



PL.13 14/15
Planning Committee
4 February 2015

Subject: Planning applications for determination

Report by:

Chief Operating Officer

Contact Officer:

Zoë Raygen
Acting Area Team Manager
01427 676673

Purpose / Summary:

The report contains details of planning applications that require determination by the committee together with appropriate appendices.

RECOMMENDATION(S): Each item has its own recommendation

IMPLICATIONS

Legal: None arising from this report.

Financial : None arising from this report.

Staffing : None arising from this report.

Equality and Diversity including Human Rights : The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

Risk Assessment : None arising from this report.

Climate Related Risks and Opportunities : None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:
Are detailed in each individual item

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

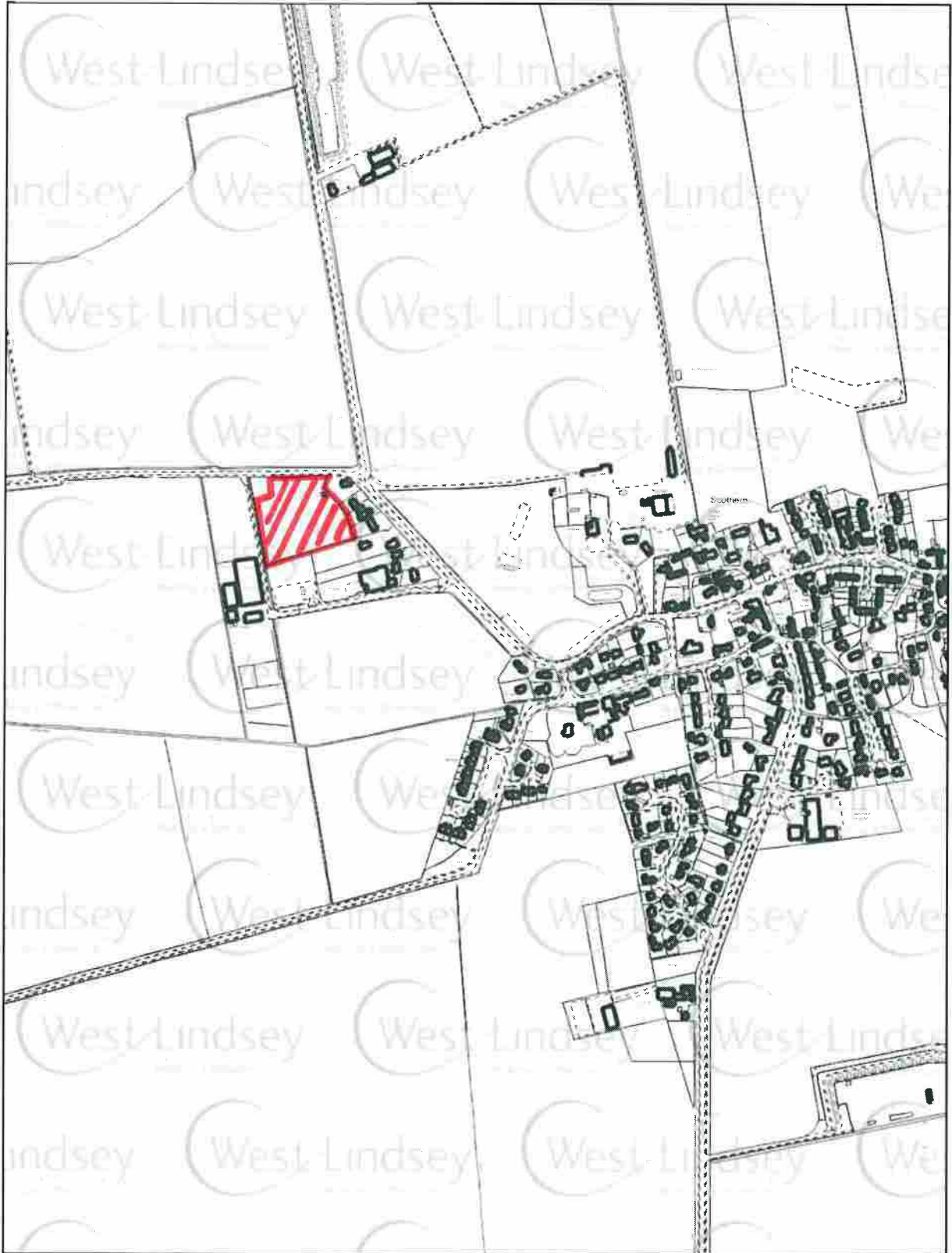
A matter which affects two or more wards, or has significant financial implications

Yes

No



1:7500



© Crown Copyright and database right 08 January 2015, Ordnance Survey 100018701

Officer's Report

Planning Application No: 132027

PROPOSAL: Planning application for the erection of 30 dwellings- 16 open market houses and 14 affordable homes

LOCATION: Land At Heath Road, Scothern, Lincoln LN2 2UD

WARD: Sudbrooke

WARD MEMBER(S): Cllr S. Curtis

APPLICANT NAME: Chestnut Homes

TARGET DECISION DATE: 27/01/2015

DEVELOPMENT TYPE: Small Major - Dwellings

CASE OFFICER: George Backovic

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Chief Operating Officer upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

1. **Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.**
2. **The criteria for the first and subsequent occupancy of the affordable homes.**
3. **The mechanisms for ensuring the affordable homes are affordable**
4. **Maintenance and management of public open space and drainage systems**

Description:

Site - The application site which is roughly square in shape consists of cleared fields, believed to have formerly been in use as a garden nursery, and is located on the north western fringes of Scothern, south of Heath Road, close to its junction with Dunholme Road to the east. The site's northern boundary is formed by Heath Road beyond which are open fields. The eastern boundary runs along the rear garden areas of numbers 16 to 22 Dunholme Road. Part of the site's southern boundary abuts the existing side boundary of 14 Dunholme Road. The remainder of the site's southern and majority of the western boundary is with the Scothern Nurseries Plant Centre. The remainder of the western boundary is with a rectangular section of land to the north western edge of the site.

Proposal – Erection of 30 dwellings accessed from a new access created off Heath Road. These are as follows:

8 detached houses for market housing (plots 1 to 5 and 28 to 30)

8 semi-detached houses for market housing (plots 6 to 12A)

4 semi-detached houses for social housing (plots 21 to 24)

2 semi-detached bungalows for social housing (plots 14 and 15)
 3 two storey houses and 2 apartments in a terraced block for social housing (plots 16 to 20)

Relevant history: This was subject to pre application discussions with housing and planning officers as can be seen from the detailed consultation response from the housing and communities' team below.

The application was deferred at your meeting on 21st January in order for Members to undertake a site visit. This visit took place on 29th January.

Representations:

Ward Cllr / Chair –: No comments received.

Scothern Parish Council: This planning application was considered at Scothern Parish Council meeting held on Wednesday 3 December 2014 when councillors resolved to **oppose** the application for the following reasons:

- **Location:** This proposed development is situated on the periphery of the village preventing full integration of residents encouraging the formation of an isolated settlement. Policy NBE20 states that developments on the edge of settlements should enhance the distinctive characteristics of the settlement - this development, particularly in view of the density and remoteness of the site is insensitive and will not preserve the characteristics of this rural village.
- **Highways:** The transport statement incorrectly states that Heath Road is a single carriageway, two-lane road – this road is a single lane road and has no passing places, has myriad potholes and decaying grass verges. It is currently used as a “rat run” from the A15 and A46 to the A158 and reverse, and although a weight restriction is in place it is still used by HGVs. A development of 30 properties with an average of 2 cars per household will create 60 vehicles leaving the site into this poor road and either travelling along a single track road to the A46 (being the main route to Lincoln, Welton and the Market Rasen area) or to Dunholme Road (a fast, busy road at peak times) to access the A46 or the rest of the village. A well used (24/7) childcare facility is located on Heath Road which generates considerable traffic movements. When examined, the statistics quoted in the traffic movement survey are not accurate. It is noted that the applicant proposes to reform the Heath Road/Dunholme Road junction which will serve to further increase the amount of traffic using the Heath Road as a “rat run”, and whilst it is noted that there is an intention to create a 5 metre wide carriageway, having regard for the fact that regular vehicles are around 2 – 2.5 metres wide this would seem to be insufficient.
- **Affordable Housing:** The housing needs survey carried out at the end of 2013 was commissioned and financed by the applicant and carried out by Community Lincs – this survey was not therefore carried out independently, as was thought by the residents of Scothern. 10 affordable homes only were identified as being needed from this survey

– 3 of the additional properties were people already on the WLDC housing list and included in the survey total. Policy RES 6 states that in the region of 25% affordable housing is an optimum figure when calculating affordable housing as part of a development - this development equates to almost 47%. There is evidence of local properties, which fall into the affordable housing category have taken some considerable time to sell. Indeed properties on an existing “affordable” homes development, the subject of a Section 106 agreement making provision for them to be available to local people or those having a family or business connection in Scothern have been sold on the open market.

- Traffic: The distance from the centre of the village is such that cars will be used to access the facilities in the village, adding to the congestion particularly at peak times in the morning and afternoon when, ie school opening and closing.
- Parking: Council considers that insufficient parking is provided on this proposed development of 30 properties offering only 7 visitor spaces, necessitating visitors parking on the development roads.
- Drainage: The ditch in the nearby Dunholme Road is frequently full to the top of the banks during periods of moderate rainfall, as it is at the time of writing (26 January 15). Reports commissioned by the applicant highlight the difficulty in carrying out full observations because of the overgrown nature of the site, emphasising a flaw in the proposals for the management of surface water. Foul water from the development is to discharge, by gravity into a manhole in Dunholme Road at the northern limit of the sewer. It is a well-known fact in Scothern that the sewer system is inadequate and that there is no surface water drainage system.
- Health: Scothern is served by two medical practices, one in Nettleham and one in Welton. With the potential developments in Scothern and the immediate surrounding areas of Nettleham, Sudbrooke, Langworth, Welton and Dunholme all of which are served by the above two medical practices assurances should be sought from the practices directly (not through the National Health Service) that there is capacity for the additional potential patients. North Greetwell is also to increase by some 2000+ properties and some of those residents could wish to register with these two practices, particularly Nettleham.
- Education: Scothern has a successful community academy (Ellison Boulter’s Church of England Academy) serving the communities primarily of Scothern, Sudbrooke, Langworth and Stainton although it is known that there are pupils from Nettleham, Lincoln and other nearby (and not so nearby) communities attending the academy. A planning application has recently been approved for an extension to the school, which is to provide further accommodation for the existing pupils – this demonstrates the lack of accommodation for a large influx of pupils

from the communities stated above. There will be an impact on pupil numbers at the nearby William Farr Church of England Comprehensive School should any / all of the known or likely developments be approved. Confirmation should be sought directly with the education establishments above (not with the Local Education Authority) that there is sufficient capacity to admit a likely considerable number of new pupils.

- **Site Density:** The proposed development contravenes Policy Strat 1 as the density is not appropriate to the locality, Scothern being a small village, and is not sensitive to the environment as the proposed development is situated on the edge of a rural village and **is not**, as stated within the application documents bounded by other residential or retail properties. There are only 4 residential properties bounding the site and a garden centre forms the retail outlet.
- **Consultation:** It is noted that the applicant believes that the lack of responses during/following the local consultation exercise in July 2013 indicates that there is no real opposition to the development. The lack of responses could also be because it was not made clear to the attendees of the consultation that there was an opportunity to comment – a number of residents of Scothern have indicated this and 15 comments from a village of 360 households is not representative.

Local residents: Representations have been received from 12, 18 and 20 Dunholme Road and 9 Vicarage Lane objecting to the proposals on the following grounds:

- **Highway Safety** - The single exit and entry on Heath Road is unsatisfactory. Contrary to the Transport Statement Heath Road is not a single carriageway two-lane road. At the immediate junctions with Dunholme Road and the A46 there are two lanes but definitely not in between. Simple visual observation and experience shows this. I have lived at this address for nearly 40 years and have had ample opportunity to observe the build up and behaviour of the traffic over the years. Pedestrian access is mentioned but not very helpful bearing in mind the layout of this site, its situation in relation to the village, and its emphasis on the use of the car; 52 parking spaces and so on. The theoretical figures in the Transport Statement have obviously been manipulated to come below government guidelines. Widening Heath Road will make little difference. It would need to be 6 metres wide to allow for vehicles to pass. The site is not within walking distance of the school and other facilities.
- **Drainage** - Living at this address for nearly forty years shows that there is a drainage problem with this site. At times of heavy rainfall water collects at the bottom of my garden and eventually floods across my garden and the runs off to the rear of nos 18 and 16 Dunholme Road. This is likely to be made worse as the site is compacted during construction and the extensive introduction of hard surfaces. The report recognises that there is a problem in that soakaways cannot be used

nor can reliance be placed on infiltration. A complicated system of underground pipes and swales is to be constructed to eventually connect with a roadside ditch in Dunholme Road. Several of the reports commissioned by the applicants remark on the difficulty of carry out full observations because of the overgrown nature of the site. I remember the site before it became overgrown with scrub when the various slopes could be seen. There is every chance that water is expected to run uphill with the proposed system of drainage.

Foul water from the 30 dwelling development is to discharge by gravity into a manhole in Dunholme Road apparently at the northern limit of this sewer.

- **Loss of privacy** – As the land is at a higher level my bungalow would be overlooked by houses.
- **Inadequate Parking** – 52 spaces for thirty houses is inadequate and in addition there will be visitors and delivery vehicles.
- **Lack of need and contrary to RES 6 Affordable Housing** – The survey was a con as residents assumed that it was in connection with the Local Plan and it did not highlight that the survey was paid for by Chestnut Homes. RES 6 only requires 25% affordable housing whilst 47% is proposed. ACIS homes the preferred supplier of affordable homes for Chestnut has admitted that they cannot afford to maintain the existing properties in the village because of budget constraints. We do not want any more under their control. How will shared ownership of the properties be protected in the long term? The Planning Statement states that Scothern has failed to deliver the required number of affordable housing. This is not the case as Cade Close was developed over the last Local Plan Period with some of those sold on the open market.
- **WLDC Support** – Why have the council indicated support without any consultation with residents or the Parish Council?
- **Location** – This is not the right location for development as it is at the edge of the village and access to the school and other facilities will be by car. The site is not framed by existing residential development. It is ribbon development.
- **Contrary to STRAT 1** – Will be at too high a density and is inappropriate and not sensitive to its environment.
- **Contrary to NBE 20 Development on the edge** - does not enhance or complement the area.
- **Lack of Five Year Housing Supply** – This can be discounted as Eric Pickles recently stated that this should not be a reason for approving planning on the edge of settlements.
- **Lack of facilities to serve increased population** – Incorrectly categorized as a Primary Rural Settlement – It has not had a convenience store since 1999. Scothern is a level 5 Small Village as categorised by Policy LP2 in the draft Local Plan. It lacks a library, a post office or any kind of shop. Its school was designed to serve the existing population and several small outlying villages. It would struggle to serve the needs of a proportionally large influx of new residents.

A general observation has been received from Brook House, Scothern Lane:

- There is no Flood Risk Assessment or a plan to slow down surface water from the site which will drain into Scothern Beck and eventually Barlings Eau.
- A representation has been received on behalf of the Village Hall (Scothern Recreation Centre, a registered charity) requesting that a suitable contribution is made by the developer to the “Village Halls revitalisation fund” towards refurbishing or replacing the village hall in order that the “local community benefits”. They also seek to be involved in discussions on the matter.

Heath Farm Day Nursery: The existing road is narrow and often requires vehicles to mount the verge to pass each other. This is already a concern to us and our customers and any additional traffic will create even more of a problem. If the development does go ahead I would like to think that due to the increase in traffic and the nature of our business that consideration could be given to adding this road to the gritting route.

Housing and Communities: The Housing and Communities Team fully support the application for the delivery of a rural exceptions site providing 14 affordable dwellings cross subsidised by 16 open market houses at Heath Road Scothern.

West Lindsey which forms part of the Central Lincolnshire HMA has aspirations for sustainable growth. One of the cornerstones of this growth is to deliver homes that meet the needs of the residents.

Austerity measures in recent years have led to constraints in funding resources which in turn has led to a reduction in the delivery of affordable homes within the district. The Central Lincolnshire Strategic Housing Market Area published late 2012 identified a shortfall of 42800 homes by 2033 with a target of 17,120 affordable homes to meet a diversity of housing need in both urban and rural locations.

Priorities within The Central Lincolnshire Housing Growth Strategy 2012 – 2017 around the LIP themes of Growth, Community and Quality include;

- Meet a variety of housing needs through the delivery of housing growth across Central Lincolnshire
- Promote Central Lincolnshire as potential for growth
- Deliver Urban and Rural affordable housing
- Deliver housing options for older people
- Deliver housing options to meet specific needs
- Promote innovation, high quality design and materials , in new developments
- Increase energy efficiency standards and sustainable use of resources

The vision for West Lindsey within The West Lindsey Corporate Plan 2014 – 2018 is for the district to be seen as a place where people want to live, work, invest and visit.

The 4th theme which is to address the wider determinants of health has an objective at 4.1.3 to increase housing options available across the District. One measure of this is to provide 50 affordable housing units by March 2015. It is with the above priorities in mind that West Lindsey have worked with landowners, developers and registered providers to deliver affordable housing schemes in settlements beyond the defined Local Plan Review Settlement limit using the principle of Policy Res 7 of the West Lindsey Local Plan 2006 first review. The aim is to deliver small scale affordable housing schemes in rural settlements where an element of market housing is permitted to enable the delivery of the affordable housing as per the National Planning Policy Framework para 54 which allows the principle of cross subsidy to be used on rural exceptions sites.

A number of applications have previously been granted at committee using this approach which has set a precedent for the delivery of rural affordable housing using this approach i.e. Waterford Lane, Cherry Willingham (129269); Lincoln Road, Ingham (130363) and The Eshings, Welton (130995) Below is a chronological timeline of the process we have undertaken with Chestnut Homes in relation to the application at Heath Road, Scothern.

June 2011	Preliminary meeting held with developer to explain WLDC process in relation to delivery of affordable housing schemes using the principle of Policy Res 7 West (Lindsey Local Plan 2006)
June 2013	Approach from applicant to start to process
November/December 2013	Housing Needs Survey carried out by Community Lincs. Call for land carried out concurrently
January 2014	Housing Needs Survey published
January/February 2014	Required mix confirmed by Housing and Communities Officer
February 2014	Community Lincs fed back to Parish Council
February 2014	Sites brought forward in call for land assessed by Planning Officer and Housing and Communities Officer
Spring 2014	Landowners/developers informed of assessments
July 2014	Public consultation held
November 2014	Application submitted

An initial meeting was held with the applicant in 2011 where the Council's approach and the process relating to the delivery of rural affordable housing were explained both in terms of identifying the need by means of a parish survey and also in establishing the most appropriate location for an exceptions site within the settlement. The meeting also gave officers the opportunity to discuss the potential for an element of cross subsidy to finance the affordable housing in light of the lack of public subsidy.

A further approach was made in June 2013 and as a result an independent parish housing needs survey, which is required to evidence a need for

affordable housing, was commissioned by the applicant. It is not unusual for an applicant to commission a survey. It is always made clear that once the results of any such survey are published that the document is made public and any landowner is able to bring forward land which can be made available to meet any identified need.

The call for land, which ran alongside the survey both of which were administered by Community Lincs, brought forward two sites. Both sites were assessed by a Planning Officer and the Housing and Communities Officer and the outcome of the assessments were fed back to landowners. This purpose of this assessment is to identify any major constraints which may prevent the site from delivering the affordable housing.

The application site was assessed as being suitable for the development of affordable housing and deliverable. A site is only deliverable when there is a willing land owner, a developer and a Registered Provider on board as is the case with this application.

The survey which received a healthy 25% response rate (20% being the accepted norm) identified a need for 10 units of affordable housing. When the findings were cross referenced with households registered on the Council's Housing Register a specific mix of 14 units was requested. The proposal will provide an exact mix to those 14 units identified through the survey and the housing register. The survey also evidenced a strong support for a scheme of affordable housing for local people with 74% of the respondents being in favour of a development.

Extensive pre application meetings have taken place between the Council and the applicant which has resulted in the submitted plans for 14 affordable units and 16 market houses. Policy Res 7 allows for no more than 50% of site to be delivered as market housing however a robust viability appraisal has shown that in this instance it is necessary for 16 market houses to be delivered. It is worth noting that one of the previous permissions granted in Ingham (reference 130363) also has more than 50% market housing.

The Housing and Communities Team are satisfied that the proposal will meet the evidenced need from the Parish Housing Needs Survey and will provide much needed affordable housing in a sustainable location where there are currently limited housing options for those households in need of affordable housing and are therefore fully supportive of the proposal.

LCC Highways: The Drainage Feasibility and Flood Risk Statement states that Sustainable Urban Drainage Systems can be incorporated into the design. Please be aware that LCC will only adopt systems that are accepting highway drainage only, with no private connections and approved outfall. Any features that accept private surface water drainage will require adoption via the Water Authority.

A Residential Travel Plan is required. LCC's street lighting engineer has raised concerns about the planting on the site which is likely to be in conflict with columns that are required to light the footway.

I have concerns that there will be issues with on street parking due to the remoteness of some of the parking spaces to the properties they serve.

The proposed adoptable frontage footway is proposed to be located behind a ditch and a hedge that falls within private ownership. The highways authority is concerned that this will become a future maintenance liability. To overcome any future issues in this respect I would advise that either the footway is moved so that it is adjacent the existing highway with the hedge and ditch reprofiled so that it sits behind the footway. Or that a condition is placed on the frontage properties to ensure that the title deeds state that the frontage plots are responsible for the maintenance of the hedge and ditch. If the first option is adopted, it will be necessary for Heath Road to be widened by a further 0.5 metres to ensure that any visitors to the frontage plots which may park on Heath Road, do not obstruct the free passage of vehicles.

Environment Agency: The proposed development will be acceptable if a planning condition is included requiring the following drainage details:

Condition: No development shall take place until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that surface water run off generated up to and including the 100 year plus climate change critical storm will not exceed the run off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include: Details of how the scheme will be maintained and managed after completion and who will adopt the surface water system and detailed calculations of the surface network design based on the allowable discharge rate of 5 l/s.

Reason: To prevent the increased risk of flooding, both on and off the site.

Public Protection: Comments resulting from Multi Agency Group (MAG) meeting: I note in this application that whilst watercourses to the north and west have been dismissed in terms of value to the drainage plans for the development they still exist, have value, and need to be maintained. Advice given at the MAG for this site regarding not fragmenting riparian responsibility has been heeded in part but the western boundary has not been fully incorporated. Recommendations:

- That a maintenance strip is required along the length of the western boundary and that it includes riparian responsibility for the watercourse.
- That retention and maintenance of the watercourse along the northern boundary is assured.

Witham Third District Internal Drainage Board: The applicant should apply to the Board for Land Drainage Consent for the surface water outfall into the road crossing culvert on Dunholme Road.

NHS England: Request consideration of a contribution of £12,750 based on £425 per dwelling.

Lincolnshire County Council (Education): The development would result in a direct impact on local schools. In this case both the primary and secondary schools. The level of contribution sought in this case equates to £96,080. The County Council seeks a Section 106 agreement to be entered in to, noting the significant cumulative impact of this application alongside other developments currently proposed in Scothern and surrounds. Without a capital contribution the education infrastructure will be unable to match pupil numbers and an objection considered otherwise.

Natural England: The proposal is unlikely to affect any statutorily protected sites or landscapes.

LCC (Archaeology): No further archaeological input required.

Anglian Water: No objection

Relevant Planning Policies:

National Guidance

- National Planning Policy Framework (2012)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- National Planning Policy Guidance (2014)
<http://planningguidance.planningportal.gov.uk/>
- West Lindsey Local Plan First Review 2006 (saved policies - 2009).
The site is outside of the settlement limit for Scothern and is therefore defined as being open countryside. The following policies are considered applicable:-

STRAT 1 Development Requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 3 Settlement hierarchy
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 9 Phasing of Housing Development and Release of Land
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

STRAT 12 Development in the open countryside
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

SUS4 – Cycle and pedestrian routes in development proposals

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

RES 1 Housing Layout and Design

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 2 Range of housing provision in all housing schemes

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 5 Provision of play space/recreational facilities in new residential development.

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES6 Affordable housing provision

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 10 Open Space and Landscaping

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm>

NBE 14 Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE20 Development on the edge of settlements

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

The above policies were saved in 2009 but the weight afforded to them must be considered in the context of their conformity with the National Planning Policy Framework 2012. The policies have been assessed and are considered to be compliant with the National Planning Policy Framework.

Main issues

- Principle
- Sustainability of location
- Flood risk and drainage
- Design landscaping and visual impact
- Highway safety
- Impacts on adjoining residential amenities

Assessment

Principle

The West Lindsey Local Plan First Review was drafted in 2003 and adopted in 2006. It remains part of the development plan and contains a suite of strategic (STRAT) and residential (RES) policies that, together with national planning policy, is designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's growth objectives. These strategic policies together with policy RES6 of the Local Plan Review were originally designed to deliver the majority of open market and affordable homes through allocated sites identified in the same Plan. Other sites would be permitted within settlement

limits in the towns and larger, so called Primary Rural Settlements, but there were and still are policies designed to permit housing outside of settlement limits. These include where there is a local need for specific housing, where a countryside use such as farming has identified a functional need and in other exceptional circumstances where material considerations could justify development in locations deemed to be unsustainable. Policy RES7 was included to acknowledge that there would be a need to deliver “exceptions sites” for affordable housing in small and subsidiary rural settlements (as defined by policy STRAT3) to respond to an identified need for such housing in these settlements. Towns and Primary Rural Settlements such as Scothern were explicitly excluded from the provisions of policy RES7 as the allocations included within policy STRAT2 were designed to deliver not only the open market housing to meet the Council’s housing strategy but also affordable housing to meet local need. This is because policy RES6 required the Council to seek delivery of around 25% of the total number of dwellings within each allocated site to be affordable homes.

The failure of this framework to deliver affordable homes to respond to specific need in many, although by no means all settlements in West Lindsey is outlined in the comments from Housing and Communities above. The delivery of affordable housing to meet a specific need beyond the defined settlement boundary has previously been accepted and supported. The chronology outlined above and procedure followed in agreement with officers reflects those of similar exercises undertaken.

In summary, despite the site being beyond the settlement limit and on greenfield land, it is considered that the principle of the proposal can be supported as the proposal responds to an identified need and that the number of market houses proposed is necessary to enable the delivery of the affordable units. The overall mix provides opportunities for both first time buyers and those looking to move up the property ladder as well as providing much needed affordable housing for those households who are unable to access the housing market without assistance.

Sustainability of location including proximity to existing services and facilities and level of accessibility by means other than the car

Ensuring that development is sustainable is the key theme of the NPPF and also a material consideration within policies STRAT1, SUS4 and RES1 of the Local Plan Review.

The site is located on the north western fringes of Scothern beyond the main built form of the village. The existing footpath which culminates at 22 Dunholme Road will be extended along Heath Road to provide access to the site. Scothern itself contains some services and facilities including a Village Hall, the primary school, a garden centre which includes tea rooms and the Bootle and Glass Public House. It also benefits from a regular bus service connecting it to Welton and Lincoln. These are services 11 and 11A. The earliest service to Lincoln leaves at 0645 with the latest departing at 1820. There are 11 scheduled daily departures, from Mondays to Saturdays, with no Sunday Service. The earliest service to Welton leaves at 0939 with the latest

at 1839 with 10 scheduled daily departures from Mondays to Saturdays with no Sunday service. The nearest bus stops to the site are on both sides of Dunholme Road opposite 6 Dunholme Road approximately 300 metres from the site.

In terms of the potential to access the existing facilities on foot the case officer timed himself walking from the site to the Glass and Bottle public house at the centre of the village. This involved crossing the entrance to Scothern Nurseries, and Church Street to get access to the public house. It is possible to make this journey along a pedestrian footpath provided Dunholme Road is crossed as the segregated footpath runs along at various sections and on both sides of Dunholme Road. There is a tactile dropped kerb on both sides of the road at the nearest bus stop to enable level access. The journey was undertaken at a pace to reflect people of varying abilities and the carrying of a shopping bag and accompaniment by children including the pushing of a pushchair and took 10 minutes. The return journey took slightly longer. Therefore, despite being beyond the settlement limit the site is considered to be in a sustainable location.

Concerns have been raised about the lack of shopping and other facilities to cater for the development. This is noted however the actual demand for the affordable housing is specific to Scothern itself and the existing public transport provision is considered sufficient to be able to access other facilities within Lincoln and Welton.

Concerns have been expressed by some residents about the ability of the infrastructure serving the village to take new development. Specific concerns relate to overstretched medical facilities, education and drainage. The NHS Property division has confirmed that there would be a reasonable requirement for capital infrastructure for health services arising from the development. This is a reasonable request that complies with the Community Infrastructure Regulations 2011

With regards to education, the County Education Authority have requested a contribution in relation to the provision of capital infrastructure for primary and secondary schools serving Scothern. This is also a reasonable request that complies with the Community Infrastructure Regulations 2011. However, members are reminded that this development is an affordable housing led scheme and a viability appraisal has indicated that it would not be viable for the development to contribute to the required additional infrastructure.

There is a finely balanced judgement to be made here, but the delivery of the affordable housing is considered to outweigh the lack of education and health contributions.

Flood risk and drainage

The site is located within Flood Zone 1 as indicated on the Environment Agency Flood Maps categorising it at low risk of flooding. Infiltration tests have been completed and although soakaway drainage is not feasible, limited infiltration can be incorporated within the proposed SUDS system. The

surface water will be dealt with by a combination of infiltration (permeable paving structures), drainage channels (swales) and existing drainage ditches which ultimately discharge into the existing IDB maintained watercourse at an attenuated rate restricted to the current greenfield run off rate, plus 30% climate change. The Environment Agency raise no objection to the proposal subject to suggested planning conditions which will be imposed.

The comments from public protection in relation to riparian ownership have been taken on board and it is now proposed to make this the responsibility of the Management Company that will also be required to maintain the area of open space. A condition will be imposed to ensure that the watercourse along the northern boundary remains open in the interests of flood prevention.

It is the intention that the swales and open drainage will be adopted, however, in the interim this will be the responsibility of the Management Company secured by a Section 106 which will allow for its adoption.

Foul drainage is proposed to connect to the existing mains sewer in line with

Impact on the character and appearance of the area including design, landscape and layout

The site is located on the fringes of the village and the closest dwellings are to its east and are a mix of houses and bungalows in various designs facing Dunholme Road. Scothern itself has a range of architectural styles and types. These range from small workers cottages to typical farm house style dwellings through to larger Georgian, Edwardian and Victorian dwellings. Throughout the village are a large number of newer dwellings from the 1960s and 1970s. The applicant has carried out an in depth review of the existing housing styles in the village and modified the design of the new housing to reflect and pick up the design cues from the village.

As the site is currently undeveloped any buildings will by their nature have a visual impact. Taking this into account the scheme as designed ensures that the dwellings are set back within the site particularly but not limited to the western boundary on the eastern approach to the site. The existing hedgerows and trees are retained to soften the edge of the development. This can be supplemented by additional planting including strengthening and reinforcing the existing hedgerows and making good any gaps which can be secured by the use of a landscape condition.

The existing hedge along the frontage with Heath road has already been lowered and laid. The frontage onto Heath Road will be formed a row of five individually designed detached houses with small front gardens enclosed by metal railings with a new hedge behind. It respects the existing built line established by 22 Dunholme Road and as the houses are set back from Heath Road a minimum distance of 7.6 metres rising to 9.8 metres. This allows it to be framed by a large expanse of grassed verge that is not untypical within the village. The access to the wider site is from Heath Road and this is 5 metres in width although the distance between the side elevations of the houses either side of the access is 13 metres. This helps to

create a sense of openness at the entrance and continues through the wider site. This has been achieved through the use of open swales that run along the access road and lead to an area of open space at the centre of the development designed to be overlooked. This represents approximately 5% of the site area as required by RES 5. The future maintenance of this will need to be the subject of a section 106 agreement. There will be a green natural edge to the boundaries of the site although it will be necessary to prohibit the use of fencing along the western boundaries unless it is set behind the hedgerows to ensure that a hard edge is not provided.

The parking courts and garage block have been laid out so that vehicles do not dominate the street scene.

There are a mix of house types and styles throughout the development ranging from a terrace of small bungalows to detached large farm house style detached dwellings that add visual interest and variety. This is helped by the palette of materials specified including stone, buff and red brick. The design and detailing reflects similar styles and features found on dwellings within Scothern village. The mix of scale and form helps to provide a "rural" feel to the development. On balance therefore it is considered that the development subject to the imposition of the conditions above in relation to landscaping is appropriate to its setting and can be supported.

Highway Safety

There are no objections raised on the grounds of highway safety and the main concerns appears to be the perceived remoteness of some of the parking spaces and the houses they serve together with issues of maintenance and adoption and conflict with street lighting. In relation to the parking spaces further information has been submitted showing areas of shared access that provide more direct connections to the rear of the houses they serve and so this is not considered to be an issue. In relation to conflict with street lighting this can be resolved by the imposition of a landscaping condition. The concerns in relation to maintenance are noted although the area in question is intended to be vested with the Management Company.

There are no objections on the grounds of lack of parking spaces to serve the development. This has been designed as a combination of on plot parking and dedicated parking courts providing parking provision for residents and visitors. Dedicated visitor spaces are to be delineated on site and parking spaces have been allocated as follows: - at least 1 parking space for 1 and 2 bed dwellings and 2 parking spaces for any 3+ bed dwellings. There are 7 visitor spaces proposed with visitor parking available in all 3 openly accessed parking court areas. This is considered an acceptable level of provision

The scheme also proposes the widening of Heath Road along the frontage of the scheme and new junction arrangements. These improvements for the village as a whole can be secured via a condition.

While Heath Road is a narrow road it already serves the village of Scothern. The proposal involves the provision of an extra 30 dwellings. It is not

considered that the level of traffic generated by 30 additional dwellings would cause serious harm to highway safety through the increased use of this road.

Residential Amenities

Concerns have been raised about potential overlooking of dwellings facing Dunholme Road. There are only three plots whose rear elevation is eastward facing, these are plots 5, 6 and 7. Their rear gardens range from a minimum depth of 10.5 metres rising to a maximum of 15.5 metres. This is considered sufficient in terms of distance separation to avoid seriously unacceptable impacts by way of overlooking and loss of privacy.

Other Matters

The applicant has offered the sum of £30,000 as a contribution towards the village hall. This has not been given weight as a material consideration as it has not been considered necessary in order to be able to support the proposals and is not in accordance with the CIL regulations.

Conclusion

The application has been considered against the provisions of the development plan in the first instance, specifically saved policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement hierarchy, STRAT 9 Phasing of Housing Development and Release of Land, STRAT 12 Development in the open countryside, SUS4 – Cycle and pedestrian routes in development proposals, RES 1 Housing Layout and Design, RES 2 Range of housing provision in all housing schemes, RES 5 Provision of play space/recreational facilities in new residential development, RES6 Affordable housing provision, CORE 10 Open Space and Landscaping, NBE 14 Waste Water Disposal and NBE20 Development on the edge of settlements of the West Lindsey Local Plan First Review 2006 as well as against all other material considerations. These other material considerations include the provisions of the National Planning Policy Framework which has been afforded significant weight especially the presumption in favour of sustainable development.

In light of this assessment it is considered that the development is acceptable subject to the imposition of conditions and the completion and signing of the section 106 agreement.

Specifically, notwithstanding the fact that the site is outside of the settlement limit in the Local Plan Review and therefore policy STRAT12 applies and that the site constitutes greenfield land (the lowest category for land release defined by policy STRAT9), the site is still considered to an appropriate location for a development which enables affordable housing to be delivered to respond to a specific outstanding need. The site location on the edge of the village is considered sustainable in terms of it being approximately a 10 minutes' walk from the village centre which provides a range of services and facilities. It is also within reasonable walking distance of regular bus services providing access to Lincoln and Welton.

RECOMMENDATION : That the decision to grant permission subject to conditions be delegated to the Chief Operating Officer upon the signing and completion of an agreement under the amended s106 of the Town Planning Act 1990 that delivers:-

- 1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.**
- 2. The criteria for the first and subsequent occupancy of the affordable homes.**
- 3. The mechanisms for ensuring the affordable homes are affordable**
- 4. Maintenance and management of public open space and drainage systems**

Time commencement condition

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

Reason - To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended) and to seek a deliverable development within five years.

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

- 2. No development shall take place until a sample of the walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that the development preserves the character and appearance of the area and to accord with Policies STRAT 1 and RES 1 of the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

- 3: No development shall take place until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that surface water run off generated up to and including the 100 year plus climate change critical storm will not exceed the run off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include: Details of how the scheme will be maintained and managed after completion and who will adopt the surface water system and detailed**

calculations of the surface network design based on the allowable discharge rate of 5 l/s.

Reason: To ensure that a satisfactory surface water disposal scheme is implemented to prevent the increased risk of flooding, both on and off the site in accordance with policy STRAT1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework 2012 and National Planning Practice Guidance 2014.

4. No development shall take place until a scheme for the disposal of foul sewerage has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policies STRAT1, RES1 and NBE14 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

5. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and in accordance with Policy STRAT 1 of the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

6. No development shall take place until a soft landscaping scheme including details of the size, species and position or density of all trees to be planted, and measures for the protection of trees to be retained has been submitted to and approved in writing by the local planning authority. The scheme shall also include a timetable for the implementation of the landscaping and a methodology for its future maintenance.

Reason: To ensure that, an appropriate level and type of soft landscaping is provided within and framing the development on this edge of settlement location and to accord with the National Planning Policy Framework and Policies STRAT 1, RES 1, CORE 10 and NBE20 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

8. No development shall commence on site until details of the off site highway improvement works have been submitted to and approved in writing by the planning authority. No more than 10 dwellings shall be occupied on site until the works have been completed in accordance with the approved plans.

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

9. Notwithstanding the submitted plans, the use of screen fencing along the western boundary is not approved as shown on drawing No. HRS/001 REV D dated 23.12.2014.

Reason: This is not considered an appropriate boundary treatment on this edge of settlement location.

10. 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:

HRS/001/Rev D, 12A, 13, 14A, 15, 16, 17, 18A, 19A, 20A, 21, 22A, 23, 24A, 25, 26A, 27, 28A, 29, 30A, 31, 32A, 33, 34, 34A, 35A, 36, 37A, 38, 39, 40, 41A, 42, 43A, 44A, 45, 46, 47, 48, 49A, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59 dated Sept 2014

HRS/05 Rev B dated Mar 08

HRS/60 Rev A dated October 2014

AS1592/1 dated Nov 2009

Agents letter dated 23rd December 2014

Reason: To ensure that the development is completed in accordance with the approved plans

11. The development shall be carried out using the external walling and roofing materials and details as agreed by the Local Planning Authority and referred to in condition 2 above.

Reason: To ensure that the development preserves the character and appearance of the area and to accord with policies STRAT 1 and RES 1 of the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

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

12. The development hereby approved shall not be brought into use until the access details agreed in writing by the Local Planning Authority as referred to in condition 5 have been fully completed and shall thereafter be retained in perpetuity.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to accord with policy STRAT 1 of the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

13. The development hereby approved shall not be brought into use until the surface water drainage scheme agreed in writing by the Local Planning Authority as referred to in condition 3 has been fully completed and it shall thereafter be retained in perpetuity.

Reason: To ensure that a satisfactory surface water disposal scheme is implemented and to accord with policy STRAT1 of the West Lindsey Local

Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework 2012.

14. The development hereby approved shall not be brought into use until the foul water drainage scheme agreed in writing by the Local Planning Authority as referred to in condition 4 has been fully completed and it shall thereafter be retained in perpetuity.

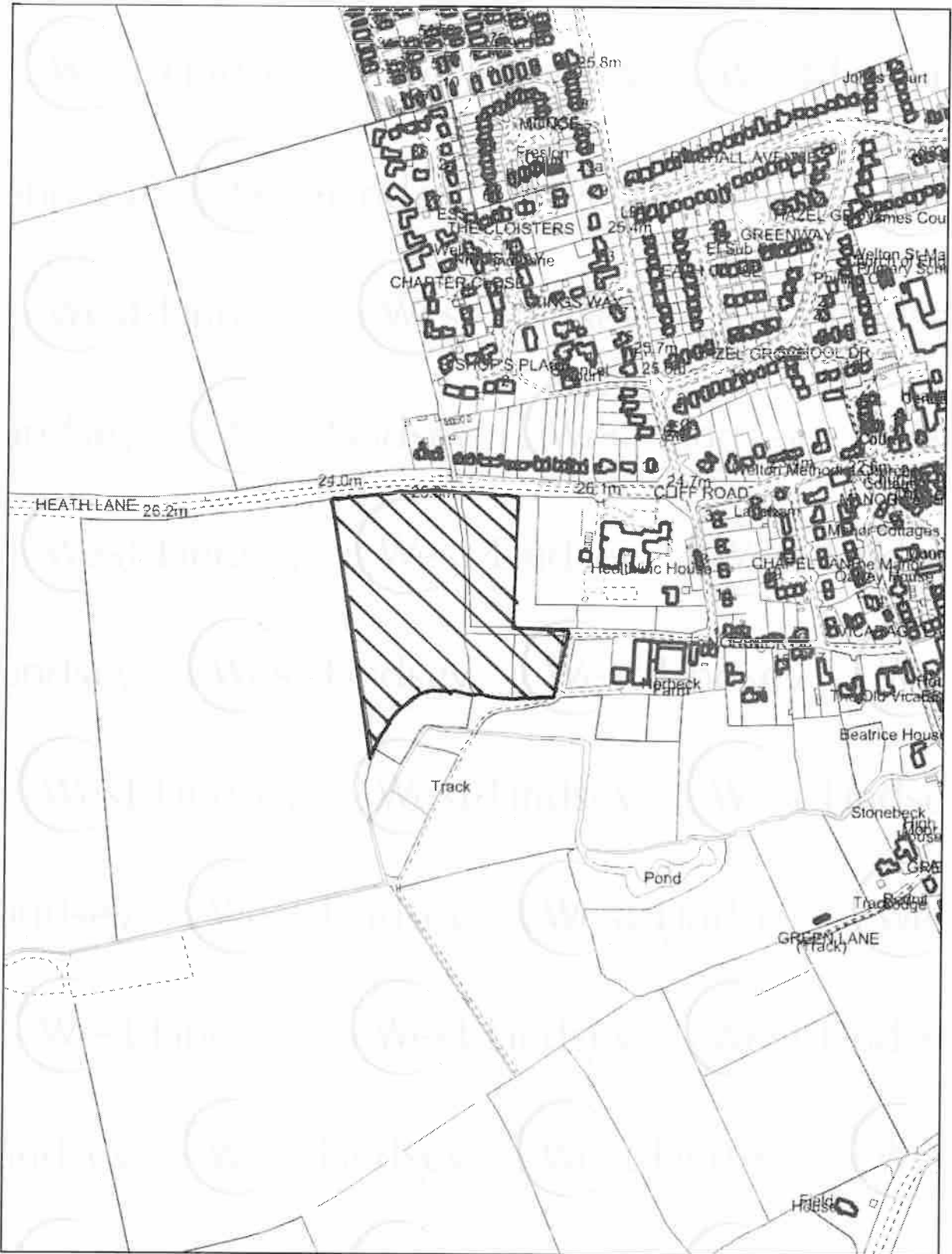
Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policies STRAT1, RES1 and NBE14 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

14. All planting, seeding or turfing comprised in the approved details of soft landscaping referred to in condition 6 above shall be carried out in the first planting and seeding season following the bringing into use of any part of the development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation and shall thereafter be retained in perpetuity.

Reason: To ensure that a landscaping scheme to enhance the development is provided in a speedy and diligent way and that initial plant loss is overcome, in the interests of helping to integrate the approved development within its setting in accordance with Policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the provisions of the National Planning Policy Framework 2012.



1:5000



© Crown Copyright and database right 22 January 2015. Ordnance Survey 100018701

Officer's Report

Planning Application No: 131492

PROPOSAL: Outline planning application for a residential development with all matters reserved

LOCATION: Land off Cliff Road/Heath Lane Welton Lincoln LN2 3JN

WARD: Welton

WARD MEMBER(S): Cllr M Parish and Cllr Mrs D Rodgers

APPLICANT NAME: RH Ward (Welton) Ltd & Mr P Linder

TARGET DECISION DATE: 15/09/2014

DEVELOPMENT TYPE: Large Major - Dwellings

CASE OFFICER: Russell Clarkson

RECOMMENDED DECISION: That the decision to grant planning permission subject to conditions be delegated to the Chief Operating Officer upon the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- a. 14% of the dwellings to be delivered on-site as affordable housing, with an 80/20 rented / shared ownership tenure split.
- b. Provision of Open Space and Play Areas, to be managed in accordance with an open space management plan;
- c. A contribution of £223,761 towards capital infrastructure for education necessary to serve the development.
- d. A contribution of £100,000 towards off-site highways infrastructure specifically relating to improvements to the Lincoln Road/A46 (Centurion Garage) junction and the A15 junction.
- e. Provision of a Public Footpath within the highway
- f. A contribution of £26,775 towards capital infrastructure for health services necessary to serve the development.

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

Description

Site – The site extends to approximately 3 hectares and is located on the western side of the village of Welton. It is on the south side of Heath Lane/Cliff Road. The site is currently undeveloped and is sub divided into small pony paddocks. There are established hedges to the boundaries. The Welton Beck runs to the rear (south) of the site. On the opposite side of Cliff Road is a row of detached and semi-detached two storey houses. To the west of the site is Healthlinc House, which provides care home and treatment services for patients with a learning disability. To the south and east are open fields. The

site falls outside the development boundary for Welton as designated in the West Lindsey Local Plan (First Review).

Proposal – This is an outline application for residential development with all matters (scale, layout, appearance, landscaping and access) reserved for subsequent approval (known as “reserved matters”). Although in outline, a series of context and analysis plans were submitted with the application, including a layout plan. Members should note that these are all illustrative plans and for indicative purposes only. The plans indicate development for up to 63 dwellings.

The application was also accompanied by a suite of supporting documents including a flood risk assessment, transport statement and habitat survey.

A list of contributions to mitigate the impacts of development, as detailed in the recommendations section of the report, has been agreed with the applicant. These relate to health, education, transport and affordable housing to be secured through a section 106 agreement.

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not ‘EIA development’.

Relevant history:

W119/158/79 – Change the use of land to playing field. Withdrawn 01/03/1979.

W119/443/92 - To construct a golf course & car park & erect clubhouse & ancillary buildings. Approved 22/06/1992.

Representations:

Ward Member – Councillor Mrs D Rodgers – As a Ward Member for Welton, I am writing to express personal and public concerns about the recently published Planning Applications for housing developments off Cliff Road and off Prebend Lane.

As you are aware, during the first quarter of this Council Year, the Planning Committee approved two applications to build 113 houses in Welton: 50 dwellings on land off Halfpenny Close; and a further 63 units on adjacent land, off Hackthorn Road. Both sites are in open countryside, and both applications attracted local opposition on the basis of the over-utilization of green-fields

sites, the over-exploitation of local public services, and the lack of local government investment in local infrastructure.

We now have two more applications for housing developments: No 131492 proposes another 63 units off Cliff Road; and No 131681 proposes a staggering 350 units off Prebend Lane. If these applications are approved, during this Council Year, the Planning Committee will have subjected Welton to the building of 526 houses. For the purposes of assessing the impact of these developments we could assume two adults and one child per household, giving a population increase of 1578.

Recent Section 106 Agreements have done nothing to allay local fears about the further exploitation of public services and saturation of the service infrastructure in Welton, and the electorate can see no potential benefits.

The Practice Manager of the Welton Family Health Centre has advised that they currently have 9,400 patients (this compares with 8,000 in the Saxilby Health Centre), and the Manager has explained that there can be no assurance that a Section 106 contribution to health care would ever reach Welton; because there are other practices in the same group which have a greater need for funding. If the assumption of two adults and one child per new household is accepted, the Welton Health Centre patient population would increase to 11,000. (Without consideration of any concurrent developments in Dunholme).

The Trustees of William Farr School have made it clear that they have no interest in Section 106 contributions; because they have expanded facilities beyond that of comparable communities in West Lindsey, and they are still over-subscribed. Their written records show that they will not build any more classrooms and they will not create anymore student places. By way of comparison: the William Farr student population stands at 1489, compared with 640 at Caistor Grammar and 1050 at De Aston.

For the sake of argument, let us say that half of the new families have one child of secondary school age: that would produce a demand for 263 new places. This exceeds the capacity of an entire year group at William Farr School, which is fixed at 240 places. Now let us say that the other half of the new families have children of junior school age. This would also generate a demand for 263 new places. The Student Population in St Mary's School, Welton, currently stands at 375: so how is the school going to absorb such a massive increase?

The fact is that the recent expansion of the school population has merely added to the traffic congestion which is another Section 106 issue; but no amount of Section 106 contribution can change Welton's situation with regard to its location and its over-reliance on minor roads and country lanes.

Unlike Gainsborough, Market Rasen and Saxilby, Welton does not have a railway station; and unlike Gainsborough, Market Rasen, Saxilby and Caistor

it is not served by an A Class road system. It is 2 miles to the A15 and the shortest routes to the A46 are through the neighbouring village of Dunholme.

When the Planning Committee last considered an application for Welton, it was informed that Welton has a good bus service, and this is true. But this only adds to the daily traffic congestion, especially at school arrival and departure times, when children commute from the surrounding Wards. Sadly, when the Planning Committee recently undertook two site visits on the same morning, it saw the school congestion in Saxilby (which does not have a secondary school); but it came to Welton after the commuter traffic had dispersed, and the 1,800 pupils were already seated at their desks. Was that fair and reasonable?

So, with further regard to commuter traffic: the Welton Ward electorate is asking why is there a demand for 521 houses in Welton, where are all these people coming from, and where are they going to work? If these 521 families arrive in Welton they will not find local employment. There is more private sector employment at Hemswell Cliff than there is in Welton.

The Planning Committee regularly points out that it is obliged to consider each application on its merits; but it can no longer afford to ignore the cumulative impact that its decisions are having on individual settlements in the district. With each new application, there is a changing situation; and the Committee must recognise the point at which local resources have been exhausted, and declare that enough is enough - look somewhere else: a sentiment that is recorded in the Minutes of the meeting when a Saxilby application was recently refused.

Furthermore, the Committee must be seen to be fair and consistent. If a set of criteria lead to the refusal of an application in Saxilby, a planning application in Welton should be similarly refused when objectors present the same arguments.

It has also been noticed that Members of the Planning Committee have (in the past) said that if a particular planning application was refused and went to appeal the appeal would be upheld. Surely it is not within the gift of the Planning Committee to anticipate the outcome of an appeal. The right to appeal should be separate and distinct process, and should not enter the Committee's discussions or decisions. If the Committee finds itself constrained by statutory obligation and legislation, it has a duty to refuse and allow an appeal to widen the debate among stakeholders.

Finally, I come to the 'carrot' of affordable housing. I am reliably informed that this usually comes at the bottom of the developer's Section 106 priorities list, and if the developer can come back to a planning authority and demonstrate that the expected levels of provision are no longer viable; the obligation can be reduced or removed.

So in the case of Planning Applications 131492 and 1316681 and any future applications for development in Welton, I commend the Planning Committee

to refuse, and will continue to recommend refusal until these issues have been properly addressed and proper provision has been made to improve public services and infrastructure in advance of further expansion.

In summary, both applications affect open countryside, the Health Centre is over-extended, the schools are over-subscribed, and the parlous road-network is under-funded and over-utilized.

Welton Parish Council – On 27th November 2012 the site was inspected by WLDC and others as a candidate for affordable housing in Welton. It was discounted by WLDC planners as having an unsuitable access and forming part of protected open space. There have been no material changes since that time to suggest that the site has become suitable for development. In line with NPPF guidance it is clear where the Local Development Plan is absent, silent or out of date permission may be refused if it is clear that development would significantly and demonstrably outweigh the benefit. Loss of protected space clearly falls into this category and was presumably part of the reason for discounting the site in 2012. Further section 11 (09) of the NPPF allows for the protection and enhancement of valued landscape. This application does not demonstrate that it will contribute to protecting or enhancing the village's natural built or historic environment. Nor does it demonstrate sufficient reflection of the communities need or adequate support for health, social and cultural well-being or co-ordination of any clear proposals for improving the infrastructure. By failing to do so it fails to satisfy the three roles set out in section 7 of the NPPF achieving sustainable development economic social and environmental.

Residents –No's 44, 46, 48, 52, 66, 68 Cliff Road, 9 Ayam Close, 39 Beckhall, 17 Norbeck Lane, 43 Prebend Lane, 8 Swen Close, object for the following collective reasons, in summary:-

1. Facilities in the village are overstretched including education and health facilities. No amount of S106 money will mitigate against this detrimental affect.
2. Greenfield development harmful to the character of the village.
3. Contrary to policies STRAT6 and STRAT12 of the Local Plan.
4. Loss of view across open fields and lose view of Cathedral.
5. Speed of the traffic going in and out of the village is above the 30mph speed limit therefore potential for a serious hazard.
6. Site not included in the Strategic Housing Land availability assessment updated in June 2013.
7. Three storey housing not appropriate for rural location.
8. Inclusion of two car parking spaces per house would further exacerbate traffic issues in the area.
9. Location of proposed pedestrian crossing creates a hazard and entrance not readily apparent due to curve and incline of road.

10. Welton contributed more than its fair share to the shortfall of housing. At the same time other villages are completely unaffected. The village is already full.
11. NPPF states that the quality of life is of utmost important in considering the local plan and is one aspect of sustainability.
12. Welton is a bloated settlement larger than Market Rasen with far less facilities.
13. Application will degrade the aesthetically pleasing entrance to the village in this location.
14. More parking should be available in village centre.
15. Land should be put forward for farming purposes as we are unable to grow enough food for ourselves.
16. Soak away test were performed during a dry period. On digging the trench for the large water pipe passing through this field they dug below the clay line and had problems with water ingress. Concern that soak away's may turn into springs during wet periods. Adjacent field north of heath lane (owned by the Neeves) drains into the dyke and then feeds under heath lane and towards the beck cutting across the application land No provision made to divert this? Road floods at this point after heavy rain. Where is the foul water exit, land is lower than all adjacent sewer systems so needs to be pumped - where are these located?
17. Wildlife misreported. Water-vole seen in the beck (no mink) Fox, Kestrels and sparrow hawks are frequently seen so must be lots of small creatures Several varieties of birds seen every day including king fisher along the beck.

54 Cliff Road

Despite reservations about any larger development the plan does seem to fit in with existing development and hopefully not too detrimental to the village. Suggest access road be relocated further towards outer edge of development to lessen impact of traffic and new housing not being constructed immediately opposite existing properties and on the road frontage

WLDC Housing and Communities - The policy requirement on this proposal would be for 25% of the units to be delivered as affordable housing. Following a comprehensive viability assessment the Housing and Communities Team accept that it would not be viable to deliver this requirement and will accept a total of 9 affordable units – 7 to be delivered as affordable rent and 2 as shared ownership. Housetypes and phasing to be agreed with the Housing and Communities team at a later date.

Natural England – Advise that the proposal is unlikely to affect any statutorily protected sites or landscapes. Standing advice on protected species should be followed. Should consider securing measures to enhance biodiversity.

WLDC Environment comments –

I have no objections to the proposed development, providing the existing site boundary hedgerows are conditioned as to be retained if the application results in planning permission being issued (for their visual and wildlife values at this village edge location).

1. The northerly hedge is most important for screening and its contribution to the street scene along the approach into the village.
2. Further info would be required as part of a landscape scheme in any future reserved matters or full application.
3. The central hedgerow should not be removed unless it has been thoroughly checked for any nests, nesting birds, unless it is removed outside the bird nesting season. The main nesting season is 1st March to 31st August, although many birds nest earlier than this especially following a mild winter or during early spring warmth.

Environment Agency – We are satisfied that the principles of a sustainable water drainage system have been well established for the site and recommend a condition be applied to secure this.

LCC Archaeology – Welton has high archaeological potential. This site has undergone geophysical survey and trial excavation, although this site did yield some interesting results the overall significance is low and no further archaeological input will be required on this particular scheme.

LCC Education - This development would result in a direct impact on local Schools. In these cases the secondary school at Welton, notwithstanding the proposed development, is projected to be full in the future. A contribution is therefore requested to mitigate against the impact of the development at local level. The level of contribution sought in this case equates to £223,761. This is on the basis of Census data and recent research by Lincolnshire Research Observatory utilised to calculate pupil product ratio (PPR).

LCC Highways – Travel Plan lacks detail and commitment required for a travel plan. A S106 contribution is required towards improvements to the A15 and A46 junctions. A 2m frontage footway is required to link to the existing footway on Cliff Road. Tactile pedestrian crossing points are required. Recommend planning conditions.

NHS England – Seek a Section 106 application for a contribution in the order of £26,775.00 based on a £425.00 per dwelling need for capital infrastructure required as a direct result of the development.

Relevant Planning Policies:

The Development Plan

West Lindsey Local Plan First Review 2006

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the **West Lindsey Local Plan First Review 2006** remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

STRAT 1 Development Requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

STRAT 3 Settlement hierarchy
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>

STRAT 9 Phasing of Housing Development and Release of Land
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat9>

STRAT 12 Development in the open countryside
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>

STRAT19 Infrastructure requirements
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat19>

SUS4 – Cycle and pedestrian routes in development proposals
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus4>

RES 1 Housing Layout and Design
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>

RES 2 Range of housing provision in all housing schemes
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res2>

RES 5 Provision of play space/recreational facilities in new residential development.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res5>

RES6 Affordable housing provision
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res6>

CORE 10 Open Space and Landscaping
<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>

NBE 14 Waste Water Disposal
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

NBE20 Development on the Edge of Settlements

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe20>

The **Preliminary Draft Central Lincolnshire Local Plan** was released in October 2014. It has just been subject to public consultation. At this early stage in its development, it can only be afforded very limited weight, in accordance with NPPF paragraph 216.

The **Welton by Lincoln Neighbourhood Plan 2015-2035 Pre-examination / Consultation Draft** (November 2014) has been recently subject to a pre-submission consultation period running 1st December 2014 to 12th January 2015. The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF. As the outcome of the consultation is yet to be assessed, and the Plan has yet to be independently examined, it is considered only limited weight should be attached to its policies at this stage.

Draft Policy H7 states that “Every effort must be made to protect the Cliff Road site until such time that there is clear independent and indisputable evidence that the site is not of archaeological or historic importance, a clear zone established to protect the adjacent Scheduled Ancient Monument and provide unrestricted public access to it, whilst protecting it in accordance with the relevant Acts of Parliament.”

National Policy

- National Planning Policy Framework (2012)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- National Planning Policy Guidance
<http://planningguidance.planningportal.gov.uk/>

Assessment:

Principle of Residential Development

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

The Local Plan, which has a lifetime of 2006-2016, contains a suite of strategic (STRAT) and residential (RES) policies that are designed to provide

a policy framework to deliver residential development in appropriate locations to respond to need and the Council's housing provision objectives.

The site lies outside of the settlement limit for Welton and is therefore classified as being with the open countryside. Policy STRAT12 applies and states that development should not be permitted in such locations unless there is justification for it being in an open countryside location or it can be supported by other plan policies.

Permission is sought for residential development comprising both market and affordable housing – it does not meet the exceptional criteria of STRAT12. As an undeveloped, or 'greenfield' site it also falls on the bottom rung of STRAT9's sequential approach towards prioritizing previously developed land.

Development falls contrary to the development plan and falls to be refused unless there are material considerations to indicate otherwise.

A significant material planning consideration is the National Planning Policy Framework (NPPF). Paragraph 49 states that:

'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

The Council is unable to demonstrate a five year supply of deliverable housing sites. The latest assessment (September 2014) can only identify a supply of 3.5 years across Central Lincolnshire.

The Local Plan does not have sufficient housing land to meet need - its strategic approach does not address need and national policy requires its housing supply policies be considered as out of date.

Consequentially, consideration must be given to greenfield sites on the edge of settlements deemed to be sustainable locations.

This approach is verified in the recent appeal for land west of Ryland Road, Dunholme (APP/N2535/A/13/2207053 – see <http://www.pcs.planningportal.gov.uk/pcsportal/fscdav/READONLY?OBJ=COO.2036.300.12.6709569&NAME=/DECISION.pdf>). Inspector Lyons found that *"The unmet need for additional housing becomes a consideration of substantial weight"* and that the *"spatial application of [Local Plan Policy] should be seen as out of date"*. He found that the second bullet point of NPPF paragraph 14 on decision making must apply - planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development, the "golden thread" of decision making.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The proposed development does not comply with the Development Plan. But as its spatial approach and housing supply policies are deemed to be out of date, the second strand of the NPPF presumption should be applied. Planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Sustainability

Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. It is important to note from paragraph 37 of the Dunholme appeal decision that “the NPPF enjoins the planning system to seek joint and simultaneous gains across the three mutually dependent dimensions of sustainable development: social, economic and environmental” and “the overall balance must look across all three strands” but that “weakness in one dimension did not automatically render a proposal unsustainable.”

Welton and Dunholme are allocated as Primary Rural Settlements (LP policy STRAT3) and were identified as sustainable locations for new residential development in the Ryland Road appeal decision.

The indicative site entrance would be within convenient walking distance (300m) of the designated village centre boundary and the applicants have agreed to the request from the highway authority to provide a 2 metre frontage footway to link the existing footway on Cliff Road to increase the linkages of the site. This would be secured through a S106 planning obligation.

Welton is well served by bus routes and the services are considered to provide a sustainable method of connecting to the services and facilities in Lincoln and Market Rasen with some connecting directly to Lincoln Hospital.

Residents have raised concerns with the capacity of facilities, particularly health and education, to accommodate this development, particularly when taken cumulatively with other developments.

NHS England advise that the average number of patients per square metre for the Welton Family Health Centre is currently below the Lincolnshire average. They state that any further increase to patient list size and the level of patient care may be compromised and raise the apprehensions of the clinic. In mitigation NHS England seeks a financial contribution which would provide capital as an option to fund towards a new health care facility, subject to a full business case. The applicant has agreed to meet the required contribution in full, to mitigate against the impacts of the proposed development. This would need to be secured in the S106 Planning Obligation.

LCC Education advises the development will result in the need for 12 primary school places, 11 secondary school places and 2 school-based sixth form places locally. Whilst there is capacity to meet Primary School need, a capital contribution is sought to address the shortfall in secondary and sixth form places. The applicant has agreed to meet this in full and again, this would need to be secured through the S106 planning obligation.

It is concluded that the application site is within a sustainable location for new residential development and that the applicant proposes appropriate measures to mitigate the impact on health and educational services. Measures are proposed to secure pedestrian accessibility to village facilities.

Flooding and drainage

The NPPF requires a sequential approach towards locating development to those areas at lowest risk of flooding. The site falls within flood zone 1 (low probability) and therefore satisfies the test.

The development is in outline with layout as a reserved matter. The accompanying Flood Risk Assessment (FRA) nonetheless shows it will be feasible to accommodate a Sustainable Urban Drainage System (SUDS) to manage surface water. An attenuated discharge into Welton Beck (in the riparian ownership of the applicant), approximately 30m to the south of the site is proposed along with use of an off-line pond (final details would need to be secured along with the reserved matters).

The Environment Agency has been consulted and confirm they are satisfied that the principles of a suitable surface water drainage system have been established.

A condition to secure final surface water drainage details is recommended.

Highway safety, parking and access

Policy STRAT1 requires development to be suitable in terms of the provision of adequate and safe access to the road network to prevent the creation or aggravation of highway problems. This is consistent with the NPPF (paragraph 32) to take account of whether safe and suitable access to the site can be achieved for all people.

Access is a reserved matter, although the indicative plan shows access with a 2m x 43m visibility splay taken directly off Cliff Road. The applicant has agreed to the provision of a new 2m wide footway in Cliff Road and tactile crossing points to ensure adequate accessibility. This road is straight and therefore offers good visibility. It is also already subject to a 30mph speed limit along the site frontage. The County Highways Authority raise no objection to the use of Cliff Road as a point of access for the development.

The NPPF (paragraph 32) states that decisions should take account of whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The Highways Authority have advised that junction improvements will be required at the A46 and A15 to safely accommodate additional traffic generated by the development. A designed and costed solution to the A46 Centurion Garage junction has been produced by the Highways Authority. Following dialogue, a contribution of £100,000 has been negotiated as a contribution towards the junction improvements. This is considered to be necessary, directly related to the development, and fairly and reasonably related in scale and kind, meeting the statutory tests for a lawful planning obligation.

Affordable Housing

Local Plan Policy RES6 states that the Council will seek to negotiate in the region of a 25% contribution towards affordable housing on qualifying sites such as the application site.

The applicant has offered a 14% contribution (9 units) on site, with an 80% rented and 20% shared ownership tenure split.

Planning Practice Guidance on Planning Obligations (Paragraph: 006 Reference ID: 23b-006-20140306) states that where local planning authorities are requiring affordable housing obligations ... they should be flexible in their requirements. Paragraph 007 says that on individual schemes, applicants should submit evidence on scheme viability where obligations are under consideration.

The applicant has submitted evidence on scheme viability – in view of the infrastructure costs incurred through highways improvements, and full

contributions towards increasing healthcare and education capacity, the applicant has shown that 14% is a reasonable contribution in order to ensure a viable scheme.

Archaeology

Welton is considered to have high archaeological potential with previous evidence of Roman and Anglo-Saxon settlement. It is recorded in the 1086AD Domesday Survey.

Policy H7 of the Draft Welton Neighbourhood Plan states that “Every effort must be made to protect the Cliff Road site until such time that there is clear independent and indisputable evidence that the site is not of archaeological or historic importance, a clear zone established to protect the adjacent Scheduled Ancient Monument and provide unrestricted public access to it, whilst protecting it in accordance with the relevant Acts of Parliament.” Whilst the Neighbourhood Plan is yet to be subject to independent examination and can only be afforded limited weight at this stage, it nonetheless seeks to preserve heritage assets specifically in relation to this site.

The County Archaeologist advises that this site has undergone geophysical survey and targeted trial excavation, and although this site did yield some interesting results the overall significance is low and no further archaeological input will be required on this particular scheme.

Landscape and Visual Impact

Development would take place in the Lincoln Fringe Local Landscape Character Area. The West Lindsey Landscape Character Assessment (WLLCA) describes its key characteristics as a ‘flat agricultural landscape with a number of expanded settlements’ with “approaches to settlements generally dominated by the built form”. It is not considered to be a highly sensitive landscape.

Development would take place within the confines of the existing grassed paddocks and the native hedgerows to the northern, western and southern boundaries are proposed for retention. This can be secured by planning condition.

Development would be perceptible to road users approaching the village on Heath Lane from the west (A15), although the retained 3m high hedgerow would soften the visual impact.

It is considered that development of these greenfield paddocks would have a minor adverse impact on landscape character and visual amenity, albeit less than substantial.

Residential amenity, design, character, and appearance

A core principle of the NPPF (paragraph 17) is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Local Plan policies STRAT1, RES1 and CORE10 contain measures consistent with that aim.

Matters of scale, layout, appearance and landscaping are all reserved for subsequent approval (reserved matters) subject to the grant of outline permission. Any reserved matters application will be scrutinised to ensure that principles of good design are met.

However, the illustrative masterplan provides the comfort that an appropriate legible hierarchy of streets and spaces, viewpoints, viewstops, interest and scope for soft landscaping to mature can all be accommodated within the site whilst achieving the amount of housing indicated.

An equipped children's play area is indicated and proposed for inclusion in the S106 planning obligation, in order to accord with saved policy RES6.

A range of housing types is indicated, which suggests development would accord with saved policy RES2. This would need to be secured through the reserved matters applications.

Development would be self-contained and would not neighbour any existing dwellings. Existing residential properties in Cliff Road are located on the opposite side of the road and harm to existing amenities would not be anticipated.

Whilst neighbours raise concerns with a loss of view, this is not a material planning consideration.

Impact on biodiversity

Natural England advise development would be unlikely to affect any statutorily protected sites or landscapes.

The applicants have submitted an ecological walkover survey of the site. Comments from this survey relate to the loss of the central hedge within the site and the impact on nesting birds. Recommendations are made accordingly for this not to be carried out during nesting season, a view echoed by WLDC's environment officer.

Neighbours claim that water voles inhabit the adjacent Beck. The walkover survey found no evidence of any protected species within the site and no evidence of water voles in the Beck. It does however acknowledge the Beck has good potential as a habitat for Water Voles. It is recommended that a planning condition is applied to secure further site surveying prior to commencement, with mitigation as necessary.

Overall Balance and Conclusion

The application has been considered against the provisions of the development plan in the first instance, in accordance with planning law.

As development would take place on greenfield land outside the development boundary and in open countryside, it runs contrary to saved policies STRAT9 and STRAT12 of the development plan. Development falls to be refused unless there are material considerations to the contrary.

The Council is unable to demonstrate a five year supply of available housing land. In such circumstances the NPPF, a material planning consideration, advises that policies for the supply of housing should be considered as out of date.

The NPPF presumption in favour of sustainable development should be applied which is to grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Development would produce up to 63 dwellings to address the shortfall in housing land. It is anticipated this can be delivered within the five year period. The NPPF seeks to significantly boost housing supply to meet need and this should be attached significant weight.

14% of the units would comprise affordable housing, to meet a need, which can be attached weight as a benefit of the scheme.

The development would not be expected to adversely impact upon protected species or habitats and seeks to make biodiversity gains – a minor benefit of development.

Welton, a primary rural settlement in the Local Plan, is considered to be a sustainable location for new housing development. The site is within walking distance of the village centre. The applicant proposes to make financial contributions to address and mitigate against lack of capacity in local health and education provision. Development will therefore have a neutral effect in this regard.

The applicant proposes a financial contribution towards junction improvements to address the impact of increased traffic arising from the scheme - again a neutral impact.

It is considered that development of these greenfield paddocks would have a minor adverse impact on landscape character and visual amenity, albeit less than substantial.

In conclusion, any adverse impacts arising are not considered to significantly and demonstrably outweigh the benefits of the proposals. Planning

permission should therefore be granted in accordance with the NPPF presumption in favour of sustainable development.

RECOMMENDED DECISION: That the decision to grant planning permission subject to conditions stated below be delegated to the Head of Development and Neighbourhoods upon the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- a. 14% of the dwellings to be delivered on-site as affordable housing, with an 80/20 rented / shared ownership tenure split.
- b. Provision of Open Space and Play Areas, to be managed in accordance with an open space management plan;
- c. A contribution of £223,761 towards capital infrastructure for education necessary to serve the development.
- d. A contribution of £100,000 towards off-site highways infrastructure specifically relating to improvements to the Lincoln Road/A46 (Centurion Garage) junction and the A15 junction.
- e. Provision of a Public Footpath within the highway
- f. A contribution of £26,775 towards capital infrastructure for health services necessary to serve the development.

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

Pre-commencement conditions

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission.

Reason: This element of the development is in outline only and the local planning authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality and to accord with the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

2. The development hereby permitted shall be begun either before the expiration of two years from the date of this permission, or before the expiration of one years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

3. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The details should demonstrate that the surface water runoff generated will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall include:

- Details of how the scheme shall be maintained and managed after completion;
- Details of the surface water system including calculations of the network and SuDs features;
- Details of further infiltration testing as recommended in the Drainage Strategy;
- Confirmation of the allowable discharge rate (to be agreed with the Environment Agency) which reflects the downstream capacity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with the provisions of the National Planning Policy Framework 2012.

4. The details to be submitted in accordance with condition no. 1 above shall include a Landscape Management Plan setting out management responsibilities and maintenance schedules for all landscaped areas, inclusive of trees, hedges, ditches and balancing ponds; and a Biodiversity Enhancement Scheme setting out measures for habitat creation and management, including the provision of bat roosts and bird boxes.

Reason: In the interests of landscape and visual amenity and in the interests of biodiversity enhancement, in accordance with the National Planning Policy Framework.

5. Prior to work commencing on site details of measures taken to undertake further survey work along the adjacent Welton Beck in relation to the presence of water voles shall be submitted to and approved by the Local Planning Authority. If the presence of water voles is found then a mitigation strategy shall be submitted to and approved by the Local Planning Authority. Development shall proceed in accordance with the approved mitigation strategy

Reason: To accord with standing advice from Natural England and in accordance with STRAT 1 of the West Lindsey Local Plan First Review and the National Planning Policy Framework.

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

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site.

Reason: In the interests of amenity and in accordance with saved policy STRAT1 of the West Lindsey Local Plan First Review.

Conditions to be observed during the development of the site

7. The existing boundary hedges on the site shall be retained at all time apart from that required to be removed for the purpose of the new access.

Reason: In the interest of visual amenity and the protection of wildlife in accordance with saved policy STRAT 1 of the West Lindsey Local Plan 2006 and the National Planning Policy Framework

8. The hedge in the centre of the development shall only be removed outside the bird nesting season (1st March to 31st August), unless it has been thoroughly checked for any nests and nesting birds by a suitably qualified person.

Reason: To protect the wildlife using the hedge in accordance with policy STRAT 1 of the West Lindsey Local Plan and the National Planning Policy Framework

9. If, during development, contamination is discovered that has not previously been identified, the local planning authority shall be notified immediately and no further work carried out until a method statement, detailing a scheme for dealing with the contamination discovered, has been submitted to and approved in writing by the local planning authority. Development shall thereafter proceed only in accordance with the approved details. If, during development, no contamination is found, a written statement confirming that fact must be submitted to the local planning authority upon completion of the construction works.

Reason: In order to safeguard human health and the water environment in accordance with West Lindsey Local Plan First Review Policy STRAT1.

Conditions to be observed before occupation of any of the dwellings

10. None of the dwellings hereby approved shall be first occupied until the surface water drainage system serving that dwelling including for the highway serving that dwelling and the public open space has been completed in accordance with the details required by condition 3. The approved system shall be retained thereafter.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with the provisions of the National Planning Policy Framework 2012.

11. None of the dwellings shall be first occupied until a 2 metre wide pedestrian footway has been completed between points X and Y marked on the approved indicative layout plan J1355 SK12 Rev D to a specification previously submitted to and approved in writing by the local planning authority.

Reason: In the interests of environmental sustainability and to accord with the provisions of the National Planning Policy Framework 2012.

12. Notwithstanding the details submitted with the application, none of the dwellings shall be first occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In accordance with paragraph 36 of the National Planning Policy Framework.

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.