

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
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**AGENDA**

This meeting will be recorded and the video archive published on our website

**Planning Committee**

**Wednesday, 24th April, 2024 at 6.30 pm**

**Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA**

**Members:**

- Councillor Matthew Boles (Chairman)
- Councillor Jim Snee (Vice-Chairman)
- Councillor Emma Bailey
- Councillor John Barrett
- Councillor Karen Carless
- Councillor David Dobbie
- Councillor Ian Fleetwood
- Councillor Sabastian Hague
- Councillor Peter Morris
- Councillor Tom Smith

1. **Apologies for Absence**
2. **Public Participation Period**  
Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. **To Approve the Minutes of the Previous Meeting** (PAGES 3 - 22)
  - i) **Meeting of the Planning Committee held on 27 march 2024, previously circulated.**
4. **Declarations of Interest**  
Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.
5. **Update on Government/Local Changes in Planning Policy**

**Note** – the status of Neighbourhood Plans in the District may be found via this link

<https://www.west-lindsey.gov.uk/my-services/planning-and->

[building/neighbourhood-planning/](#)

6. **Planning Applications for Determination**

i) 146801 - Land off Eastfield Lane, Welton

(PAGES 23 - 70)

7. **Determination of Appeals**

(PAGES 71 - 85)

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

Tuesday, 16 April 2024

Planning Committee- 27 March 2024  
Subject to Call-in. Call-in will expire at 5pm on

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 27 March 2024 commencing at 6.30 pm.

**Present:** Councillor Matthew Boles (Chairman)  
Councillor Jim Snee (Vice-Chairman)

Councillor Emma Bailey  
Councillor John Barrett  
Councillor Karen Carless  
Councillor David Dobbie  
Councillor Sabastian Hague  
Councillor Peter Morris  
Councillor Tom Smith

**In Attendance:**

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Russell Clarkson	Development Management Team Manager
Andy Gray	Housing & Environmental Enforcement Manager
George Backovic	Development Management Team Leader
Ian Elliott	Development Management Team Leader
Danielle Peck	Senior Development Management Officer
Joanne Sizer	Development Management Officer
Martha Rees	Legal Advisor
Katie Storr	Democratic Services and Elections Team Manager
Maisie McInnes	Democratic and Civic Officer

**Visiting Members:** Councillor Stephen Bunney

**Also in Attendance:** 30 members of the public observed the meeting.

**Apologies:** Councillor Ian Fleetwood

### 93 PUBLIC PARTICIPATION PERIOD

There was no public participation.

### 94 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 28 February 2024 be confirmed and signed as an accurate record.

## 95 DECLARATIONS OF INTEREST

The Chairman made a declaration on behalf of all members of the Planning Committee regarding application 147536, Land off Bridge Street Baltic Mill Lane, Gainsborough, as West Lindsey District Council is the applicant and for application 147781 Prospect House, Summer Hill, Gainsborough, as West Lindsey District Council is the agent.

Councillor Dobbie declared that he had not attended the site visit for application 147233 Land to Rear of 3a, 3b, and 5b Church Street, Hemswell, and would not be participating in the vote of his item. He also declared an interest as a ward member and a member of Gainsborough Town Council.

Councillor Smith declared that he had not attended the site visit for application 147233 Land to Rear of 3a, 3b, and 5b Church Street, Hemswell, and would not be participating in the vote of his item. He also declared an interest in application 146801, Land off Eastfield Lane, Welton, as he had visited the site and gave advice on factual matters prior to becoming a district councillor. Finally, he declared an interest in 146936 Queens Head, Station Road, North Kelsey Moor, as a Lincolnshire County Council ward member.

Councillor Morris declared an interest in application 146936 as a ward member and he had also attended a Parish Council meeting on 8 August 2023 and had met with the applicant and listened to views about the site. He had also received emails in his capacity as a ward member, but he was open-minded in determining the application.

Councillor Hague declared that he had not attended the site visit for application 147233 Land to Rear of 3a, 3b, and 5b Church Street, Hemswell, and would not be participating in the vote of his item.

## 96 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Members heard the government had announced proposals for a new 'accelerated planning system', and the consultation document stated that under the system the applicant would pay a higher planning fee to the local planning authority and in exchange the application would need to be determined in 10 weeks (rather than the 13-week statutory time limit) with a guarantee that the fee would be refunded if not determined within the 10-week timescale. The current reported time for determining a major planning application was approximately 28 weeks. As part of the consultation, the government would explore two options for the operation of the planning service, the above 'discretionary' option would give applicants bringing forward qualifying schemes the choice of using the accelerated service, or the standard route with lower associated fees and longer timescales. The second 'mandatory option' would mean that applicants bringing forward major schemes could only use the accelerated service. The consultation was due to run until 1 May 2024.

With regard to Neighbourhood Plans, Members were provided with the following update:

<b>West Lindsey District Council</b>		
<b>Neighbourhood Plans - Update – PC meeting 27 March 2024</b>		
<b>Neighbourhood Plan/s</b>	<b>Headlines</b>	<b>Planning Decision Weighting</b>

Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham*, Dunholme*, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Scothern*, Saxilby with Ingleby*, Welton by Lincoln*, Willoughton, Glentworth, Spridlington, Sudbrooke*, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, Corringham, Sturton by Stow and Stow*, Hemswell and Harpswell, Keelby, and Hemswell Cliff.	Full weight
Scothern Review*	Examination successful, referendum to be held at a date to be confirmed.	Review NP has significant weight
Nettleham Review*	The examination is almost completed.	Review NP has increasing weight
Reepham	Regulation 16 consultation has closed. An examiner is to be appointed.	Increasing weight
Ingham	Regulation 14 consultation period has been extended to 7 May 2024.	Some weight
Sturton by Stow and Stow Review*	Parish councils are making minor modifications to their joint NP.	Review NP has little weight
Grasby and Searby cum Owmbly	Supporting evidence is being prepared including a design guide and housing needs and site surveys.	Little weight
Springthorpe and Sturgate	The Parish Meeting has received approval to prepare a NP.	Little weight
Swallow	The Parish Council is considering having a NP.	No weight
Normanby by Spital	The Parish Council is considering having its own NP.	No weight
Neighbourhood Plans - made (26) - designated/in preparation (17) - under review (9)* - future (40 approx)	To view all of WL's neighbourhood plans please go to: <a href="https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/">https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/</a>	<b>NP stage-weighting</b> - Made–full weight - Referendum successful–full weight - Examination successful/Decision Statement issued–significant weight - Submission Reg 16–increasing weight - Draft Reg14 - some weight - Designated – little weight

**97 147233 - LAND TO REAR OF 3A 3B AND 5B CHURCH STREET, HEMSWELL**

The Chair introduced application 147233, to erect two dwellings with garages including installation of a private driveway. The Planning Officer confirmed there was no update to the published report and presented a summary of the application. He highlighted the proposed application site and explained the only part of the site that was in the conservation area was the existing driveway. The Chair thanked the Officer for his presentation and advised the Committee there were four registered speakers present.

Councillor Mander explained that the Local Plan was out of date and members should consider this a material planning matter. Where there was no relevant plan or policies, members should consider policy 11 as advised by the Planning Advisory Service and LGA. He urged members to consider his advice and expressed his belief that the application would have a negative impact on the area.

Mr David Nelstrop, the applicant, thanked members for attending the site visit and explained the scheme had taken 18 months and he had engaged with the Planning team throughout the process for pre-application advice and other planning matters. The scheme was revised following comments received from Officers. The site would preserve heritage assets and the tree officer had been consulted and was satisfied there would be no impact on the environment.

Mrs Michelle Sheppard addressed the Committee and explained trees with tree preservation orders (TPOs) had been cleared from the site over time and there were no records of their removal. She explained the application was detrimental to the character of the area.

Mr Lee Wright raised concerns regarding the monitoring of planning conditions and the reliance on members of the public to bring issues to the Council's attention. He considered the application to be unacceptable and it was not supported by the Parish Council or resident community.

The Development Management Team Manager responded to comments and advised the Committee that the Local Plan was adopted in 2023, so not out of date, and the NPPF "Presumption in favour of Sustainable Development" was not engaged. He advised members the correct test was set out in the Officers Report, which is to refer to the most recent policy where there is a conflict, which here is the Central Lincolnshire Local Plan. The Development Management Team Leader explained there were no trees being removed as part of the application and the Tree Officer had addressed this in their report to members.

Members enquired if they could increase the capacity of the rainwater harvesting butt as detailed in condition 18 and asked when the TPOs were enforced. Members were asked to refer to the Tree Officer comments in the report. The Development Management Team Manager explained the condition was for a minimum of 100 litres, so a greater capacity could be obtained.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to following conditions.

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

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

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

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

2. No development shall take place until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. Construction shall be carried out in accordance with the approved CMP at all times. The CMP shall include the following matters:

a) Details of construction access.

- b) Loading and unloading of plant and materials
- c) Storage of plant and materials
- d) Programme of works. No works on the site, including works of preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or Public Holidays  
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- e) Details of proposed means of dust suppression and noise mitigation.
- f) Details of measures to prevent mud from vehicles leaving the site during construction.
- g) Monitoring and review mechanisms.

**Reason:** in order to reduce noise and disturbance to existing housing in accordance with policy S53 of the Central Lincolnshire Local Plan.

- 3.** No development shall take place until a written scheme of archaeological works consisting of archaeological monitoring and recording of all groundworks 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.
- The scheme is to be in accordance with the Lincolnshire Archaeological Handbook.

**Reason:** In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan. Specifically, development may have an impact on medieval archaeology.

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

- 4.** 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 3 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 policy S57 of the Central Lincolnshire Local Plan. Specifically, the development does have the potential to disturb medieval archaeology.

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

Proposed Site Layout Drawing No. A1-02 Rev A  
Site Layout (showing tree protection measures) Drawing No. A1-02 Rev B  
Plot 1 Proposals (including floor plans and elevations) Drawing No. A1-03  
Plot 2 Proposals (including floor plans and elevations) Drawing No. A1-04  
Energy Statement dated August 2023

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

**Reason:** In the interests of proper planning.

6. The driveways of the dwellings shall be constructed of porous materials and retained as such thereafter.

**Reason:** In the interests of appropriate surface water disposal in accordance with policy S12 of the Central Lincolnshire Local Plan.

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

**Reason:** To ensure adequate drainage facilities are provided to serve the dwellings, to reduce the risk of flooding and to accord with the National Planning Policy Framework and policy S21 of the Central Lincolnshire Local Plan.

8. No work above existing ground level must take place until details of all external facing materials for the approved buildings and materials to be used for the access drive have been submitted to and approved in writing by the local planning authority. Work shall subsequently be carried out in accordance with the approved details.

**Reason:** In the interests of securing a satisfactory visual appearance in proximity to Heritage Assets in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan.

9. No work above existing ground level shall take place until a until a one metre squared sample panel of the proposed brickwork and bond has been erected on site and approved in writing by the local planning authority. Once approved, it must remain on site for the duration of the development.

**Reason:** In the interests of securing a satisfactory visual appearance in proximity to Heritage Assets in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan

10. Prior to installation, drawings to a scale of 1:20 fully detailing the new windows, doors, surrounds, headers, and sills shall be approved in writing by the Local Planning Authority and installed completely in accordance with the approval.

**Reason:** In the interests of securing a satisfactory visual appearance in proximity to Heritage Assets in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan

11. No construction works above ground level must take place until details of a soft landscape scheme to enhance the biodiversity value of the site have been submitted to and approved in writing by the local planning authority.

**Reason:** To enhance the biodiversity value of the site in accordance with policy S60 of the Central Lincolnshire Local Plan.



**12.** The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 3

**Reason:** In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan. Specifically, the development does have the potential to disturb medieval archaeology.

**13.** Following the archaeological site work referred to in condition 12 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:** In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan. Specifically, the development does have the potential to disturb medieval archaeology.

**14.** The report referred to in condition 13 and any artefactual evidence recovered from the site shall be deposited within 3 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:** In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan. Specifically, the development does have the potential to disturb medieval archaeology.

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

**15.** All planting, comprised in the approved details of landscaping referred to in condition 11 shall be carried out in the first planting and seeding season following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure there is appropriate landscaping in place and to provide bio diversity enhancement in accordance with policies S53 and S60 of the Central Lincolnshire Local Plan.

**16.** Notwithstanding the provisions of Classes A, AA, B, C, D, and E of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the buildings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected or gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the character and appearance of the buildings and their surroundings in proximity to heritage assets and to avoid adverse impacts on existing neighbours in accordance with policies S53 and S57 of the Central Lincolnshire Local Plan.

**17.** The hereby approved dwellings shall not be occupied until the approved surface water drainage scheme referred to in condition 7 for the development have been completed in full and maintained thereafter.

**Reason:** To ensure adequate drainage facilities are provided to serve the dwellings, to reduce the risk of flooding and to accord with the National Planning Policy Framework and policy S21 of the Central Lincolnshire Local Plan.

**18.** Prior to occupation of the approved dwellings evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

**Reason:** In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

**19.** Prior to occupation of the approved dwellings a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement dated August 2023 and approved in writing by the planning authority.

**Reason:** To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

**20.** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved.

**Reason:** In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

## **98 146801 - LAND OFF EASTFIELD LANE, WELTON**

The Chair introduced application 146801, to erect 108 dwellings with access to be considered. The Planning Officer confirmed there were a couple of updates to the published report and presented a summary of the application. On page 62 of the report, 14.2dph had been corrected to 7dph per dwelling. There were also amendments on page 63 as the developable area was 75% and on page 84/85 in relation to condition 10 changed to 5 litres.

Members asked a point of clarification on the cold-water maintenance and asked who was responsible for this. The Development Management Team Leader responded that this would be detailed as part of the condition at a later stage as it would need to be agreed with the

flood authority and Internal Drainage Board (IDB).

The Chair thanked the Officer for his presentation and advised the Committee there were six registered speakers.

Councillor Mike Powell, Chair of Welton-by-Lincoln's Planning and Development Committee addressed the Committee and expressed that Welton had been inundated with housing development and it was important to consider accessibility and character of the village. He expressed concerns regarding flooding and drainage, and pressure on healthcare and education providers.

Steve Catney, the agent for the site, shared the application would deliver biodiversity benefits, provided affordable homes as well as significant road improvements and improve the rural footpath network. He addressed surface water concerns raised by the Parish Council and explained drainage was controlled at 5 litres per second. He concluded that the Wildlife Trust and other statutory consultees had been approached and were happy with the application.

Mr Chris Thomas represented a large group of residents from Welton and outlined objections to the application on the grounds of a need to preserve the local vernacular and a need for low density. He urged for the character and setting to be taken into account and access at the West of the site, in line with Highways comments.

Councillor Mrs Diana Rodgers, a local ward member for Dunholme and Welton, shared that she had lived in Eastfield Lane for over 25 years. She emphasised the unsuitability of the site, as Welton had been subject to major housing developments to address the housing need, but the highways were dangerous and fatal accidents had taken place on the bend near the proposed access. The schools and health centre were at capacity and more housing would place a further strain on services.

Councillor Paul Swift, a local ward member for Dunholme and Welton, echoed concerns regarding the excessive growth in Welton with 3 ongoing large developments and future proposed developments. He stressed the unsuitability of the site and the need for low density requirements.

The Development Management Team Manager advised the Committee that it is a plan-led planning system, and the site is already allocated for residential development in the Central Lincolnshire Local Plan (April 2023), which had been through a public examination and found to be 'sound'. In terms of infrastructure, there was a clear policy and mechanisms in place, and the development accorded with this. There would be a Section 106 contribution in place to address healthcare capacity concerns and the scheme was in line with the Central Lincolnshire Local Plan.

The Development Management Team Leader explained that Anglian Water had approved the drainage of the site, and it was a greenfield site with unrestricted access to water courses. Rainwater could have an impact, but the site proposed a controlled water run off 5 litres per second and water storage on site to enable the water course to have a consistent level. Highways had given no objections to the site, and they did consider accidents and other data when making their decision and had agreed to widening of the road, footpath, and speed limit changes. The local schools had no objection to the site.

Members discussed the application and requested a site visit to determine the appropriate access point for the site. They also wished to know the depth of the alleviation pond and if there would be safety measures in place to prevent children from accessing. Members expressed concerns regarding the danger of the highways and the bend, it was felt that a road structure to slow traffic needed to be in place. Members questioned why the land owner had not been contacted to purchase land to allow for access to the West of the site.

The Legal Adviser addressed the Committee and advised caution, as the application was allocated site for 109 dwellings which had been assessed by Highways and Officers. There were no concerns raised by statutory consultees other than a preferred access point. It had been deemed safe and the design would be brought at a later stage. The ransom strip could not be enforced.

**RESOLVED** that the application be deferred for a site visit to be held, to afford Members a greater understanding of the site access and impact on the local area.

**Note:** The Chairman adjourned the meeting for a short comfort break at 20:04.

#### **99 146936 - QUEENS HEAD, STATION ROAD, NORTH KELSEY MOOR**

**Note:** The Chairman recommenced the meeting at 20:11.

The Chair introduced application 146936, for change of use from former public house to form 1 dwelling with studio workspace and attached annexe, including additional self-contained annexe to be used as holiday accommodation. The Development Management Officer confirmed there was no update to the published report and presented a summary of the application.

The Chair thanked the Officer for her presentation and advised the Committee there was one registered speaker and a written statement had been received.

Mr Daniel Hyde, the agent, addressed the Committee and explained the Queen's Head was for sale in 2018 and in 2020 was listed for sale and remained on the market until May 2020. The original owner repurchased the property as a pub but after a failed venture went into liquidation. Due to age and lack of investment, and insulation and other building costs, the building had fallen into a state of disrepair. Significant investment would be required to bring up to standard and would hope to bring tourism to the area and prevent further deterioration of the building.

A statement from Ms Helen Burrows was read by the Democratic and Civic Officer:

*My home (West Barn Cottage) is very close to the Queens Head pub and since it closed over 6 years ago, we have lived with a great deal of uncertainty. Over this time, it has fallen into further disrepair and blights our local community as it has been broken into and vandalised many times over the years. I am in favour of the plans that the current owner has submitted. Pubs in our area are struggling in the current economic climate. The Queens Head failed as a business in January 2019 when the economy was significantly better, and it no longer has a customer base. If it were to reopen as a pub then this would*

*take customers away from other local businesses who are struggling to remain open.*

Members sought clarification on how conditions 6 and 7, relating to the alteration of the annexe and change of use to residential, could be enforced. The Development Management Officer explained the condition prevents a separate residential property and if breached it would be reported to the Council and condition 7 prevented any extension or alteration, as planning permission would be required. Members expressed flooding concerns and the Development Management Officer responded there was no additional risk with the change of use and did not warrant need for additional drainage.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

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

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

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

None.

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

2. 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:

- LDH1539 09 Site Layout/Block plan received 05/09/23
- Site location plan received 08/03/24
- LDH1535/06A Proposed first floor plan received 08/03/24
- LDH1535/05B Proposed ground floor plan received 08/03/24
- LDH1535 08 Proposed North and West elevations received 23/06/23
- LDH1535 07 Proposed South and East elevations received 23/ 06/23

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 Policy S53 of the 2023 Central Lincolnshire Local Plan

3. Prior to their installation details of all external materials, including windows and doors to be used in the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the agreed materials.

**Reason:** To ensure appropriate materials are used for the character and

significance of the building and its surroundings, have a low environmental impact and high energy efficiency in accordance with Policies S13, S53 and S57 of the 2023 Central Lincolnshire Local Plan and guidance within the NPPF and NPPG

4. Prior to the completion of the development or occupation of the dwelling as hereby approved, a scheme of hard and soft landscaping including boundary treatments has been submitted to and approved in writing by the Local Planning authority. Details submitted should include the size, species and position or density of all trees and planting, site surfaces, fencing and walling.

The approved scheme shall then be carried out in the first planting and seeding season following the occupation of the dwelling or completion of the development (whichever is the sooner); and any trees or plants which within a period of 5 years from the completion of the development die or removed or become damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that landscaping and boundary treatments contribute to the character and biodiversity value of the area in accordance with Policies S53 and S60 of the Central Lincolnshire Local Plan and guidance within the NPPF.

5. The proposed development shall be completed in accordance with the flood resilience measures set out in section 5.0 of the Flood Risk assessment undertaken by Roy Lobley Consulting and dated March 2023.

**Reason:** To ensure the development is safe for its lifetime and does not increase flood risk elsewhere in accordance with Policy S21 of the Central Lincolnshire Local Plan and guidance within the NPPF.

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

6. The annexe and holiday accommodation hereby approved and shown on drawing Nos LDH1535/05B and LDH1535/06A shall only be occupied as ancillary short-term accommodation in connection with the residential dwelling hereby approved and the building currently known as Queens Head Station Road North Kelsey Moor Market Rasen LN7 6HD, and shall not be used separately as a dwellinghouse.

**Reason:** To prevent the annexe being occupied as a separate dwelling house in accordance with Policies S5, NS27 and amenity considerations set out in Policy S57 of the CLLP and guidance within the NPPF.

7. Notwithstanding the provisions of Classes A, AA, B, C, D, E and G of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re-enacting that Order, the dwelling, annex and holiday accommodation hereby permitted shall not be altered or extended unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the living conditions of adjoining dwellings and the resulting amount of space around the dwelling in accordance with Policy S53 of the Central Lincolnshire Local Plan and guidance within the

NPPF

**100 147479 - WATER TOWER ABBEY ROAD BARDNEY**

The Chair introduced application 147479, conversion of water tower to 1 dwelling with demolition of existing attached agricultural buildings, and extension of host building. The Senior Development Management Officer confirmed there was no update to the published report and presented a summary of the application.

The Chair thanked the Officer for her presentation and advised the Committee there were no registered speakers.

Members considered the application and praised the imaginative development work.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

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

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

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

None.

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

2. 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 details as shown on the approved plans and any other document forming part of the application:

- Site Location Plan with Proposed Block Plan- 2668-A1-04C received 01/02/2024;
- Proposed Elevations- 2668-A1-06A received 01/02/2024;
- Proposed Floor Plans – 2668- A2-05A received 01/02/2024.

**Reason:** To ensure the development proceeds in accordance with the approved plans

3. No development, other than to foundations level on the proposed extension shall take place until details and samples (where stated) of the following materials have been made available on site for inspection and agreed in writing with the Local Planning Authority. The proposed development shall only proceed in accordance with the approved materials.

- Brickwork- 1m square sample panel to be made available on site for inspection;
- Sample of any replacement stone;

- All new external cladding – Samples to be made available on site for inspection;
- Specifications of all new windows, doors, glazing and joinery details at a scale of 1:20, including colour and finish,
- Rainwater goods.

**Reason:** In the interests of visual amenity and to ensure the materials used are appropriate in this sensitive setting in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan 2023 and the NPPF.

3. No development other than to foundation level on the proposed extension shall take place until full details of foul and surface water drainage (including the results of percolation tests) has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

**Reason:** To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

4. The development hereby approved must only be carried out in accordance with the recommendations set out in Section 5 of the Ecology and Protected Species Survey dated May 2022.

**Reason:** In the interest of nature conservation to accord with the National Planning Policy Framework and Policies S60 and S61 of the Central Lincolnshire Local Plan 2023.

5. All new external and internal finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To safeguard the fabric and appearance of the host building, a non- designated heritage asset in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan 2023.

6. No development other than to foundation level on the proposed extension shall take place until full details until a scheme of ecological enhancements, including the provision of Bat and Bird Boxes and the Owl nest box have been submitted to and approved in writing by the Local Planning Authority. (See note to applicant section)

**Reason:** To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and Policies S60 and S61 of the Central Lincolnshire Local Plan.

7. Prior to the first occupation of the dwelling hereby permitted, a scheme of landscaping including details of the size, species and position or density of all trees and hedges to be planted, shall be submitted to and approved in writing by the Local Planning Authority. All planting comprised in the approved details of landscaping shall at the latest be carried out in the first planting season following the occupation of the relevant dwelling; and any landscaping which within a period of 5 years from the



completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure the visual impact of the development on the area is minimised and in the interests of providing biodiversity enhancements in accordance with the requirements of Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

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

8. Notwithstanding the provisions of Class A, AA, B, C, D and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, windows, additions or enlargement of the dwelling, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

**Reason:** To allow the Local Planning Authority to appropriately assess the visual impacts of any alterations to the development in accordance with Policies S53 and S57.

**101 147536 - LAND OFF BRIDGE STREET BALTIC MILL LANE GAINSBOROUGH**

The Chair introduced application 147536, for change of use of vacant Baltic Mill site into a landscaped area. The Senior Development Management Officer confirmed there was no update to the published report and presented a summary of the application.

The Chair thanked the Officer for her presentation and advised the Committee there were no registered speakers.

Members considered the application and praised the landscaping. Members felt concerned that there may be an increase in traffic in the area and felt a road crossing should be considered at the site. Members noted the raised road to slow traffic, and one suggested a coffee shop or similar would make a good addition to the area.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

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

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

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

None.

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

2. 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:

- Site Location Plan 1000008345-4-BM0000 Rev 2;
- Baltic Mill Seat Details 1000008345-4-0150-02 Rev 1;
- Baltic Mill Planting Plan Planting Bed 5 1000008345-4-3000-06 Rev 1;
- Gainsborough Public Realm Lighting Document;
- Gainsborough Baltic Mill Lighting Column Specification;
- Lighting Column 3D44268-03 Rev A;
- Lantern Specification and Lantern Product Datasheet;
- Baltic Mill Retaining Wall Details 1000008345-4-0150-04 Rev 1;
- Baltic Mill Soft Landscape Details 1000008345- 4-BM-3001-01 Rev 1;
- General Arrangement Baltic Mill 1000008345-4-0100 Rev 1;
- Proposed Lighting Layout Baltic Mill Sheet 1 of 1 1000008345-4-0130-001 Rev 2;
- Baltic Mill Step and Edging Details 1000008345-4-0150-01 Rev 1;
- Baltic Mill Planting Design Planting Beds Location Plan 1000008345-4-3000-01 Rev 1;
- Baltic Mill Corten Pergola Design Intent Details 1000008345-4-0150-05 Rev 1;
- Baltic Mill Planting Design Tree Planting Plan 1000008345-4-3000-02 Rev 1;
- Hardscape Plan Baltic Mill 1000008345-4-1110 Rev 1;
- Baltic Mill Planting Design Planting Plan- Planting Bed 1 1000008345-4-3000-03 Rev 1;
- Baltic Mill Planting Design Planting Plan Planting Beds 2 and 3 1000008345- 4-3000-04 Rev 1;
- Baltic Mill Planting Design Planting Plan Planting Bed 4 1000008345- 4-3000-05 Rev 1.

All received 9<sup>th</sup> November 2023. The works shall be carried out in accordance with the details and materials 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.

3. The development shall be carried out in accordance with the drawings '1000008345-4-0150-02' and '1000008345-4-0150-04', both dated October 2023, compiled by Project Centre and the following mitigation measures they detail:

- A maximum depth of 1 metre shall be adhered to for all excavations for example for the retaining walls and street furniture.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason:** To ensure the structural integrity of the existing flood defences thereby reducing the risk of flooding to accord with the National Planning Policy Framework and Policy S21(d) of the Central Lincolnshire Local Plan.

4. The development shall proceed in strict accordance with Sections 15 and 16 of the

Preliminary Soil Contamination Report by Construction testing solutions (CTS) dated June 2023.

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

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

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

6. The proposed landscaping hereby approved as shown on the drawings listed within condition 2 of this permission, together with the Planting Schedule (1000008345-4-3000-07 Rev 1) shall be carried out in the first planting season following the commencement of the works. Any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of providing biodiversity enhancements to accord with the National Planning Policy Framework and Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

7. Prior to the installation of any bespoke artwork, details, including its exact positioning shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in strict accordance with the approved details unless otherwise agreed in writing.

**Reason:** In the interests of visual amenity and to ensure the artwork is appropriate for the Riverside Conservation Area and the setting of Listed Buildings to accord with the National Planning Policy Framework, policies S53 and S57 of the Central Lincolnshire Local Plan 2023 and Policies NPP 6, 7 and 12 of the Gainsborough Town Neighbourhood Plan.

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

None.

**102 147781 - PROSPECT HOUSE, SUMMER HILL, GAINSBOROUGH**

The Chair introduced application 147781, listed building consent to install access ramp and level access shower. The Development Management Team Manager confirmed there was no update to the published report and presented a summary of the application.

The Chair thanked the Officer for his presentation and advised the Committee there was one written statement.

A statement from Veronica Edwards was read by the Democratic and Civic Officer:

*The proposed changes are essential for the client to remain in the family home and lead a more fulfilling life. At the current time the client is restricted to downstairs living, and this is proving very challenging due to the lack of bathing facilities that she can access. Other issues that the family must contend with are the difficulties the emergency services are experiencing in removing the client from the property when her condition worsens, which unfortunately is becoming more frequent. Due to the layout of the property with the many changes in level and the absence of ramps, removing her safely and quickly has become a challenge for all concerned. We have received an email from Rosie Jeffery (NHS Continuing Health Care Case manager) who has expressed a need for these adaptations at the property due to the difficulties the ambulance crews are having. The family have tried to sell the property, with it being on the market for well over two years and move to a more suitable house, however this has proved unsuccessful. The fact the property is a grade 2 listed building has put some potential buyers off, as it would prove very difficult to adapt to their own liking, these restrictions are also what is restricting the family from adapting the home. The proposed adaptations are sympathetic to the original features, within the proposed bathroom the original doorway will be covered but retained underneath the new stud wall. The external ramp will be hidden by the existing wall and the original doorway it leads to is being kept and not altered. The Heritage Officer (Liz Mayle) who carried out our heritage statement fully endorses the proposed changes that we have suggested, and it was her suggestion to move the door within the proposed bathroom area, as she stated no original features would be damaged or disturbed.*

Members considered the application and strongly felt that it was important for the adaptations to be made so they could remain in the family home.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

**Reason:** To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

None.

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

2. 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: Existing and Proposed Ground Floor Utility/Bathroom Floor Plans, Proposed Ramp Plans (x3) and a Proposed Site Location/Block Plan for the Proposed Ramp received 23/01/2024. 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.

3. The following features must be retained in situ:

- The original door opening, door, frame, and architrave to the downstairs utility/bathroom.

**Reason:** To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

4. Prior to the installation of the new internal doorway to the ground floor utility/bathroom a section through of the proposed new internal door to the ground floor utility/bathroom showing all finishes, the new door, frame, architrave etc. on a scale of no less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development must be completed in strict accordance with the approved details.

**Reason:** To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

5. All new external and internal finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure the development proceeds in accordance with the approved plans to safeguard the fabric and setting of the Grade II Listed Building to accord with the National Planning Policy Framework.

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

None.

### 103 DETERMINATION OF APPEALS

With no comments, questions or requirement for a vote, the determination of appeals was **NOTED**.

### 104 EXCLUSION OF PUBLIC AND PRESS

**RESOLVED** That under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 2 of Part 1 of Schedule 12A of the Act.

**105 PLANNING ENFORCEMENT - FORMAL CASE UPDATE**

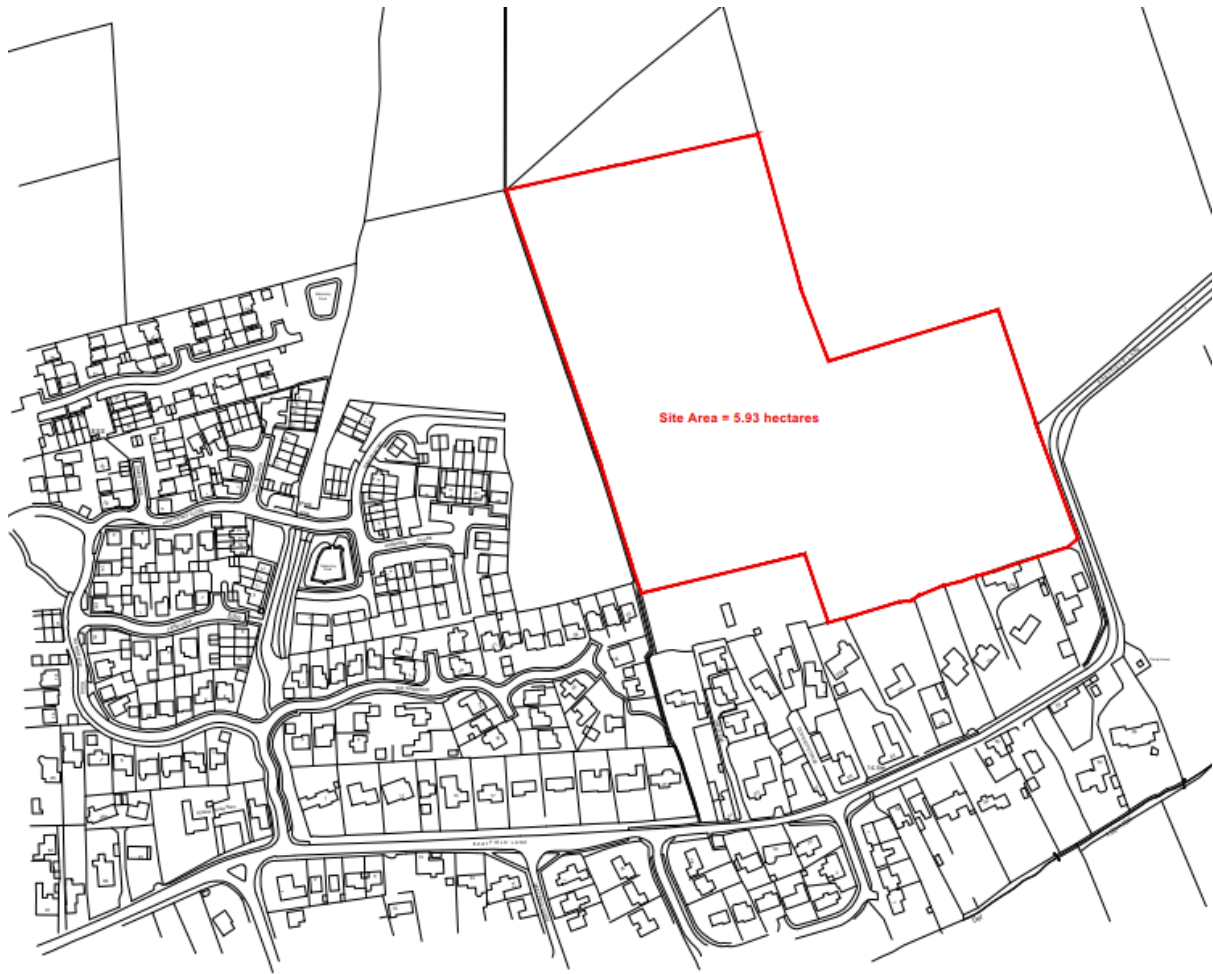
The Housing and Environmental Enforcement Manager presented information relating to enforcement cases to the Committee.

Members agreed to the frequency of reporting and requested more data relating to cases and asked questions pertinent to the report.

**RESOLVED** That the Committee noted the enforcement action that is being undertaken and approved the frequency of reporting.

The meeting concluded at 8.52 pm.

Chairman .....



## **Officers Report**

### **Planning Application No: 146801**

**PROPOSAL:** Outline planning application to erect 109no. dwellings with access to be considered and not reserved for subsequent applications - resubmission of 144526

**LOCATION:** Land at Eastfield Lane Welton Lincoln Lincolnshire  
**WARD:** Dunholme and Welton  
**WARD MEMBER(S):** Cllr Mrs D M Rodgers, Cllr P Swift & Cllr S H Hague  
**APPLICANT NAME:** Mr S Turley

**TARGET DECISION DATE:** 24/08/2023 (Extension of time agreed until 26th April 2024)  
**DEVELOPMENT TYPE:** Major - Dwellings  
**CASE OFFICER:** Ian Elliott

**RECOMMENDED DECISION:** Grant Permission subject to conditions and the signing of a S106 Legal Planning Agreement subject to the following Heads of Terms:

- **Affordable Housing**

25% of the overall development to be delivered as affordable homes (i.e. up to 27 no. affordable homes). Of the affordable homes, the tenure split will 60% affordable rent (up to 16 dwellings), 25% First Homes (up to 7 dwellings) and 15% shared ownership (up to 4 dwellings). To be identified on site plan in any reserved matters application.

- **Custom and Self-Build Housing**

5% of the dwellings (5 dwellings) to be delivered as serviced plots. Design code or plot passport detail to be submitted by a defined date to inform marketing exercise. To be identified on site plan in any reserved matters application.

- **NHS Health**

A contribution of £69,942.50 on completion of 50% of the dwellings for each phase of the development in order to contribute to the extension of existing facilities of additional clinical space at Welton Family Health Centre, The Ingham Practice and/or Lindum Medical Practice.

- **Open Space**

On site public open space and open space management and maintenance plan. To be identified on site plan in any reserved matters application.

- **Pedestrian Footpath Provision**

New pedestrian footpath along the western side of Eastfield Lane will be constructed by the applicant, as shown in drawing AP038224-PW03 Rev 1 Dated 23/02/22. The pedestrian footpath will extend from the sites access



linking to the existing footway on the western side of Eastfield Lane to the south. It will be approximately 103.5 metres in length and 2 metres in width.

- **Eastfield Lane Passing Places**

3 No. passing places to be installed along Eastfield Lane between the development site and the A46/Eastfield Lane junction. To be identified on site plan in any reserved matters application.

- **Travel Plan**

The sum of £5000 to be paid to LCC Highways for the monitoring of the delivery of the travel plan submitted with the planning application.

- **Speed Limit Traffic Regulation Order**

The sum of £2800 to be paid to the LCC Highways to process the extension to encompass the site access.

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**Planning Committee:**

This application has been referred to the Planning Committee at the request of Welton Parish Council who consider the development does not comply with the Welton by Lincoln Neighbourhood Plan, and following a number of 3<sup>rd</sup> party objections.

At the planning committee meeting dated 27<sup>th</sup> March 2024 the planning committee resolved to undertake a member site visit to look at the proposed access to the site. The site visit will take place on 18<sup>th</sup> April 2024 at 10.30am.

**Description:**

The application site extends to 5.93 hectares and is situated immediately adjacent the north-eastern boundary of the village of Welton. It is an arable field, and is allocated for residential development in the Central Lincolnshire Local Plan (April 2023) – site WL/WELT/008A.

The northern and eastern boundaries to the site are defined by existing hedgerows, with open countryside beyond. The southern-most section of the eastern boundary is bordered by the hedgerow adjacent to Eastfield Lane. There is an existing hedgerow along the site's entire southern boundary with existing dwellings immediately beyond and the continuation of Eastfield Lane which turns westwards into the centre of Welton.

The western boundary is also demarked by hedgerow. The land immediately beyond the site's western boundary is allocated for housing in the development plan (site WL/WELT/003) and full planning permission for 49 dwellings with attenuation pond, landscaping and boundary treatments was granted in February 2022 (WLDC Planning Reference Number: 143728).

Public footpath WELT/54/1 runs along the western boundary.

The application site is currently in agricultural use as an arable field. The levels fall from a high point of approximately 18m AOD in the site's north western corner to approximately 15m AOD in the site's south eastern corner. There is an existing footpath which joins Eastfield Lane in the south to Mill Lane in the north, running immediately adjacent to the site's western boundary. There is an existing field entrance from Eastfield Lane in the site's south eastern corner.

Planning permission is being sought (in outline) to erect up to 109 dwellings on the site, with access to be considered with this application.

Matters of *layout, scale, appearance* and *landscaping* are reserved for subsequent approval ('reserved matters'), should this outline application be granted permission.

Access is to be considered with this application. Drawings submitted with the application show a singular vehicle access to the site. This access would be taken from Eastfield Lane, where the road bends around from a north to an east direction out of the village. The plans indicate pedestrian access to the public footpath on the western boundary (WELT/54/1) would be provided. They also indicate that vehicle and pedestrian walkways would run up to the western boundary.

The application is a resubmission of 144526 which was refused in May 2022, as outlined below.

**Relevant history:**

144526 – Outline planning application for residential development of 109no. dwellings, with access to be considered and not reserved for subsequent applications - 26/05/22 - Refused

**Reason for refusal:**

1. *"The proposal exceeds the level of development permitted by policy LP2 of the Central Lincolnshire Local Plan (CLLP) and is not promoted by the Welton by Lincoln Neighbourhood Plan (NP). The proposal has not demonstrated exceptional circumstances. The site is not within the built-up area of Welton and is not allocated for housing. The proposal is therefore contrary to policy LP2 of the CLLP. The emerging policy of the review of the Central Lincolnshire Local Plan is attached weight, but in accordance with paragraph 48 of the NPPF, is not considered to carry such weight that would otherwise justify a significant departure from the extant development plan."*

**Representations (In summary)**

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

**Ward member(s):** No representations received to date

**Sir Edward Leigh MP:** Objections

Supports the Parish Council comments

**Welton Parish Council:** Objections

This application relates to a site that was considered and rejected in the previous Central Lincolnshire Local Plan (CLLP) but has been allocated in the revised CLLP adopted in April 2023.

The site remains unchanged and there are other allocated sites in the Plan that have not been developed; not to mention the allocated sites that have been and are being developed creating an additional 539 homes and a further 508 properties from four newly allocated sites in the latest CLLP.

This proposal is incompatible with the existing made Welton-by-Lincoln Neighbourhood Plan (WNP) as this site is not included in its allocated sites. The Council asks that all relevant objections to the previous application 144526, are also considered.

The only access point on the plan is off Eastfield Lane which is a rural country lane and would need to be managed safely; there have already been 5 accidents on this corner between October 2022 and February 2023; the comments from LCC intimate that planning permission should be refused unless its preference for a western access solution is agreed, which is also supported by Lindum Homes and the Planning Officers. It also appears from the applicants' submission that the proposed junction onto Eastfield Lane would be further compromised by a field access immediately alongside it. This lane is used by residents, not only from Welton, but from surrounding villages for cycling, walking, running, dog walking, horse riding and other recreational activities; there is an Equestrian Centre half-way along the lane and many people use it to access the coffee house at the junction with the A46.

The provision of 3 passing places is not sufficient, this lane is already used as a rat-run from the A46 to the A15 and vice versa; the increased traffic will also add to the risk of more accidents at the junction of Eastfield Lane with Dunholme Road. Coming from Dunholme the right turn onto Eastfield Lane is blind and there have been numerous near misses and recorded accidents here.

The CLLP states that building should be low density and in keeping with the local vernacular and this application. It is not compatible with the Village Character Assessment appendix attached to the WNP and does not meet the density criteria. Concerns regarding the building density and local vernacular has also been included in the response from LCC Highways.

The proposed site layout states that dwellings are spaced to allow for off road parking between buildings, to the rear or using garages, thus preventing the need for excessive parking along road frontage. History shows that residents do not park their cars in garages, therefore cars will park along the road frontage if sufficient parking spaces are not provided.

NHS Lincolnshire Integrated Care Board has indicated that there is insufficient capacity at the Welton Health Centre, which will be the primary practice in the

development's area to be able to cope with the number of patients that will be generated by these 109 homes, let alone future numbers from further allocated sites. If this application is granted, the developer should invest in the development of the health centre to accommodate these additional patients.

The Council requests that a full risk assessment of the area is carried out with particular emphasis on traffic assessment prior to considering this application and if necessary, delaying it until such time as it has been done.

The Planning Committee should be mindful if they grant permission for this application, that properties should be eco-friendly in providing electric vehicle charging points, storage for bicycles, ground/air source heat pumps and those that are south facing fitted with solar panels – if these are installed when properties are being built it is more economical. They should also consider planting hedges between properties rather than erecting fences, as they absorb CO<sup>2</sup>, don't blow down or become dilapidated and encourage wildlife.

In conclusion, it is not an allocated site in the Welton-by-Lincoln Neighbourhood Plan and until such time that sufficient assessments have been carried out on the whole site, road and surrounding area, in particular the entrance into the development off Eastfield Lane, the council does not support this application.

**Local residents:**

Objections have been received from the following addresses –  
Eastfield House Farm, The Oaks, 7, 15, 17, 21, 23, 25, 27, 46, 48, 50, 51, 53, 58, 59, 60, 63, 63a, 64, 65, 66, 71, 73a and 77 Eastfield Lane, Welton  
25 Eastfield Close, Welton  
1, 2 and 3 Dovecote Drive, Welton  
2, 4, 10, 14, 27, 33 and 35 Musgroves Orchard, Welton  
17 and 18 Dunholme Road, Welton  
Nightingale House, 18 and 25 Roselea Avenue, Welton  
25, 46, 57, 63, 78a and 82 Ryland Road, Welton  
8 The Hardings, Welton  
9 Norbeck Lane, Welton  
8 School Drive, Welton  
13 Northfield Road, Welton  
9 Ayon Close, Welton  
28 Hampden Close, Welton  
9 Ayam Close, Welton

A summary of their objections are as follows:

Highway Safety

- Access in dangerous position.
- Eastfield Lane is not suitable for Heavy Goods Vehicles and construction traffic.
- Eastfield Lane is poorly maintained.
- Speed needs to be decreased from 60mph.
- Only other access to site is through the village past the school.

- Vehicles have to mount kerbs/verges along Eastfield Lane.
- Country lane (Eastfield Lane) not intended to be used by increased traffic.
- Inaccessible for public transport.
- Eastfield Lane too narrow with dangerous junction at either end.
- Eastfield Lane has a dangerous corner and is already busy enough.
- Eastfield Lane has no room for 2 vehicles and is used by farm vehicles, pedestrians, joggers, cyclist and horse riders.
- 100 homes will be dangerous to runners on Eastfield Lane.
- Passing places will be of little use.
- Preferred access should be to the west of the site.
- No path towards A46.
- Junction of Cliff Road with Lincoln/Ryland Road already congested.
- At the CLLP examination the Eastfield Lane access was not the preferred or desired access.
- Access to the west has not been explored by the agent.

### Drainage

- Concerned about pressure of rainwater and drainage despite planned SuDs.
- Surface water flooding of road at bottom end of Eastfield Lane is regular and will be increased.
- Foul system cannot cope at the moment and erupts from flooded system in Eastfield Lane. Overflows in heavy rain.
- Dunholme WRC has capacity problems and cannot cope with further 25% more growth.
- Surface water flooding on the site on Environment Agency flood risk map.
- Inaccuracies with FRA – No dyke as stated in Appendix A and drop from garden of 4 Dovecote to site is 5ft (1.5 metres) 1.62-1.78 metres.
- 4 Dovecote has had significant surface water flooding on eastern side of garden.
- The latest planning submission Drainage Outfall Route is in breach of policy S21 of the Central Lincolnshire Local Plan (CLLP). The proposed drainage outflow route takes the water from the site into a high flood risk area at the corner of Eastfield Lane which is prone to flooding.
- The water from here also drains into the Eastfield Drain via the same corner that the proposed drainage outflow route will take. The drains cannot cope with the current level of water runoff.
- The addition of a further 109 homes feeding into this system cannot do anything else but increase the flood risk to existing residents.
- The drainage report showing that the ditch flowing south on the eastern boundary is free flowing and can cope with the rainwater discharge are incorrect. Serious concerns about the development flooding the property at 77 Eastfield Lane. Happened on more than 1 occasion and has caused by the culvert that starts under my drive and routes the field's dykes away being unable to cope with the amount of water that comes off the elevated field.
- Serious concerns about rain water flooding the foul water drains.

- Drainage Outfall Route is in breach of policy S21(b) of the Central Lincolnshire Local Plan (CLLP). The watercourse is not free of obstruction or free flowing.
- Suffer consequences at 66 Eastfield Lane from the increase in water runoff that will certainly occur should the proposed plan go ahead,
- Proposed drainage outflow takes the water from site into a high flood risk area.
- The drains cannot cope with the current level of water runoff.
- The addition of a further 109 homes feeding into this system cannot do anything else but increase the flood risk to existing residents.
- Culverting the ditch along Eastfield Land and widening the Lane will significantly increase the hard surface area and water runoff leading directly into the high flood risk area at the corner. Using the preferred access to the site from the west would remove this particular risk.
- It is stated that the calculations from the report show the existing ditch and culvert are more than capable of taking the rainwater discharge from the proposed site. This is undeniably incorrect.

#### Infrastructure

- Schools and doctors already stretched and over-subscribed.
- Parking amenities overloaded.
- Shopping facility limited.
- Cumulative infrastructure impact assessment should be concluded.
- Local amenities not within walking distance.
- Vets is small.

#### Residential Amenity

- Should be a robust green barrier of at least 2 metres height to minimise pollution and noise disturbance.
- Traffic will lead to noise pollution increase.
- Increase air/noise pollution.
- Reduce quality of life.
- Properties should not face 73a Eastfield Lane and should be bungalows with trees planted as screening.
- Eastfield Lane access would expose local residents to additional traffic noise, disturbance and pollution

#### Character/Visual Impact

- Negative and adverse visual impact on landscape.
- Not compatible with local vernacular.
- Ruin historic character of this part of the village.
- Contains some of Welton's best preserved vernacular architecture.
- Degrade village character.
- WLDC are changing the character of Welton permanently.
- Damage Ryland Road and Welton village character.

### Landscaping

- The planting should be included to ameliorate the appearance of estate and resident's quality of life.
- Softening of northern boundary must be achieved.
- How will boundaries be affected.

### Wildlife/Ecology

- Wildlife has changed in the last 2 years.
- Clearance of vegetation for visibility splays will lead to a loss of wildlife habitat.
- Reduce wildlife habitat and destroying local environment.
- Enjoy seeing lizards and snakes and even at top of garden. This will destroy their habitat.
- The Biodiversity Net Gain Statement is in breach of policies S61 and S80 of the CLLP.
- The increase in biodiversity of the areas (in points 1, 2 & 3) is significant in the overall benefits, and their removal reduces the biodiversity net gain below the 10% requirement. The inaccuracies in the submission are misleading to decision makers, as can be seen from the response from Lincolnshire Wildlife Trust.
- The ecology appraisal does not reflect the true position of wildlife in the area. Evidence has already been provided from a number of residents that show species, such as grass snakes and bats within 40 metres of the site. This evidence does not appear to have been updated in the ecology review or passed onto the decision makers. An onsite review, rather than desktop review should be completed so that decisions can be made upon accurate information.

### Climate Change

- No detail on dwellings being environmentally sustainable.

### Heritage

- Eastfield Lane is an old part of the village with Grade II Listed Buildings.

### Density

- Existing properties are 2.7 dwellings per acre and development is 7.4 dwellings per acre.
- Should be in accordance with Area K of Character Assessment.
- Density is 18.3 dwellings per hectare.
- Indicative number should be 40.
- Not low-density development.

### Agricultural Land

- Building on best most versatile land and policy S67 should be activated.
- Agricultural land should be maintained for food security.

### Other

- Bus stop 760 metres away is well outside the guidelines.
- Inaccessible for public transport.

- Will compound that local plan is not working.
- No public consultation.
- Enough housing in Welton and have 8-year supply of housing.
- Welton becoming a town and overdeveloped with 6,000 more residents than Market Rasen.
- No more houses should be granted until review of Neighbourhood Plan has been completed.
- Profit led development and not local need.
- Litter will increase.
- Existing developments cover the need of Welton.
- Support Ryland Road Residents comments.
- Already reached allocation on new housing.
- No new house should be delivered until 2030/31 in Welton/Dunholme as still 555 to be built from existing planning permissions.

**Ryland Residents Group (63a Eastfield Lane, Welton):** Objection

This statement of objections is submitted by Brian Wadsworth of 63a Eastfield Lane, Welton, as an existing residential property owner directly affected by the application, and also on behalf of the Ryland Residents' Group, which strongly objected to the designation of this site in the Central Lincolnshire Local Plan (CLLP). CLLP planners decided to allocate this site for future housing development following an earlier public consultation process which did not benefit from local community input. The Ryland Community remains aggrieved by this decision and by the process leading up to it. We are also profoundly apprehensive at the impacts of excessive housing development in Welton and Dunholme on our local infrastructure and services, including our already over-stretched GP Surgery, local schools, village roads and parking provision. However, the CLLP has now been adopted by WLDC regardless of the many objections lodged. This statement of objections focuses on specific aspects of the outline planning application which would adversely impact the Ryland area as a whole and pre-existing residential properties in the near vicinity. On 16th February 2023, shortly before adoption of the 2023 CLLP, the Council's Director for Planning, Regeneration and Communities wrote to me as follows regarding this site: "Main modification 68 (MM68) proposes to retain site-specific criteria under policy 80 on access safety, a "low density" scheme [in] keeping with the local vernacular and drainage and surface water flood risk provisions. Relevant design and drainage criteria in the Welton Neighbourhood Plan will also be engaged." The outline planning application now submitted relies upon a profoundly sub-optimal access solution and is neither "low density" nor "in keeping with the local vernacular". It requires significant modifications to mitigate adverse impacts on the Ryland area and community.

**SITE ACCESS** The landowner has once again proposed that site access be located (solely) at the northern 90-degree corner of Eastfield Lane, beyond the outer extremity of the existing built-up area. It would be diplomatic to describe this as an expedient, rather than an appropriate solution. Our objections on grounds of traffic safety, protection of vulnerable road users and disturbance to the existing community are familiar to CLLP and WLDC



planning officials from earlier discussions on the CLLP. During the latest phase of those discussions, the landowner's agents admitted that a viable road access corridor exists to the west of this site, benefiting from pre-existing consents. Subject to any necessary agreement with Lindum Homes (with whom the agent was then in negotiation) and resolution of a minor third-party land ownership issue (the owner having confirmed his willingness to sell), the agent expressed confidence at the Planning Inspectorate hearings that this solution could be delivered, if preferred. Lincolnshire County Council Highways Department has repeatedly expressed preference for a western access solution. Access to the west is self-evidently the best solution for any future residents who may come to live on this site. All residential and service vehicle traffic will be seeking to approach the site from the west or depart in a westward direction. There is nothing to the east apart from a junction with the A46 at Welton Hill, in the 'wrong' direction for shops, schools, other services and centres of employment. Short term expediency must not be allowed to prevail over the advice of LCC Highways, the interests of the existing community and the practical needs of future homeowners on this site. Planning consent should be refused unless the appropriate agreements are concluded to ensure site access via the western corridor. If there is any issue of cost which may genuinely stand in the way of this solution, it would be appropriate (in view of the clear and compelling community benefits) for WLDC to negotiate some 'offset' from prospective s106 contributions. However, the developer has presented no evidence that the western solution would in practice cost materially more than the current proposal, which would necessitate significant road modification works to Eastfield Lane. Adoption of the western access solution would allow conditions to be imposed banning access along Eastfield Lane by heavy construction traffic or other large vehicles (for which the existing road standard and layout is clearly unsuitable, both within the built-up area of Ryland and along the farm lane section extending eastwards to the A46). I and other Ryland Residents strongly object to any such use of Eastfield Lane.

**BUILDING DENSITY AND THE LOCAL VERNACULAR** The outline planning application as submitted is not compatible with the local vernacular of the Ryland area and does not constitute "low density" development. CLLP planning officials have previously confirmed that this site is not required in order to meet housing targets set in the local plan. The site in question falls within "Area K" as described in the Welton Neighbourhood Plan's village character assessment. This area covers east of the public right of way north of Eastfield Lane and east of Musgrave's Orchard on the south side. The local vernacular is described as follows: "The buildings in this area are arranged in a particularly scattered fashion, with no consistent approach to their orientation or distancing from the roadside and sitting within plots of differing sizes and shapes. The informal manner in which properties are arranged adds to the more rural, unplanned character of the area." The effective building density of pre-existing residential properties in this area is approximately 2.7 dwellings per acre. By contrast, the outline planning application for this site proposes dramatically higher density, at 7.4 dwellings per acre. This figure appears to be calculated by including within the site boundary a redundant triangle of 'green space' land which formed part of CLLP site WL/WELT008 (as distinct from 008A). Site 008 was rejected during CLLP development, so this area of land cannot be considered, having been

deliberately left outside the adopted site designation. I and our Residents Group object to the excessive building density proposed in this application, which is clearly out of keeping with our area. A substantial reduction in density is required in order to meet the criteria stipulated in the adopted CLLP (MM68). Lower density should allow: - fewer dwellings with larger plots and greater diversity of styles and layout, more in keeping with Neighbourhood Plan Area K, - tree planting to ameliorate the appearance of the new estate and enhance its residents' quality of life, - importantly, a landscaped and tree planted zone devoid of buildings to be created along the entire southern perimeter of the site, incorporating the proposed drainage pond (which should be landscaped to appear as a natural feature, suitable for waterfowl), in order to avoid intrusion by the new housing estate against the northern boundaries of older, established residential properties to the north of Eastfield Lane.

**OTHER GROUNDS OF OBJECTION** Further measures will be required to reduce the adverse impacts on adjoining, pre-existing residential properties arising from loss of privacy and security, noise and light pollution. - Conditions must be imposed to minimise disturbance from plant and machinery during the construction phase. - The landowner's proposed (minimalist) hedge improvement is not fit for purpose. A continuous wall of 2m in height is needed along the southern boundary of the site. - Conditions should be imposed to avoid or minimise future light pollution from any street or outdoor public lighting on the new estate. The Environment Agency stated in the CLLP consultations that Dunholme WRC has capacity issues. This is clearly evidenced by the 16 days of continuous discharge observed during 2022. This is the situation before completion of various large development sites in Welton and Dunholme which have already been granted planning permission. We therefore object to this development proceeding before the necessary infrastructure improvements have been made.

**LCC Highways:** No objections subject to conditions

Representation received 21<sup>st</sup> February 2024:

- There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:
  - The highway network is over-capacity, usually for period extending beyond the peak hours
  - The level of provision of alternative transport modes
  - Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

- A S106 sum of £5000 will be required for the future monitoring of the approved Travel Plan
- A S106 sum of £2800 will be required to alter the existing speed limit Traffic Regulation Order (TRO) on Eastfield Lane.
- Potential highway safety issues to be mitigated via improvements to the existing highway infrastructure.

The following off-site improvements will be required:

- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No. 25; Junction of Eastfield Road/Northfield Road; Junction of Hackthorn Road/Ryland Road and Ryland Road, outside No. 9.
- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependant on gaining the relevant permissions and consents.
- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.

Conditions:

- Construction Management Plan and Method Statement
- Public Right of Way
- 3 Passing Places
- Highway Widening
- Travel Plan
- Estate Road Phasing and Completion Plan

Representation received 16<sup>th</sup> June 2023:

The submitted Transport Assessment is a fair a reasonable representation of the proposed development's impact on the existing highway network and is considered acceptable.

The access point shown is acceptable as it offers adequate visibility in both directions.

- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependent on gaining the relevant permissions and consents.

Further highway improvements will be required as follows:

- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No.25; Junction of Eastfield Road/Northfield Road; Junction of Hack thorn Road/Ryland Road and Ryland Road, outside No. 9.
- Level surface upgrade of the bus stop outside No. 79 Ryland Road.
- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.

The above improvements are to form part of recommended conditions to the Local Planning Authority as part of final comments.

The existing speed limit traffic regulation order on Eastfield Lane will require extending to encompass the site access, a sum of £2800 will be required for the HLLFA to process this change.

Layout is a reserved matter, however the indicative layout shown as part of this application is acceptable in general. The current design of the site is a traditional adoptable highway and footway configuration, and whilst it is not objectionable, consideration should be given to incorporating Placemaking and Building for a Healthy Life design codes and principles into the submitted layout. The HLLFA encourages permeability and circulation for all modes of movement within the site and promotes the adoption of alternative highway designs. It is recommended the cul-de-sac design show is altered to incorporate connecting edge lanes, please refer to Lincolnshire County Council's Design Approach, available on our website. The HLLFA would also encourage tree lined streets as part of the overall development layout.

A reserved matters application to determine the final layout must show pedestrian and vehicle links to the adjacent site along with multiple pedestrian links to the adjacent PROW.

Travel Plan:

This Travel Plan should be conditioned and we should request a S106 contribution of £5000k for monitoring (£1k p.a. over 5 years) – this appears to have already been accepted by applicant in Para 7.2.2.

The targets set out in Section 5 seem reasonable – seeking a 10% shift away from the car over 5 years. Sections 6, 7 and 8 clearly set out the process to be followed for implementation and monitoring (noted in Para 8.4.2 that they suggest using STARS which would fit with LCCs monitoring software).

**LCC Lead Local Flood Authority:** No objections with comment

Representation received 21<sup>st</sup> February 2024:

Proposed drainage strategy is acceptable in principle, subject to detailed design at a later stage.

Condition:

- Surface Water Drainage

Representation received 16<sup>th</sup> June 2023:

The submitted drainage strategy is acceptable in principle, as is the proposed discharge rate. The outfall will require further investigation to confirm its suitability and security for the lifetime of the development. It is requested that this investigation is carried at this time and the details submitted for consideration by the HLLFA.

**Anglian Water:** Comments

- The foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows.
- The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

**Witham Third Internal Drainage Board:** No objection

Provided it is constructed in accordance with the submitted details and Flood Risk Assessment.

**LCC Education:** Contribution Required

Requests contributions of £510,060 for secondary extension and £102,012 for sixth form extension.

**WLDC Developer Contributions & Enabling Officer:** Comment

Should the proposal be acceptable, the application would trigger an affordable housing obligation of 25% under Policy S22 of the newly adopted Central Lincolnshire Local Plan (April 2023) as the site falls within Value Zone A. Given the indicative dwelling number, this would equate to 27 affordable housing units on the site which is the number proposed.

The details of the appropriate mix of affordable property types and their distribution across the site would be agreed with the Council at the reserved matters stage. However, Policy S22 requires the affordable housing to integrate seamlessly into the site layout amongst the private housing.

A Section 106 agreement will be required in order to secure the affordable housing obligation. Following the introduction of the government's First Homes policy, the Council's preferred tenure split for a site is:

- 25% First Homes
- 15% Shared Ownership
- 60% Affordable Rent

The applicant is encouraged to have further discussions with Strategic Housing regarding the affordable housing requirement for the site as the proposals progress.

**NHS Lincolnshire:** Contribution Required

The development will impact the Welton Family Health Centre, The Ingham Practice, Lindum Medical Practice and Brayford Medical Practice as the

development is within their catchment area. The contribution requested for the development is £68,942.50 (£632.50 x 109 dwellings).

NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 109 dwellings on Land at Eastfield Lane, Welton to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP Primary Care Network (PCN) at the Welton Family Health Centre, The Ingham Practice and/or Lindum Medical Practice. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure.

To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.

**Health Centre, Cliff Road, Welton: Objection**

We would like to object to the planned proposal for an additional 109 properties off Eastfield Lane, Welton. As a Practice, we are already providing medical services for 9663 patients. This number is increasing year on year whilst the resources are not. Funding from NHSE is constantly being squeezed, there is the threat of the asylum centre needing medical support and we are unable to recruit new GP's to serve these additional patients. Each proposal that is approved puts further strain on resources in the practice and stretches services even thinner. Our AskMyGP system is already saturated very early each morning and our nurses' clinics are fully booked at all times.

The practice does not have the additional infrastructure for increased parking in the village or additional clinical rooms available to see additional patients. The Practice is considering having to close its list due to overwhelming numbers of incoming patients, which would mean residents of this development may have to travel to Lincoln for GP services.

**Lincolnshire Police:** No objections with advice

Advice provide on:

- Dwelling Frontages
- Perimeter
- Gates
- Landscaping

- Lighting
- Footpaths
- Parking Provision
- Letter Plates
- Intruder Alarms
- Utilities
- Building Regulations

**Lincolnshire Wildlife Trust:** No objection subject to a condition

Representation received 2<sup>nd</sup> February 2024:

Lincolnshire Wildlife Trust wishes to make the following comments with reference to the above planning application. Our previous comments regarding an outdated PEA and a lack of BNG assessment have been addressed with the latest documents detailing an 11.65% gain in habitat biodiversity units.

The stated uplift in on and offsite biodiversity units is predicated on appropriate habitat management for the full 30-year period as required by the Environment Act. A Management and Monitoring Plan is recommended by the ecologists in the BNG report and we request this be achieved via a planning condition in accordance with the Environment Act and Local Plan Policy S61. We acknowledge the statement in 4.1.2 that the landscape details are yet to be finalised. We would encourage these be confirmed by way of submission of a Landscape Ecological Management Plan (LEMP). This should include clarifications of native planting outlined in Figure 2 of the BNG report for urban trees, areas of grassland throughout the site and may include the aforementioned BNG MMP.

Sustainable drainage systems (SuDS) are internationally recognised as the most effective way of managing both surface water flood risk and storm-related pollution. The attenuation pond serves this function and the recent implantation of Schedule 3 of The Flood and Water Management Act 2010, establishes a process to ensure that any new development includes high quality SuDS, and removed developers' automatic right to connect to public sewers. Implementation is essential to addressing growing surface water flood risk, tackling the sewage pollution problem and is complementary to BNG and nutrient neutrality.

Representation received 28<sup>th</sup> June 2023:

Lincolnshire Wildlife Trust wishes to place a HOLDING OBJECTION in regards to the above planning application until further ecological information has been submitted and we are satisfied that there will be no significant negative impacts on protected or priority habitats, species or local wildlife sites as a result of the proposed development.

The Preliminary Ecological Appraisal submitted with this application is the same document as that of the original 144526 application. The site has thus not been resurveyed in the past 18 months since January 2022 (Paragraph 3.2.1).

An updated PEA document will need to be conducted as the baseline conditions of the site are very likely to have changed thus impacting the baseline Biodiversity Net Gain (BNG) values.

The various ecological receptors and considerations for legally protected species are also likely to have altered in 18 months with the aid of the 2021 and 2022 ecological records submitted to the Lincolnshire Environmental Records Centre during the intervening period.

The applicant also needs to consider the local policy changes that have taken place with the recently adopted CLLP that affords stronger environmental protections and considerations to those in the (now) superseded Plan.

We agree that the minimum 10% gain is feasible onsite and want to see the gains incorporated into enhanced landscape buffers and 'wildlife corridors' throughout the site. The area to the north of the proposed development contains a pond and general 'nature area'. While this would be a worthwhile inclusion in the final design, we wish to highlight that biodiversity benefits are somewhat limited due to the near continuous disturbance from people and domestic pets, particularly next to large residential areas.

**Environment Agency:** Does not wish to comment  
It does not appear to fit any of the criteria on our consultation checklist.

**LCC Archaeology:** No archaeological input is required.

**ECM checked:** 19<sup>th</sup> March 2024

**Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Welton Neighbourhood Plan (made September 2016); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

The application therefore falls to be considered against all 3 documents comprising the Development Plan. However, under planning law<sup>1</sup>, if to any extent a policy contained in a development plan document for the area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document – here, the Central Lincolnshire Local Plan, most recently adopted in April 2023.

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<sup>1</sup> S38(5) of the Planning and Compulsory Purchase act 2004



## Development Plan

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

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S2 Growth Levels and Distribution
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption – Residential Development
- S12 Water Efficiency and Sustainable Water Management
- S21 Flood Risk and Water Resources
- S22 Affordable Housing
- S23 Meeting Accommodation Needs
- S45 Strategic Infrastructure Requirements
- S47 Accessibility and Transport
- S48 Walking and Cycling Infrastructure
- S51 Creation of New Open Space, Sports and Leisure Facilities
- S53 Design and Amenity
- S54 Health and Wellbeing
- S57 The Historic Environment
- S59 Green and Blue Infrastructure Network
- S60 Protecting Biodiversity and Geodiversity
- S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- S66 Trees, Woodland and Hedgerows
- S80 Housing Sites in Large Village

<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Welton-by-Lincoln Neighbourhood Plan (WNP)***

Relevant policies of the NP include:

- H1 Type, Size and Mix
- D1 Village Character
- D2 Safe Environment
- EN1 Environmental Capital
- EN2 Habitat
- EN3 Flood Risk
- T2 Cycling
- W1 Healthcare
- W2 Sport & Recreation

Welton-by-Lincoln Village Character Assessment dated January 2016 (WCA)

The site is not within any of the character areas (A-K)

Area I (Northfield) is nearby to the West

Area K (Welton East) is adjacent to the south

<https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Welton%20NP%20Neighbourhood%20Development%20Plan.pdf>

- **Welton-by-Lincoln Neighbourhood Plan Review**

A review of the existing Welton by Lincoln Neighbourhood Plan is currently being prepared by the Welton by Lincoln Parish Council. To date a draft plan has not been published for consideration.

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

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

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

National policy & guidance (Material Consideration)

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

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023. Paragraph 225 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**

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

- **National Design Guide (2019)**

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

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

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

**Other:**

Planning Obligations Supplementary Planning Document October 2023

<https://www.n-kesteven.gov.uk/central-lincolnshire>

Central Lincolnshire Policies S76 – S82: Sustainable Urban Extensions and Housing Allocations in Lincoln Urban Area, Main Towns, Market Towns, and Large, Medium and Small Villages Evidence Report March 2022 (HAER)

[https://www.n-kesteven.gov.uk/sites/default/files/2023-03/EVR076-](https://www.n-kesteven.gov.uk/sites/default/files/2023-03/EVR076-082%20Policy%20S76-)

[82%20Residential%20Allocations%20Introduction%20Reg19.pdf](https://www.n-kesteven.gov.uk/sites/default/files/2023-03/EVR076-082%20Policy%20S76-82%20Residential%20Allocations%20Introduction%20Reg19.pdf)

## Main issues

- Principle of the Development  
*Central Lincolnshire Local Plan 2023*  
*Welton by Lincoln Neighbourhood Plan*  
*Concluding Statement*
- Access

## Assessment:

### Principle of the Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here the development plan comprises both the Central Lincolnshire Local Plan (April 2023); and Welton-by-Lincoln Neighbourhood Plan (2016). The application falls to be considered against both documents.

However, under planning law<sup>2</sup>, if there is any conflict between the policies of the documents, it must be resolved in favour of the most recent document – here, the Central Lincolnshire Local Plan (2023).

*Central Lincolnshire Local Plan (adopted April 2023):*

Local policy S1 of the CLLP sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Welton as a large village and *‘to maintain and enhance their role as large villages which provide housing, employment, retail and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth’*. Local policy S1 states that most of the housing growth in Welton will be *‘via sites allocated in in this plan. Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages’*.

Local Policy S80 identifies sites within large villages which are allocated primarily for residential use. The application site is identified by allocation reference WL/WEL/008A as land north of 77 Eastfield Lane, Welton (5.82 hectares) for an indicative capacity of 109 dwellings.

Local Policy S80 of the CLLP also sets out some site specific requirements for the site. These are:

- *“Access preferred via development at adjoining allocation to the west. If access has to be achieved through Eastfield Lane adequate visibility splays and road widening and footway provision will be required.*
- *Design to be low density and in keeping with the local vernacular of the area.*

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<sup>2</sup> S38(5) of the Planning and Compulsory Purchase Act 2004

- *Development of the site will need to address drainage and surface water flood risk on the site.*

Subject to meeting these criteria, the proposed development would accord with the site allocation within the Central Lincolnshire Local Plan (2023).

*Welton by Lincoln Neighbourhood Plan (WNP):*

The relevant policies are listed in the policy section above.

Policy H1 requires that *“Proposals for more than 10 dwellings should demonstrate how the mix, type and size of dwelling has taken into account local need.”*

Policy D1 sets out that development should respect local character and include wildlife features.

Policy D2 requires development to be safe and accessible environments.

Policy EN1 protects biodiversity and promotes net biodiversity gain. Protects watercourses from degradation and pollution.

Policy EN2 encourages habitat creation and enhancement.

Policy EN3 promotes that use of sustainable urban drainage systems to reduce surface water run off.

Policy T2 Cycling encourages new cycleways, paths and secure storage facilities.

Policy W1 Healthcare would support development which expands or provides new healthcare facilities.

Policy W2 would support the development of public sports and recreation facilities.

It is noted that the Parish Council state *“This proposal is incompatible with the existing made Welton-by-Lincoln Neighbourhood Plan (WNP) as this site is not included in its allocated sites.”*

The WNP does not allocate any residential development sites. It does recognise three housing sites (Site 1 – Land off Halfpenny Close; site 2 – Land East of Hackthorn Road; Site 3 – Land off Prebend Lane), but the WNP itself acknowledge that these sites *“have planning permission so are unable to be included as policies of the WNP.”*

The WNP does not allocate any residential housing sites within its policies – and does not seek to prohibit or restrict residential development on unallocated sites within its policies.

Furthermore – the NP was made in July 2016, and pre-dated the previous iteration of the Central Lincolnshire Local Plan (2017) which had allocated the aforementioned 3 sites.

The site is allocated for residential development in the 2023 version of the Central Lincolnshire Local Plan. It is not considered that this conflicts with the policies of the WNP, but if it did, the 2023 CLLP would take precedence as the most recent Development Plan document.

*Density:*

Paragraph 4.8 of the Central Lincolnshire Policies S76 – S82: Sustainable Urban Extensions and Housing Allocations in Lincoln Urban Area, Main Towns, Market Towns, and Large, Medium and Small Villages Evidence Report March 2022 (HAER) states that *“there are no policies identifying specific density requirements in the adopted Central Lincolnshire Local Plan.”*

Therefore, an assessment of sites that have been granted planning permission has been used to identify a number of capacity assumptions based on the location in the settlement hierarchy and using a range of different sized sites.”

Paragraph 4.14 of the HAER states that *“in order to identify the assumed developable area, a calculation has been carried out to factor in the reduction in developable area, based on the size of the overall site area, set out in Table 2 below”*.

**Table 2: Developable Area of Sites**

Site Size	Percentage of the site developable
Less than 0.4 hectares	100%
0.4 – 2 hectares	85%
2 – 20 hectares	75%
20 hectares or larger	60%

The application site covers 5.93 hectares so in accordance with table 2 would have a developable area of 75% of the overall to leave room for public open space and necessary infrastructure such as roads and pedestrian footpaths.

Using the 75% the developable area on the site would be 4.44 hectares (5.93 hectares/100% x 75%). Using the whole site area (gross density) the development would propose 18.4 (109/5.93) dwellings per hectare (dph) and the developable area (net density) would propose 24.5 dph.

Paragraph 4.15 of the HAER provides a density assumption table (see below) for the settlement hierarchy categories.

Settlement Hierarchy Category	Density Assumption (dwellings per hectare)
Lincoln City Centre (within 1km of railway station)	90 dph
Wider Lincoln Urban Area	40 dph
Town centres	50 dph
Town suburbs	35 dph
Large Villages	25 dph
Medium and Small Villages	20 dph

The settlement of Welton is categorised as a large village in policy S1 of the CLLP. The recommended developable area explained earlier (see table 2 above) would therefore at 24.5dph accord with the density assumption of 25dph.

It is relevant to compare the character and density of the site (24.5dph) with character area I (Northfield) and K (Welton East) of the WCA, which sit to the immediate south, and the west of the site.

Page 63 of the WCA states that in character area I (Northfield) the *“dwellings are for the most part arranged at a density which is higher than that seen elsewhere in Welton and the minimal distances between properties means that views of the wider locality are limited.”*

Page 68 of the WCA states that in character area K (Welton East) *“the informal manner in which properties are arranged adds to the more rural, unplanned character of this area.”*

In addition, the most recent application for the adjacent allocated site (WL/WEL/003) has planning permission (143728) and works have commenced on site for 49 dwellings on a site that is 2.35 hectares in size. Using the 75% developable area this site will have a net housing density of 28.8 (49 dwellings/1.7 hectares).

The area to the west of the site is therefore more densely populated than the application proposal, with the more rural character area to the south being of lower density. The density of the application site is just under the assumed density but lower than the modern housing development to the west therefore the application site would provide a more appropriate end to this section of the village adjacent the open countryside to the north and east and the rural character of character area K.

It is noted that a number of third parties consider the development should reflect the density of Area K to the south. However, this is an exceptionally low gross density at approximately 7 dph (34 dwellings/4.8 hectares) (see land outline in yellow on plan below)) which reflects its strong rural character as identified in the WCA.

However, if the development site (75% developable area = 4.44 hectares) was built out at this rate, it would amount to approximately 31 dwellings. This would be a significant under delivery that would run counter to one of the core principles of the NPPF, which is to make “effective use of land”.



It is considered that such a low-density would-be counter-productive, and the site density should bridge a gap between the low density to the south and high density to the west.

It is considered, on viewing the indicative drawing, that the development would achieve this.

#### *Concluding Statement*

The principle of housing development on the site has been established by its allocation status (WL/WEL/008A) in the CLLP 2023.

The application proposes (developable area 75%) the development of an allocated site at 24.5 dwellings per hectare (109/4.44) gross density. To put into perspective:

- Planning permission 130995 (to the west) permitted 50 dwellings on 1.27 hectares of the recommended developable land equating to approximately 39.3 dwellings per hectare gross density.
- Planning permission 143728 (adjacent to the west) 49 dwellings on 1.7 hectares of the recommended developable land equating to 28.8 dwellings per hectare gross density.

The proposed development would therefore be of an acceptable density when compared against the HAER and the surrounding residential built form.

The development therefore accords with local policies S1 and S80 of the CLLP and the provisions of the NPPF.

## Access

In planning law access is defined as:

*“in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made”*

Objections have been received from Welton Parish Council, residents and the Ryland Residents Group in relation to the access and highway safety, particularly concerns with the use of Eastfield Lane. This includes that there have already been 5 accidents on this corner between October 2022 and February 2023.

Local policy S47 and S49 of the CLLP require developments to contribute towards a safe highway and set parking requirements based on the number of bedrooms that a dwelling has.

Any future reserved matters application would have to accord with the parking standards set out in appendix 2 of the CLLP. There are no residential parking standards in the WNP.

Paragraph 115 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

The first bullet point of the site-specific requirements in policy S80 states *“access preferred via development at adjoining allocation to the west. If access has to be achieved through Eastfield Lane adequate visibility splays and road widening and footway provision will be required.”*

The submitted design and access statement confirms that:

- a) vehicular access would be from the east boundary from Eastfield Lane
- b) Four pedestrian accesses would be from the west boundary
- c) One pedestrian access from the vehicular connecting to the existing pedestrian footpath on Eastfield Lane.

Policy S80 of the CLLP states that vehicular access to the site would be preferred from the west. Although it should be noted that the policy does not require that vehicular access has to be from the west to make the development acceptable.

The indicative layout drawing does suggest that it would connect to access points on the adjacent development to the west. The accompanying Design & Access Statement does state:



*“In addition, the indicative layout has been designed to make available a connection to the approved scheme to the west (subject to negotiations regarding any ransom strip). If this is deemed appropriate it could link both sites for better vehicular connectivity and an alternative option for construction traffic to enter from the east.”*

The agent has submitted an email dated 6<sup>th</sup> March 2024 stating that *“the eastern access was reviewed by our Transport Consultant and determined to be the better access from a highways viewpoint. In order to try and achieve the best of both worlds we discussed with Lindum the possibility of linking up access to their site. Lindum would have preferred to access their site from Eastfield Lane, particularly during construction, because of the same access issues outlined above, particularly in relation to materials deliveries on large loads. Unfortunately it became clear during this discussion that there was a problem with third party land separating the two sites, so it was out of the gift of either party and the matter was not pursued”*.

It would seem therefore that the developer has not secured an agreement to connect to the west, but that the development would have the opportunity, and is not precluded from doing so.

The indicative site layout plan (AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022) identifies one vehicular access off Eastfield Lane which has a 60mph speed limit. The position of the access on the bend would mean that vehicles approaching the bend from both directions would be slowing down. The application has alongside the proposed highway improvements demonstrated that vehicular access from the site would be safe from vehicles entering and exiting the site. The use of the Eastfield Lane access would stop further traffic including delivery, waste and emergency vehicles from having to travel through the highway infrastructure of the dwellings to the west. The proposed access would only serve the 109 dwellings proposed on the site.

At the officer’s site visit the proposed access appeared acceptable in terms of visibility along Eastfield Lane. The Highways Authority at Lincolnshire County Council have no objections to the proposed access confirming that *“the access point shown is acceptable as it offers adequate visibility in both directions”*.

The Highways Authority have commented on the accidents mentioned in the representations stating that *“they have been considered and are not regarded as an impediment to the development.”*

The proposed vehicle access would therefore not have an unacceptable harmful impact on highway safety and would be expected to accord with S47 of the CLLP and the provisions of the NPPF, most notably paragraph 115.

The Highways Authority at Lincolnshire County Council have made the following recommendations and improvements:

- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependent on gaining the relevant permissions and consents.
- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.
- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No.25; Junction of Eastfield Road/Northfield Road; Junction of Hackthorn Road/Ryland Road and Ryland Road, outside No. 9.
- Level surface upgrade of the bus stop outside No. 79 Ryland Road.

When looking at the recommended highway improvements it must be considered whether it is reasonable and necessary for the developer to be obliged to be responsible for the works and whether they are fundamental to the approval of the development.

It is considered that the widening of Eastfield Lane and the inclusion of 3 passing places is reasonable and necessary and will either be conditioned or obligated in a S106 Legal Agreement.

The public right of way to the west boundary of the site (see photos below) is currently a grassed footpath with areas worn by pedestrian use.



Paragraph 56 of the NPPF states that *“planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”*.

The Highways Authority have not objected to the proposed vehicular access on highway safety grounds whether all recommended improvements are reasonable or necessary.

Therefore, whilst the improvements to the public right of way, the tactile crossing and the bus stop upgrade recommended by the Highways Authority are acknowledged it is on balance considered that they are not relevant, necessary or reasonable to make the development acceptable in planning terms.

The recommendation for a financial contribution towards the change of position of the speed limit signs and the monitoring of the travel plan is accepted and will be obligated within a S106 Legal Agreement.

Objections have been received in relation to:

- the safety of walkers, dog walkers, cyclist etc
- 3 passing places is insufficient
- Eastfield Lane is poorly maintained
- Vehicle access should be from the west

Eastfield Lane is an adopted highway with no pedestrian footpath or lighting maintained by Lincolnshire County Council. The condition of Eastfield Lane would have formed part of their assessment. The use of the public for exercise or travel along Eastfield Lane is completed at their own risk given the lack of footpath facilities along the Lane. The Highways Authority at Lincolnshire County Council have recommended that 3 passing places is sufficient. The proposed development can only be determined in line with the submitted plans and the access of Eastfield Lane.

Therefore, subject to conditions, the development would not be expected to have a severe harmful highway safety impact and would accord with local policy S47 of the CLLP and the provisions of the NPPF.

#### **Other Considerations:**

##### Scale, Appearance, Layout and Landscaping

Details of scale, appearance, layout and landscaping are not under consideration with this application as they are reserved for subsequent approval (“reserved matters”). An indicative site plan (ISP) J1852-PL-03 Rev P02 dated 5th May 2023 has been submitted but not any indicative elevation and floor plans.

However, any reserved matter application will be expected to demonstrate how it will be “in keeping with the local vernacular of the area” in order to satisfy policy S80 of the CLLP; and meet with D1 of the WNP – taking reference from the Welton Character Area (or succeeding documents through the Welton NP Review).

##### Affordable Housing

Local policy S22 of the CLLP states that ‘*affordable housing will be sought on all qualifying housing development sites:*

*a) of 10 or more dwellings or 0.5 hectares or more;*

The percentage sought would be based on the value zones indicated on Map 3 (page 57) of the CLLP. The site is located within Value Zone A and therefore must provide 25% affordable units which would equate to 27 (27.25) units on a 109 house scheme.

The WNP is not silent but does not include a specific policy on affordable housing but section 6.3 (pg26-27) has a statement of intent stating that *“The WNP recognises the need to provide housing that is affordable and accessible. The Parish Council will, by working with relevant agencies, monitor and review future need. With building work ongoing for many years, it should be possible to react to such need, perhaps using the Community Right to Build. Entitlement and priority to affordable housing will be set by WLDC Home Choice”*.

The Housing Officer has confirmed that the affordable units required would be up to 27 and that a *“Section 106 agreement will be required in order to secure the affordable housing obligation. Following the introduction of the government’s First Homes policy, the Council’s preferred tenure split for a site is:*

- *25% First Homes (7 of the 27 affordable homes)*
- *15% Shared Ownership (4 of the 27 affordable homes)*
- *60% Affordable Rent” (16 of the 27 affordable homes)*

Paragraph 5.7 of the planning statement states that *“The applicant is proposing 25% of these dwellings (equating to 27 dwellings) will be affordable housing, as full policy compliant affordable housing provision.”*

The agent has submitted heads of terms in line with the above percentages to ensure the provision of affordable homes is legally obliged through a signed and certified S106 agreement created by the Authorities legal team.

The development would therefore be in accordance with the affordable housing contribution required by local policy S22 of the CLLP and the provisions of the NPPF.

#### Developer Contributions

Objections have been received in relation to the impact of the development on local schools and medical services including directly from the Health Centre in Welton.

As the site is allocated for residential development in the Central Lincolnshire Local plan, the principle of this scale of development in this location has already been found sound through the examination and subsequent adoption of the Local Plan.

However, Local policy S45 of the CLLP states that *‘Planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed development. Development proposals must consider all of the infrastructure implications of a scheme; not just those on the site or its immediate vicinity’*.

Local policy S54 of the CLLP states that *“The Central Lincolnshire authorities will expect development proposals to promote, support and enhance physical*

*and mental health and wellbeing, and thus contribute to reducing health inequalities. This will be achieved by:*

- *Seeking, in line with the Central Lincolnshire Developer Contributions SPD, developer contributions towards new or enhanced health facilities from developers where development results in a shortfall or worsening of provision, as informed by the outcome of consultation with health care commissioners”*

Policy W1 and ED1 of the Neighbourhood Plan supports development which would expand and/or improve local health and educational facilities within the village.

*National Health Service (NHS):*

The development will impact the Welton Family Health Centre, The Ingham Practice, Lindum Medical Practice and Brayford Medical Practice as the development is within their catchment area. The contribution requested for the development is £68,942.50 (£632.50 x 109 dwellings).

It is noted that the Welton Family Health Centre have made direct representations, who cite capacity concerns with taking on further patients.

The NHS Lincolnshire Integrated Care Board at the NHS has requested a contribution of £68,942.50 (£632.50 x 109 dwellings). This will help contribute to the expansion in capacity through remodelling/changes to layout or extension to Welton Family Health Centre, The Ingham Practice and/or Lindum Medical Practice. Where appropriate the contribution could be used to support the expansion in capacity at an alternative general practice site as required to meet the local population health need.

This request would accord with the Central Lincolnshire Planning Obligations Supplementary Planning Document (SPD), which states *“Local GP practices work as part of a Primary Care Network (PCN) and therefore the capital request will be viewed considering the PCNs ability to support the planned development. Patient choice needs to be considered to avoid funding being restricted to the nearest Practice.”*

Whilst the Welton Practice concerns are noted, the NHS Primary Care Network has set out that contributions in accordance with the SPD will be acceptable and required in order to accommodate the development.

Accordingly, such a contribution, to be secured through a S106 agreement, will accord with policy S45 of the Local plan.

*LCC Education:*

The Education department at Lincolnshire County Council has requested that contributions of £510,060 for secondary extension and £102,012 for sixth form extension are required. As confirmed by the response, secondary school and sixth form contributions are already secured through the collection of

Community Infrastructure Levy (CIL) contributions and this would not need to duplicate the contribution through the S106 agreement.

The Education department has not requested any Primary School contribution as the places required by the development (21 children) would be met by sufficient available places for 2025/26.

The agent has submitted heads of terms to ensure the NHS contribution is secured through a signed and certified S106 agreement created by the Authorities legal team.

The development is therefore in accordance with local policy S45 and S54 of the CLLP, policy W1 and ED1 of the WNP and the provisions of the NPPF.

*Open Space:*

Part A of Policy S51 states that *“in all new residential developments of 10 dwellings or more, development proposals will be required to provide new or enhanced publicly accessible open space, sports and leisure facilities to meet the needs of their occupiers in accordance with this policy, the standards set out in Appendix 3, and in compliance with the latest Central Lincolnshire Developer Contributions SPD (or similar subsequent document).”*

*“The preference is for on-site provision in a suitable location where this is practicable and would be the most effective way of meeting the needs generated by the development”.*

Policy W2 of the WNP would support the development of public sports and recreation facilities.

Appendix 3 of the CLLP details the standards for open space provision in Central Lincolnshire with regard to the quantity, quality and accessibility of open space, this is detailed in Table A3.1.

Tables A3.2-A3.4 of Appendix 3 go on to detail thresholds and calculations for on- and off-site provision as well as average occupancy levels.

According to The Fields in Trust website <sup>3</sup>(FIT) (previously the National Playing Fields Association (NPFA)) *standards have 3 categories of equipped play areas. These are local areas for play (LAP), local equipped area for play (LEAP) and neighbourhood equipped area for play (NEAP). The main characteristics of each category are:*

*LAP (Local Area for Play)*

*The LAP is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live.*

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<sup>3</sup> <http://www.softsurfaces.co.uk/blog/playground-surfacing/lap-leap-neap-play-area/>

*LEAP (Local Equipped Area for Play)*

*The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live.*

*NEAP (Neighbourhood Equipped Area for Play)*

*The NEAP is an area of open space specifically designated, laid out and equipped mainly for older children but with the play opportunities for younger children as well.*

Manor Park Sports Ground is an approximate 915-1170 metre (via PROW Welt/54/1, Eastfield Lane and Ryland Road) walk from the site. Manor Park Sports Ground is accessible on foot via lit public footpaths and comprises the following facilities:

- Large pavilion (includes a library)
- Large car park
- Full and junior sized football pitches
- Enclosed Artificial pitch
- Enclosed Crown Bowling Green
- Skate Park
- Fully fenced young children's play area
  - 3 springy rides*
  - 1 climbing frame*
  - 1 toddler climbing/slide combination*
  - 2 young child swing*
  - 1 toddler swing*

The Welton Sports and Social Club is an approximate 1153m walk (via development to the east, Hampden Close, Halfpenny Close, Northfield Road, and Hackthorn Road) or 1,500 metre walk (via PROW Welt/54/1, Eastfield Lane, Ryland Road and Hackthorn Road) from the proposed site and comprises the following facilities:

- Social club
- Modest car park
- Football pitch (no goals)
- Grass space
- 1 Older and 1 younger climbing frame
- 3 older children swings
- 2 toddler swings
- 4 springy rides
- 1 toddler slide
- 1 toddler roundabout
- 6 benches
- 3/4 bins

In light of the facilities listed above Manor Park Sports Ground and Welton Sports and Social Club are considered to be a Neighbourhood Equipped Area for Play (NEAP).

Indicative site layout plan AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022 identifies an area of public landscaped space (3718m<sup>2</sup>) to the north, central open space (3221m<sup>2</sup> (includes LEAP 410m<sup>2</sup>)) and SuDs balancing pond (3340m<sup>2</sup>) which will provide an onsite local area of play (LAP).

It is approximated that the area of proposed public open space totals 10,279m<sup>2</sup>.

The site is 59,300m<sup>2</sup> (5.93 hectares) in size therefore 10,279m<sup>2</sup> equates to 17.33% of the site has been indicatively set aside for public open space. This includes an area of open space equipped for children who are beginning to go out and play independently close to where they live.

Table 4 of the Planning Obligations Supplementary Planning Document October 2023 provides a table to enable an assumption of population for housing developments.

As this is an outline application with only access to be considered the open space has to be calculated using the district average. Therefore, the development would on average comprise 251 (250.7) people (2.3 x109).

Table A3.1 of Appendix 3 of the CLLP provides a figure per 1,000 population to calculate the need for each type of open space is set out below.

Allotments and Community Growing Space:  
 $251/1000 \times 0.31 = 0.07$  hectares or 700m<sup>2</sup>

Amenity Greenspace:  
 $251/1000 \times 0.43 = 0.11$  hectares or 1,100m<sup>2</sup>

Provision for Children and Young People:  
 $251/1000 \times 0.012 = 0.03$  hectares or 300m<sup>2</sup>

Local and Neighbourhood Parks and Gardens:  
 $251/1000 \times 0.38 = 0.09$  hectares or 900m<sup>2</sup>

Outdoor Sports Facility:  
 $251/1000 \times 1.09 = 0.27$  hectares or 2,700m<sup>2</sup>

Natural and Semi-Natural Greenspace:  
 $251/1000 \times 1 = 0.25$  hectares or 2,500m<sup>2</sup>  
In total the amount of open space required is 8,200m<sup>2</sup>.

The indicative site plan therefore demonstrates that the site would be expected to provide a mix of on-site provision which is well above the required 8,200m<sup>2</sup>.

When compared against the standards in table A3.1 The Welton Sports and Social Club and Manor Park Sports Ground are within the 1200m or 15-minute walk limit by lit pedestrian footpaths for a NEAP. The open space on



the site would provide a LAP within 400 metres. There would be a LEAP within 400 metres within the open space on the site.

The presence of a Public Rights of Way adjacent the west boundary would provide a further close useful mode of outdoor exercise to the residents and provide public access to walks within the open countryside. The presence of the Public Rights of Way is a bonus to the potential future residents and would provide an added benefit. Access must be provided to the Public Rights of Way.

Therefore, the indicative on site provision and existing off-site provision which is within an acceptable walking distance would meet all of these space standards apart from the allotments and community growing space.

Table 5 of the Planning Obligations Supplementary Planning Document October 2023 states that allotments and community growing space should be no more 1,600 metre walking distance to the site. In this case it is not considered that there are any allotments within this identified distance. The indicative site plan does not suggest that any allotments would be included on the site.

In this case, given the amount of other open space on the ISP it would be unreasonable to insist on the provision of allotments on the site.

The inclusion of the necessary type and amount of open space and the maintenance and management of the public open space needs to be submitted in a Heads of Terms so it would be legally obliged through a signed and certified S106 Legal Agreement.

Therefore, the development would accord with local policy S45 and S54 of the CLLP and the provisions of the NPPF.

#### Drainage

Objections have been received in relation to foul and surface water drainage.

Paragraph 175 of the NPPF guides that *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.”*

Paragraph 80 (Reference ID: 7-080-20150323) of the Flood risk and coastal change section of the NPPG states that *“Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:*

1. *into the ground (infiltration);*
2. *to a surface water body;*
3. *to a surface water sewer, highway drain, or another drainage system;*
4. *to a combined sewer.”*

*Particular types of sustainable drainage systems may not be practicable in all locations. It could be helpful therefore for local planning authorities to set out those local situations where they anticipate particular sustainable drainage systems not being appropriate.”*

Criteria f of the flood risk section of local policy S21 of the CLLP requires that *“they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical.”*

Criteria m of the protecting the water environment section of local policy S21 of the CLLP requires that *“that surface water connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users”.*

Policy EN3 of the WNP requires that *“Appropriate sustainable urban drainage systems have been incorporated into the proposals unless they can be shown to be impractical”*

The application has included a Flood Risk and Drainage Assessment (FRDS) by Alan Wood and Partners dated February 2022 and a Drainage Appraisal (DA) by Brown & Co JH Walter dated February 2024. The FRDS includes percolation tests (Appendix B) and a preliminary drainage strategy (Appendix E).

*Surface Water:*

The Internal Drainage Board (IDB) and Anglian Water have made comments in relation to surface water drainage but have not objected to the development.

Paragraph 6.3.2 of the FRDS states that *“the existing ground conditions are considered to be unsuitable for the disposal of surface water run-off from the development into soakaways or infiltration trenches.”*

As infiltration is not viable for the site the FRDS has identified a ditch to the south east corner of the site. Discharge to a surface water body is second on the hierarchy list above.

Paragraph 6.3.6 of the FRDS states that *“It is proposed that the surface water run-off from the development is discharged into Eastfield Drain, for which the developer has riparian right of discharge.”*

In summary section 6.7 of the FRDS confirms that:

In line with Lincolnshire County Council SuDS guidance the equivalent greenfield discharge rate would be 5.6 litres per second. Anglian Water have advised *“that the design for an adoptable discharge will need to be based upon a flow control incorporating a 75mm diameter orifice to prevent blockages, resulting in a maximum discharge rate of approximately 5 litres per second.”*

The drainage scheme would require a package pump station incorporated with the drainage scheme. It will be necessary to attenuate the drainage by restricting the discharge and providing storage as required. Based on a 1 in 100-year storm event plus 40% climate change the storage required would be 826m<sup>3</sup> (see table 5 of the FRDS).

Paragraph 6.3.6 of the FRDS suggests the use of an attenuation lagoon in the southernmost area of the site as shown on preliminary drainage strategy (Appendix E).



The final drainage scheme could also include features such as:

- a) Permeable paving
- b) Attenuation storage contained within a suitable sub-base to areas of roads and paving
- c) Open swales to access road verges
- d) Rainwater harvesting
- e) Attenuation lagoon

Highways drainage would be collected by trapped gullies prior to discharge into the below ground drainage network with storage provide by open swales adjacent the roadways.

The Lead Local Flood Authority have recommended that the “outfall will require further investigation to confirm its suitability and security for the lifetime of the development. It is requested that this investigation is carried at this time”.

The submitted drainage appraisal states in paragraph 3.4 and 3.5 that:

“The offsite site drainage route is identified by the blue line starting on eastern half of the southern boundary of the site. This is an existing ditch adjacent to the location of the proposed attenuation pond”.

“The ditch within the site flows eastwards under the hedgerow and into the roadside ditch on the western side of Eastfield Lane. The water then flows southwards along the roadside ditch passing into a culvert that then continues under the road as the road turns 90 degrees and continues westward into the village. The water emerges from the culvert on the south side of the road flowing south along the eastern edge of the development boundary line of the village, before joining Ryland Drain. Ryland Drain flows eastwards and becomes a Witham 3rd District IDB asset (Ryland Drain FID 14) at the location marked with a red X on figure 4.”



(extract from figure 4 of DA)

Paragraph 4.1, 4.2 and 4.3 concludes that:

“The recent heavy rain has clarified the fact that this is a very free flowing drainage route from the site and along an established route to an IDB managed asset at Welton Hill”.

“The photographs establish the condition of the ditches and the fact that they are free flowing. It confirms that the applicant and the other landowners along the drainage route are maintaining their ditches to drain their own land and enabling riparian rights for landowners upstream of their drainage assets”.

*“The brief clip of video taken on Saturday 10th after the heavy rains (on Thursday and Friday the 8th and 9th February), shows just how free flowing and efficient the drainage system is”.*

The Lead Local Flood Authority at Lincolnshire County Council have no objections to the submitted drainage strategy in principle or the proposed discharge rate subject to detailed designs at a later date.

*Foul Water:*

Paragraph: 020 (Reference ID: 34-020-20140306) of the water supply, wastewater and water quality section of the NPPG states:

*“When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). This will need to be done in consultation with the sewerage company of the area.”*

Paragraph 5.1 of the FRDS states that foul water *“will be discharged to the public sewer network”*

Anglian Water has advised that *“the foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows”*.

The preliminary drainage plan (Appendix E) identifies an indicative foul water network which connects to a drain on Eastfield Lane. It is considered by the FRDS that a gravity discharge to the public sewer can be achieved.

The development would therefore discharge wastewater into the existing public sewer which has capacity and is the preferred option according to national guidance.

The indicative use of a Sustainable Urban Drainage system for surface water would be acceptable as would be connection to the foul sewer for foul water.

As the drainage plan is only indicative it is considered relevant and necessary to attach a comprehensive drainage condition on the outline permission as recommended by the Lead Local Flood Authority.

Therefore, subject to a condition the development is considered to accord with policy S21 of the CLLP, policy EN3 of the WNP, and the provisions of the NPPF.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objections to the development therefore the development would not unacceptably harm any items of archaeological interest. The development accords with policy S57 of the CLLP and the provisions of the NPPF.

## Biodiversity

Objections have been received in relation to ecology and wildlife.

### *Protected Species:*

Policy S60 of the CLLP states “*all development should:*

- *protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*
- *minimise impacts on biodiversity and features of geodiversity value;*

Policy EN1 of the WNP protects biodiversity and encourages net biodiversity gain where possible.

Guidance contained within paragraph 185 and 186 of the NPPF encourages the protection and enhancement of protected species (fauna and flora) and providing net biodiversity gains.

The application has included a Preliminary Ecology Appraisal (PEA) by ESL dated January 2024. Section 6 of the PEA recommends that:

- No further requirements for surveys.
- If required target eradication of variegated yellow archangel.
- Removal of habitat suitable for nesting must be done outside bird breeding season (March-August) unless a qualified ecologist is present.
- Installation of bird nest boxes into dwellings (no specific number identified).
- Installation of bat boxes into dwellings (no specific number identified).
- The use of hedgehog friendly fencing.
- Re-landscaping of western boundary hedgerow that requires removal of bramble scrub and/or hedgerow planting should ideally be carried out between March-November outside the hibernating period.

The proposed development subject to conditions would therefore not be expected to have an unacceptable harmful impact on protected species and accords to local policy S60 of the CLLP, policy EN1 of the WNP and guidance contained within the NPPF.

### *Biodiversity Net Gain:*

The application was submitted prior to the mandatory 10% BNG requirement under the Environment Act 2021 coming into force.

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

The application has included the submission of a Biodiversity Net Gain Statement (BNGS) by ESL dated January 2024 and a Biodiversity Metric Spreadsheet (BMS) by ESL dated 24<sup>th</sup> January 2024. The BNGS and BMS conclude that the development would result in a habitat gain of 11.65% and a hedgerow gain of 39.19%.

The Lincolnshire Wildlife Trust Officer has accepted the BNGS and the BMS but has recommended a condition is used for the submission of the following:

- A 30-year Management and Monitoring Plan.
- A Landscape Ecological Management Plan.
- A high quality Sustainable Urban Drainage scheme which is complimentary to Biodiversity Net Gain.

The proposed development subject to conditions would therefore be expected to provide at least 10% Biodiversity Net Gain for habitats and hedgerows and accords to local policy S61 of the CLLP, policy EN1 of the WNP and guidance contained within the NPPF.

#### Climate Change

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

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

Local policy S7 provides guidance and criteria on the generation of renewable electricity and the limit on the total energy demand for each single dwelling (*“not in excess of 60 kWh/m<sup>2</sup>/yr”*).

The application has included an outline energy statement which sets out that energy efficiency cannot be formed until the detailed design stage (reserved matters) and that the approaches of local policy S6 and S7 are supported by the applicant.

Therefore, the lack of a detailed energy statement is considered acceptable at this stage. It is therefore considered that a permission must include conditions requiring details of energy efficiency to meet local policy LP6 and LP7 at reserved matters stage.

It is considered that subject to details at reserved matters stage the development would be expected to accord to expect local policy S6 and S7 of the CLLP and the provisions of the NPPF.

It is considered that subject to details at reserved matters stage the development would be expected to accord to expect local policy S6 and S7 of the CLLP and the provisions of the NPPF.

## **Other Considerations:**

### Self-Build Dwelling

Part 3 of local policy NS24 of the CLLP states that:

*“Proposals for 100 or more dwellings will provide serviced plots to deliver at least 5% of the total number of dwellings on the site as self-build or custom build homes. All plots set aside for self-build or custom build housing (secured via a legal agreement or planning condition) must include:*

*legal access onto a public highway;  
water, foul drainage, broadband connection, and electricity supply available at the plot boundary;  
sufficient space in order to build without compromising neighbouring properties and their amenity and the amenity of future occupiers; and  
an agreed design code or plot passport for the plots.*

*If plots remain unsold after a thorough and proportionate marketing exercise which:*

*includes making details available to people on the custom and self-build register at the Central Lincolnshire Districts; and  
covers a period of at least 18 months from the date at which the plots are made available (with the 18 month time frame not commencing until (i) thorough and appropriate marketing is in place and (ii) criteria (a)-(d) have been implemented);*

*these plots may be built out as conventional market housing subject to detailed permission being secured and the relevant District being satisfied that e) and f) have been satisfactorily concluded”*

The 5% requirement (5 dwellings) for self-build dwellings will be secured within the S106 Legal Agreement as agreed with by the agent in the submitted head of terms.

Criteria d) of local policy NS24 requires a design code and plot passport for the plots. These details are considered reasonable, relevant and necessary to be secured by a condition.

### Construction Management Plan

Given the proximity of neighbouring dwellings and the temporary disturbance caused by the development it is considered necessary and reasonable to add a construction management plan condition to the permission to reduce and control the extent of the disturbance.

### Community Infrastructure Levy (CIL)

The development is liable to a CIL payment at £25 per square metre of floor space created.



**Conclusion and Reasons for decision:**

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption – Residential Development, S12 Water Efficiency and Sustainable Water Management, S21 Flood Risk and Water Resources, S22 Affordable Housing, S23 Meeting Accommodation Needs, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S51 Creation of New Open Space, Sports and Leisure Facilities S53 Design and Amenity, S54 Health and Wellbeing, S57 The Historic Environment, S59 Green and Blue Infrastructure Network, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan 2023, policy H1 Type, Size and Mix, D1 Village Character, D2 Safe Environment, EN1 Environmental Capital, EN2 Habitat, EN3 Flood Risk, T2 Cycling, W1 Healthcare, W2 Sports and Recreation, ED1 Improving Education of the Made Welton by Lincoln Neighbourhood Plan in the first instance. Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Design Model Code.

The site is allocated for an indicative 109 dwellings under WL/WEL/008A of the Central Lincolnshire Local Plan 2024 therefore the proposed development would accord with the Development Plan. The proposed 109 dwellings would provide an effective use of the land and provide a low-density housing development. The indicative plans have proven that the site can accommodate 109 dwellings including 27 affordable units towards the housing supply in Central Lincolnshire. The site additionally has the room for all the associated infrastructure including a sufficient amount of on-site usable greenspace and a young child's play area. The site is in the sustainable location of Welton with good public transport links and all facilities/services within an acceptable walking distance away.

The proposed single vehicular access off Eastfield Lane is considered acceptable, and access from the west is not precluded. The proposal would not be expected have a harmful impact on archaeology, drainage or biodiversity. It would provide the required infrastructure contributions and biodiversity net gain. The proposal is therefore acceptable subject to the signing of a Section 106 Agreement and satisfying a number of conditions.

**Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

**Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

**Representors to be notified -**

*(highlight requirements):*

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

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

1. Apart from the five self-build plots an application for approval of the reserved matters for the remaining 104 dwellings must be made to the Local Planning Authority before the expiration of three years from the date of this permission. No commencement of the five self-build plots must occur until the reserved matters for the self-build plots are approved.

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

2. No development must take place until, plans and particulars of the **appearance, layout and scale** of the buildings to be erected and the **landscaping** of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

4. No development must take place until a construction method statement and plan has been submitted and agreed in writing by the local planning authority. The approved statement(s) must be adhered to throughout the construction period. The statement must provide for:

- a) the routing and management of traffic including any off site routes for the disposal of excavated material;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel cleaning facilities;
- g) measures to control the emission of dust and dirt;
- h) protection of the public right of way along the west boundary;
- i) details of noise reduction measures;
- j) a scheme for recycling/disposing of waste;
- k) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- l) strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

Reason: To restrict disruption to the living conditions of the neighbouring dwellings and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

5. No development must take place until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Travel Plan must be implemented in accordance with the timetable contained therein and must continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2023 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

6. Any reserved matters application must include the following:
  - A housing mix schedule
  - An off street parking standards schedule

Reason: In order to ensure an appropriate mix of housing and the provision of an acceptable standard of off-street parking for each dwelling to accord with the National Planning Policy Framework, local policy S1, S2 and S23 of the Central Lincolnshire Local Plan 2023 and policy D1 of the Welton by Lincoln Neighbourhood Plan.

7. Any reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must be accompanied by an Energy Statement to accord with the requirements of local policy S6 and S7 of the Central Lincolnshire Local Plan 2023. The development must thereafter proceed only in accordance with the agreed Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure efficient buildings and reduce energy consumption, to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

8. Any reserved matters applications submitted to the Local Planning Authority must include the following documents:

- A 30-year Biodiversity Net Gain Management and Monitoring Plan
- Landscape Ecological Management Plan

Reason: To safeguard the biodiversity net gain of the development and to ensure all recommendations listed in section 6 of the Preliminary Ecology Appraisal (PEA) by ESL dated January 2024 to accord with the National Planning Policy Framework, local policy S61 of the Central Lincolnshire Local Plan 2023 and policy EN1 Environmental Capital and EN2 Habitat of the Welton by Lincoln Neighbourhood Plan.

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

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

- AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022 – Site Plan (Vehicular Access Only)
- AP038224-PW02 Rev A dated 18<sup>th</sup> May 2022 – Location Plan

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S47 and S80 of the Central Lincolnshire Local Plan 2023.

10. No development above ground level must take place until a detailed surface water drainage scheme for the site, based on sustainable urban drainage principles has been submitted to and approved in writing by the Local Planning Authority. If a full sustainable urban drainage system

scheme is incapable of being delivered then comprehensive justification of this must be submitted. The scheme must:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which must be restricted to 5 litres per second.
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme must be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling must be occupied until the approved scheme has been completed or provided on the site in strict accordance with the approved phasing. The approved scheme must be retained and maintained in full, in strict accordance with the approved details.

Reason: To ensure that surface water is adequately and appropriately drained on the site and without creating or increasing flood risk to land or property, nor drainage network adjacent to, or downstream of, the permitted development to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2023 and policy EN3 of the Welton by Lincoln Neighbourhood Plan.

11. No development above ground level must take place until details of a scheme for the disposal of foul sewage have been submitted to and approved in writing by the Local Planning Authority. Development must thereafter proceed in strict accordance with the details and be operational before the first dwelling is occupied.

Reason: To ensure adequate foul drainage facilities are provided to serve the development to prevent the pollution of the water environment and to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2012-2036 and policy EN3 of the Welton by Lincoln Neighbourhood Plan. The approved scheme must be retained and maintained in full, in strict accordance with the approved details

12. No occupation of any dwelling must take place until the works to improve the public highway by means of widening the Eastfield Lane carriageway and the provision of a frontage footway to connect to the existing footway terminating outside 77 Eastfield Lane and to extend the existing footway into the site, have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

13. The development hereby permitted must be undertaken in accordance with an Estate Road Phasing and Completion Plan, which must first be approved in writing by the Local Planning Authority. The Plan must set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

14. No services must be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks must be placed within the curtilage of the dwelling(s) hereby approved.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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

NONE



Planning Committee

Wednesday, 24 April 2024

**Subject: Determination of Planning Appeals**

Report by:

Assistant Director Planning and Regeneration

Contact Officer:

Maisie McInnes  
Democratic and Civic Officer  
[maisie.mcinnis@west-lindsey.gov.uk](mailto:maisie.mcinnis@west-lindsey.gov.uk)

Purpose / Summary:

The report contains details of planning applications that had been submitted to appeal and for determination by the Planning Inspectorate.

**RECOMMENDATION(S): That the Appeal decisions be noted.**

**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**



## **Appendix A - Summary**

- i) Appeal by Mr Gavin Wraith against the decision of West Lindsey District Council to refuse planning permission for a proposed two storey rear extension at Barn Cottage, Rasen Road, Tealby, Market Rasen, LN8 3XL.

**Appeal Dismissed** – See copy letter attached as Appendix Bi.

**Officer Decision** – Refused

- ii) Appeal by Holdsworth Homes Ltd against the decision of West Lindsey District Council to refuse planning permission for a two-bedroom detached dwelling with attached double garage at land to east of 2 Rasen Road, Tealby, Market Rasen, LN8 3XL.

**Appeal Dismissed** – See copy letter attached as Appendix Bi.

**Officer Decision** – Refused



## Appeal Decision

Site visit made on 31 October 2023

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 19.03.2024**

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**Appeal Ref: APP/N2535/D/23/3322540**

**Barn Cottage, Rasen Road, Tealby, Market Rasen LN8 3XL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gavin Wraith against the decision of West Lindsey District Council.
  - The application is Ref: 146044.
  - The development is a proposed two storey rear extension.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council has adopted the Central Lincolnshire Local Plan (the Local Plan) subsequent to issuing its decision notice and I have made my determination against that new Plan. The main parties have had the opportunity to make their respective cases in the context of that change to the local policy context.
3. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against that updated national policy context, the relevant changes relate to formatting and do not raise any new matters which are determinative to the outcome of this appeal.
4. The appeal site is located within the 'Tealby Conservation Area'. It also falls within close proximity to several buildings listed buildings. These are Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Therefore, in making my decision I have borne in mind my statutory duties in respect of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The appeal site is located within the Lincolnshire Wolds, a National Landscape (the Wolds). Since the appeal was lodged the Area of Outstanding Natural Beauty (AONB) designation has been rebranded to that of 'National Landscape'. However, this change has no bearing on the application of relevant policies as part of my assessment.

### Main Issues

6. The main issues are:
  - the effect of the appeal proposal on the character and appearance of the host dwelling

- whether or not the appeal proposal would preserve or enhance the character or appearance of the Tealby Conservation Area
- whether or not the appeal proposal would preserve the setting or features of special architectural or historic interest of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'; and
- the effect on the scenic qualities of the Wolds as a National Landscape.

## Reasons

### *Character and appearance of host building*

7. The host dwelling is a converted single storey, detached, rural building. Its original strong linear roadside form returns down the slope of this site to include a more recent 1½ storey rear extension. Although its generous garden and stepped hard surfaced and gravelled areas emphasise its residential use, the building has managed to retain an agricultural appearance which adequately respects its original form, design and function as a barn, its modest scale and traditional built fabric.
8. The appeal building occupies a prominent roadside position on Rasen Road, a main route through the hillside village of Tealby. The sloping topography of the site and its surroundings, its positioning relative to neighbouring buildings and the limited height of its eastern boundary enclosure all afford uninterrupted short and medium distance public views of the extended part of the building and garden area to which the appeal proposal relates.
9. The appellant seeks to further extend the existing extension down the slope into the rear garden to provide additional ground and first floor living accommodation. The appeal proposal would be staggered in terms of its positioning relative to that existing extension and would be of a similar height and form to it.
10. However, the resulting second gable feature would introduce a sizable, uncharacteristic regularity and symmetry with the existing conjoining extension in terms of its width, eaves height and roof pitch. The further extension of this rear return would lead to an overall building depth which would be similar to the span of the existing road frontage elevation. By virtue of its proposed eaves and ridge heights above existing ground level, the appeal proposal would not reflect the prevailing low level nature and horizontal proportions of the original building. Rather, it would exacerbate the predominance of the additional storey which has been integrated into the previous extension. Furthermore, the resulting extensive solid rear elevation would not follow the building's pattern of window and door openings. The openings in the inward facing side would be out of proportion with those in the remainder of that elevation.
11. All of these aspects of the design would emphasise the proposed uncharacteristic and unsympathetic increased overall scale of Barn Cottage. Incrementally, despite its staggered positioning and limited projection, the appeal proposal would lead to a form of development which would not be subservient to the original modestly scaled rural building. Overall, externally the appeal proposal would represent a contrived design solution which would unduly disturb the more modest developed scale which currently continues to

characterise the host building. This would be harmful to the character and appearance of Barn Cottage.

12. Although my attention has been drawn to a previously dismissed appeal for the site, that was for a different scheme and my assessment is based on the proposal now before me. I acknowledge that generous private gardens would remain and therefore the appeal scheme is not over-development of the plot. However, that does not mitigate the harm that I have identified to the character and appearance of the host building.
13. In overall conclusion to this main issue, the appeal proposal would be harmful to the character and appearance of the host dwelling.
14. Policy S53 of the Local Plan requires that the design of all development, including extensions to existing buildings, contributes positively to local character, landscape and townscape. Amongst other things, proposals must be based on a sound understanding of the context, integrate into the surroundings, respond to local history, culture and heritage and enhance existing character and distinctiveness and also be appropriate in terms of their scale. In view of the identified harm, the appeal proposal conflicts with that local plan policy.

*Character or appearance of the Conservation Area*

15. The appeal site occupies a prominent roadside position within the Tealby Conservation Area. The significance of this designated heritage asset rests in its historic and architectural evolution as a medium sized village, as defined by the Local Plan. It comprises a series of individually designed traditional dwellings, public buildings and intervening undeveloped spaces. Their collective grouping and historic architecture contributes positively to the character and appearance of this conservation area and its significance. The village has a relatively compact grain, but its mature vegetation enhances the verdancy and maturity of the area and emphasises its rurality within the wider Wolds landscape. The appeal property is however set within a larger plot to some of its immediate neighbours, providing a greater sense of space and openness to this part of the village.
16. The appeal proposal would be immediately visible upon entering the built-up form of Tealby from the east. It would also be more closely visible from around the vicinity of the junction between that road, Caistor Lane and Beck Hill. From those vantage points neighbouring dwellings Nos 2, and 4 Beck Hill would provide a 2 storey built setting. However, irrespective of the mature foreground tree cover, the resulting increased built form would reduce the existing sense of space and openness that currently exists between the appeal property and these properties.
17. This coupled with the identified harm to the character and appearance of the host building means that the appeal proposal would neither preserve or enhance the character or appearance of the Tealby Conservation Area but would harm it. That would not accord with the provisions of the Act.
18. In terms of the Framework, the appeal proposal would cause less than substantial harm to this conservation area. I afford considerable importance and weight to that harm. In line with the Framework any harm to, or loss of significance of a designated heritage asset from its alteration or destruction, or

from development within its setting should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. However, no public benefits have been brought to my attention to balance against and outweigh that harm to justify it. Consequently, the appeal proposal does not accord with the Framework in this regard.

19. Policy S53 of the Local Plan requires that the design of all development, including extensions integrates into the surroundings, responds to local history, culture and heritage and enhances existing character and distinctiveness. Policy S57 of that plan states that developments must protect, conserve and seek opportunities to enhance the historic environment. It states that significant weight will be given to the protection and enhancement of conservation areas. Amongst other things, where a development would result in less than substantial harm to a designated heritage asset, planning permission will only be granted where the public benefits outweigh the harm. In view of my findings, the appeal proposal conflicts with both of these local plan policies.

#### *Setting of neighbouring listed buildings*

20. The appeal site falls within the setting of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Their respective special features include their architectural and historic interest.
21. Neither of the main parties have clearly substantiated their positions in respect to the effect of the appeal proposal on the settings of these important designated heritage assets. However necessarily, from the evidence before me and my site observations, I find that the appeal proposal would change the setting of these listed buildings by virtue of the scale, form and design of the proposed extension. However, due to the appeal scheme's particular juxtaposition with each listed building which would be governed by its positioning, its finished ridge height and changes in the surrounding sloping topography and also the absence of evidence to indicate any mutual historical functional connection, there is nothing before me to deduce that this change would be harmful to the special features of architectural or historic interest of any of these listed buildings.
22. For these reasons, the appeal proposal would preserve the setting or features of special architectural or historic interest of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Consequently, the appeal proposal would accord with the Act in that regard. Furthermore, there would be no conflict with the Framework or with Policies S53 and S57 of the Local Plan in this regard.

#### *National Landscape*

23. The scenic qualities of the rural landscape of this part of Central Lincolnshire, with its sweeping character and famously big skies, is a highly valued asset throughout the area and contributes greatly to the local distinctiveness and attractiveness of the Wolds as a National Landscape.
24. Neither of the main parties have clearly substantiated their positions in respect to the effect of the appeal proposal on that National Landscape. However, the

character and appearance of this conservation area is an integral part of that important designation. In the absence of any evidence to the contrary, I necessarily conclude that the identified harm to the character and appearance of the host building would transfer to and cause very localised harm to the scenic qualities of the Wolds.

25. For these reasons, the appeal proposal would cause some limited harm to the scenic qualities of the Wolds as a National Landscape.
26. Both the Framework and Policy S62 of the Local Plan require that great weight should be given to conserving and enhancing the landscape and scenic beauty of this important designation. Furthermore, Policy S62 of that plan requires that existing historic features that contribute to the special quality of the landscape should be retained and enhanced. Proposals which will result in an adverse impact on this designation, or which fail to demonstrate that they will not have an adverse impact taking into account any mitigation proposed, will not be supported. In view of my findings, the appeal proposal conflicts with both these national and local plan policies.

### **Other Matters**

27. The appellant's concerns about how the Council dealt with the planning application is not a matter for this appeal. The absence of objections from the local community and local Member of Parliament do not alter the harm identified. The appellant's pursuit of further accommodation to enable him to continue to meet his family's needs at the site is a personal benefit rather than a public one and so carries very negligible weight in the planning balance.

### **Planning balance**

28. I have found harm to the character and appearance of the host building. I have also identified harm to both the character and appearance of the Tealby Conservation Area and to the Wolds National Landscape which each carry great weight. Collectively, these harms are of a nature and scale that leads me to conclude that the appeal proposal conflicts with the development plan taken as a whole. There are no matters before me which outweigh this conflict.

### **Conclusion**

29. For the reasons given, and having had regard to all matters raised, I conclude that the appeal should fail.

*C Dillon*

INSPECTOR



## Appeal Decision

Site visit made on 1 November 2023

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 26 March 2024**

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**Appeal Ref: APP/N2535/W/23/3322165**

**Land to east of 2 Rasen Road, Tealby, Market Rasen LN8 3XL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Holdsworth Homes Ltd against the decision of West Lindsey District Council.
  - The application Ref is 145659
  - The development proposed is a 2 bedroom detached dwelling with attached double garage.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. In the absence of evidence that a revised description of the proposed development was formally agreed, I have relied upon that cited on the planning application form as that is what the appellant originally sought planning permission for.
3. The Council has adopted the Central Lincolnshire Local Plan (the Local Plan) subsequent to issuing its decision notice and I have necessarily made my determination against that new Plan. The main parties have had the opportunity to make their respective cases in the context of that change to the local policy context.
4. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against that updated national policy context, the relevant changes relate to formatting and do not raise any new matters which are determinative to the outcome of this appeal.
5. The appeal site falls within close proximity to several buildings of special interest and value. The submitted evidence indicates that these are Grade I listed 'Church of All Saints' as well as Grade II listed '6-10 Caistor Lane', 'Curate's Cottage', 'The Vicarage', 'Stockhill Cottage' and 'Tealby Vale'. The appeal site is also located within the 'Tealby Conservation Area'. Therefore, in making my decision, I have undertaken my statutory duties in respect of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. The appeal site is located within the Lincolnshire Wolds, (the Wolds). Since the appeal was lodged that Area of Outstanding Natural Beauty (AONB) designation has been rebranded to that of a 'National Landscape'. However, that change has no bearing on the application of the relevant policies as part of my assessment.

## **Main Issues**

7. The main issues are:

- the effect of the appeal proposal on the character and appearance of Tealby village
- whether the appeal proposal would preserve or enhance the character or appearance of the Tealby Conservation Area
- whether the appeal proposal would preserve the setting of the nearby Grade I listed 'Church of All Saints' and also Grade II listed '6-10 Caistor Lane', 'Curate's Cottage', 'The Vicarage', 'Stockshill Cottage' and 'Tealby Vale'
- whether or not the appeal proposal is justified in locational terms, with particular regard to the adopted spatial approach to new housing growth; and
- the effect on the scenic qualities of the Wolds as a National Landscape.

## **Reasons**

### *Character and appearance of village*

8. The appeal site is a grassed, rectangular parcel of land located on the edge of Tealby village. The site rises up from its stone boundary wall frontage before levelling out. The Grade I listed Church of All Saints and some of its grounds occupy an elevated position directly opposite the road frontage of the site. The appeal site is elevated above the level of neighbouring Blacksmith's Cottage to one side. Public Footpath Teal/124/1 (the PROW) and a farm track run beyond the mature vegetation that contains the remaining side and rear boundaries of the appeal site. Beyond the PROW lies some raised undeveloped land and then a detached churchyard. These reinforce the undeveloped character of this edge of the village.
9. The intimate, leafy rural character and appearance of Tealby is partly derived from the age and architecture of its buildings. These are clustered around the Church and interspersed with surrounding mature tree cover. Glimpses of the surrounding countryside where it either penetrates or contains parts of the built form of the village also contribute positively to defining the important character and appearance of this settlement. The appeal site is one such part which acts as a reminder of the wider countryside context of this village. The undeveloped nature of the site causes it to relate more to the surrounding countryside than the built form of the settlement. This is a characteristic identified in the Landscape Character Assessment.
10. The proposed dwelling and garage would change the existing undeveloped rural character and appearance of the appeal site. Despite the surrounding mature vegetation and topographical changes, its localised effect would be evident from nearby vantage points within the village. In particular, its presence would be felt on this part of Rasen Road and also from the grounds surrounding the elevated listed Church and on approach in either direction along the PROW.
11. The submitted evidence does not demonstrate to me that the substantial change which would arise would be adequately mitigated through the proposed positioning of the dwelling within the site, its sunken floor levels, simple form,



- more limited height and footprint and also the proposed informal treatment of the access, driveway and outdoor space.
12. The appeal proposal would significantly undermine the existing interrelationship between the built form of the village and its countryside context which contributes positively to the important character and appearance of this part of Tealby. This harm could not be adequately addressed through the imposition of planning conditions.
  13. I am satisfied that the appeal proposal would not directly affect any of the surrounding trees so as to harm the positive contribution they make to their rural context. However, the arboricultural evidence demonstrates that many of these trees are in a poor condition. Furthermore, when unclothed the effectiveness of their collective canopies would be weakened. These matters would undermine the future effectiveness of the role of these natural features in screening the appeal proposal in the short to medium term, even with further planting.
  14. For these reasons, the appeal proposal would be harmful to the character and appearance of Tealby village.
  15. Policy S53 of the Local Plan states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, amongst other things. It sets out the criteria to secure this. The appeal proposal does not accord with all of those criteria in that it would not successfully integrate into the surroundings, it would not contribute positively to the sense of place and would not adequately reflect and enhance existing character and distinctiveness. Therefore, overall the appeal proposal would conflict with this policy.

### *Heritage Assets*

#### Tealby Conservation Area

16. The appeal site occupies a roadside position within one of the more intimate parts of the Tealby Conservation Area. This important designation comprises a series of individually designed traditional dwellings, public buildings and intervening undeveloped spaces. The village has a relatively compact grain, but its vegetation and undeveloped spaces, including the appeal site, enhance the verdancy and maturity of the area and emphasises its historic rurality within the wider Wolds landscape.
17. The concentrated grouping of these elements contribute positively to the quality and local distinctiveness which is integral to the character and appearance of the Conservation Area. The significance of this important designated heritage asset includes its historic and architectural evolution as a medium sized rural village of medieval origins.
18. The harm that I have identified to the character and appearance of the village would, albeit very localised, translate to the character and appearance of this Conservation Area. It would directly diminish the significance of this site within this historic context. Consequently, the appeal proposal would neither preserve or enhance its character or appearance and, as such, would not accord with the provisions of the Act.

19. In terms of the Framework, by virtue of its nature and scale, the appeal proposal would cause less than substantial harm to this designated heritage asset. I afford considerable importance and weight to that harm. I address whether this harm is justified and the accordance of the scheme or otherwise with the heritage policies of the Local Plan later.

#### Setting of listed Church

20. The medieval Grade I listed Church of All Saints, is a key historical focal point for the village by virtue of its special interests which are derived mainly from its age, functional, cultural and architectural values. These are recognised as being worthy of the highest grading for listed buildings.
21. The Lincolnshire Historic Record demonstrates that the appeal site has a historical connection with the Church, being once the location of the vicarage of Tealby, which was demolished in the 19<sup>th</sup> century. The submitted evidence indicates that such an act signifies that it was a building of considerable age which was no longer deemed fit for the requirements or social standing of the Victorian vicars of Tealby. The submitted evidence also reveals that a remaining stone building adjacent to the site may be a surviving part of that former vicarage complex. By virtue of its historical association and function, the appeal site forms an important part of the setting of this listed Church. Contrary to the appellant's stance, the fact that the site is to the rear of the Church does not diminish that standing.
22. Although no longer falling within a single site ownership, by its very nature the appeal proposal would eliminate the ability to understand and experience the remaining historical connection between the Church, the remaining part of the former vicarage's complex and the appeal site itself. The proposed design and siting measures and a planning condition to secure appropriate interpretation would not sufficiently mitigate against such a loss. The proposed change to the setting of the Church would represent less than substantial harm to the historical interests of this Grade I listed building.
23. In having special regard to the desirability of preserving this Grade I listed building and its setting; the resulting harm would fail to preserve that setting and would harm its special interest features. That would not accord with the provisions of the Act. I afford considerable importance and weight to that harm.

#### Heritage Balance

24. The appeal proposal would not preserve the character or appearance of the Tealby Conservation Area but would harm it. Neither would it preserve the setting of the Grade I listed Church of All Saints. I attach considerable importance and weight to each of those harms. In terms of public benefits, the appeal proposal would provide enhanced planting and management of existing trees. It would also make a limited contribution to the housing land supply of the area. Each of these public benefits carry moderate favourable weight.
25. In the context of the Framework, when weighing each of the identified heritage harms against these public benefits none of these harms would be outweighed. This indicates that the identified adverse heritage effects to both the Conservation Area and the listed Church are unjustified. Consequently, the

appeal proposal does not accord with the approach to the historic environment contained within the Framework.

26. My attention has been drawn to earlier comments from the Conservation Officer which the appellant considers were favourable in terms of the development potential of the appeal site. However, my assessment is based on the specific scheme before me. I have set out my findings and those comments do not cause me to deviate from them.
27. The submitted evidence does not demonstrate any further heritage harm to the other nearby listed buildings identified earlier. Given the unjustified harm to the Grade I listed Church, it serves no favourable purpose to the appellant in me making any further individual assessments on the effect on the setting of those.
28. In overall conclusion, the appeal proposal would not preserve or enhance the character and appearance of the Tealby Conservation Area and would not preserve the setting of Grade I listed Church of All Saints but would harm each of them. There are no compelling public benefits which would outweigh those harms.
29. Policy S53 of the Local Plan requires, amongst other things, that the design of all development integrates into the surroundings, responds to local history, culture and heritage and enhances existing character and distinctiveness. Policy S57 of that plan states that developments must protect, conserve and seek opportunities to enhance the historic environment. It states that significant weight will be given to the protection and enhancement of conservation areas. Amongst other things, where a development would result in less than substantial harm to a designated heritage asset, planning permission will only be granted where the public benefits outweigh the harm. In view of my heritage findings, the appeal proposal conflicts with both of these local policies.

#### *Spatial approach*

30. Policy S1 of the Local Plan seeks to deliver sustainable growth for the area through a hierarchy of settlements according to their sustainability credentials and ability to support new development. That settlement hierarchy defines Tealby as a 5th category 'medium village'. That plan recognises that limited growth may be appropriate in such locations and unallocated development is limited to that which accords with Policy S4.
31. Crucially, within that policy context an 'appropriate' location' is defined as one which does not conflict, when taken as a whole, with national or local policies. It requires that the site, if developed, retains the core shape and form of the settlement and does not significantly harm the character and appearance of the settlement, its rural setting or the surrounding countryside.
32. The appeal proposal relates to the erection of an additional dwelling within an unallocated undeveloped land parcel located on the edge of Tealby. The proposal would fall well within the 10-unit threshold of Policy S4. Furthermore, the appeal proposal would be accessible on foot to some local services and facilities and by public transport to others further afield. These would be capable of supporting the daily needs of the prospective occupants of the proposed dwelling. However, the site has the credentials of a small paddock. I disagree that it relates more to the built up area than the surrounding

countryside. Therefore, it does not meet the definition of what constitutes the 'developed footprint' of Tealby set out in the Plan.

33. In view of the harms that I have identified to the character and appearance of the village and its heritage interests, the appeal proposal would not meet the explicit definition of an 'appropriate location' contained within the Plan. Neither would it accord with those other criteria of Policy S4 which seek to preserve or enhance the character and appearance of the settlement; not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and be consistent with other policies in the development plan. The appeal proposal would not constitute one of the exceptions cited in Policy S4 which support residential development on unallocated land immediately adjacent to the 'developed footprint'.
34. Consequently, the appeal proposal would not be justified in locational terms, with particular regard to the adopted spatial approach to new housing growth. As such, it would conflict with Policy S1 and S4 of the Local Plan.

#### *National Landscape*

35. The rural landscape of this part of Central Lincolnshire is a highly valued asset. It contributes greatly to the local distinctiveness and attractiveness of the Wolds as a National Landscape. The key aims of its Management Plan includes sustaining and enhancing the natural beauty of the Wolds and its landscape character, as well as sustaining its farming and land management as the primary activities in maintaining its character, landscape and biodiversity. It also seeks to protect and enhance local character and distinctiveness through the highest quality of design in new development, including making space for biodiversity and tackling climate change.
36. The appeal site and wider village form part of that important National Landscape designation. The Council has not adequately substantiated the extent to which this harm would translate to the scenic qualities of the Wolds. Despite the appellant's landscape evidence, I have found harm to the character and appearance of the local area which is integral to that National Landscape designation. Even if I were to conclude that its effect would be very negligible in diluting the perceptual qualities of the Wolds because of the very localised effects, such a finding would not be determinative to the outcome of this appeal given the other harms and conflicts with the development plan that I have identified.

#### **Planning Balance**

37. I recognise that the appeal proposal accords with some of the relevant development plan policies. However, the harms that I have found to the character and appearance of the village, the Tealby Conservation Area and the setting of the Grade I listed Church are of a nature and scale that cause the appeal proposal to conflict with the development plan taken as a whole. Crucially, the matters identified as weighing in favour of the appeal proposal do not outweigh the conflict with the development plan.

**Conclusion**

38. For the reasons given, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

*C Dillon*

INSPECTOR