



PL.01 14/15
Planning Committee
Date 28 May 2014

Subject: Planning applications for determination

Report by:	Director of Regeneration and Planning
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



Officers Report

Planning Application No: 130227

PROPOSAL: Planning application for proposed siting of 1 no. 36.6m height to hub wind turbine with 46.3m height to tip of blade

LOCATION: Land North of Kirton Road Blyton Gainsborough
Lincolnshire

WARD: Thonock

WARD MEMBER(S): Cllr Mrs L. A. Rollings

APPLICANT NAME: Mr J. Jacques

TARGET DECISION DATE: 27/09/2013

DEVELOPMENT TYPE: Minor - all others

RECOMMENDED DECISION: Grant consent with conditions

Description:

Site

The site is approximately 2km to the east of Blyton and is to the north west west of a large agricultural building, used to dry grain. The former RAF Blyton is immediately to the west and an existing access track will be used to connect to Kirton Road (B1205) some 245m to the south. The surrounding land is agricultural with part of the former airfield being used as a race track. The landscape is mostly flat plateau with occasional woodland, trees and hedges.

The nearest dwelling is Welwyn, Bonsdale Lane at the junction with Kirton Road and is 370m from the site.

Proposal

It is proposed to install a single, three blade horizontal axis wind turbine, 36.6m to hub and 46.3m to tip. The heights were amended slightly during the life of the application from 36m to hub and 46m to tip, to take account of the latest model of turbine from Endurance, the manufacturer. There will also be ground works to secure the turbine to the ground and cable runs to enable a grid connection. The energy generated would cover the energy demands of the grain dryer, with any excess being fed back to the grid. A revised noise report has been submitted with the correct hub height and assessment of this site.

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999:

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:

None at the site, although planning permission was granted for another turbine (24.6m to hub, 34.2m to tip) at Poplar Tree Farm, Carr Lane, Blyton in February 2013 (129344 refers). This is approximately 3.5km from this proposal site.

Representations:

Representations received electronically, either via the website or by email, are incorporated below.

Chairman/Ward member(s): None received to date.

Blyton Parish Council: Object to the proposal:

- The grain store already has solar panels and does not have all year round demand for energy
- Central Lincolnshire might have low renewable energy production and West Lindsey might be identified as having high potential to contribute but already contribute to the production of renewable energy through the turbine at Poplar Tree Farm.
- There are stark differences between Poplar Tree Farm and this site. The existing turbine is at the bottom of the hill, so visual impact on the village is limited.
- The proposed site is on flat land with an unobstructed view.
- The turbine will be out of scale and will be unduly prominent, further eroding the landscape character.
- It will set a precedent
- Contrary to NPPF policies 9 and 109 and WLDC saved policies STRAT1, STRAT12 and NBE10
- Effectiveness of wind turbines is questionable, they will not achieve the required CO2 reductions and the Government may reverse its energy policy on turbines. Turbines are turning into a business for individuals to take advantage of large subsidies.
- The information submitted is full of errors.

Pilham Parish Meeting: No comments to make.

Local residents: Objections have been received from the following addresses:

Southorpe Farm, Blyton; Blenheim Farm, Gainsborough Road, Northorpe; The Cottage, Field Farm, Kirton Road, Blyton; Field Farm, Kirton Road, Blyton; Grange Farm, Kirton Road, Blyton; 1 Kirton Road, Blyton; 1 Fieldside, Blyton;

A summary of the points raised is below:

- The height is out of scale with the existing natural and man-made features in the local countryside.
- Unjustified development of the countryside.
- The turbine will be located in flat open countryside where it will be seen from some distance and be an unsightly blot on the landscape. It will be a dominant feature.
- Will block open sky views
- The assessment does not take into account the location of Southorpe Farm, some 600m to the south east or other nearby dwellings.
- If the turbine is 'an agricultural scale turbine', why is not sited at the farm where it would be more use.
- There is very little all year round demand for energy usage at the grain store, which already has solar panels on the roof.
- The Companion Guide to PPS22 is no longer in force.
- The acoustic and noise performance test is based on a smaller turbine and in a different location.
- The application at Poplar Tree Farm, referred to in the supporting documentation, was for a significantly smaller turbine.
- One turbine in the Blyton area is enough.
- The photomontage viewpoints have been carefully selected and are not representative; particularly viewpoint 3. .
- Are the inaccuracies in the submission intended to mislead?
- There are two sharp, hazardous bends on the B1205 within approx. 200m of the proposal site. The turbine will cause visual distraction adding to the hazard.
- Whirring turbine noise would not be welcome
- The applicant has enquired about the creation of a solar energy farm on other land nearby within his ownership [Officer's note – a screening opinion was requested for a 3MW Solar Park at land associated with Park Farm in April 2013. It was not considered to be EIA development].
- As an industrial type of development, it does not meet the national or local restrictive (essential need) planning policies for development in the open countryside.
- The precedent set will make it more difficult to refuse further applications, which would cumulatively further erode the landscape character.

LCC Highways: Will any vehicles larger than a standard sized HGV be used?

NATS Ltd: Originally objected as it was considered there would be an adverse impact on Claxby Radar and associated air traffic operations without suitable mitigation. Has now withdrawn its objection as has entered into

agreement with the applicant to design and implement a defined mitigation solution.

MoD: No objections but would like to be advised of the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine.

Humberside Airport: No objection but request condition to notify within one month of start of operation.

Natural England: Does not fall within the scope of the consultations that Natural England would routinely comment on. The Local Planning Authority needs to take into account any likely impacts on biodiversity and landscape.

Archaeology: The proposed development is within an area of Roman occupation. A Roman settlement has been identified to the north of the site. Roman artefacts have been found in vicinity including coins, brooches and a finger ring. Therefore, recommend conditions to allow monitoring of all groundworks with the ability to stop and fully record archaeological features.

Also, the scheduled monument of Southorpe Medieval settlement is approximately 1 mile east of the proposed development site. Due to the nature of the landscape, there is the potential that the proposed wind turbine will have an impact on the setting of the scheduled monument. Contact English Heritage for their comments.

Economic Development: In principle, support the application. The Growth and Projects Team encourage the use of renewable technologies being used in farming and the agri-food sector. Turbines are an appropriate method of reducing carbon emissions and for the business to operate in a more environmental and sustainable manner.

Environmental Protection: No grounds for objecting to proposal as noise would likely dissipate to background levels before impacting upon nearby sensitive property. Question aspects of the application; nearest properties are closer than 850m suggested, reference to noise and other data without reference to the site and don't think it is needed to power grain dryer – would appear primary purpose is generation of power for supply to the grid.

Relevant Planning Policies:

National guidance

National Planning Policy Framework (March 2012)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

- Achieving Sustainable Development;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment;
- 12. Conserving and enhancing the historic environment

Footnote 17 advises that for wind energy development, planning authorities should follow the approach set out in the National Policy Statement for Renewable Energy Infrastructure (EN-3) (read with the relevant sections of

the Overarching National Policy Statement for Energy Infrastructure (EN-1), including that on aviation impacts)

West Lindsey Local Plan First Review 2006

STRAT1 – Development requiring planning permission

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

STRAT12 – Development in the open countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

NBE10 – Protection of landscape character and Areas of Great Landscape Value.

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

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded significant weight in the following assessment particularly with regard to the synergy with the objectives of environmental sustainability contained within the National Planning Policy Framework. In the absence of policy SUS11, which was not saved in 2009, there are no policies that provide explicit guidance on renewable energy developments. These objectives are found within the National Planning Policy Framework.

Assessment:

Principle

The site is in the open countryside where saved policy STRAT12 restricts development to that required by agriculture, forestry, horticulture, a use that requires a countryside location or one that can be supported by another development plan policy.

Policy SUS11 Energy Generation/ Renewable Energy, was not saved and therefore the Local Plan is silent on matters such as this. However, the NPPF in Section 10 supports the delivery of renewable and low carbon energy and associated infrastructure. Paragraph 93 states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. The Department of Energy and Climate Change's policy EN1, as referred to in the National Planning Policy Framework, states that the UK has committed to sourcing 15% of its total energy from renewable sources by 2020 and new projects need to continue to come forward urgently to ensure that the country meets this target. Therefore, even though this application is for a single turbine, the energy generated will be counted into renewable energy targets. The turbine at Poplar Tree Farm also contributes to these targets, but does not fulfil them. Blyton Parish Council's comments about possible future changes in Central Government policy are noted; however, this has not happened at the time of writing.

Enabling businesses, including agricultural ones, to minimise their energy costs and therefore increasing the economic sustainability of the business is afforded significant weight as is the production of energy from renewable sources.

The National Planning Policy Framework, paragraph 98 states that local planning authorities, “should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy.” Therefore, whilst there will be surplus energy going back into the grid from this turbine, this is not considered detrimental as the proposal increases the amount of renewable energy being generated.

The Department for Energy and Climate Change (DECC) wind database site (accessed by the case officer on 12th May 2014) indicates average wind speeds of 6.5 metres per second at 45m above ground level and 5.9 metres per second at 25m above ground level. Furthermore, apart from the grain dryer building, there are no other large structures to impede the wind flow at the site, making it a suitable site for wind power generation.

Impact on the landscape character and countryside setting

The site is not part of a protected landscape. It is within The Till Vale as identified in the West Lindsey Landscape Character Assessment 1999. It has an open character, with occasional trees and woodland and is predominantly rural in appearance. Here, the theoretical zone of visual influence (ZVI) is wide. However, in reality, there are visual breaks with hedges and mature trees. It will not block open sky views.

The turbine will be viewed in context with the grain dryer and also with the structures associated with the motor race track use to the west. The turbine will be visible from several public vantage points, but it is not considered that it will cause undue harm to this open countryside setting. The photomontages submitted with the application are considered to be representative and will be available as part of the PowerPoint presentation at Committee.

Residential amenity (noise and flicker)

Noise levels from turbines are generally low and, under most operating conditions, it is likely that turbine noise would be completely masked by wind-generated background noise. Nevertheless, it is considered to be a material consideration. There are two quite distinct types of noise source within a wind turbine. The mechanical noise produced by the gearbox, generator and other parts of the drive train; and the aerodynamic noise produced by the passage of the blades through the air. Since the early 1990s there has been a significant reduction in the mechanical noise generated by wind turbines and it is now usually less than, or of a similar level to the aerodynamic noise.

The sound produced by the proposed turbine when the wind speed is 10m/s is 95.9dB. The DECC database considers average wind speed to be 6.5m/s at 45m above ground. The lower the wind speed, the quieter the turbine. The revised noise report by Dragonfly Consulting, assessed noise levels from

Welwyn and Top Farm, to the south west of the site. The Institute of Acoustics document 'A Good Practice Guide to the Application of ETSU-R-97 for the Assessment of Rating of Wind Turbine Noise', sets out levels which can be expected in quiet rural locations such as this and any additional noise created by the turbine should not exceed these levels. The calculations show that at both properties, the noise generated by the turbine will not exceed the noise expected in locations such as this. Furthermore, there is a motor race track near the turbine site that generates considerably more noise when operating than the turbine will.

With regards to shadow flicker, such flicker occurs when properties are close to a turbine, typically when they are within a distance equivalent to 10 x of the rotor diameter. In this case the rotor diameter is 19.2m and the nearest dwelling, Welwyn, is 370m to the south east of the site with another dwelling El-Bon to its south. These dwellings are therefore outside the area within 192m of the turbine where flicker could occur.

Impact on Protected Species

In Natural England's Technical Information Note TIN051 Bats and onshore wind turbines, it recommends that there is a distance of at least 50m between the rotor sweep area and any feature that may support bat activity. There are some trees and shrubs about 45m from the site but these are unlikely to support bat activity, being sporadic in nature and close to the race track. The nearest hedge line, which may support bat activity is 80m away. The proposal is not on any known major migratory route for birds and, based upon advice from Natural England, it is considered that no areas designated for their natural conservation interest nor the local wildlife, including owls, will be adversely affected by the proposal.

In this context, it is not considered that there is any justification to refuse this application on the grounds of harm to protected or other important species.

Impact on safeguarding air traffic

The MoD and Humberside Airport have no objections subject to conditions about operational start and height of working equipment. NATS originally objected to the proposal but has now withdrawn its objection as it is working in agreement with the applicant to find ways to mitigate against any impact.

Highways

The agent has confirmed that the delivery of the turbines will take place via two HGV's with 40ft containers. The access to the site will be via the B1205 and the existing access track to the grain dryer. Therefore, there will not be an adverse impact on the highway network.

It is noted that there are two sharp bends to the east of the site in Kirton Road. It is not considered that the positioning of the turbine will make these bends more hazardous. Going east, drivers will already have noted the turbine on the straight section of road before the bend. Travelling west, again there is a straight section of road that will enable drivers to note the turbine blades above the trees before negotiating the first bend. The turbine will then

be visible from the part of road going north/ south and so will not be a sudden distraction when negotiating the second bend.

Archaeology

As the site is within an area of known Roman occupation and as Roman finds have been found in the vicinity, it is considered reasonable to condition a scheme of works for the site to enable groundwork to be monitored with the ability to stop and record as required.

The Lincolnshire County Council Archaeologist advised of the potential impact on Southorpe Medieval Village. Following a site visit it is not considered that the setting of this scheduled monument will be affected by the development given the distance and roadside trees between the site and the scheduled monument.

Other matters

It is considered reasonable to impose conditions to ensure that the development is dismantled and the land restored to its existing agricultural use and condition at the end of the 25 year period, or earlier in the event that the turbines cease to be used for the generation of electricity for a continuous period exceeding 6 months.

Whilst the points about precedent are noted, each case is considered on its merits and it is not considered that a single turbine in this location together with the one at Poplar Tree Farm, will have an overbearing cumulative impact on the locality. It is also noted that that a Screening Opinion was requested regarding a potential solar park on land within the applicants ownership. No application has come forward and therefore, this carries little weight and is not part of the cumulative impact assessment.

The Companion Guide to PPS22 is no longer in force and has not formed part of the assessment. Objectors also consider that the proposal is not in accordance with paragraphs 9 and 109 of the NPPF. Paragraph 9 sets out that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment. Paragraph 109 requires the planning system to contribute to and enhance the natural and local environment through various criteria including protecting and enhancing valued landscapes, minimising impact on biodiversity and preventing development from causing unacceptable levels of soil, air, water or noise pollution. As set out in the assessment above, the proposal is an enhancement as it reduces carbon emissions, lessening pollution and will not have an adverse impact on the landscape.

The noise report has been revised during the application and was the subject of reconsultation. This, in conjunction with the other material submitted, has been considered sufficient to adequately assess the application.

Conclusion

It is not considered that the proposed wind turbine will cause undue harm to the landscape character or residential amenity. It will contribute to the

renewable energy targets and the reduction of carbon dioxide emission. It will also enable an established agricultural business to meet the energy demand of the grain dryer. Therefore, the proposal is acceptable in terms of the Development Plan, particularly saved policies STRAT1 – Development requiring planning permission, STRAT12 – Development in the open countryside and NBE10 – Protection of landscape character and Areas of Great Landscape Value of the West Lindsey Local Plan First Review 2006, together with other material considerations including the advice given in the National Planning Policy Framework 2012.

RECOMMENDED DECISION: Grant permission subject to the following conditions

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

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

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

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

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework (2012).

3. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 2 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

4. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 2.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

5. Following the archaeological site work referred to in condition 4 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed. .

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

6. The report referred to in condition 5 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012)..

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- EWP50_36m_F_001 F Foundation and HD Bolt Arrangement dated 2.11.2010
- E-3120 Elevation 001600/1 dated 22.11.11
- Site Location Plan dated 17.05.13

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

8. The Local Planning Authority shall be informed no later than a fortnight before construction starts on site of the construction start date, the anticipated end date of construction and the height of any construction equipment.

Reason: In the interests of aviation safety and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

9. The planning permission is for a period from the date of this permission until the date occurring 25 years after the date of commissioning of the hereby approved development. Written confirmation of the date of commissioning of the development shall be provided to the Planning Authority no later than 1 calendar month after that event.

Reason: To ensure the turbine does not remain as a permanent feature in the landscape once it is no longer operational and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

10. Not later than 3 months from the date that the planning permission hereby granted expires, all wind turbines, and ancillary equipment shall be dismantled and removed from the site and the land reinstated to its former condition.

Reason: To ensure the turbine does not remain as a permanent feature in the landscape once it is no longer operational and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

11. The turbines shall be removed from the site if they are decommissioned or otherwise cease to be used to generate electricity for a continuous period exceeding six months, unless the local planning authority agrees in writing to any longer period, and the wind turbines and ancillary equipment shall be dismantled and removed from the site and the land reinstated to its former condition within a period of 3 months.

Reason: To ensure the turbine does not remain as a permanent feature in the landscape once it is no longer operational and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

Notes to Applicant.

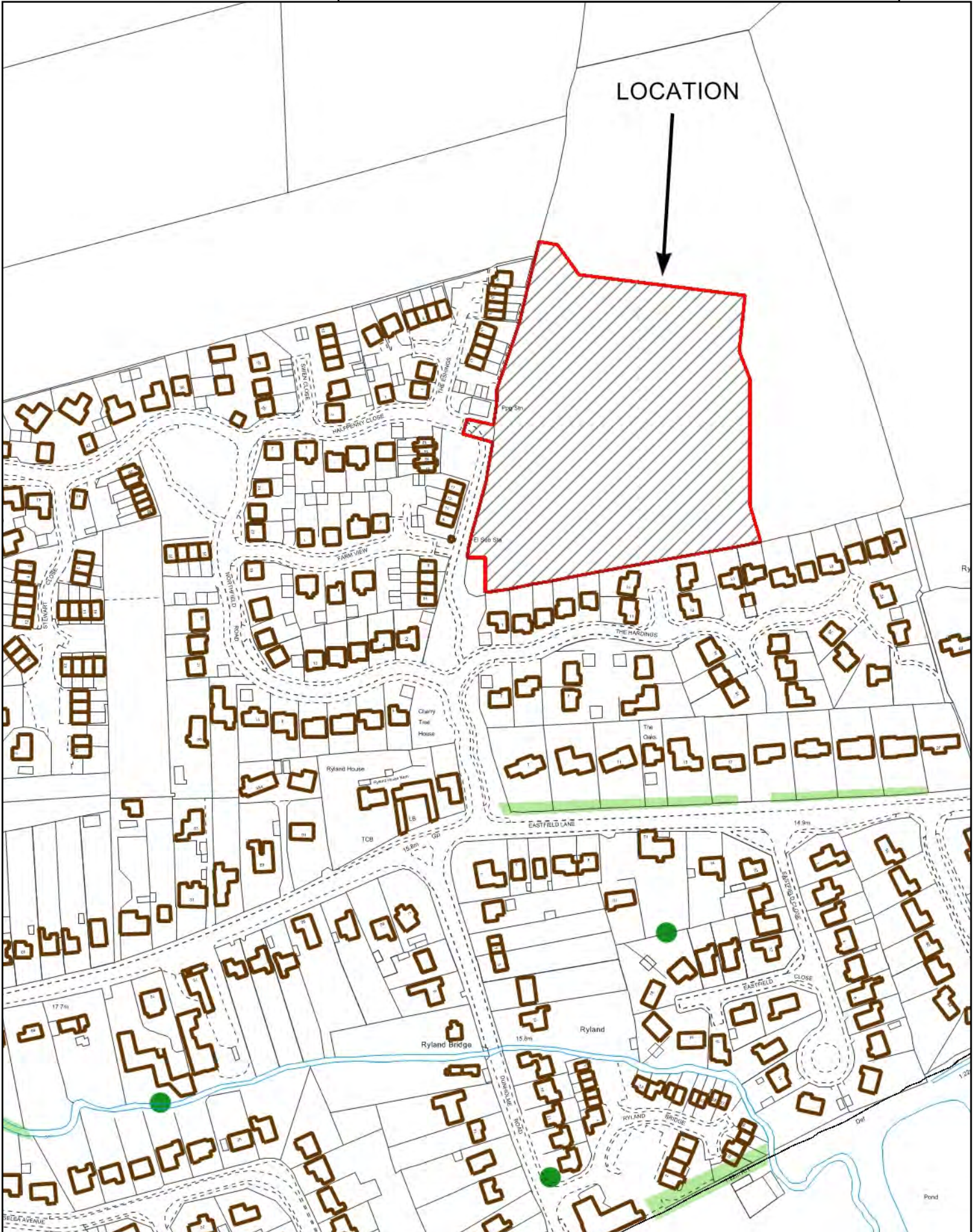
The written scheme required by condition 2 shall be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor

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



Officer's Report Planning Application No: 130995

PROPOSAL: Planning application for erection of 50 residential dwellings, to include 31 affordable and 19 open market dwellings

LOCATION: Land to the East of Halfpenny Close and North of The Hardings Welton

WARD: Welton

WARD MEMBER(S): Cllrs Parish and Rodgers

APPLICANT NAME: Beal Homes Ltd. and Acis Group

TARGET DECISION DATE: 16/05/2014

DEVELOPMENT TYPE: Small Major - Dwellings

CASE OFFICER: Simon Sharp

RECOMMENDED DECISION: 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. Affordable housing
2. Maintenance and management of public open space

That, if the s106 is not completed and signed within 6 months of the date of this Committee, then the application be reported back to the next available Planning Committee for determination following the expiration of the 6 month period.

SUMMARY

1. Affordable housing will be delivered to exactly respond to an identified village need is being delivered.
2. There is a presumption in favour of sustainable development in the NPPF.
3. This is a development that, subject to conditions and the signing of the section 106 agreement, is economically, socially and environmentally sustainable and therefore accords with the guiding principles of the NPPF.
4. Significant development is required to maintain a five year deliverable supply of housing that is required by the NPPF.
5. Central Lincolnshire can only evidence a 3.5 years' housing land supply.

Introduction

This application was the subject of a site visit by the Planning Committee on 31st March 2014.

The site was also brought forward in Welton parish following a call for land by this Council for sites for affordable housing and publication of an independent housing needs survey for the village.

This pre-application process was the subject of engagement with Welton Parish Council.

Description:

Site – An area of land extending to approximately 1.7ha. The land is currently in arable agricultural use and is a part of larger field. In this regard the northern and eastern boundaries of the site are not currently defined. The southern boundary abuts the gardens of dwellings on The Hardings. The western boundary of the site is separated from existing dwellings and public open space by a proposed field access.

The site is considered to be adjoining the existing village envelope but not within it.

Proposal – This is a full (detailed) planning application.

The development proposed is for the erection of 50 houses with associated adopted vehicular accesses, surface and foul water drainage and public open space. The sole vehicular access would be from Halfpenny Close, this access crossing a new field access adjacent to the western boundary that would connect the retained field access to the Hardings.

The mix of dwellings proposed is as follows:-

- 6 x one bed apartments for rent (affordable dwellings).
- 12 x one bed bungalows for rent (affordable dwellings)
- 3 x two bed bungalows for rent (affordable dwellings)
- 4 x two bed houses for rent (affordable dwellings)
- 2 x three bed houses for rent (affordable dwellings)

- 2 x one bed apartments for shared ownership (affordable dwellings)
- 2 x two bed houses for shared ownership (affordable dwellings)

- 4 x one bed apartments for open market sale.
- 11 x two bed houses for open market sale.
- 4 x three bed houses for open market sale.

All of the houses are detached or terraced, two storeys dwellings.

Each dwelling has two off-street parking spaces either within a private communal parking area or within a driveway.

An archaeological investigation, ecological survey, transport statement and viability appraisal were all either submitted before, at the time of, or following the submission of the planning application.

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'. A copy of the screening opinion has been placed on the file and the public register.

Relevant history

This proposal was the subject of a pre-application enquiry.

Representations

Chairman/Ward member(s): No comments received.

Welton Parish Council:

Parish Council (PC) members overwhelming concern is the impact on the current infrastructure in Welton.

Some members of the Council were taken to look at this site by WLDC and Community Lincs in November 2012, as a result of the Housing Needs Survey carried out earlier that year. The PC were approached with a list of 4/5 possible sites which had been either identified for possible residential development or as a result of the land call carried out at the same time. Two of the sites included on that list which were discounted due to varying reasons have now submitted a planning application or brought it to the PC for discussion regarding future development.

Seven sites have currently been identified within the village for possible development giving potentially an additional 497 houses with the prospect of 1270 extra people living in the village. No benefit other than providing some much needed affordable housing can be seen within this development and there are no details within the application that the developer will be contributing to the services in the village to alleviate any of the problems relating to the infrastructure.

It is requested by the PC that decisions should be deferred until such time that the proposed development of four other sites now coming forward become more apparent. All of these proposals will contain an affordable housing element, leaving Welton with a surplus of this type of dwelling.

Indeed it would not seem unreasonable for all substantial planning applications in relation to Welton to be deferred until the Neighbourhood Plan (NP) is in place, anticipated in early 2015.

Whilst the NP will be in line with National Policy and insofar as it can be with the proposed Local Plan which as yet is undefined, this will almost certainly update the housing requirements of Welton, and reflect the impact of development on the infrastructure and environment of the village.

With all the potential additional development proposed for the village there are major concerns regarding the junctions at the A46 and A15, with no planned improvements by LCC.

The health centre has a list in the region of 9,500 patients and cannot possibly cope with any more. William Farr CofE Comprehensive School is at capacity and does not have space to take more pupils.

Drainage systems and sewers in the village are at full capacity with constant problems being encountered, in particular close to the development site.

Problems of traffic flow and parking are a continual and ever increasing dilemma in the centre of Welton.

The site is not within easy walking distance to shops and other amenities particularly for those who are elderly or disabled, the distance to the centre of Welton would be considerable with no bus route nearby.

The Council respectfully requests that this application be determined by the Planning Committee and is not an officer decision.

Local residents: Objections from 10 Halfpenny Close; 1, 5, 7, 8, 15, 21, 23, 25, 27, 29, 30 The Hardings; 4, 14 Northfield Road; 2, Swen Close; 1, Eastfield Lane; 15, Farm View; 35, Hackthorn Road; 4, Musgraves Orchard and 8 & 15, Farm View (all Welton).

1. Principle – The proposed location is currently agricultural land (green field) of good quality and is still being actively managed. Brownfield sites such as old RAF bases should be used first rather than greenfield sites. Welton will lose its charm as a village if builders and developers get their claws on the greenfield sites surrounding this village. Welton is a village, not a town.
2. Localism - The Coalition Government advocates the local voice. Please can we urge the councillors of West Lindsey District Council to listen to the views of the residents of the village of Welton. Most residents, if not all, do NOT want this or any other developments in the village.
3. Highway safety/child safety - There is currently a green play area at the junction of Northfield Road and Halfpenny Close where current estate residents' children play during evenings and weekends; the proposed access would mean that potentially an additional 50 plus road vehicles and a number of agricultural vehicles would pass this green space increasing the risk to children playing. On accessing the site from

Halfpenny Close, does it seem as if a risk of harm to children has been designed in with having a green play area alongside the development entrance? Parents as we know tell children not to chase after balls if they go on the road but play and excitement usually takes over with sometimes tragic endings. Although the bends reduce a certain amount of speed they increase blind areas and increases in traffic will only increase this risk of an accident. There are plots within the village that could be used for housing where access can be gained directly from one of the major arterial roads. This would completely eliminate the risk to the children

The agricultural access strip currently planned on the west side of development is quite ridiculous on a number of levels, it will run immediately alongside the planned green area where children may be playing, increasing risk, it will need to cross Halfpenny Close causing traffic /pedestrian risk. The same landowner currently uses the access at Northfield Road after being in the field and leaves behind significant amounts of mud and debris making road surfaces dangerous and unsightly.

4. Infrastructure - Whilst the village's infrastructure and amenities have undoubtedly improved over time, there is only so much scope for development and growth given the physical layout of the centre of the village.

The infrastructure cannot currently cope, the health centre is not currently fit for purpose, the parking in the village centre is inadequate and dangerous (look at access to Co-op), the secondary school is full to bursting and this is also a major contributor (school serving nearby villages) to the high volumes of traffic using the decaying and substandard roads within the village. The 2001 census indicated that Welton had a population then of 3,821. By 2011 the population had grown by 46% to 5,417.

5. Misleading information – Welton is the second largest settlement in West Lindsey by population (5,417 in 2011 census), larger than Market Rasen and Caistor. Paragraph 2.0 of the submitted Design and Access Statement states that the population is 4,500 which is materially inconsistent with the publicly available data from the 2011 census. This would appear to be a deliberate attempt to convince the reader that Welton is smaller than it actually is.
6. Residential amenity - If building must go ahead, would it not be less intrusive to current residents of The Hardings if plots 14 and 15 were positioned with some sympathy like plots 1-2-3 and also like plots on the west side of development; a distance of two gardens between properties would minimize any noise pollution. New development will also cast shadows over our properties and directly overlook them occupants of the proposed development would in principle be able to look straight into our bedroom, compromising our privacy

7. Visual amenity - Beyond this field is an endless view of open countryside with the Wolds in the background. This is an encroachment into open countryside.
8. Ecology - There is also an assortment of wildlife including a variety of birds, rabbits, foxes, hedgehogs and bats. The bats have been witnessed foraging in the ditch which runs along the boundary of the site and The Hardings. The development will inevitably damage or destroy areas of land that are used as shelter and/or foraging grounds for bats (and potentially other protected species including dormice, newts and badgers).
9. Trees – There are two trees to be lost which are not mere saplings and should be considered for protection.
10. Surface water drainage - for nearly 14 years now and most winters, the field of the proposed development has been holding water on its surface over winter and into spring months. As stated in the application, the proposed development is higher than existing one so there is minimal risk of flood to the new development, it does not fully address the possible risk to existing properties. The solution stated is to pipe surface water into a pond (SUDS) and then into an existing pipe that runs behind the Eshings and into a Shallow Watercourse; there is no protection to the existing properties along the pedestrian path from The Hardings, past Farm View and Halfpenny Close, so any water not captured by this system would flow towards them as the shallow swale will not stop any water (Flood risk document para 4.3 even states there is a possible risk to flooding). What will be done to prevent this? The shallow watercourse to the north is only an unkept ditch with no guarantee to handle the water flow. SUDS is not recognised by Lincolnshire County Council at present and Anglian Water are not fully committed, so which organisation will take responsibility for the upkeep of the SUDs and the Shallow Watercourse to guarantee no flood risk to existing properties. Additionally Planning Application 130150 has indicated possible use of the shallow water course, which needs to be taken into consideration.
11. Wider highway safety - The current access and exits from the village on the A46 and A15 are already accident blackspots and more vehicles will only make this worse. You can be queuing to join the A46 for 5 minutes or more. There have been a number of road traffic collisions at this junction some of which have been very serious. The road infrastructure is simply not there to cope with a large increase in traffic.

A report recently issued by the Highways and Utilities Committee of Welton Parish Council reveals that consultation with LCC and the Lincolnshire Road Safety Partnership did not identify a feasible means of improving the junction or making it safer.

At the Cliff Road/A15 junction, vehicles seeking to turn towards the village off the A15 are required to wait in the middle of the carriageway as the width of the road does not provide for a dedicated turning lane or zone. HGVs travelling northbound on the A15 pass so close to the waiting traffic that they are habitually shaken by the force of the passing HGV.

12. Construction traffic – Use of the field access from the Hardings is unsuitable and the Eastfield Lane/Ryland Road junction would become increasingly hazardous under such circumstances making it an unacceptable health and safety risk for drivers and pedestrians alike.
13. Future development - during the public meeting on 4th February a map was displayed showing the land east of the new development as available for possible future development; this and the fact the new development has a road that would enable access, gives rise to fears of even more traffic passing through Halfpenny Close & Northfield Rd in the future
14. Affordable housing need - At the meeting on 4th February 2014 we were informed 19 affordable houses were to be built, yet on the planning application it says 31 are to be built, which number is correct as there is a vast difference? There are enough affordable housing in this village already.

The apartments and flats proposed will look out of place in the village.
15. Development commenced – Some works already appear to have taken place within the site, including a JCB visiting the field on the 20th February this year and the concreting in of water pipes.
16. Housing values – Impact on exist house values.

Anglian Water - With respect to roof drainage, the proposed system in principle appears to meet the adoption requirements by having at least 3 stages of treatment via permeable paving, swales and the lagoon. We have also asked where possible to see the introduction of water butts/planters for properties.

With respect to Highway run-off, the Drainage Statement states that a positive drainage discharge may be required from the site. We would require, where possible, any proposed Highway run-off to be linked in to a combined system for both roof and Highway. According to MT this can be achieved through a combination of introducing permeable paving, the swales and the lagoon and if so would meet the required 2 stages for Highway run-off.

We would also need to be satisfied with Exceedance on any design, to ensure that no properties, including existing dwellings, and third party land are

affected. Confirmation of any overland run-off from surrounding areas will also need to be confirmed.

Any proposed layout would need to ensure adequate access is available/agreed for adopting infrastructure, i.e swales, lagoons and surface water sewers, including discharge sewer from lagoon which is shown within private gardens/private land. The permeable paving and carrier drains within private gardens would remain in private ownership and we would need to see sight of adequate maintenance regimes as part of any submitted Design. Signage would also be required around the basin.

Environment Agency - Awaiting written comments following multi-agency meeting where verbal support was given to strategy now proposed.

LCC Education – The development would result in a direct impact on local schools, specifically secondary schooling. LCC calculations indicate that a contribution of £33,983 should be sought from the development, this contribution being reasonable and directly related to the development.

LCC Historic Environment (Archaeology): Following investigations, this area of land is considered to have low archaeological potential and therefore no further archaeological input is required on this application.

Lincolnshire Police – No objections. Provide general design guidance.

NHS Property - I would be grateful if Planning Officers could consider our request for a contribution in the order of £21,250 based on £425.00 per dwelling. Our calculations are based on the likely impact of new population in terms of number of additional consultations by clinicians.

Witham Third Internal Drainage Board – It is a recurring problem for larger developments that insufficient consideration is given to the drainage system downstream of the site and how it will be maintained. In this case it is the 600mm or so between the site and the Board maintained Eastfield Drain.

WLDC Housing – Support application (comments incorporated into the report).

Relevant Planning Policies:

The Development Plan

West Lindsey Local Plan First Review 2006 (saved policies - 2009) – This plan remains the development plan for the district. However, paragraph 215 of the National Planning Policy Framework 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). The site is outside of the settlement limit for Welton and therefore within the “open

countryside.” Therefore, the relevant policies to be considered for their consistency with the NPPF are:-

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>
 Pertaining to area outside of settlement limit.

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>

National

- 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/>
- Draft Central Lincolnshire Joint Core Strategy (2013)

Welton is defined as a Primary Supporter in the Portrait of Place evidence that helped inform the draft Core Strategy. In this context the following policies are considered relevant:-

- CL1 – Sustainable development in Central Lincolnshire
- CL4 - Level and distribution of growth
- CL5 – Managing the release of land for housing and employment
- CL6 – Site selection in Central Lincolnshire
- CL12 – Overall target for affordable housing– Affordable housing on rural exception sites
- CL22 – Strategy for the rural areas of Central Lincolnshire

http://uk.sitestat.com/lincolnshire/lincolnshire/s?Home.centrallincolnshire.lcf.submission-of-central-lincolnshire-core-strategy.117940.articleDownload.56436&ns_type=pdf&ns_url=http://microsites.lincolnshire.gov.uk/Download/56436

The Draft Strategy was approved by the Central Lincolnshire Joint Strategic Planning Committee on 8th July 2013. However, members subsequently resolved to withdraw the Strategy on 6th January this year following comments expressed by the government appointed inspector during the Examination stage. Very little weight is therefore afforded to the Strategy.

Assessment:

Principle of housing

The Local Plan Review 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.

Policy STRAT12 is written in the prohibitive form and states that development including housing should not be permitted in open countryside locations, as defined by the Plan, unless there is justification for it being in such a location or it can be supported by other plan policies. This development context appears to suggest that housing should be refused on this greenfield site outside of the settlement limit. However, it is advised that there are material considerations that indicate that the principle of this development should be supported:-

1. Response to defined need for affordable housing

Of the 50 dwellings proposed, 31 are intended to be affordable and owned and managed by a registered provider (Acis), such affordability to be secured through a section 106 agreement. These 31 dwellings

are an exact match of the need recently evidenced in a parish survey independently undertaken by Community Lincs.

Whilst Local Plan policy is silent on the issue of bringing forward sites outside the defined settlement limits for such housing (it was expected that allocated sites within the settlement would deliver such housing), nevertheless there is an established principle within the district that such sites are an appropriate way of delivering affordable housing. This was first established by the Church Lane, Saxilby appeal. Further background to the Welton survey is provided later in this assessment.

2. *Open market housing to provide viability to ensure delivery of affordable housing*

Viability is clearly a material consideration defined in the National Planning Policy Framework (NPPF). The applicant has demonstrated through a Council officer verified viability appraisal that the open market housing is required to deliver the affordable housing.

3. *Need to deliver open market housing within the next five years as required by the National Planning Policy Framework (NPPF)*

Paragraph 49 of the NPPF states that 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 relevant policies are STRAT3, STRAT9 and STRAT12 in this case.

The supply position is no longer derived from the Local Plan Review position which has been superseded for development management purposes; Central Lincolnshire is now recognised as the constituted authority for the housing provision and, in March 2010, the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC), made up of the elected members of the four partner authorities (City of Lincoln, North Kesteven, Lincolnshire County Council and ourselves), approved the Central Lincolnshire Strategic Housing Land Availability Assessment (SHLAA). The latest incarnation of the SHLAA is the 2013 update. At page 4 it states that “until a new housing target has been decided, the Central Lincolnshire Authority will continue to use the adopted East Midlands Regional Plan figures as they are the only targets that have been through a formal examination in public.” The 2013 Update accounts for the shortfall in delivery over the 2006-2011 period by applying it across the residual period. This sets a five year requirement of 11,320 new dwellings (2,264 per annum) across the Central Lincolnshire Housing Market Area as a whole. A five year requirement of 6,985 dwellings is identified within the Lincoln Policy area of which Welton is part. Using that criterion the SHLAA can identify a deliverable supply of land for 7,912 dwellings across the area, equivalent to 3.5 years’ supply. The provision is evidenced by need including net migration into the area from other parts of the country, changing household size and a desire for growth sustainably

to create critical mass to support existing services and facilities and to create an attractive housing mix to provide a catalyst for inward investment and the delivery of enhanced and new infrastructure and employment provision. This undersupply position is underpinned by the fact that completions within West Lindsey have fallen from a peak in 2008-9 of 1006 dwellings per annum to 250 in 2012/13.

This approach of using the Central Lincolnshire position has been corroborated by inspectors following appeals against refusals by the Council and the undersupply of only 3.5 years' deliverable supply must be afforded significant weight as a material consideration and the strategic policies of the Local Plan Review afforded very little weight given the context of paragraph 29 of the NPPF. Indeed, given the persistent under supply of housing it would be appropriate to apply the 20% buffer in addition to the 5 year deliverable supply requirement.

In this context, there should be a presumption in favour of housing development, even within the areas outside the Local Plan Review defined settlement limit, provided that the development is delivered early (a condition can secure an earlier than normal commencement), sustainable and is acceptable when considered against other material planning considerations. The NPPF defines the three roles of sustainability as economic, environmental and social and, whilst the Core Strategy is only afforded very limited weight itself, policy CL6 provides a series of criteria against which the development can be assessed for such sustainability. These criteria are also amongst the criteria cited within policies STRAT1, SUS4, RES1, RES5, NBE14 and CORE10 of the Local Plan Review and are consistent with principles of the NPPF itself:-

Location in or adjacent to the existing built up area of the settlement (environmental and social sustainability)

The location is directly adjacent to the existing settlement. It abuts dwellings to the west and south. The settlement has in excess of 5,000 inhabitants (2011 Census).

Accessible and well related to existing facilities and services (social and environmental sustainability)

The designation of Welton as a Primary Rural Settlement in the 2006 Local Plan Review reflected the status of the village as one of the larger settlements in the district. The level of services and facilities has not diminished since 2006, this is reflected in the designation as a Primary Supporter within the Portrait of Place assessment which forms part of the evidence base for the Central Lincolnshire Local Plan. However, it is of note that this "supporter" rather than "attractor" designation reflects the semi-dormitory role of Welton to the city of Lincoln. Nevertheless, Welton has an array of services and facilities including secondary and primary schools (1700m and 1200m from the site respectively), shops (1,100m), a health centre (1,100m away), dentist (1,300m), village hall (750m) and leisure facilities (750m). All of these

services and facilities are connected to the site by existing, adopted and lit pavements. The case officer timed these walks making allowance for a variety of abilities and lower speeds and noted that the timings in the submitted Transport Statement were realistic and reasonable (just over 20 minutes to William Farr School and just under 15 minutes to the village centre) on relatively level routes and necessitating the crossing of two roads (Northfield and Hackthorn) to get to the village centre and three roads (an additional crossing of Ryland Road) to get to William Farr. It was observed that many pupils of William Farr school do walk to this school from the adjoining existing residential areas and therefore it would be reasonable to assume that future residents of the proposed development would do the same.

Accessible by public transport, or demonstrate that the provision of such services can be viably provided and sustained (environmental sustainability)

The nearest bus stops are on Ryland Road, approximately 350m from the site. These east and westbound stops are served by the Nos. 3, 11, 11a, 12, and 12a bus services; the No. 3 connecting the area to Lincoln (including the hospital), Market Rasen and Grimsby, the other buses shuttling between Welton and Lincoln. The combination of all of these services results in 34 services in each direction to and from Lincoln per day, six days per week (68 per day in total). 24 of these 68 services directly connect to the hospital. The first bus to Lincoln departs at 6.36am arriving at 7.10am, the last leaving at 6.20pm arriving at 6.50pm.

In this context, it is considered that the public transport options offer a high degree of sustainability.

Sustainable in terms of impacts on existing infrastructure or demonstrate that appropriate new infrastructure can be provided to address sustainability issues (environmental, social and economic sustainability)

In advance of the production and adoption of a neighbourhood plan and in advance of the Central Lincolnshire Local Plan preparation there is no development plan to provide guidance as to what proportion of the growth provision or Central Lincolnshire should be attributed to Welton. The village currently has a population estimated to be around 5,500 inhabitants and, as detailed in preceding sections, has a range of facilities. However, concerns have been expressed by some residents about the ability of the infrastructure serving the village to take new development, especially in light of the population growth since 2000.

Specific concerns relate to overstretched medical facilities, education and drainage.

The doctor's surgery is a five partner practice and part of the Lincolnshire West CCG. It is taking new patients but has previously expressed concerns about the population increase in Welton. 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 the secondary school. This is also a reasonable request that complies with the Community Infrastructure Regulations 2011. However, members are reminded that, unlike other schemes being brought forward within the parish, 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.

The On-Lincolnshire Broadband project supported by the County Council indicates that the area around and including the site is part of phase2 of the roll-out due to be completed this year (<http://www.onlincolnshire.org/my-area/maps>).

Loss of locally important open space, playing field etc. unless adequately replaced elsewhere with no detriment (social sustainability)

The land is arable farmland. It is neither a registered playing field nor an area of important open space or frontage as defined by policy CORE9 of the Local Plan Review. The layout plan actually includes an area of 1400 sq m which represents approximately 7% of the total site area of 1.9ha. This provision is in excess of the 5% requirement provided by policy RES5 of the Local Plan, a reasonable requirement, consistent with the social and environmental sustainability provisions of the NPPF.

The provision of the space can be secured through the section 106 agreement or conditions.

Appropriate sequential testing and other planning requirements in relation to flood risk (environmental sustainability)

This is a consideration partly detailed in policy NBE14 of the Local Plan Review although little of this policy is consistent with the provisions of the NPPF in terms of the preference of the latter for sustainable drainage.

The main thrust of the NPPF policy guidance is to locate development in areas which are at lowest probability of flooding (zone 1) as defined by the Environment Agency.

Nearly the entire site is within flood zone 1, with a slither being within zone 2 within the southwest corner (plot 1). This area excludes the footprint of any of the proposed dwellings including plot 1 which can be accessed from land within zone 1. The development therefore passes the sequential test with regard to fluvial flood risk in the NPPF.

With regards to surface water drainage, paragraph 51 of the NPPG states that sustainable drainage systems should be prioritised as they are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. They also provide opportunities to reduce the causes and impacts of flooding, remove pollutants from urban run-off at source and combine water management with green space with benefits for amenity, recreation and wildlife. In this context a multi-agency meeting was convened on 31st March 2014 with representatives of the Environment Agency, Internal Drainage Board and other drainage stakeholders present to ensure that such sustainable drainage schemes were employed if practicable. The plans submitted with the application clearly showed potential for such a system to be utilised without material changes to the layout and a drawing has now been submitted which shows a strategy majoring on SUDs principles that will be put forward for adoption by Anglian Water. The system incorporates permeable paving, swales and a detention basin; the swales and permeable surfaces filtering the water of pollutants. The informal form and shallow margins of the detention basin is such that it benefits wildlife and will be a visually attractive feature within the public open space as well as regulating off-site discharge into the existing watercourse to the northwest to greenfield rates up to and including a 1 in 100 year rainfall event (plus 30% allowance for climate change). The exact specification can be agreed by condition but the submitted drawing is considered to respond to the need for sustainability, climate change and the need to ensure that there is a neutral effect as a minimum in terms of risk to flooding of properties as a result of the development.

Provision of a mix of housing to respond to need (social sustainability)

This a consideration outlined in policies RES2 and RES6 of the Local Plan Review that is consistent with the principles of the NPPF. The proposal does not include detached dwellings but does include bungalows, houses, semi-detached and terraced dwellings, affordable and open market houses, rental, shared ownership and open market ownership. This is a good mix and compliments the mix of houses to the south and west to foster balanced and mixed communities.

Furthermore, one of the cornerstones of the growth priorities of this Council (and of national government as cited in the NPPF) is to deliver homes that meet the needs of the residents. Indeed the Council's Strategic Housing Officer states that, "if these ambitions are to be realised, there are a number of obstacles which need to be overcome in particular the economic climate, the current housing market and austerity measures which have led to constraints with regard to funding resources all of which has led to a reduction in the delivery of affordable homes within the district." The Officer continues by stating that "the Central Lincolnshire SHMA published late 2012 identified 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 meeting a variety of housing needs through the delivery of housing growth across Central Lincolnshire, delivering urban and rural

affordable housing, delivering housing options for older people and delivering housing options to meet specific needs.”

The Officer notes that “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 which this proposal will go some way to meet.”

The Council has actively sought to ensure delivery of these homes in Welton and the Council’s Strategic Housing Officer also noted that a Parish Housing Needs Survey, commissioned by the Council, was carried out independently by Community Lincs in the Spring of 2011. The findings were published in the Welton and Dunholme Affordable Housing Needs Survey Report May 2012. The survey identified a need for 31 units of affordable in Welton and 12 units of affordable housing in Dunholme. This proposal will deliver a mix of affordable housing in terms of house type and tenure as recommended by the Rural Housing Enabler in their report. A call for land was also carried out by Community Lincs in Spring 2011 with the aim of identifying sites suitable for the delivery of affordable housing led schemes – one to deliver affordable housing to meet the identified need in Welton and one to deliver affordable housing to meet the identified need in Dunholme. As stated by the Parish Council in their representation, 4 sites were brought forward in Welton and were assessed by officers from the Development Management Team and the Housing and Communities Team to ascertain whether there were any major constraints in relation to planning and sustainability. 3 sites were assessed as having major constraints or unsuitable. The application site was assessed as being suitable, as there were no high risk constraints, and deliverable, as all parties including a landowner agreeing to sell land, a developer willing to develop and a Registered Provider willing to take ownership of and manage the affordable housing were all engaged

Members of the Parish Council met with the Rural Housing Enabler and the Housing and Communities Project Officer following the assessment of the sites and visited the application site. No objections were raised and the representatives from the Parish Council supported the principle of delivering affordable housing on this site.

Throughout 2013 meetings were held between the applicant and West Lindsey officers to move forward with the design of the scheme.

Then Strategic Housing Officer is 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.

In this context, the proposal is considered to be socially sustainable with particular regard to housing mix and need.

Highway infrastructure (economic sustainability) and highway safety

Access is a material consideration detailed in policies STRAT1 and RES1 of the Local Plan Review that is considered consistent with the provisions of the NPPF and has been raised as a concern by local residents. A specific concern is that Halfpenny Close is currently a quiet no through road that borders areas of public open space and is therefore conducive to children playing. Indeed, at the time of one of the case officer's visits, children were witnessed playing at the end of Halfpenny Close as well as on the field access adjacent to the Hardings.

Notwithstanding the ability to walk, cycle or catch the bus to access services and facilities, it is considered that the provision of 50 additional dwellings at the end of Halfpenny Close will inevitably result in a residual increase in vehicle trips along Halfpenny Close; there is likely to be a car associated with each new dwelling and some of the houses (more so than the bungalows) may have residents with two cars. Indeed the submitted Transport Statement predicts a modal split of 75% in favour of vehicles for trips to and from the site. The Statement used modelling and traffic counts to predict the numbers and routes likely to be taken with peak hour additional flows entering and exiting the site of 34 trips inbound and outbound during each of the AM and PM peak hours (just over an additional vehicle per every two minutes).

All of this traffic would use Halfpenny Close and the increase in usage is relatively significant. However, the road is to standard to accommodate these additional flows with the required width (5m) and segregated pavement. There are also new areas of open space being created near to the current termination of Halfpenny Close and, whilst two vehicles per minute is noticeable in this quiet residential area, given the highway design and pavements, it is not considered a matter sufficient to withhold the granting of planning permission.

Further afield, 40% of flows are likely to be to and from Ryland Road (westbound to and from the village centre and beyond) via Northfield Road, whilst 40% would be via Northfield Road and Hackthorn Road (again onto Ryland Road to and from the village centre and beyond). This is logical given that car borne journeys to services and facilities are likely to go to or through the village centre. Such choices also have implications for the junctions onto mains roads to Lincoln, particularly the Centurion Garage junction onto the A46 (south of Welton village and with a record of accidents) and also given the cumulative impact of other developments in the area such as off Hackthorn Road.

However, notwithstanding that larger developments would require upgrades to the highway infrastructure, the conclusions of the Statement reveal that the increased traffic on the existing highway network associated with the proposal is relatively modest and it would not be a reasonable requirement to require upgrades.

Finally, it is noted that there have been some suggestions that access could be from the Hardings rather than from Halfpenny Close to overcome the concerns about safety and also residential amenity (see later in this report).

This is a possibility but it is suggested that the juxtaposition of the new access to the Northfield Road/The Hardings junction under this scenario is likely to result in some highway safety concerns of its own. It is also considered that the lack of any house fronting onto this access (the boundary of the first house on The Hardings is marked by a blank garage wall and high fence with the blank side elevation facing the access) is not good design and would create a backland feel to the new development and a lack of integration with the rest of Welton. This is a particular concern given that the proposal is largely for affordable housing.

Ecology and biodiversity (Environmental sustainability)

The site is not a designated wildlife site or important open space. Nevertheless, representations from local residents cite the witnessing of bats foraging in the ditch which runs along the boundary of the site and an assertion that the development will inevitably damage or destroy areas of land that are used as shelter and/or foraging grounds for bats (and potentially other protected species including dormice, newts and badgers).

In this context it is noted that, whilst the Local Plan is silent on this issue, paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, recognising the wider benefits of ecosystem services and minimising impacts on biodiversity and providing net gains in biodiversity where possible,

The presence of hedges and watercourses bordering the site provide some potential for bat habitat and therefore, in accordance with Natural England's Standing Advice and Decision Tree, the case officer required the applicant to carry out a bat survey by a suitably qualified ecologist. This has revealed potential for bats but none recorded within the site. The provision of the public open space, gardens and the field access buffer to the watercourse and hedge on the western boundary all will ensure a neutral if not betterment impact on biodiversity. The field access alongside the hedge provides the potential for a wildlife corridor.

Landscaping and protection and enhancement (Environmental sustainability)

This is a related issue to biodiversity. Policies CORE10, STRAT1 and RES1 all contain policy advice with regards to landscaping that is consistent with the provisions of the NPPF. Such landscaping is required to provide an appropriate habitat for wildlife as well as providing a visual balance between the natural and built environment, this being especially important given the edge of settlement location (policy NBE20 of the Local Plan Review refers). The edge of settlement location is also within the public domain; the site is visible from the path connecting Halfpenny Close and The Hardings and it is also clearly visible from the public right of way that follows the existing eastern field boundary. Residents also cite the open landscape to the east providing, albeit distant, views of the western escarpment of the Lincolnshire Wolds.

The site layout plan indicates a good number of trees proposed to be planted across the site in prominent locations within the intended public domain with space around them to mature, although additional information is required about species and sizes/heights on planting. Given the edge of settlement location, trees along the site boundaries should be native trees but could include transitional trees i.e. non-natives, but which can blend well with the surrounding countryside. Further within the site, and in the residential gardens, more ornamental feature trees could be used to add feature, interest and softening of the buildings.

It is also considered necessary to include native mixed hedgerows on the “new” northern and eastern boundaries abutting the parcel of field to be retained; hedges are shown to be planted on these boundaries. Given that all of these features are shown on the proposed site plan, it is considered reasonable to delay the agreement of the required species and planting sizes details to after the determination of the application i.e to be secured by condition.

The existing field boundaries will not form the boundaries of the proposed development area and should not be affected by the proposals, other than where the access is proposed. There are three ash trees referenced in the representations from residents and a small section of hedgerow that would require removing to create this access. The Council’s Tree Officer has assessed this impact and states that the short section of hedgerow is sparse with gaps, is comprised of some hawthorn, blackthorn and an old diseased elder. The three ash trees are all poor quality. The smallest ash is within the hedge line and is just regrowth from an old stump that has mostly decayed away with just a semi-circle of outer wood supporting the stems growing from it. The largest ash has a significant amount of dead and diseased wood throughout its crown, with several primary limbs dead and decaying and at risk of failure. The decay has spread into the tree stem. The tree nearest the existing road end is the best of the three trees, but still contains decay and dead wood, with a woodpecker hole in the stump of an old broken branch. The Tree Officer advises that none of these three trees are of good enough quality to insist on their retention.”

However, they do note that there is a mature existing ash tree growing on the public open space grass to the south side of the existing road. This tree’s root plate should not be affected providing no vehicles, machinery or materials are stored around it. Its branches extend partially over the road and are at risk of damage from tall vehicles entering the construction site. Potential damage to the branches overhanging the road can be reduced by pruning branches back to the edge of the road following BS3998 recommendations for tree work. The two large mature ash trees growing in the hedge line along the field westerly boundary will not be affected by the proposals, but care needs to be taken that they will not be affected by construction works around them. Position of protective fencing can easily be calculated as 12 x stem diameters when measured at 1.5m above ground level.

In response to these comments it is noted that the applicants proposes to utilise the field access from The Hardings for construction traffic rather than Halfpenny Close, the reasoning for this being largely due to residential amenity rather than tree protection reasons. Nevertheless, a construction routeing and management plan is a reasonable requirement to ensure protection of the trees.

Design and layout

This a material consideration detailed in policies STRAT1 and RES1 of the Local Plan Review which are considered consistent with the principles of good design cited in section 7 of the NPPF.

The net density of the proposed housing would equate to approximately 30 dwellings to the hectare (dph) which is very similar to the density of development to the west and higher, but not significantly so, than the density of development to the south (The Hardings). There are also proposed plot ratios (dwelling footprint expressed as a fraction of the plot size) that mirror existing plot ratios and a clearly legible hierarchy of space. Specifically, the dwellings have defined front gardens and private rear gardens. Boundary treatments in the public domain include walls, railings and hedges but avoid fences that could deteriorate and become unsightly. Dwellings are clustered around and front onto public open space ensuring that the latter is a focal point, “owned” and overlooked by residents. Car parking is provided but the impact of the car is minimised as much as possible with the use of boundary treatments to border parking and trees to break up otherwise continuous lines of spaces. Dwellings provide view stops and the gabled designs, scale and facing materials specified ensures that the buildings will appear harmonious in this edge of settlement position between suburban and countryside character areas.

However, it is considered that conditions are necessary to ensure that the boundary treatments are implemented to provide the legible hierarchy of space and the dwellings and external surfaces finished in accordance with the submitted palette of materials.

Residential amenity

This is a consideration highlighted in policies STRAT1 and RES1 of the Local Plan Review and is considered to be a material consideration.

Members may note that concerns have been raised about overshadowing and overlooking of existing gardens and houses on The Hardings. In response, it is noted that all of the dwellings nearest this boundary are bungalows and their modest scale and the distance to the existing houses will ensure no significant loss of amenity as a result of overlooking or overshadowing.

The potential use of Halfpenny Close for construction traffic and the resultant noise and disturbance is a material consideration and, to minimise loss of amenity to residents of Halfpenny Close and Northfield Road, it is considered that it would be a reasonable requirement to require access from the Hardings which is nearer to Ryland Road and the wider highway network and avoids

the need to travel past the housing on Halfpenny Close and Northfield Road; a distinction is made here between construction traffic (HGVS, excavators etc) and the traffic associated with the occupied development (predominantly cars). It is acknowledged that residents of the housing at the western end of The Hardings could be affected and therefore it is proposed to also restrict the hours of construction (this does not prevent access by construction traffic outside of these hours but there is clear link between when such traffic would come and go and when construction is actually taking place on site).

The boundary between these gardens and the site is currently a mix of hedges and fences, some as low as less than 1m in height to provide views from the gardens and the existing houses into the countryside. Some gates have also been erected to provide informal pedestrian access onto the perimeter of the field which, in conjunction with the public right of way, appears to be used as a circular dog walking route. These accesses and views would be lost but, as there is no formal right of access, no right to a private view and the site could be enclosed by a 2m enclosure under permitted development rights, it is not considered that the loss of this outlook or access is a material consideration.

Archaeology

This is a consideration detailed in the NPPF and the significance of any archaeology in the area and the impact of the development on it and its significance needs to be assessed.

Welton has considerable amount of historic assets including two Roman villas, one under the golf course and one adjacent to the Church, both within 1500m of the site. There are also other foci of Roman activity including 3rd & 4th century pottery site and cropmarks of a prehistoric enclosure and hut circles and pottery dating to both the iron age and to the Roman periods have been recovered during a pipeline construction.

Welton continued as a focus for occupation into the Anglo-Saxon period with an occupation site and human burials uncovered in Welton.

At the time of the Domesday Survey (1086AD) Welton was owned by the Bishop of Lincoln and it had a manor, 5 watermills, 150 acres of meadow, 40 acres of underwood and a population of at least 52. There were six prebendal manors established sometime soon after the conquest. The parish church of St Mary's was built in the 13th century and underwent alterations and additions in 1768, 1823, 1912 and in the 20th century.

This context resulted in the applicant's commissioning an archaeological evaluation in the form of a geophysical survey. The survey did not identify any archaeological potential for this site. Further trial trenching on an adjacent plot of land also did not reveal any significant archaeological remains. The County Historic Environment team verified these findings and advised that no further input was required given the low archaeological potential of the site.

Other matters

Concerns have been expressed by one existing resident relating to impact on **property values**. This is not a material planning consideration.

A number of residents also expressed concerns that there appeared to have been a **commencement of development** within the site, including the provision of water supply. These works are not considered to be a material start of the proposed development. Concerns are also expressed about plans for the remaining area of the field. It is acknowledged that development of the application site would result in the remaining field being L-shaped and difficult to farm for its current arable production. However, the shape would not preclude livestock and, irrespective of the future plans for the remaining land, the current application should be considered on its own merits.

Finally concerns have been expressed in relation to **misleading information** from the applicant, for example stating that Welton is smaller in population than it actually is. The case officer does not consider that this has prejudiced the accurate assessment of the application by him, by members, by statutory or other consultees.

Conclusion

The application has been considered in the first instance against the provisions of the development plan, specifically 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 (saved policies 2009). Each policy has been considered against the National Planning Policy Framework (2012) and judged for its consistency with this document with the weight afforded to the policy amended accordingly. The National Planning Policy Framework itself has been afforded significant weight as has its accompanying National Planning Policy Guidance suite (2014).

In light of this assessment the proposal is considered to be acceptable. It will deliver affordable housing to exactly respond to an identified village need, there is a presumption in favour of sustainable development in the NPPF, significant development is required to maintain a five year deliverable supply of housing and, subject to conditions and the signing of the section 106 agreement, the development is economically, socially and environmentally sustainable and will not have a significant detrimental impact on highway safety, residential amenity or visual amenity.

RECOMMENDED DECISION: 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:-

- 3. Affordable housing**
- 4. Maintenance and management of public open space**

That, if the s106 is not completed and signed within 6 months of the date of this Committee, then the application be reported back to the next available Planning Committee for determination following the expiration of the 6 month period.

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 dwellings shall be commenced before the first 20 metres of the estate road including and from its junction with the public highway on Halfpenny Close has been completed to a stage and specification to have previously been submitted to and approved in writing by the local planning authority.

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 STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012

Conditions which require observance during construction

3.No dwelling shall be commenced until a construction management plan has been submitted to and approved in writing by the local planning authority. The management plan shall include the following:-

a/ access avoiding Halfpenny Close

b/ construction hours limited to the hours of 08:00 to 18:00 Mondays to Fridays

c/ protection of the trees marked "x" on the approved drawing J1042 (08) 03 received on 14th February 2014.

All construction shall be in accordance with the approved Management Plan required by this condition.

Reason: In the interests of the residential amenity of adjoining residents and the health, vitality and amenity value of the trees marked and to accord with policies STRAt1, RES1 and CORE10 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

4. All dwellings hereby approved shall be faced in accordance with the following materials palette:-

- Terca Renaissance Multi brick to be used with a Sandoft Arcadia Pantile
- Terca Kassandra Multi brick to be used with a Sandoft Greenwood Natural Red Pantile
- Terca Olde Alton Yellow Multi brick to be used with a Sandoft 20/20 Antique Slate

Reason: The development assessed as being appropriate using these specified facing materials to accord with the provisions of the National Planning Policy Framework 2012.

5. The development shall be completed in accordance with the approved plan received on 14th February 2014 unless otherwise specified in the conditions..

Reason: The development assessed as being sustainable and appropriate is as specified on these drawings and as per the other condition to accord with the provisions of the National Planning Policy Framework 2012.

Conditions requiring observance prior to occupation of the dwellings

6. All dwellings hereby approved shall be occupied following connection to drains in accordance with a scheme for the surface water drainage for the development, to include timescales, the details of which shall have been previously submitted to and approved in writing by the local planning authority and shall be in accordance with the strategy shown on drawing JN1546-NWK-016 received on 5th May 2014.

Reason: To ensure a sustainable drainage system is implemented in accordance with the provisions of the National Planning Policy Framework 2012.

7. No dwelling hereby approved shall be occupied until a travel plan has been implemented the details of which shall have been previously submitted to and approved in writing by the local planning authority.

Reason: A travel plan is reasonably required in the interests of environmental sustainability to ensure that the potential for sustainability provided by the public transport options on site is maximised and to accord with the provisions of the National Planning Policy Framework 2012.

8. No dwelling hereby approved shall be occupied until details have been submitted to and approved in writing of a timetable for the implementation of the soft landscaping scheme indicated on drawing J1042 (08) 03 received on 14th February 2014 and for its future maintenance scheme and shall include the provision for 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, to be replaced in the next planting season with others of similar size and species. The landscaping shall be retained thereafter.

Reason: To ensure that, an appropriate level and type of soft landscaping is provided within the site, especially given the edge of settlement setting and to accord with the National Planning Policy Framework and saved policies STRAT 1, RES 1, CORE 10 and NBE20 of the West Lindsey Local Plan First Review 2006

9. None of the dwellings hereby approved shall be occupied until all of the boundary treatments serving that dwelling have been completed in accordance with the details shown on drawing J1042 (08) 03 received on 14th February 2014 and shall thereafter be retained.

Reason: To ensure that, an appropriate level and type of hard landscaping is provided within the site in the interests of visual amenity given the prominent nature of some of the boundary treatments within the street scene to accord with the National Planning Policy Framework and saved policies STRAT 1, RES 1, CORE 10 and NBE20 of the West Lindsey Local Plan First Review 2006

10 . Before each dwelling is occupied the roads and footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to have been previously submitted to and approved in writing by the local planning authority to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses as detailed in the layout on drawing J1042 (08) 03 received on 14th February 2014
This specification shall include drainage from and lighting of the highway.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

Informatives

- A. Estate Road Specification - You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.
- B. This permission is also subject to an agreement under the amended section 106 of the Planning Act 1990 pertaining to the**

provision of affordable housing. The above permission is also subject to the obligations in that agreement.

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

