the site in forward gear.

Your drawings illustrate that the existing wall boundary onto Casthorpe Road is being removed to improve the access to the site which will in turn provide improved visibility to serve the proposed development, and the existing domestic use of The Whitehouse and associated outbuildings. Although the existing buildings do impinge of the recommended sight lines, the visibility to each side has been maximised within these constraints, and the proposed access will be a considerable improvement on the existing arrangement.

In our view, the proposed access is acceptable for the following reasons:

- it represents a considerable improvement on the current visibility;
- given the small scale of the proposed development, the access will be very lightly trafficked;
- Casthorpe Road is a minor access road and carries very little traffic.

Architectural Statement:

The Site

The site occupies part of the rear garden of the White House to the south of Casthorpe Road. The existing property occupies an area of one hectare and it is intended to set aside 0.4 hectare of this for the proposed development.

One of the outstanding features of the site is the number of mature trees, located centrally and along the boundaries of the properties to The Square. A tree survey has been undertaken and all major trees are indicated on the application plan.

The site enjoys the benefit of panoramic views across the Vale of Belvoir, across to Harlaxton Manor.

Access

The proposal includes for the opening up of the existing access onto the Casthorpe Road, in line with the recommended design criteria set out by Lincolnshire Highways.

A private driveway will serve the proposed five dwellings. The scheme includes a turning head to enable large vehicles to manoeuvre on site. The line of the access driveway will avoid all existing trees, and the construction will be non-invasive of the tree root system.

The Proposal

The construction of five private dwellings, each with their own garage and parking space.

The architectural style will adopt a style of grouped agricultural outbuildings, where roof heights and general detailing will be sympathetic with the character of the immediate area.

Although it is proposed that the access side will, in general, be a shared area, each dwelling will have its own private garden.

Consideration has been given to the location of the dwellings and to the proximity to existing residences. The whole complex has been designed to complement the fabric of the village without adversely affecting the benefits currently enjoyed by the adjoining neighbours.

Conclusions

The Highway Authority have requested that the application be refused due to the sub-standard access and visibility in each direction along Casthorpe Road, in the interests of highway safety. Should Members be concerned that the erection of 5 dwellings in this location would be detrimental to the general form and character of the area then a second reason for refusal could be sustained on the basis of the provisions of Policies H6 and EN1 of the South Kesteven Local Plan.

RECOMMENDATION: That the development be Refused for the following reason(s)

1. The local highway authority so request because visibility both East and West from the proposed point of access onto Casthorpe Road is substantially below requirements due to the existing narrow footways and presence of buildings, notwithstanding the lightly trafficked nature of Casthorpe road. It is considered that vehicles emerging from the access will be in conflict with traffic travelling East and West along Casthorpe Road, due to the lack of visibility, and hence be contrary to the interests of highway safety.

Applicant	Mr J Holland 2, Radcliffe Road, Stamford, PE9 1EE
Agent	A & S Designs 18, Pasture Close, Colsterworth, Grantham, Lincs, NG33 5NA
Proposal	Construction of new dwelling
Location	R/o Of 2, School Lane, Colsterworth

<u>Site Details</u>	
Parish(es)	Colsterworth Unclassified road Radon Area - Protection required Area of special control for adverts EN3 Area of great landscape value Airfield Zone - No consultation required Drainage - Lincs

REPORT

The Site and its Surroundings

The application site is comprised partly of land formerly within the residential cartilage of 2 School Lane, together with a lower area to the north, previously used for parking and general storage. Access to the site would be achieved via an existing access, which currently serves the application site and agricultural land beyond.

The site is surrounded by residential development with some new two storey development to the east, the listed Manor House to the south and west, and frontage residential development to the north. A high leylandii hedge separates the application site from the garden to be retained with 2 School Lane, and a two metre high wall runs along the eastern edge of the site. A slightly lower wall runs along the northern boundary, and the eastern wall of the Manor House encloses the western side of the application site.

Site History

An outline planning application was granted planning permission for a dwelling on a slightly larger site under s04/0210 in May 2004. This consent contained a condition station that the dwelling should not exceed the ridge height of the western wing of the adjacent residential property to the east.

The Proposal

The application proposes a chalet-style bungalow with dormer windows in the north and south elevations. The accommodation to be provided includes 4 bedrooms, bathroom, study, dining, day room, kitchen/breakfast, utility and study. The proposed building materials are red brick and clay pantiles.

The dwelling would be constructed on the higher former garden land, which it is proposed to lower by 1 metre, and the garage would be built on the lower land to the north. Access to the site would be gained from High Street, along a track running between Nos. 4 and 6 High Street.

Policy Considerations

South Kesteven Local Plan

Policy H7 – Residential Development.

Policy EN1 – Protection and Enhancement of the Environment.

Statutory Consultations

Parish Council:

1. Planning consent is for a bungalow.
2. Would have an overpowering effect on surrounding properties.

Local Highway Authority: Requests 2 conditions – see below.

Community Archaeologist: No objections.

Representations as a result of publicity

Representations have been received from interested parties.

The following planning points have been raised:

- a) Backland development.
- b) Original application for bungalow, but now for a 2 storey dwelling. Site grown by a third.
- c) Loss of privacy to house and garden. Request rear dormers replaced by rooflights.
- d) Risk of subsidence. Affect structural integrity of adjacent dwelling. Impact on listed building.
- e) No materials submitted.
- f) Request standard working hours and ½ day Saturday to minimise noise/dust.
- g) Object to access along lane. Construction vehicles will block our route. Access/turning difficult.
- h) Loss of trees. No landscaping scheme.
- i) Handkerchief sized plot. Out of keeping, will create a dominant/oppressive environment.
- j) This part of village is saturated with new development.
- k) Visually intrusive, unsympathetic materials.
- l) Plans are inaccurate.
- m) No details of area and depth to be excavated, drainage. Impact on adjacent property walls/foundations.
- n) Is overbearing, ill considered and should be rejected as form, character, privacy and appearance will be adversely affected forever.

Conclusions

Whilst the submitted drawings show that the proposal can satisfy condition 3 of the outline planning permission, in that the ridge height of the dwelling shall not exceed that of the western wing of the adjacent property to the east, it is felt that overlooking and loss of privacy may be an issue. It has therefore been suggested to the applicant that the dormer

windows presently proposed for the rear, south elevation should be replaced by rooflights. Further information has also been sought regarding the lowering of ground levels and means of retention.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
3. Before the access is commenced to be used, provision shall be made within the site to the satisfaction of the District Planning Authority for a motor car/motor vehicle to turn to enable it to enter and leave the highway in forward gear.
4. Prior to the buildings becoming occupied, the driveway (and turning feature) shall be laid out and constructed, and suitably gravelled/hardened for the whole of its length.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the visual impact of the development to be assessed and to create and maintain a pleasant environment and in accordance with Policy EN1 of the South Kesteven Local Plan.
3. The local Highway Authority so requests to enable vehicles to enter and leave the highway in forward gear in the interests of road safety and in accordance with Policy H7 of the South Kesteven Local Plan.
4. The local Highway Authority so requests in order that mud and soil are not deposited on the highway in the interests of road safety and in accordance with Policy H7 of the South Kesteven Local Plan.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

This application was deferred at the last meeting for members to undertake a site visit.

The following additional information has been received from the applicant:

1. Existing hedge 3.6m high will stop overlooking.
2. Retaining wall will be part of Building Regulation application.
3. Digging to be minimised to 1.2m around property and banked up.
4. Access not in clients control/ownership.

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Applicant	Mrs A Dixon C/o Agent
Agent	Hutchinsons 16, High Street, Kimbolton, Cambs, PE28 9NA
Proposal	Use of converted barn as a separate dwelling (existing)
Location	Adj. Scotland Farmhouse, Ingoldsby

Site Details	
Parish(es)	Ingoldsby Unclassified road Radon Area - Protection required Curtilage Listed Building Area of special control for adverts EN3 Area of great landscape value Airfield Zone - No consultation required Drainage - Welland and Nene

REPORT

The Site and its Surroundings

Scotland Lane itself is a narrow lane leading off the Ingoldsby/Boothby Pagnell road, about half a kilometer west of the small settlement of Ingoldsby, and comprises scattered groups of isolated buildings on either side of the lane.

The site of this application is located on the north side of Scotland Lane at the western extremity of development along this lane, with open countryside beyond.

The application building forms part of a range of outbuildings associated with the Grade 2 listed farmhouse of Scotland House. The application buildings comprise a single storey L-shaped block on the western end of the range of outbuildings, mainly of red brick and pantile construction, but with some rendered areas.

Site History

In September 1998 a listed building application was submitted by the applicant for 'Alterations to Outbuilding for Additional Living Accommodation'. Listed building consent for the alterations was granted on 19 October 1998.

The Proposal

Application is made for a Certificate of Lawfulness for use of the converted barn as a separate dwelling.

Statutory Consultations

Parish Council:

As this is a listed building feel that the application should go through the full planning permission process. Are concerned that permission was first granted on 'Additional Family Use Accommodation' and it is now proposed to be a separate dwelling from Scotland Farmhouse.

Representations as a result of publicity

Representations have been received from interested parties.

The following planning points have been raised:

1. Application to relocate my farm and redevelop the existing farmyard for housing was dismissed at Public Inquiry. Condition of Scotland Lane referred to. Residents voiced concern at increased residential traffic. Therefore another dwelling must be subject to same objections.
2. In 2001 can find no evidence of an additional permanent dwelling.
3. If use has existed for less than 5 years understand that the Authority can take enforcement action regarding unauthorised change of use. Ten years for unauthorised building work.
4. If Certificate of Lawful Development not granted, the Authority can either:
 - a) Ask for retrospective planning application, which could examine all planning merits.
 - b) Take no action, which would open a can of worms, especially in view of current 'Interim Housing Policy'.
5. Barn conversions should utilise the existing structure with little alteration. Consider the development to be more new build than conversion.
6. In view of recent events expect equality within the planning system.

Applicants Submissions

The applicant has made the following statutory declaration in support of the application:

"I, Amanda Dixon of Scotland Farmhouse, Ingoldsby, Lincolnshire, NG33 4ES do solemnly and sincerely declare that:

- i) I submitted an application to South Kesteven District Council in September 1998 for listed building consent to convert outbuildings to a dwelling adjacent to Scotland Farmhouse and this was granted on 19 October 1998. (Document A attached to this declaration).
- ii) The conversion was completed on 2 September 1999 and was inspected by the Building Control Section of South Kesteven District Council. I produce the certificate of completion. (Document B)
- iii) The accommodation comprised in the dwelling includes a lounge, kitchen, 3 bedrooms and 2 bathrooms and this has remained unchanged since it was first occupied on 12 September 1999.
- iv) The dwelling has been separately charged for council tax purposes (Band E) since the first occupation and I produce a copy of Council Tax Bills from 1999 (Documents C to G). Payment for other services e.g. water and electricity is made entirely separately and the dwelling has its own telephone.
- v) I occupied the dwelling myself from September 1999 to April 2002 completely independently from Scotland Farmhouse. During that time Scotland Farmhouse was occupied by Dr Elder and his family, who rented it from me.
- vi) Subsequently Dr Elder and his family moved into the dwelling from 17 April 2002 to 30 April 2003, and I reverted to living in Scotland Farmhouse.

- vii) The dwelling was then vacant for a short period until January 2004 when Mr & Mrs Turner moved in. They occupied the dwelling until 15 January 2005.
- viii) From January 2005 until the present time the dwelling has been occupied by Mr D Dodd.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act 1835.”

Statutory declarations have also been provided by David John Dodd, Dr John Elder and Patrick Turner declaring their periods of residence in the application building.

A Certificate of Completion from Building Control Services has been submitted showing a completion date of 2 September 1999.

Copies of Council Tax Bills for the years 2000/2001 to 2004/2005 have also been provided.

Conclusions

Mrs Dixon states in her statutory declaration at Paragraph 1 that the application for listed building consent was to convert outbuildings to a dwelling. However this is not the case as the 1998 listed building consent application was submitted for ‘Alterations to Outbuilding for Additional Living Accommodation’.

The listed building consent application was therefore granted on the basis of the building being used as additional living accommodation associated with the occupation of Scotland House, and not as an independent dwelling.

Based on information submitted in the statutory declarations the building has been occupied thus:

Mrs Amanda Dixon:	September 1999 to April 2002
Dr John Elder:	April 2002 to April 2003
Unoccupied:	1 May 2003 to 27 February 2004
Patrick Turner:	28 February 2004 to 15 January 2005
David John Dodd:	January 2005 to present

To grant a Certificate of Lawfulness, the applicant has to prove on the balance of probabilities that an activity has been undertaken for a specified period of time prior to the application. In this case that occupation as an independent dwelling has been undertaken continuously since 16 November 2001.

Professional advice was provided in 1998 stating that planning permission was not required if the property was occupied by members of the family occupying Scotland House.

From evidence submitted it is considered that a breach of planning control occurred on 1 April 2000 when Council Tax was levied on the property as an independent dwelling. It is also considered from the evidence presented the breach of planning control ceased on 1 May 2003 when the property became unoccupied.

A further breach of planning control occurred on 28 February 2004 when the property was occupied as an independent dwelling.

It is concluded that on the balance of probability the dwelling has not been occupied continuously for 4 years prior to the date of application.

RECOMMENDATION:

1. Insufficient evidence has been submitted and a certificate of lawfulness should be refused.
2. Authority be given for the appropriate enforcement action to be taken with regard to the unlawful use of the building as an independent dwelling.

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Applicant	Mr & Mrs M Howard The Grange, Long Lane, Westborough, Newark, NG235HH
Agent	D B Lawrence & Associates 30, Handley Street, Sleaford, Lincs, NG34 7TQ
Proposal	Conversion & extension to threshing barn to form dwelling
Location	Threshing Barn, The Grange, Long Lane, Westborough

Site Details	
Parish(es)	Westborough & Dry Doddington Conservation Area Public footpath adjoins site Unclassified road Listed Building (Grade II) Area of special control for adverts C9 Area Conservation Policy Drainage - Lincs

REPORT

The Site and its Surroundings

The application site is located to the east of the main body of the village and is within the Westborough Conservation Area. The barn in question is listed and forms part of a group of buildings associated with The Grange dwelling, located to the south side of Long Lane. The barn and other agricultural buildings are located to the north side of Long Lane.

The buildings are not seen in context with the nearest residential properties to the east and is clearly divided from the village by open agricultural fields. There is around 100m between the barn in question and the nearest building on the edge of the village.

The barn is a traditionally styled agricultural structure with red brick walls and a clay pantile roof. There are 2 large door openings in the north and south elevations, ventilation openings in the north, south and west elevations and a single first floor opening in the north elevation.

Site History

There is no planning history that relates to the barn but there is a current planning application (S05/1675/80) for the erection of a garage to serve The Grange, located to the south of Long Lane. This application was undetermined at the time of drafting this report.

The Proposal

Consent is sought for the conversion of the barn to provide an independent dwelling. The existing single storey building that adjoins the barn on the west gable would be demolished. The existing barn would be converted to allow for lounge, dining and kitchen facilities at ground floor with 2 bedrooms and an open gallery at first floor level.

The building would be extended to the west to provide additional accommodation on 2 floors. A glazed link section would be constructed on the west gable of the barn which would be smaller in height and width than the main barn in order that this element remains sub-servient to the main barn. The bulk of the extension would be tangential to the main barn and, in overall size would be higher than the link section but lower than the main barn.

There are numerous windows in the new build element of the proposal and consent is sought for the provision of 3 new openings in the listed barn; one at first floor level in the east facing gable and two in the north elevation at ground and first floor. The existing large door openings would be in-filled with glazing panels to allow light to flood into the central part of the main barn.

The existing floor area of the listed barn is 155m². The main part of the proposed extension measures 158m² and the linking section a further 36m², making the total size of the extension (at 194m²) some 39m² larger than the listed barn.

Policy Considerations

National Policy

PPG15 – Planning and the Historic Environment. When considering alterations and extensions to listed buildings PPG15 states (at paragraph 3.12) that:

“In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question. They may comprise not only obvious visual features such as a decorative façade or, internally, staircases or decorated plaster ceilings, but the spaces and layout of the building and the archaeological or technological interest of the surviving structure and surfaces. These elements are often just as important in simple vernacular and functional buildings as in grander architecture.”

There is reasonable argument that, in considering an extension to a listed building that is greater in floor area than the listed building itself, there will be an impact on the character of that building. The special interest that the building already possesses is its simple, traditional form and detail, which reflect its previous/existing use. It could be argued that, by reason of the size of the extension proposed and its domestic detailing, the extension would adversely impact on the character of the listed building to an unacceptable degree.

Lincolnshire Structure Plan

Policy BE3 – Conservation of the Historic Built Environment. This policy states that listed buildings will be protected from demolition, inappropriate alterations or other adverse change to their character or setting. And, in Conservation Areas, the setting will be protected from development that would be damaging to the character of the area.

South Kesteven Local Plan

Policy C5 – states that consent will not be granted for development, which would be detrimental to the character or setting of listed buildings.

Policy C6 – states that applications for alterations or extensions to listed buildings will be considered having regard to the effect of the proposal on the appearance and character of the building, particularly in terms of scale, design and materials to be used.

Policy C9 – states that applications for development will be considered having regard to the effect on the character and appearance of the area, the appropriateness of the proposal in terms of design, scale and materials and the impact of any new use on the area.

Interim Housing Policy – States that, in villages that are not classed as Local Service Centres (such as Westborough) the conversion of buildings to form residential properties should be considered, providing:

- i) the building(s) contribute to the character and appearance of the local area by virtue of their historic, traditional or vernacular form;

- ii) the building(s) are in sound structural condition;
- iii) the building(s) are suitable for conversion without substantial alteration, extension or rebuilding;
- iv) the works to be undertaken do not detract from the character of the building(s) or their setting;
- v) it can be demonstrated that all other alternative uses have been considered.

Statutory Consultations

Historic Buildings Advisor:

The proposal is concerned with alterations and extensions to a brick and pantile barn to convert it to be used as a dwelling.

A new first floor would be installed across a substantial part of the barn, with a full height void area retained between the two large openings, extending as a gallery towards the extension to the west. No new openings are proposed in the south elevation, where an existing large opening would be infilled with what appears to be full height glazing in a vertical timber frame. On the rear elevation, an existing full height opening would be retained, again apparently with glazing in the opening. An existing window opening would be re-used, and two new windows installed.

The proposals are in my view acceptable in principle, although the details are sketchy. The infill glazing on the south opening does not appear to be particularly well detailed, and the small opening lights are a little incongruous, having a horizontal rather than a vertical emphasis. Whilst the principle is acceptable, I believe the design should be altered to reflect the vertical nature of the opening, I see no reason why the existing doors should not be retained here and possibly fixed in the open position. Similarly, on the north elevation I would suggest that the existing door in front of the first floor window be retained. The windows here are in my view too 'domestic' in location and appearance. I would suggest that the additional first floor window to the master bedroom be omitted, and replaced if necessary, by a conservation roof light. The remaining windows, including the new window in the gable elevation, should in my view be simple and non domestic in form, consisting of a single pane, probably top hung.

Information would need to be provided as to the treatment of the interior walling here. Ideally, the existing brickwork should be retained and possibly painted, and certainly not plastered. At the very least, the internal piers either side of the doors and at the division of the kitchen should be retained as exposed brick elements. The west wall of the barn where it abuts the glazed link should also remain as exposed brickwork, and not plastered.

The link itself would in my view be acceptable in principle, as a lightweight structure linking the existing building with a new addition. I assume that the south elevation would be raised to its full height in timber framing, although this is not totally clear. On the north elevation, the upper part I would suggest should be lightweight timber cladding, as should the internal south facing wall to the en-suite, which would be visible through the glazed area. The horizontal slit window is not acceptable here, and one or two smaller vertical rectangular windows would be preferable. The two storey addition running at right angles to the main barn has a lower profile, both in terms of ridge and eaves height, but again in my view is over domestic for this type of structure. The design incorporates two half dormers which reflect the 'hayloft' aspect of the agricultural building, these should in my view be deeper (equivalent of door height) with possibly a single light, or 'hit and miss' glazing for the upper part, and vertical timber boarding of the lower section. This would mean that the ground and first floor windows would not be in vertical alignment, but this would in my view be desirable in a building of this type. I would suggest in respect of the eastern elevation, the half dormer is moved further to the north (closer to the barn), and the

utility window further to the south. Similar arrangements should be made on the west elevation as well. Again, all these windows should in my view be simple single lights, possibly top hung. The utility room door is unconvincing as shown, but might improve with more detail.

I would therefore suggest that the proposal be amended along the lines indicated above, and clearly more details particularly with regard to internal finishes and fenestration details will be required.”

Parish Council:

The Parish Council is unanimous in opposing this application.

1. Westborough is not a sustainable settlement and no new housing development should be permitted.
2. The track from Long lane to the property is extremely narrow with a dyke and no bank. It is wholly inadequate for another development. The Parish Council asks that a planning officer measures the width of the lane, for transparency and clarity.
3. The proportion of new build is larger than the existing barn. The barn requires substantial alteration and enlargement to become a dwelling, contrary to the SKDC interim housing policy.
4. The dwelling is on bridleway No. 21 and traffic from this dwelling would prejudice both highway safety and enjoyment by bridleway users on the circular route from Long Lane to Ease Lane. Contrary to the application, the Parish Council believes the application affects Bridleway 21 and asks a Planning Officer to check.
5. Contrary to the application, the Parish Council believes that trees are overhanging the site. The Parish Council asks a Planning Officer to check.
6. Soakaways are unacceptable.
7. Westborough is a conservation village. The Town and Country Planning Act 1971, section 277, requires the local planning authority to take into account local public opinion when development is proposed. The Parish Council has received 18 representations objecting to this application for the above reasons.”

Community Archaeologist: No comments made.

Representations as a result of publicity

Cllr Kerr, as Local Member, has requested that the application be referred to the Development Control Committee for consideration.

The application has been advertised in accordance with established procedures and representations have been received from interested parties.

The following issues were raised:

- a) Impact on the buildings and the character of this part of the Conservation Area.
- b) Poor access, narrow track.
- c) Unsustainable character of the area should restrict more dwellings.

- d) Not 'affordable' housing.
- e) Proportion of 'new build' is disproportionate to the listed building.
- f) Substantial alterations will affect the character of the barn.
- g) Impact on the adjacent bridleway/footpath.

Planning Panel Comments

10 January 2006 – That the application be deferred for a site visit and then referred to the Development Control Committee for consideration.

Applicants Submissions

The applicant has submitted a Structural Report with the application in order to address Policy AG2 of the South Kesteven Local Plan (see the report for S05/1583/80). No information has been provided in order to justify the application in listed building consent terms.

Conclusions

The site is within an open countryside location and would allow for an independent dwelling that would not be occupied in connection with agriculture. However, the adopted Interim Housing Policy (HIP) does support the residential conversion of listed or traditional barns within such locations where it would be the best use for the building. The development is therefore in accordance with the HIP.

Taking on board the comments of the Historic Buildings Advisor, there may be some scope for an extension to the listed barn and its conversion to provide an independent residential unit in this location but not in the form as proposed as part of this application. Extension to agricultural buildings, especially where they are listed, should be sub-servient to the original building and should respect the character and appearance of the original building.

RECOMMENDATION: That the development be Refused for the following reason(s)

1. The proposal, by reason of the overall size of the extension proposed and its general design, positioning and detailing, would give rise to an extension that would be detrimental to the character and appearance of the listed barn, its general setting and the character and appearance of this part of the Westborough Conservation Area. For these reasons it is considered that the development would be contrary to PPG15, Policy BE3 of the Lincolnshire Structure Plan Deposit Draft (2004) and Policies C5, C6 and C9 of the South Kesteven Local Plan.

* * * * *

Applicant	Mr & Mrs M Howard The Grange, Long Lane, Westborough, Newark, NG235HH
Agent	D B Lawrence & Associates 30, Handley Street, Sleaford, Lincs, NG34 7TQ
Proposal	Conversion & extension to threshing barn to form dwelling
Location	Threshing Barn, The Grange, Long Lane, Westborough

Site Details	
Parish(es)	Westborough & Dry Doddington Conservation Area Public footpath adjoins site Unclassified road Listed Building (Grade II) Area of special control for adverts C9 Area Conservation Policy Drainage - Lincs

REPORT

The Site and its Surroundings

Please refer to the report for S05/LB/6507/80.

Site History

Please refer to the report for S05/LB/6507/80.

The Proposal

Please refer to the report for S05/LB/6507/80.

Policy Considerations

National Policy

PPS7 – Sustainable Development in Rural Areas. Generally supports the re-use of existing buildings in the open countryside where sustainable objectives are met. Any proposal should take account of (inter alia) ‘the need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which would otherwise contribute to local character’.

Lincolnshire Structure Plan

Policy BE3 – Conservation of the Historic Built Environment. This policy states that listed buildings will be protected from demolition, inappropriate alterations or other adverse change to their character or setting. And, in Conservation Areas, the setting will be protected from development that would be damaging to the character of the area.

South Kesteven Local Plan

Policy AG2 – allows for the re-use and adaptation of agricultural and other rural buildings within the open countryside for (inter alia) residential purposes providing that: the design and layout preserves the essential elements of the buildings character and appearance, the building is structurally sound and capable of renovation without substantial re-building and there is satisfactory access, servicing and parking facilities.

Policy C5 – states that consent will not be granted for development, which would be detrimental to the character or setting of listed buildings.

Policy C6 – states that applications for alterations or extensions to listed buildings will be considered having regard to the effect of the proposal on the appearance and character of the building, particularly in terms of scale, design and materials to be used.

Policy C9 – states that applications for development will be considered having regard to the effect on the character and appearance of the area, the appropriateness of the proposal in terms of design, scale and materials and the impact of any new use on the area.

Interim Housing Policy – States that, in villages that are not classed as Local Service Centres (such as Westborough) the conversion of buildings to form residential properties should be considered, providing:

- i) the building(s) contribute to the character and appearance of the local area by virtue of their historic, traditional or vernacular form;
- ii) the building(s) are in sound structural condition;
- iii) the building(s) are suitable for conversion without substantial alteration, extension or rebuilding;
- iv) the works to be undertaken do not detract from the character of the building(s) or their setting;
- v) it can be demonstrated that all other alternative uses have been considered.

Statutory Consultations

Parish Council:

The Parish Council is unanimous in opposing this application.

1. Westborough is not a sustainable settlement and no new housing development should be permitted.
2. The track from Long lane to the property is extremely narrow with a dyke and no bank. It is wholly inadequate for another development. The Parish Council asks that a planning officer measures the width of the lane, for transparency and clarity.
3. The proportion of new build is larger than the existing barn. The barn requires substantial alteration and enlargement to become a dwelling, contrary to the SKDC interim housing policy.
4. The dwelling is on bridleway No. 21 and traffic from this dwelling would prejudice both highway safety and enjoyment by bridleway users on the circular route from Long Lane to Ease Lane. Contrary to the application, the Parish Council believes the application affects Bridleway 21 and asks a Planning Officer to check.
5. Contrary to the application, the Parish Council believes that trees are overhanging the site. The Parish Council asks a Planning Officer to check.
6. Soakaways are unacceptable.
7. Westborough is a conservation village. The Town and Country Planning Act 1971, section 277, requires the local planning authority to take into account local public opinion when development is proposed. The Parish Council has received 18 representations objecting to this application for the above reasons.”

Community Archaeologist: No comments made.

Local Highway Authority: Comments awaited – notified 28 November 2005.

Environment Agency: No comments made.

Representations as a result of publicity

Cllr Kerr, as Local Member, has requested that the application be referred to the Development Control Committee for consideration.

The application has been advertised in accordance with established procedures and representations have been received from interested parties.

The following issues were raised:

- a) Impact on the buildings and the character of this part of the Conservation Area.
- b) Poor access, narrow track.
- c) Unsustainable character of the area should restrict more dwellings.
- d) Not 'affordable' housing.
- e) Proportion of 'new build' is disproportionate to the listed building.
- f) Substantial alterations will affect the character of the barn.
- g) Impact on the adjacent bridleway/footpath.

Planning Panel Comments

10 January 2006 – That the application be deferred for a site visit and then referred to the Development Control Committee for consideration.

Applicants Submissions

The applicant has submitted a Structural Report with the application in order to address Policy AG2 of the South Kesteven Local Plan. The conclusions of the report are as follows:

5.01 We can conclude that the main barn structure is generally in good condition and has been constructed to a high standard for this type of building. Large openings break up the integrity of the structure but the piers either side of the openings will help to maintain stability whilst any conversion takes place. The gable walls are large panels only 215mm thick however there is no evidence of any distress under wind loading. The proposed conversion includes a first floor which can be tied into the gable walls each end providing additional stability.

5.02 It can be confirmed that the barn is suitable for conversion without any special temporary works being required.

5.03 The adjacent single storey open barn is constructed to a much lower standard and is in very poor condition. Structural movement has occurred as a result of roof spread and the structure is becoming unstable. We recommend demolition.

5.04 Serious structural damage is present over the large front elevation door opening into the main barn. This may be classified as Category 3 in accordance with BRE Digest 251. The cracking is the result of tensile failure in the arch

masonry due to the 'flatness' of the arch. (To keep the brickwork in compression the arch must be in the shape of a parabola).

5.05 We recommend that the masonry over the opening is removed and reconstructed o a new curved back lintel spanning between the piers either side. The original brickwork should be used for the reconstruction. Until this work is carried out temporary propping must be provided under the opening.

5.06 The main barn roof appears to be in good condition and should be saved. Damaged or rotten timbers will need to be repaired and replaced and the large span purlins over the main openings will require additional support which can be provided by internal partitions supported off beams at first floor level.

Conclusions

The site is within an open countryside location and would allow for an independent dwelling that would not be occupied in connection with agriculture. However, the adopted Interim Housing Policy (HIP) does support the residential conversion of listed or traditional barns within such locations where it would be the best use for the building. The development is therefore in accordance with the HIP.

There may be some scope for an extension to the listed barn and its conversion to provide an independent residential unit in this location but not in the form as proposed as part of this application. Extension to agricultural buildings, especially where they are listed, should be sub-servient to the original building and should respect the character and appearance of the original building.

RECOMMENDATION: That the development be Refused for the following reason(s)

1. The proposal, by reason of the overall size of the extension proposed and its general design, positioning and detailing, would give rise to an extension that would be detrimental to the character and appearance of the listed barn, its general setting and the character and appearance of this part of the West conservation Area. For these reasons it is considered that the development would be contrary to PPS7, Policy BE3 of the Lincolnshire Structure Plan Deposit Draft (2004) and Policies AG2, C5, C6 and C9 of the South Kesteven Local Plan (1995).

* * * * *

Applicant	Jelson Limited 370, Loughborough Road, Leicester, LE4 5PR
Agent	Woods Hardwick Ltd 17, Goldington Road, BEDFORD, MK40 3NH
Proposal	Erection of 89 dwellings
Location	Land north of Chatsworth Road, Stamford

Site Details	
Parish(es)	Stamford Adj authority - Rutland CC - AA6 Unclassified road Radon Area - Protection required Section 106/52 applies on site H2 Housing - Stamford Airfield Zone - No consultation required EA: Notified waste disposal site - TIP1 Drainage - Welland and Nene Wildlife - g/c newts etc - WL3

REPORT

The Site and its Surroundings

This site is located to the north of Chatsworth Road, Stamford. The site is bounded on the north by the administrative boundary with Rutland and to the south by existing housing.

The site measuring approx 3.23 ha, consists of rough grassland overlooking the old quarry workings and is about one metre lower than the gardens on Chatsworth Road. The site is generally flat though there are a number of mounds in the north-eastern section.

Site History

S99/0188 – Renewal of Outline planning permission for residential development. Approved 17.5.01.

S01/1449 – .Outline – Residential development. Approved 28.9.03

S02/1670 – Outline - Residential development. Approved 29.7.05

S03/0917 – ARM – 30 dwellings. Approved 23.1.03

S05/0307 – Construction of 64 Dwellings. Refused 27.5.2005.

The Proposal

This is an application for reserved matters for the construction of 89 dwellings. These comprise 1, 2, 3 and 4 bedroom houses and apartments. Of the 89 dwellings 18 are to be transferred to a registered social landlord as affordable dwellings.

Whilst the site is linear in form the development has three distinctive features in the layout. First the road flows through a circular area of open space, then the houses narrow to an urban square where the road tightly twists and then flows again through contrasting forms to an area of public open space where the houses face in a crescent feature.

The houses are laid out in detached, semi-detached and terraced formats to match the layout features described above.

Car parking is laid out in courts or to garages in the curtilages of dwellings.

Policy Considerations

National Policy

PPS1 – General Principles
PPG 3 – Housing
PPG13 – Transportation

Regional Policy

RSS8 – East Midlands

Lincolnshire Structure Plan

H1 – Housing provision
H2 – Housing on previously developed land
H3 – Density of new housing development

South Kesteven Local Plan

H2 – Provision of New Housing at Stamford
EN1 – Protection and enhancement of Environment.

Statutory Consultations

Stamford Town Council: No objections – but concerned about lack of infrastructure to support such a development.

Local Highway Authority – Final comments not yet received. These will be reported to committee.

Community Archaeologist: Does not effect any known archaeological sites.

Environment Agency – Final comment awaited.

Welland & Deepings IDB: No reply.

Rutland County Council – No objections but concerned that the roads will connect at the eastern end with Little Casterton Road and requests a transport assessment for the next phase.

Housing Strategy Manager – Confirms that the provision of affordable housing is at the rate of 20% in accordance with the S106 legal agreement but is concerned whether the dwellings equate to the housing corporation minimum standards.

Lincs Police Architectural Liaison Officer: Request conditions relating to boundaries and landscaping.

Representations as a Result of Publicity

One letter objecting to the development from interested parties.

The following points were raised:

- a) Overpowering impact on our property.
- b) Loss of privacy by being overlooked in our back garden.

- c) The layout shows a pathway from garages to rear gardens which will encourage future loitering and crime adjacent to our dwelling.

Applicants Submissions

None

Conclusions

It is considered that the proposal accords with development plan policies in terms of location and density and the key issues of this application are the design and impact on neighbours.

Section 58 of the Planning and Compulsory Purchase Act 2004 requires that the most up to date planning advice is considered when determining planning applications. The Development Plan for South Kesteven is currently formed by the RSS8 (March 2005), the Lincolnshire Structure Plan Alteration No 2 (April 1994) and the South Kesteven Local Plan (adopted 1995). The Lincolnshire Structure Plan April 2004 has been subject to its Examination in Public and is becoming close to adoption. This is gaining increasing weight and appeal Inspectors are according it due consideration. With the exception of this and RSS8 these documents are now quite dated and are currently subject to review.

Design

The previous application was refused for the following reasons:

“It is considered that the dwellings when viewed in combinations present an incongruous visual appearance from the juxtaposition of discordant architectural features and layout, for example window heads and cills, chimneys, ridge heights and pitch of roofs. This is considered to lack visual coherence and will have an adverse impact on the character of the proposed development. This is contrary to PPS1, PPG3 and EN1 of the South Kesteven Local Plan.

The development proposed does not conform to the requirements of the Lincolnshire Design Guide for Residential Areas and no justification/design appraisal has been submitted with this application. This lack of information and justification is therefore sub-standard and hence could be detrimental to highway safety.”

The layout has been the subject of discussion since the previous refusal and culminates in the provision of three distinct focal areas. The dwellings are laid out on varying lines either hard against the highway or opening out to provide areas of open space. It is considered that these counter point each other to create visual intrigue. It is considered that this layout and combination of dwellings overcomes the previous reasons for refusal and conforms to the objectives of policy EN1.

The road design has been derived in consultation with Lincolnshire Highways Authority and is considered acceptable, though final comments will be reported to members at the meeting. This aspect also conforms to policy and supplementary planning guidance and also overcomes the reason for refusal.

Impact on neighbouring Properties

It is acknowledged that the layout comes closest to No 50 Chatsworth Road. The distance between the rear elevations and the corner of No 50 is 15 metres at its closest point and this is considered acceptable. The dwellings are two and a half storeys high, though there

are no dormers in the rear, only rooflights that serve a bathroom and a dressing room. It is considered that the spatial relationship and recessive roof slope coupled with the difference in land levels does not create a domination of outlook to the existing properties.

It is also considered that the new dwellings do not create any further significant overlooking than that experienced at present. The fear of crime expressed is considered not to have a significant impact because the rear access paths are reached from car parking courts that both have natural surveillance from adjacent dwellings.

The development is considered acceptable.

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Statement PPS1, Planning Policy Guidance Notes 3 and 13, Regional Planning Statement 8, Policies H1, H2, and H3 of the emerging Lincolnshire County Structure Plan and Policies H2 and EN1 of the South Kesteven Local Plan. The issues relating to overlooking, loss of privacy, domination of outlook and fear of crime are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

Recommendation: It is recommended that the development be permitted subject to the conditions imposed on the outline permission.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. Before the development is brought into use, the private driveway shall be provided with lighting in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no development relating to Class A of Part 1 of Schedule 2 (erection of extensions) shall be undertaken without the prior written approval of the Local Planning Authority on plots 5, 6, 18-27, 32-35, 39, 45, 47, 55, 56, 65, 68, 74-77 and 88.
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed on plots 4-6, 13-23, 30, 32-38 and 41.

The reason(s) for the condition(s) is/are:

1. To provide adequate lighting of the private driveway in the interests of crime prevention and community safety and in accordance with Policy EN1 of the South Kesteven Local Plan.
2. To protect the character and visual amenities of the area and the amenity of adjacent residential properties, and in accordance with Policies EN1 and H6 of the South Kesteven Local Plan.
3. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policies EN1 and H6 of the South Kesteven Local Plan.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

Applicant	H Mann 428, Pin Green, Stevenage, Herts, SG1 4EA
Agent	Clive Wicks Associates Old School House, 36, Boston Road, Sleaford, Lincs, NG34 7EZ
Proposal	Erection of dwelling and garage
Location	Land West Of Tennyson Cottage, Main Road, Tallington

Site Details	
Parish(es)	Tallington A Class Road Radon Area - Protection required Area of special control for adverts Airfield Zone - No consultation required Drainage - Welland and Nene

REPORT

The Site and its Surroundings

The 565 sq.m. application site is located on the south side of Main Road, Tallington, just to the west of the Bainton Road junction. It was formerly domestic garden but has had the benefit of outline planning permission for a dwelling since the late 80's. It is currently unused and overgrown.

To the east are two residential properties, both chalet bungalows, fronting Bainton Road, Tennyson Cottage and Maylands. The garden of the latter extends across the southern boundary of the application plot. To the west is a modern detached property, Deebec House, planning permission for which was originally granted at the same time as that for the plot currently under consideration.

Site History

As mentioned above, outline planning permission was originally granted for the application plot in 1987 (SK.75/0660/87). That permission also included the adjoining plot to the west which Deebec House now occupies.

It would appear that all the land subject of the 1987 permission once formed part of the garden to Tennyson Cottage.

The outline permission has been regularly renewed, most recently last year (S04/1709/75).

The Proposal

Approval of Reserved Matters is sought for a four bedroom detached house with a detached double garage.

The submitted drawings show a house of an overall height of 7.7m to the ridge and 4.7m to the eaves. Materials are specified to be random coursed limestone rubble for the external walls and Bradstone artificial slates for the roof covering.

The house would have a 2.9m, two storey projection to the front, on its eastern side and a 2.5m one at the rear on the western side. Onto the rear of the eastern end of the house would be a single storey 'garden room', projecting 4.275m. There would be a 2.0m gap between the house and the boundary with Tennyson Cottage and a 3.0m gap from the boundary with Deebec House to the west.

The detached garage would be positioned against and at right angles to the front boundary with Main Road. The area in front of the house is shown to be hard surfaced to provide a turning area.

Policy Considerations

South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment – in respect of buildings the policy seeks to ensure that the development reflects the general character of the area through layout, siting, design and materials.

Statutory Consultations

Local Highway Authority: Requests standard condition HP19.

Community Archaeologist: Requests Note to Applicant – ARC1.

Parish Council:

“We have numerous representations with this application.

- The property appears to be disproportionately large for the plot in this area of the village.
- The property will substantially overlook the adjacent cottages, Maylands and Tennyson Cottage.
- Concern was raised as adjacent property, Deebec House, has right of way for vehicle turning.
- Proposed 1.5m stone wall to frontage appears to be on land owned by Highways, not the applicant.
- The development will necessitate felling of trees on the site, contrary to S12 of application.
- Construction of such a large property is likely to result in greater flooding of adjacent property, Tennyson Cottage.”

Representations as a result of publicity

The application has been advertised in accordance with established procedures, the closing date for representations being 8 December 2005. Letters of objection have been received from interested parties.

The planning issues raised are:

- a) Loss of daylight and sunlight to house and garden of Tennyson Cottage. (1)
- b) Unsympathetic development. (1)
- c) Apparent encroachment onto land over which Deebec House has right of way. (1)
- d) Insufficient area allocated for vehicle manoeuvring. (1)
- e) Possible encroachment onto highway land. (1)
- f) Answer to tree question on application form incorrect. (1)

Planning Panel Comments

This application has been brought before Committee at the request of the local member.

Conclusions

Although the site is relatively small it is considered that the design, materials and positioning of the proposed dwelling are acceptable and would not impose unduly on the immediate surroundings. No condition was imposed on the outline permission stipulating the type of dwelling (i.e. bungalow, chalet bungalow etc) that could be erected on the plot.

The proposal was subject to negotiation prior to formal submission.

It is considered that the proposal satisfies the criteria laid down under the relevant policy.

Summary of Reason(s) for Approval

The proposal is in accordance with Policy EN1 of the South Kesteven Local Plan. There are no material considerations that indicate against the proposal.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The arrangements shown on the approved plan 51571/02 received 2 November 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
2. Before the development is commenced there shall be submitted to and approved by the District Planning Authority details (including cross-sections) of the relative heights of existing and proposed ground levels of the site and existing adjoining development and roads.
3. The first floor windows in the east and west facing elevations shall be obscure glazed.

The reason(s) for the condition(s) is/are:

1. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with Planning Policy Guidance Note 13.
2. In the interests of amenity, to ensure a satisfactory development and to ensure that any new development does not impose adversely upon its surroundings and in accordance with Policy EN1 of the South Kesteven Local Plan.
3. To safeguard the privacy of the neighbouring properties in accordance with Policy EN1 of the South Kesteven Local Plan.

Note(s) to Applicant

1. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 782070 for appropriate specification and construction information.
2. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

This application was deferred from the last meeting for Members to undertake a site visit.

At the last meeting the Architect's response to the comments of the Parish Council and neighbouring residents were reported verbally and were as follows:

I have now had sight of the Committee Agenda for next week, and although I will be addressing the Committee I feel that I must make an immediate response to various objections raised by the Parish Council and neighbours.

a. Parish Council

1. The property has been designed to break up the elevations in order to reduce its scale. To suggest that our proposal is out of scale is odd since it is smaller than the 2 new substantial houses on Home Farm, and only 70 metres west of the site.
2. There will be no overlooking of the adjacent cottages, Marylands and Tennyson Cottage, since the only 1st floor window will be that of a bathroom with obscure glazing. I would also note that we are 2 metres from that property.
3. Any right of way for Deebec House will remain.
4. All of the application site is within the site boundary. I have clarified this on Drawing No. 51571/02A, 2 copies of which are enclosed.
5. I do accept that a single apple tree will be removed. The reason for not noting this on the application form is that no permission is required for the removal of apple trees. I apologise if that has been a cause of any concern.
6. With regard to flooding, I have spoken with your Building Control Department who confirm that since the area has a sand and gravel base, surface water drainage will be no problem.

b. Neighbours

Item 1 Our proposal is to the west of Tennyson Cottage so will have no impact on the predominantly southerly sun entering its garden.

Item 2 We have incorporated the very best materials and architectural detailing, so can only enhance the area.

Item 3 See a3 above.

Item 4 The area allows vehicles to enter and leave in forward gear.

Item 5 See a4 above.

Item 6 See a5 above.

We have liaised throughout with yourself and have revised our proposals to incorporate your requested amendments. We have accorded with Policy EN1 to reflect the older character of the area rather than the "speculative" character of property like Deebec the adjacent house, and believe that with your considerable assistance we will make a positive contribution to the Tallington street scene.

* * * * *