

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

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

Planning Committee

Wednesday, 5th March, 2025 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 Owen Bierley
- Councillor Karen Carless
- Councillor David Dobbie
- Councillor Ian Fleetwood
- Councillor Sabastian Hague
- Councillor Peter Morris
- Councillor Roger Patterson
- Councillor Roger Pilgrim
- Councillor Tom Smith
- Councillor Paul Swift

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 - 17)
Meeting of the Planning Committee held on 5 February 2025,
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) WL/2024/00446 - Land North of Corn Close, Fiskerton (PAGES 18 - 63)
- ii) WL/2024/00570 - Nettleham Road, Scothern (PAGES 64 - 114)
- iii) WL/2023/00043 - Land at the Corner of North Street/Spital Terrace (PAGES 115 - 131)
- iv) WL/2025/00005 & WL/2025/00044 - Trinity Arts Centre (PAGES 132 - 146)

7. Determination of Appeals

There are no Determination of Appeals to note.

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 25 February 2025

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 5 February 2025 commencing at 6.30 pm.

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

Councillor John Barrett
Councillor Owen Bierley
Councillor Karen Carless
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Peter Morris
Councillor Roger Patterson
Councillor Roger Pilgrim
Councillor Paul Swift

In Attendance:
Russell Clarkson Development Management Team Manager
George Backovic Development Management Team Leader
Holly Horton Senior Development Management Officer
Danielle Peck Senior Development Management Officer
Paul Weeks Legal Advisor
Natalie Smalley Democratic and Civic Officer

Apologies: Councillor Emma Bailey
Councillor Tom Smith

Also in Attendance: 16 members of the public
Councillor Christopher Darcel
Councillor Stephen Bunney

183 PUBLIC PARTICIPATION PERIOD

There was no public participation.

184 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 8 January 2025, be confirmed and signed as an accurate record.

185 DECLARATIONS OF INTEREST

The Chairman welcomed the new Members of the Committee, Councillor Roger Pilgrim and Councillor Paul Swift.

Regarding application number 147744, Pallinc Ltd, Beehive Business Park, Church Lane, Rand, the Chairman made a statement on behalf of all Members of the Planning Committee; it was explained that Members had received an email from the Applicant's Agent and the Chairman stated that the email had been deleted without being read.

In reference to application number 147744, Cllr Fleetwood declared a non-pecuniary interest in his capacity as District Councillor for the area. It was stated that he had not been lobbied and therefore would participate fully in the discussion and vote.

With regard to application number 00446, Land North of Corn Close, Fiskerton, Cllr Fleetwood declared a non-pecuniary interest in his capacity as County Councillor for the area. It was stated that he had not been lobbied by the Parish Council, or individuals, and therefore would participate fully in the discussion and vote.

186 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Development Management Team Manager regarding updates to local and national planning policy. It was explained that a joint statement had been made by the Chancellor and Deputy Prime Minister regarding the acceleration of planning reform to promote growth. The Government had outlined its next steps on planning reform, including reform of the statutory consultee system for planning applications, with a moratorium on any new statutory consultees. The Manager stated that the Government would review existing arrangements to ensure alignment with growth ambitions.

The Planning and Infrastructure Bill, the Manager explained, was planned to be released in spring 2025, and would include measures to expedite the development of infrastructure and homes, and fast-track critical projects such as windfarms, power plants, and major road and rail projects. It was added that a streamlined set of national policies for decision-making was to be introduced to guide local authorities and promote housebuilding in key areas. It was also noted that in a significant growth initiative, the Government would ensure that applications for acceptable schemes in key areas such as high-potential locations near commuter transport hubs would default to approval. The Manager stated that according to the Government, Environmental Impact Assessments (EIA) would be replaced with simpler and clearer Environmental Outcome Reports, as introduced in the Levelling Up and Regeneration Act.

The Manager outlined changes locally, explaining that following the planning changes in December, which included the new National Planning Policy Framework (NPPF) and the national standard method for calculating housing need, a Five Year Supply Interim Update Statement (February 2025) had been produced. It was stated that a 5% buffer was now required to be added to the five-year Housing Land Supply (HLS), resulting in 7.45 years of deliverable supply, above the five-year requirement. It was anticipated that a 20% buffer may be applicable by 1 July 2026, which would be kept under review.

The Manager outlined updates to Neighbourhood Plans in the local area. It was explained that the Reepham Neighbourhood Plan examination had been completed, with the examiner's decision statement published, and a referendum date pending. With regard to the Dunholme Review, it was stated that the examination was currently underway, with a clarification note issued to the Dunholme Parish Council for their consideration and response.

187 00446 - LAND NORTH OF CORN CLOSE, FISKERTON

The Committee gave consideration to the first application on the agenda, application number 00446, seeking outline permission to erect up to 150 dwellings with access to be considered and not reserved for subsequent applications, on land north of Corn Close, Fiskerton.

The Officer gave an update to the Committee by reading out an email from the Applicant. The email addressed the education contribution as considered in the report. It was stated that the Applicant had expressed willingness to agree that an education contribution based on the methodology set out in the Supplementary Planning Document (SPD) would be followed. However, it was noted that, at this moment, it was not possible to determine the scheme mix with certainty, and therefore, settling on a set figure would be premature. It was requested that delegated authority be given to the Officer to agree on the educational contribution during the drafting of the Section 106 agreement.

The Officer noted that there was a difference of opinion in terms of the required education contributions; the Applicant had agreed to a lower figure, using figures published in the SPD. However, a figure higher by £300,000 had been requested, which had not been agreed by the Applicant.

A Member of the Committee proposed to defer the application until further clarity had been provided regarding education contributions, in order to make a relevant and full judgement. The proposal was seconded, and, on taking the vote it was

RESOLVED that the application be deferred until further clarity had been provided regarding education requirements and contributions.

188 00662 - LAND AT WILLINGHAM BY STOW FARM, MARTON ROAD, WILLINGHAM BY STOW

Before the Officer introduced the report, the Committee first heard from the Development Management Team Manager, who highlighted a clarification regarding the application's reported representations. The Manager explained he was aware that written comments made in support of the application, that were in fact attributable to a Mr Martin Snee of Willingham by Stow, had been incorrectly recorded as being a representation made by Councillor Jim Snee of the Planning Committee. The written comments had been erroneously published on the Council's website under Councillor Snee's name. However, it was explained, these comments were not made by Councillor Snee, and the planning team had not received any representations from Councillor Snee regarding the application. The Manager apologised to Councillor Snee, and emphasised that as soon as the error came to light, the website was updated to correctly reflect that the comments were made by a Mr

Martin Snee. It was confirmed that the comments therefore did not amount to any pre-determination on the part of Councillor Snee.

Councillor Snee responded to the Manager's comments. Appreciation was expressed for the clarification and the explanation provided, however, Councillor Snee stated he was disappointed that the issue had not been identified at an earlier date, as notification was only received the previous week. Due to the timelines involved, and to ensure that the application was not influenced by any decision, it was highlighted that he would abstain from taking part in the discussion or vote for application number 00662. It was noted that Councillor Snee would remain in the Chamber to carry out duties as Vice-Chairman, if the Chairman so wished.

Members of the Committee then gave consideration to application number 00662, seeking planning permission for the installation and operation of a Battery Energy Storage System (BESS) with ancillary infrastructure, landscaping, and biodiversity enhancements, on land at Willingham by Stow Farm, Marton Road, Willingham by Stow.

The Officer explained that two objection addresses had been omitted from the printed report. These objections were from Sandy Bar Cottage, Marton Road, and 23 Saxilby Road, Sturton by Stow. It was added that an additional objection had been received from Green Farm, Willingham by Stow. The objections raised the same issues as the objections summarised in the report, bringing the total number of objections received to nine.

Since the publication of the report, the Officer continued, a consultation response had been received from Lincolnshire Fire and Rescue Service. They confirmed that, following the Applicant's initial consultation, they were comfortable with the proposed plans and safety measures. It was confirmed that their response was available on the Council's website.

The Officer proceeded to highlight recommended amendments to the printed conditions. In relation to condition one, which pertained to the time to implement the permission condition, the Agent had requested that a five-year time commencement condition be added to the permission instead of the three-year period. It was stated that the Local Planning Authority (LPA) could grant permission for such a period under Section 91.1(b) of the Town and Country Planning Act. The Officer explained that Section 91.2 allowed the authority to grant an alternative period deemed appropriate, considering the provisions of the development plan and any other material considerations. It was noted that the Agent had provided justification for this request, citing an unprecedented increase in connection applications in 2023, with many projects applying for and accepting grid connection offers. The Agent had explained that significant upgrades were required in the existing electricity transmission and distribution system to connect these projects, resulting in long-dated connection dates. The Officer added that the National Grid was implementing grid connection reforms to ensure that Applicants were actively progressing with their proposals. It was explained that two major grid code modifications were expected to become effective by the first quarter of 2025, with revised connection offers to be received by early 2026. Those changes, it was stated, were expected to expedite the required grid infrastructure works and accelerate connection dates for existing projects. The Officer noted that the period of assessment starting in early 2025 would result in a lack of clarity over grid connection dates for the next 12 to 18 months. It was highlighted that for a project of that size, once clarity had been received on the connection date, it would take at least 36 to 48 months to procure equipment, achieve financial closure, and start construction works on site. The Officer confirmed that having

reviewed this information, it was advised to the Committee that the request to allow a longer period to implement the permission was justified, and it was recommended that the five-year time period to implement the permission replace the three-year condition.

Other minor alterations to the proposed conditions were outlined by the Officer. Condition seven, related to highways, was amended to change "no development" to "prior to construction" to allow for any time between the commencement of development and the works to construct the Battery Energy Storage System (BESS) itself, ensuring that the condition survey was carried out as close to the time when the majority of the construction traffic would be using the route. Conditions eleven and twelve, it was explained, related to archaeology, were amended to adjust the timescales for submitting the reports from three and six months to within a timescale agreed with the Historic Environment Officer at Lincolnshire County Council, ensuring sufficient time to meet the requirements of the condition. The Officer explained that condition sixteen, related to the biodiversity gain plan, had been amended to include the ecology company's name. An amendment to condition nineteen was explained, which stated that the Battery Energy Storage System and all associated infrastructure must be removed from the site and the site restored to its former state prior to the commencement of development on or before 41 years from the date of operation. The Officer clarified that condition twenty had been amended to state that no later than six months prior to the date of operation, a decommissioning and restoration scheme be submitted to and approved by the LPA. It was explained that all buildings, structures, and associated infrastructure would be removed, and the land restored in accordance with the approved details of the scheme within 12 months following the period of 40 years from the date of operation. The Officer concluded the update by noting that the recommendation to Committee was to grant permission with those amended conditions.

The Officer then presented a short introduction to the planning application, noting that the proposal was for the installation and operation of a 400MW capacity Battery Energy Storage System (BESS). It was noted that the BESS would connect to the Cottam substation, located approximately six kilometres away from the site. The storage system, the Officer explained, would provide a balancing service for electricity from the grid. The Officer outlined a range of features of the proposed site, including visualisations, and a resulting 77.7% biodiversity gain. A cabling route, it was explained, had not yet been submitted, but would be required prior to development.

The Chairman thanked the Officer for her presentation and stated that there were three registered speakers; the first speaker, Councillor Walker, as Parish Meeting Representative, was invited to address the Committee.

Councillor Walker began by stating that Stowe Parish Council was not against the construction of a Battery Energy Storage System (BESS). It was explained that with large areas of solar panels being sited in the neighbourhood, it was considered logical to have a system that could store the electricity produced by these solar panels. However, the Parish Council's objection was based on the location of the BESS. The Councillor cited the Officer's report, which indicated that BESS sites were usually sited closer to the main power distribution point and that the Applicant had provided sufficient information to justify the siting away from Cottam. Councillor Walker disagreed with this justification, as it was believed that the Applicant had not adequately justified the siting of the BESS so far from Cottam, and on productive agricultural land.

Councillor Walker urged for planning permission to be refused and that the BESS be constructed on a brownfield site closer to Cottam. It was emphasised that the Applicant had conceded many such brownfield sites existed close to Cottam but had rejected them on the basis of cost. The Parish Meeting Representative explained that it was not a sufficient justification for the location. It was also suggested that constructing a BESS on a brownfield site might not be more expensive, as it was stated sizeable grants were now available from the East Midlands Combined Authority to develop the brownfield areas surrounding Cottam. Councillor Walker concluded by reiterating Stowe Parish Council's position, emphasising that the BESS should not be constructed on agricultural land far away from the connection point, and therefore requested that the Committee stood their ground in the face of such developments.

The Chairman thanked Councillor Walker for their comments and invited the second speaker, Ms Julie Barrow, as Agent, to address the Committee.

Ms Barrow explained that she was an Associate Director at Stantec, the planning consultant for the Applicant, FRV Powertek. The Agent noted FRV Powertek's experience in the field, stating that they were a global independent power producer and pioneer in renewable energy generation. It was mentioned that FRV Powertek had been proactively engaging with the LPA and Lincolnshire County Council since February 2024, and the scheme had evolved based on the advice received. Ms Barrow explained that extensive engagement with the local parish council and residents had also been carried out, resulting in several letters of support from residents.

The importance of battery storage in achieving net zero by 2050 was highlighted. It was explained that battery storage systems managed imbalances in the intermittent supply and demand of renewable energy. Without sufficient storage capacity, it was added, energy deficits were balanced through fossil fuels or importing energy from neighbouring countries, which would be expensive and increase carbon emissions. The Agent outlined that when energy supply exceeded demand, the Government paid curtailment costs to turn off generators, which cost over one billion pounds in 2024 and was expected to increase to three billion by 2030, leading to higher energy bills. It was noted that there were several renewable energy projects in the surrounding area, also connecting to the Cottam substation. The Agent explained that although the FRV scheme was not directly related to those projects, it had been designed to complement and support the intermittent generation from those renewable energy schemes.

Ms Barrow outlined that the proposal complied with all relevant planning policies, noting that the BESS footprint covered 3.7 hectares, with the remaining 5.9 hectares dedicated to landscaping and biodiversity enhancement. It was stated that this resulted in a biodiversity net gain of around 78%, above the mandatory requirement of 10%. It was explained that the application was for a temporary period of 40 years, after which the site would be returned to its original state. The Agent stated that with regard to construction traffic, the proposed development would be accessed via Marton Road immediately to the north of the site. It was added that the highways authority had raised no objections on safety grounds. Ms Barrow explained that FRV was committed to constructing three passing places along Marton Road and would carry out a highway condition survey prior to construction, then repair and maintain Marton Road at their own cost.

It was confirmed that cumulative impacts had been assessed with the consented NSIP

projects. The Agent concluded that as different traffic routes were proposed, there would be no significant cumulative impacts, which was confirmed by the highway authority. Ms Barrow stated that the cumulative visual impacts of the scheme in conjunction with the Gate Burton project were considered to range from small to negligible in magnitude. In relation to fire safety, it was explained, FRV had engaged with the Lincolnshire Fire and Rescue Service; the Fire and Rescue Service confirmed that the proposal accorded with guidance in terms of access, water supply, spacing, and design, and they had no objection to the application.

Ms Barrow detailed the drainage strategy, including measures to prevent the infiltration of any potentially contaminated water. This included the provision of an impermeable storage basin that would allow for water runoff to be contained, tested, and disposed of safely as required.

In conclusion, the Agent stated that the proposal was supported by national and local planning policy. It was noted that there were no objections on technical or cumulative grounds from any of the statutory consultees. Finally, Ms Barrow reiterated the benefits of the scheme noting that it weighed heavily in favour of approval.

The Chairman thanked Ms Barrow for her comments and explained that the third speaker, Cllr Mullally, Ward Member, had submitted a statement to be read on her behalf.

The Democratic and Civic Officer explained that Councillor Mullally was unable to attend the meeting as she was attending a flooding meeting in Sturton-by-Stow. The following statement was read aloud.

“FAO Chair

My name is Lynda Mullally, and I am the locally elected District Councillor for Stow Ward in West Lindsey, Lincolnshire.

I am writing to offer my observations and indeed shared concerns in respect of the proposed BESS development at Willingham by Stow Farm, Marton.

May I state that my concerns and observations are based largely on overwhelmingly negative local feedback, and I refer the committee to the representations offered by Miss Clare Ella (accessible via the comments section of the WLDC planning portal) as a well-researched, dispassionate, clear, and above all contemporary example of reservations held by a significant number of residents, alongside visitors who use this area for recreational purposes. The concerns and observations outlined within Miss Ella’s letter paint a concerning picture of a poorly researched project that may potentially be more focused on profit than progress but is at best ill-advised and inaccurate. It is certainly not a project focused on enhancement of the local environment or quality of life for the traditional inhabitants of this peaceful and rural community.

If any portion of this process is to consider legacy, then surely the removal of its agricultural identity must be of central concern. The scaled representations submitted by the applicant do not convey the reality of impact - that will fundamentally reposition the development site as an industrial landscape and not a rural one. The BESS proposals will change the physical appearance and functionality as a rural habitat for wildlife that has implications beyond the immediate locality. On this point it is contended that documents provided to date, including

reproductions of drawings, provide merely an outline with questionable accuracy and fail to adequately illustrate the full impact either now or in the future. I strongly advocate a site visit by the planning committee. Such a site visit should consider the potentially destructive threat presented by this project, and of further similar development if this initial poorly planned proposal is allowed to proceed. On this point I again refer you to Miss Ella's submission and a widely held belief that the impact is vastly understated, with assertions made by the applicant and its consultants seemingly based on anecdotal, office-based, desk-top investigation rather than actual first-hand knowledge which would be evident in even the most rudimentary local conversation. This concern is self-evidenced by the applicant in their documents in support - basic errors of misspelt locations (Gate Barton) and understated estimates of vehicular impact. Such disregard for accuracy undermines confidence in the motives and efficacy of a project which, if allowed to proceed, is likely to reshape whole communities of people and wildlife alike, as it will open the floodgates to similar applications along the corridor of the cables between the already approved NSIP solar farms and the National Grid connections at Cottam and West Burton

I also draw your attention to consideration of Health and Safety fears in relation to vehicular activity both during construction and after completion. Given the poor maintenance of local highways are we to believe that there will be no impact on already overburdened road surfaces and vulnerable verges thereby endangering motorists, pedestrians, and wildlife alike. Furthermore, many of my constituents are understandably worried about the increased possibility of electrical fire and the plans not only for dealing with such unprecedented incidents but also the disposal of contaminated material including batteries and water.

In conclusion, I wish to make it clear to the planning committee that whilst I and my constituents agree that considerations of renewable energy solutions are of key importance to us all, they cannot be allowed to automatically trump the wider negative impact of planning decisions that are within our remit. The value of our local community identity and the health of our residents, flora and fauna cannot be disregarded in favour of ill-conceived and possible short-term remedies that strive to tick boxes on the Net Zero agenda. I therefore, in the first instance call on you to undertake a site visit to scrutinize the veracity of plans presented by the applicant, and in any event to take heed of the overwhelming number of valid concerns raised by those opposing the proposals before you.

Thank you for taking the time to consider my submission.
Lynda Mullally"

The Chairman thanked the speakers and sought a response from Officers.

The Manager reminded the Committee that the focus of the discussion was on land use planning decisions and the determination of whether the BESS was acceptable in the proposed location. It was stated that regarding national policy, applicants were not required to demonstrate the overall need for renewable or low carbon energy, as it was considered a given. The Manager noted that significant weight should be given to the benefits associated with renewable and low carbon energy generation, as well as the proposal's contributions. The key implication of the move towards low carbon energy, it was explained, would be the increasing demand for electricity. The Manager outlined the position of local policy, and stated that demand for electrical energy was forecast to increase by 165% in central Lincolnshire over the next 30 years. It was highlighted that as a result, the infrastructure around energy, particularly electrical infrastructure, would need to adapt and change to

accommodate the increased need for the management and storage of electricity. It was explained that support would be given to proposals necessary for or forming part of the transition to a net zero carbon sub-region, which could include energy storage facilities. However, any such proposal should take all reasonable opportunities to mitigate any harm arising and select appropriate locations and design solutions to minimise harm.

The Manager continued, adding that the site in question was a 3.7-hectare development within a 9.6-hectare area, with the remainder dedicated to biodiversity net gain. It was noted that the site was outside of what was classified as best and most versatile agricultural land. It was explained that site-specific testing had confirmed that the land was classified as 3B. The Manager highlighted that the requirement about food production was removed from the National Planning Policy Framework in December 2024, and a new land strategy was expected.

Cllr Fleetwood made a non-pecuniary declaration regarding application number 00662, land at Willingham by Stow Farm, Marton Road, Willingham by Stow. It was stated that he had substantial shareholding in National Grid but believed it did not preclude him taking part in the debate or the vote, as the Applicant was a separate company.

Members expressed concern about the location of the proposed site, noting the site would be located in open countryside, with a six-kilometre underground cable attached as necessary to connect the BESS to Cottam. A preference was expressed for the site to be located closer to its connection point to address issues such as energy loss due to the length of the cable. Members of the Committee suggested that the BESS would be more appropriate located on an industrial site. The agricultural land in question was noted as being used for growing food, and Members expressed the view that the development was inappropriate for the area, given the existence of brownfield sites closer to the connection point.

Concern was raised regarding the amended condition, which would extend the required start time of the project from three to five years. The justification for extending the period was understood, but there was a desire for oversight and control over the location of such sites to avoid losing valuable land to industrial use. Members were informed that this condition could be reduced from five to three years at the Committee's discretion.

A Member of the Committee proposed to refuse the application based on a lack of justification for the location of the development, referencing policies S5 and S16 of the Central Lincolnshire Local Plan (CLLP). This was duly seconded. The Manager clarified that local policy supported rural locations if they maintained or enhanced the rural economy, or were justified by proximity to existing businesses or natural features. Policy S16, the Manager continued, also required that all reasonable opportunities to mitigate harm and select appropriate locations be taken.

The Committee was reminded to apply significant weight to the benefits versus harm in their decision-making. The Manager advised the Committee that the test was to determine why the development should not be located at the proposed site, focusing on articulating the significant harm that outweighs the benefits.

Members of the Committee responded by raising concerns about the appropriateness of the location due to the current inability to connect to the grid. It was suggested that the location

might be appropriate in the future if the grid was updated, but currently, it was deemed inappropriate. The Officer confirmed that the Applicant had a connection agreement with National Grid, ensuring the deliverability of the scheme. A technical note from National Grid had been provided to support this.

In response to a question regarding the current use of the proposed site, the Officer stated that the land was still in use as farmland.

The discussion was brought to a conclusion, with reasons for refusing the application summarised. It was stated that the application had not demonstrated that it would be an appropriate location for such a facility, which would take place on land in active agricultural use, some considerable distance from the grid point of connection (POC). The application had not adequately demonstrated why the site had been selected in preference to previously developed land, or in preference to sites closer to the POC. Members outlined that the application had provided insufficient details regarding the means of connection; or to demonstrate that the project would be deliverable within a reasonable timescale. It was explained that the development was considered to be contrary to the provisions of the CLLP (2023), in particular, policies S5 (Part E) and S16.

On taking the vote, it was agreed that planning permission be **REFUSED** on the basis that the application had not demonstrated the appropriateness of the location; it had not demonstrated a reasonable timescale for delivery; insufficient detail had been provided regarding means of connection; and the development was considered contrary to policies S5 and S16 of the CLLP (2023).

189 147744 - PALLINC LTD, BEEHIVE BUSINESS PARK, CHURCH LANE, RAND

The Committee gave consideration to the final application on the agenda, application number 147744, seeking the expansion of existing business premises to provide a new car park, and pallet production building, at Beehive Business Park, Church Lane, Rand. The Officer introduced the application and provided an update regarding page 128 on the report pack, which referenced the door of workshop one. It was clarified that the door would serve a storage area only and would not be in operational use, thus there was no need for it to be conditioned as closed. No changes to the proposed conditions resulted from the update.

The Officer continued, showcasing the location and features of the proposed development using plans and photographs. The site plan was displayed, highlighting the existing workshop building to the west, the proposed extension to the south, and the proposed hard-standing lorry park area in the middle. It was noted that the proposed ground floor plan indicated a single-story development with a pallet sorting system. The Officer explained that a lighting scheme had been submitted with the application, and an indication of this was provided. Noise scenarios had also been submitted, the Officer stated, and outlined the expected noise differences between the existing site and the proposed site. The Officer concluded, stating that Lincolnshire County Council Highways had requested a specific section of Rand Lane to be widened as a planning condition.

The Chairman thanked the Officer for her presentation and stated that there was one registered speaker; Mr Waring, Applicant, who was invited to address the Committee.

Mr Waring explained that he was one of the owners of Pallinc as well as other local businesses based at Rand Farm Park. It was noted that their enterprises in Rand provided 300 jobs and contributed positively to the district. The application, the Applicant explained, was part of the journey to develop Pallinc as a sustainable, conscientious, and sympathetic business, acknowledging the sensitivity of the rural setting and environmental impact. Pallinc was identified as the largest company in the UK refurbishing wooden pallets entirely from recycled materials, with monthly pallet volumes exceeding 200,000 units since starting in 2015. After reviewing the Officer's report, Mr Waring highlighted a willingness to work with the Council to address third-party comments, taking steps to recognise and mitigate material impacts. It was stated that there were no objections from statutory consultees and multiple comments in support of the application. Mr Waring welcomed the findings of the report, and the recommendation of approval was supported.

The Applicant sought to reassure the Committee and objectors regarding the efforts taken to address concerns of noise egress and traffic on Rand Lane. Mr Waring stated that their operations would not have an unacceptable impact on noise levels, and mitigation measures had been implemented, included modifying workbenches to absorb sound, retrofitting white noise sounders on forklifts, and renting alternative space on site for vehicle storage away from neighbours. It was added that the Council's Environmental Protection team investigated noise levels at the existing site and found no measurable nuisance warranting further action.

The Applicant emphasised the importance of addressing traffic concerns through extensive technical work, which had demonstrated no unacceptable negative impact. The Driver and Vehicle Standards Agency (DVSA) and Vehicle and Operator Services Agency (VOSA) had approved the site, it was explained, for the operation of up to 20 Heavy Goods Vehicles (HGVs) and 65 trailers. However, it was noted that the proposition of condition eight, stipulating full responsibility for local road widening on a single operator, he believed was neither fair nor reasonable. Mr Waring added that planning permission would not permit the operation of additional vehicles beyond those already licensed, therefore, the anticipated increase in vehicle movements was a consequence of expanding operations due to the growth of their business, as well as the growth of other businesses on site. The Applicant continued, stating that the proposed development aimed to improve the flow into and out of the site, enhancing the impact on local roads.

Mr Waring continued, explaining that Rand Lane served multiple businesses and organisations, in addition to farm and residential traffic. The Applicant stated that Pallinc's impact on road degradation was marginal, as their 20 HGVs represented fewer than half of the registered HGVs in Rand, with many of the other registered HGVs being heavier and more powerful vehicles. According to the Applicant, a further transport study had indicated sufficient passing places and visibility to accommodate the anticipated traffic, without the need for road widening, and without causing an unacceptable adverse impact. Mr Waring added that the Highways Authority previously recommended road widening on Rand Lane, including for another application, yet no condition was imposed by the Council at the time. The Applicant noted that the stretch of the lane in question offered limited opportunity for widening, requiring the removal of trees on the west side of the lane, which belonged to private property and therefore not under Council nor Applicant control. The Applicant concluded by stating that the current arrangement of multiple passing places on a single-track road was deemed sufficient, and the Committee was asked to consider the removal of condition eight if the application was granted.

Members expressed their support for the application, noting the significant growth of Rand from a small settlement to a major employment site for several businesses. Members of the Committee reiterated the Applicant's concerns regarding condition eight, notably, that the Applicant would not have access to neighbouring properties in order to widen the road. Questions were raised about the Applicant's sole responsibility to widen the road, despite the significant frequency of traffic from other road users. A proposal was made to grant planning permission as outlined in the Officer's recommendation, however, with the amendment of removing condition eight.

The Officer added that there would be an increase in vehicle movements associated with the proposed development, totalling 268 per day, with 37 being HGVs. Members reiterated that the number of HGVs registered to the site would remain the same, and the Officer confirmed that the increase in vehicle movements would be due to business operations and additional employees.

The Committee expressed support for the application, emphasising that the expansion would create more jobs without increasing the number of lorries, and highlighted the importance of job creation in rural areas.

In response to a question about noise levels, the Officer confirmed that recent noise monitoring did not identify any statutory nuisance.

Having been proposed and seconded, with the amendment to remove condition eight noted, the Chairman took the vote, and it was agreed that planning permission be **GRANTED** subject to completion of a S106 agreement to secure biodiversity net gain, and 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. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric received 11/09//2024 and prepared by Max Cheesman from Three Shire Ltd.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan.

3. 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 and materials:

- Location Plan: 0740-AM2-GP01 received 02/12/2024
- Proposed Site Plan: 0740-AM2-PSP01 received 02/12/2024.
- Proposed Site Plan - Enlarged: 0740-AM2-PSP02 received 02/12/2024.
- Proposed Ground Floor Plan: 0740-AM2-PGF received 02/12/2024.
- Proposed South and East Elevations: 0740-AM2-PE02 received 02/12/2024.
- Proposed North and West Elevations: 0740-AM2-PE01 received 02/12/2024.
- Proposed Roof Plan: 0740-AM2-PRP received 02/12/2024.

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 and Policy S53 and S57 of the Central Lincolnshire Local Plan.

4. The development hereby approved must only be carried out in accordance with the recommendations set out in section 4.0 of the Preliminary Ecological Appraisal dated December 2023 completed by Three Shires Ltd.

Reason: To ensure the development proceeds in accordance with the approved management plan and to protect the habitats and wildlife on site to accord with the National Planning Policy Framework and S60 of the Central Lincolnshire Local Plan.

5. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement received 02/12/2024, unless otherwise agreed in writing by the Local 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.

6. Prior to occupation of the building, 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 received 02/12/2024, and approved in writing by the Local 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.

7. New hardstanding shall be constructed from a porous material or shall be demonstrably drained within the site in accordance with the surface water drainage scheme required under condition 9, and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

9. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- 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 shall be restricted to greenfield run off rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall 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 part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development, to accord with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

10. No operations associated with the new development as approved within this permission must occur until the car parking area identified on site plan 0740-AM2-PSP01 received 01/12/2024 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and in the interests of highway safety to accord with Policy S47 and S49 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

11. The development hereby approved must only be carried out in accordance with the Lighting Scheme dated 20/01/2025 and the Lighting Specification dated 20/01/2025, and must be retained as such thereafter. No additional external lighting shall be provided within the site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjacent neighbour's from undue light pollution to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

12.The development hereby approved must only be carried out in accordance with the roller shutter door specification as outlined on 'Eurospeed Brochure' received 02/12/2024, unless otherwise agreed in writing with the Local Planning Authority. The doors must be installed prior to operation of the proposed portal frame building in the locations shown on drawing 'Proposed Roller Shutter Door Locations' received 02/12/2024, and must be retained as such thereafter.

Reason: To protect the amenity of the adjacent neighbour's from undue noise to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

13.The development hereby approved must only be carried out in accordance with the Noise Impact Assessment Technical Report 41357-R2 dated 08/11/2024 completed by soundsolution consultants.

Reason: To protect the amenity of the adjacent neighbour's from undue noise to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

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

14. 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 oil tanks or gas tanks shall be placed within the curtilage of the building hereby approved.

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

15. All pallets that are stacked within the red line boundary of the site as identified on Location Plan: 0740-AM2-GP01 received 02/12/2024 shall be stacked no higher than 5 metres from ground level.

Reason: In the interests of visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

190 DETERMINATION OF APPEALS

There were no Determination of Appeals to note.

The meeting concluded at 7.50 pm.

Chairman

Agenda Item 6a

SITE LOCATION PLAN

LAND TO THE NORTH OF CORN CLOSE, REF WL/2024/00446

FISKERTON Outline planning application to erect up to 150no. dwellings with access to be considered:



OFFICERS REPORT

PLANNING APPLICATION NO: WL/2024/00446

PROPOSAL: Outline planning application to erect up to 150no. dwellings with access to be considered and not reserved for subsequent applications

LOCATION: LAND NORTH OF CORN CLOSE
CORN CLOSE
FISKERTON
LINCOLN

WARD: CHERRY WILLINGHAM

WARD MEMBER(S): Cllr Trevor Bridgwood; Cllr Chris Darcel and Cllr Maureen Palmer

APPLICANT NAME: Church Commissioners for England

TARGET DECISION DATE: Extension of Time to 7th November 2024

CASE OFFICER: G. Backovic

Recommended Decision: Defer and delegate approval to officers subject to conditions and the completion of a Section 106 legal agreement that delivers:

Education

A contribution to be paid on completion of 50% of the development to increase primary school capacity to accommodate the amount of primary school places expected to be generated from the development

NHS

A contribution of up to £94,875 on completion of 50% of the dwellings in order to contribute to the extension of existing medical facilities at the Nettleham Medical Practice and Wragby Surgery

Highways

£ 15,000 for two new bus stops
£ 5,000 to monitor the Travel Plan
and one tactile crossing at the junction of Corn Close with Ferry Road

Affordable Housing 20% of the dwellings to be delivered as affordable housing.

The tenure split shall be:

25% First Homes; 15% Shared Ownership and 60% Affordable Rent.

Provision of Plots for Custom / self build homes

5% of the site (i.e. up to 7 plots) to comprise custom / self-build homes

Biodiversity Net Gain

To include delivery and monitoring of BNG following reserved matters submission and approval

This application has been referred to the Planning Committee due to large number of objections received including from Fiskerton Parish Council. It was deferred at February Planning Committee for further clarification in relation to the education contribution. This has been provided below within the section of the report headed education contribution.

Description and Proposal:

The site comprises approximately 8.3 hectares of agricultural land located to the north east of Fiskerton. There are two public rights of way that cross the site: Fisk115/1 and Fisk 114/2. There is housing to the south, Fiskerton Church of England Primary School to the west and Hall Lane acts as the eastern boundary with agricultural land and fields to the north.

The principal boundary to the south is with the rear gardens of dwellings that face south onto Ferry Road although the sides of 5 and 8 Corn Close form part of the boundary. To the south west is Fiskerton Village Hall.

The site is at a slightly higher level than Ferry Road with a slope northwards.

The site is allocated for residential development by the Central Lincolnshire Local Plan (policy S81 - site WL/FISK/001A) with an indicative capacity of 122 dwellings .The calculation for the CLLP indicative capacity is explained in doc HOU002A in the Planning Policy Library . It assumes 75% of the site is deliverable for sites between 2 and 20 hectares, at 20 dwellings per hectare (dph) for a medium village .

This application is for outline planning permission for up to 150 dwellings (18.45 dph gross) with access to be considered at this stage and not reserved for subsequent applications. Matters of layout, scale, appearance and landscape are reserved for subsequent approval (hereafter referred to as 'reserved matters').

The following documents have also been submitted in support of the application:

- Illustrative Master Plan
- Tree Survey and Arboricultural Survey (April 2024)
- Statement of Consultation (April 2024)
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Sustainable Drainage Strategy
- Heritage Statement and Archaeological Assessment
- Preliminary Ecology Appraisal and BNG calculations
- Phase 1 Ground Conditions

- Landscape and Visual Impact Assessment (April 2024)
- Energy and Sustainability Statement
- Health Impact Assessment (April 2024)
- Parameter Plan

**Screening/EIA Assessment:
Town and Country Planning (Environmental Impact Assessment) Regulations 2017:**

A formal EIA Screening Opinion was provided in March 2024. The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development.

Planning History

Reference	Proposal	Decision
147982	Request for a screening opinion for proposed outline planning application for up to 150no. dwellings, green space, access and other associated infrastructure.	EIA NOT Required 05/03/2024

Representations

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

Fiskerton Parish Council cannot support this application until the below concerns have been addressed.

Scale & Outline plan

Quantity of new homes

The Central Lincolnshire Local Plan (CLLP) 2014 allocated Fiskerton 15% growth which equated to approx. 80 new homes. FPC felt this figure was appropriate, proportionate and acceptable. The CLLP 2023 has increased this figure to an indicative figure of 122 over a site of 8.13 hectares. This equates to a staggering growth of 25% in the developed footprint of the village and an increase of 32% in the number of homes in the village. These figures are extremely high in comparison to other medium sized villages in the CLLP area and as such should be considered maximum figures. The figure in the CLLP is derived from a net density of housing

which is considered appropriate for the area, any increase in the quantity would adversely force the density away from that deemed appropriate. Furthermore, there is no evidence of housing need to justify an inflated figure nor is there any demonstrated community support for an increased figure.

The application document set consistently refers to 'up to 150' homes. This should be made a maximum ceiling and a condition of planning approval that the quantity of homes cannot exceed this figure.

It is imperative that a final figure is settled on at this initial outline application phase as alteration of the quantity of new homes will impact the calculations relating to impact of traffic, site access requirements, provision of open space, management of surface water & sewage, capacity of facilities, etc.

FPC does not support the allocation of up to 150 new homes, nor indeed any increase from the CLLP indicative figure of 122.

There are discrepancies in the mapping of the development area across the documents. This will lead to ambiguity over the extent of the boundary of the development and the possibility of boundary creep by a developer. This should be corrected so that all documents consistently detail the same area of land. I suggest the NW corner is in line with the school field and the NE corner is 130m north of the boundary of the last property on Hall Court.

Access

From a Lincolnshire Road Safety Partnership survey conducted in 2017 it can be seen that the average home in Fiskerton generates 5.56 journeys per day. Another survey in 2023 showed that a third of all vehicles in the village exceeded 30mph speed limit. For an estate of 150 new homes this extrapolates to 834 journeys per day with 278 exceeding the 30mph speed limit, more than 8000 speeding vehicles per month. Due to the location of the allocated site and the proposed access via Corn Close all of this additional traffic and its impacts will be travelling through the centre of the village, past the school entrance, the village hall, the pub and the church. It will also need to navigate the already dangerous double bend past the church. FPC would like to initiate discussion on improved traffic calming and management systems through the heart of the village to mitigate these impacts.

Pictures were taken at approx. 8-hour intervals over the two days following the public consultation on the 27th of Feb 2024.

It's clear that despite the highways assessment Corn Close is never free of parked cars making it similar to a single-track lane most of the time. It was inaccurately represented during the public consultation and the true assessment of its suitability to accept the additional 834 vehicle movements per day should be that it will struggle to accommodate them.

FPC does not support routing residential traffic from 150 homes via Corn Close, nor does it support the use of Hall Lane as a main access point. Alternative permanent access routes should be sought or extensive traffic calming measures should be implemented throughout the village.

Construction Traffic

At a construction rate of 40 dwellings per year it is anticipated that the development of 150 homes will take 3-4 years to complete. FPC feel it is unacceptable to expect residents to endure the disruption and inconvenience of daily trips of construction traffic over this prolonged period of time and that an alternative route and site access needs to be sought for this proposal. Two options exist, one is for all construction traffic to approach the site from the north, via the Fiskerton airfield taxiway, the other is to approach the village from the east.

FPC does not support routing construction traffic via through the village and Corn Close.

Flood Risk Assessment

Surface water flooding

The management of surface water is incredibly important to Fiskerton. As a low-lying community, large areas, including residents' gardens, routinely become bogged out every winter, even during 'normal' expected rainfall levels. It is not uncommon for sewerage systems to back up and run in reverse during seasonal winter rainfall periods. It is a global concern that the frequency and intensity of storm weather is becoming more severe and Fiskerton has recently experienced the disruptive impact of this first hand. The importance of protecting current residents from an increased risk of flooding cannot be overstated especially during exceptional weather event when normal watercourses become overwhelmed.

Paragraph 5.57 of the submitted Planning statement makes reference to CLLP policy S21 which states all developments should be able to demonstrate

- The development does not expose itself or any existing land or buildings to an unacceptable increased risk of flooding.

In October 2023 approximately 100 homes were evacuated in Fiskerton due to the risk of flooding, almost all of those homes lie directly south of the development site, on lower lying land. The submitted Flood Risk Assessment makes no mention of this event nor does it set out any plans to protect existing homes from the inevitable increase of surface water flowing downhill from this development into and through the existing properties below it.

In fact, it repeatedly refers to the development site being in flood risk zone 1 and attempts to consider the development site in isolation of the already existing surrounding properties.

Paragraph 4.2.9 of the Flood Risk Assessment mentions

'an informal flood alleviation scheme on the site' This alleviation scheme was built in partnership with WLDC and LCC following extensive flooding in c. 2010. It forms an essential element of the Fiskerton flood defence and water management scheme, and it cannot be over stated how critical it is that it is retained and enhanced. Throughout the document set it is misrepresented, repeatedly being shown to end in line with route

of the footpath heading north from the rear of the village hall when in fact it extends to within a few metres of the field boundary. There is also a dyke which runs north then links under the footpath to a second dyke which runs across the northern boundary of the Holmfield estate, both of these are omitted from all of the documents and drawings.

The diagram shows the actual extent of the current existing attenuation pond. This should be corrected on all drawings and images as it has a significant adverse effect on the quantity of useable open space being offered alongside the development.

Currently vegetation in and around this pond is maintained by the farmer who rents from the applicant therefore a suitable agreement should be put in place for the applicant to retain responsibility for the annual maintenance of all the flood attenuation ponds and systems.

The current attenuation pond routinely becomes full during normal winter weather so it needs to be demonstrated how and by how much the current pond capacity will be increased to cope with the increased volume of surface water.

FPC does not consider the proposed 2nd pond to the south east to be large enough and it doesn't provide the confidence in its ability to provide protection for the many residents to the south of the proposed development. This second pond should be increased in size to span the full width from Corn Close to Hall Lane.

Paragraph 2.2 of the flood risk assessment refers to a number of culverts and pipes which will be used to transfer captured water from the attenuation ponds to the south of the village and ultimately into the North Delph. These are old pipes which have rarely been maintained. There has been an occurrence of the one along St Clements Drive collapsing. A full structural survey should be carried out on these pipes to prove their integrity to be relied upon and to determine their outflow capacity.

Planning Statement' document, para's 4.21 to 4.22 describe how the NPPF seeks for new development to provide 'safe' places to live. The current attenuation pond is located in private land and secluded from much of the community. When full it can achieve a depth of over 1.5m.

The proposed development will encompass the current pond and look to create a second one in close proximity to homes and aims to incorporate these into the new housing estate. FPC considers that due to their depth and proximity to homes, the proposed play areas and the primary school that these ponds are now a considerable risk to life for residents, especially young children.

For this reason, FPC feel it is essential that these ponds are to be fenced off to exclude the public from them and their banks and therefore they should also be excluded from any calculations of useable on-site open space.

FPC cannot support this proposal until the size and capacity of both ponds has been increased or reviewed and proven adequate, until safety measures are incorporated to protect the public from the danger of open water, until a structural survey of the culverts and pipes has been carried out and until ownership and maintenance responsibilities have been defined.

Sewerage

When the Holmfield estate was built in Fiskerton, c. 2000, the sewage system was initially unable to cope and was poorly connected into resulting in trucks being needed to pump out the sewage and take it away. The planning statement only makes one mention of sewage, only saying that Anglian Water have said the sewer on Corn Close is an 'acceptable connection' with no mention of its ability to handle the increased capacity. There is also discussion in the village that the sewage works in Fiskerton is already operating at capacity. A full review and report on the capacity of the Fiskerton works and the capacity of the current pipework to handle the increased capacity needs to be conducted and accompany this application.

FPC cannot support this application without a full review and report on the local sewer system and its capacity.

Amenity land

FPC fully support policy S51 of the CLLP and in particular where it states discussion and negotiation over the provision of accessible, good quality and useable public open space should occur at pre-application phase with the involvement of the Parish Council.

Paragraph 5.88 of the planning statement defines an allocation of 20,120 sqm of publicly accessible open space, this is a generous allocation and FPC fully endorse locking this figure into the illustrative masterplan as a baseline for future reserved matter applications. When the masterplan is examined though it is difficult to see where this area of 'publicly accessible' open space is, especially when the pointless and unusable areas are deducted.

From the perspective of the proposed development and when only this development is considered in isolation of its surroundings or the wider village the location of the open space could appear appropriate and meet the preference for on-site allocation over an off-site one. However, by taking a holistic view of the village and the needs of all our residents the allocated locations of the open space become less appropriate. They are isolated within the new housing estate to the north of the village and would only really be used or serve any useful purpose for the residents of the new estate.

Access to it is poor, currently only via a very muddy path at the rear of the village hall and along the side of the surface water drainage dyke. The land is also on a gradient which would limit its use for some playground equipment or for ball games. FPC feel it would be difficult to justify committing to long term investment to developing the allocated sites for public use when only a small proportion of the community would benefit from the use of it.

FPC have already discussed with the land owners and their agent the strong community desire to acquire the Manor Farm Paddock for community use. Its use for community events is ingrained in our village history with its use for village gala's, cricket and football matches with neighbouring villages and its place as an open space at the heart of the community being recently relished.

The CLLP (policy S51) list two situations when off-site allocation should be considered and agreed at pre application, see below, FPC feels both of these conditions are met and a proportionate area of the Manor Farm Paddock should be considered.

- g) the provision of open space on-site is not feasible or suitable due to the nature of the proposed development, by virtue of its size and/or other site-specific constraints; and/or
- j) the open space needs of the proposed residential development can be met more appropriately by providing either new or enhanced provision off-site

If an alternative off site allocation cannot be agreed, then the onsite allocation needs to be able to prove it's worth and value to both the current village and its residents along with those housed on the new estate. The proposed development site already benefits from 2 public footpaths which link it to an extensive network of footpaths, bridleways and the Viking Way to the north of the village.

What Fiskerton desperately needs is a single larger play area. A place where a football match or a community cricket match could be played, a place where marquees and a stage could be erected for a summer gala or fete and a quieter park area for young families to explore the country side. All of this nestles and integrated with a toddlers play area for the under 10's and a more adventurous themed area for children growing into their teens builds a vision of an integrated, sustainable community, a place where people will want to live and our youngsters could thrive.

FPC acknowledge it isn't the sole responsibility of this application to provide the entirety of this vision but with careful and thoughtful planning and a locked in commitment to deliver 20,000 sqm of useable public open space it has the potential to at least provide the land upon which the vision would be built.

The western end of the of the development, as shown in the masterplan, misrepresents the current flood water attenuation pond and needs correcting. This area could also be remodelled to provide half of the allocated 20,000 sqm of useable space in a single, open, multipurpose, levelled play and recreation area.

FPC fully support the allocation of 20,000 sqm of useable public open space.

FPC also supports either an allocation of offsite open space at the Manor Farm Paddock or remodelling of the west end of the masterplan to include a single, level play and recreation area of 10,000 sqm.

FPC consider it essential that this remodelling is done as part of this outline application to ensure sufficient vehicle access is provided for the maintenance of the recreation area and to provide easy and intuitive access for emergency response vehicles. Access to the recreation area should also be considered in the Access Statement.

Facilities & Infrastructure

The lack of Facilities and infrastructure are of significant concern to the residents of The CLLP Policy S45 states that developments must demonstrate that there is, or will be, sufficient infrastructure capacity to meet the requirements arising from the

proposed development. It lists that capacity should be demonstrated for education, healthcare, water, open green space, public transport, walking and cycling routes. FPC would expect water to incorporate both surface water attenuation, watercourse capacity and sewerage capacity.

Fiskerton primary school has only 5 available spaces across all years, the nearest secondary school in Cherry Willingham is consistently oversubscribed, there is no shop or chemist in the village and transport links to the ones in Cherry Willingham are limited. The nearest doctor's surgery in Nettleham has very few available appointments with patients being directed to other locations as far afield as Gainsborough,

NHS dental care is impossible to find and it is common to expect a 24-48 hrs wait in A&E at Lincoln hospital with patients waiting in ambulances in the carpark to even get into the building

One opportunity could be that the gateway property into any new development will always be the show home, when this property has completed it's purpose the developer could offer it to the community for it to be converted into a community shop and café.

FPC acknowledge the issues listed above are far further reaching than this application and that this application alone cannot repair the holes in county wide infrastructure deficiency, however we do not feel the application goes far enough in meeting CLLP policy S45 and it cannot be seen anywhere how the developer intends to contribute to reducing these issues. FPC would fully support the offer of transferring the show home into community ownership for the purposes mentioned.

Employment

Throughout the documents 'The provision of employment through construction' is repeatedly referred to. This employment is of a transient nature and does not provide any long-term sustainable employment benefit to Fiskerton or the local area. The provision of employment throughout the document set should be reviewed to define what actual long term sustainable employment the development will provide.

The transfer of the show home (para 7.4), an extension to the woodland area (para 9.2) and the creation of a recreation area (para 6.9) would all contribute to actual long-term sustainable employment opportunities in the community.

FPC cannot support this application until it is able to demonstrate its contribution to real, long-term employment opportunities in the village and local area.

Biodiversity

The proposal claims a 10% increase in biodiversity. This is a notional figure which is unproven. On the proposed site kestrels, buzzards and hawks are frequently seen hunting, muntjac deer and foxes regularly prowl within it. It is impossible to imagine how converting 8.13Ha of open countryside into housing and roads can even maintain current biodiversity let alone increase it

CLLP policy S61 states that developments should deliver at least 10% measurable biodiversity net gain. FPC would like to initiate discussion into extending an area of Forestry Commission woodland to the south of the parish to contribute to the required 10% increase.

FPC cannot support this proposal until measurable 10% net gain has been demonstrated.

Renewable energy. FPC fully support the CLLP direction to strive for net zero developments. Policies S6 and S7 set out the requirements for developments to consider and contribute towards net zero.

Fiskerton Parish Council comments 12.01.2025 (Summary below)

Corn Close is not suitable to handle the amount of traffic for a development of this scale. The fact that the applicant has felt the need to submit an additional report to attempt to justify using Corn Close as the single point of access for this development supports the belief and opinion that it is an unsuitable access route. Rather than attempting to justify the use of an unsuitable route pressure should be applied to the CLLP team to work with the Parish Council to allocate an alternative site where traffic and vehicle access will not impact the village or residents of Fiskerton.

The content of the document is poor in that it relies on a comparison of a development only 9 homes, of which 5 or terraced, to provide assumed figures which will have little resemblance of the true volume of traffic this development will produce. It also claims that even if a second access point was placed on Hall Lane that the majority of drivers would still choose to exit via Corn Close making the 2nd entrance pointless. This could very simply be overcome by designing the road scheme so that each has only has 1 access route per the sketch below. By doing this you can easily dictate the proportion of traffic which could use each route.

Comments submitted by Jennifer A. Robinson (Chair) on behalf of the Witham Valley Access Project team

Background information regarding the Witham Valley Access Project (WVAP) The Witham Valley Access Project (WVAP) was established to campaign for the protection, extension, and improvement of public access to the countryside around the villages of Cherry Willingham, Fiskerton and Reepham and comprises of local residents who are involved in countryside activities and are regular users of the local access network. The combined knowledge of the local network (its level of use, as well as its shortcomings) held by WVAP members, is therefore extensive.

In recent years, in addition to successfully campaigning for improved access to the River Witham, WVAP members have been proactive in working with Cherry Willingham Parish Council in the construction and maintenance of new paths. Much of this practical work has also involved planting and managing native trees, shrubs.

Local residents: (Part 1) Representations have been received from 8 Priory Drive; 27 Ferry Road; 8 Meadow Bank Avenue; 23 Ferryside Gardens; 30 Ferry Road; 23A Ferry Road; 25 Ferry Road; 53 Ferry Road; 37 Ferry Road; 27 Ferry Road; 15 Church View Crescent; 12 Ferry Road; 1 Ridings Close; 3 Ridings Close; 6

Corn Close; 6 St. Clements Drive; 15 St. Clements Drive; 14 Church View Crescent; 22 Ferry Road; 64 Ferry Road; 22 Ferryside Gardens; 5 Corn Close; 63 Ferry Road; 59 Ferry Road; 2 Corn Close; 15 St. Clements Drive; 29 Ferry Road; 4 Corn Close;

All of the representations above **object** to the planning application.

Summary of reasons for objection with full details available to view on the Council's website:

- Will increase the risk of flooding. The field as it exists has already resulted in flooding to the lower sections of the village. Single attenuation pond is insufficient and it will be overwhelmed with residents to the south bearing the brunt of flooding. The proposed plan indicates that part of the Fiskerton Flood Defence Scheme is being removed and disconnected from the section that protected the Holmfields estate, this is a vital piece of the defence scheme which needs to be retained and improved, not taken away. How are you going to ensure that by reducing the size of the existing flood mitigation ponds that the properties on Ferry Road will not be affected by surface run off water?
- Corn Close which has cars parked on it is patently unsuitable as the only access to the site. Highly unlikely that HGVs could make use of this. Another access is required.
- Construction will take years and cause endless disruption to existing residents
- Increase in traffic will be dangerous to already busy roads and lead to greater noise in this quiet village
- Existing infrastructure is insufficient to cope with this large new development. It's almost impossible to get same day appointments at the doctor's surgery, 48hr waits in A&E are common place, the primary school is full, the secondary school oversubscribed. More attempt should be made by the applicant to show how they intend to contribute to the village to foster and improve the community and how they will support the wider area
- This is the wrong location for such a large development and alternatives must be considered that will not result in flooding and provide a better means of access
- Disproportionate scale of development allocated to the village which is 3 times the average for medium villages
- The application claims to provide 20,000 sqm of publicly accessible open space (PAOS), it is difficult to see where that is in the outline plan. Fiskerton is already a village in the countryside and has good access to footpaths. What the village needs is a single, larger space where children can play football, families can meet and have a picnic and people can sit and relax. Any onsite allocation will be remote from the centre of the village making it inaccessible and of no benefit to much of the village.
- You are claiming to increase biodiversity by 10%, in the existing fields we already have an abundance of wildlife, birds, animals, insects, flora and fauna important to our environment, please tell us how destroying their habitat and filling it with concrete is increasing biodiversity? Your 10% appears to include the gardens of the new dwellings, how can you be sure that these areas will not be covered in astroturf or patios?

- I would be devastated to see this go ahead, living in one of the houses that backs onto the field. Meaning not only will our peaceful surroundings be lost but our house value will decrease.
- Will be overlooked by the proposed housing as it sits at a higher level than us.
- this planning application has chosen good grade arable fields on which to build, which currently provides a habitat for a wide range of wildlife. This would be destroyed by heavy machinery, ground works, and road and path construction. The existing trees and hedgerows provide homes for an abundance of nesting birds and overhead surveying of feeding grounds by buzzards, kestrels, rooks and many other species.
- The technical note prepared for the Church Commissioners by Pell Frischmann uses application number WLDC140637 as an example this application was for 9 dwellings on Chapel Road, so hardly a fair comparison.
- Do you know what has prompted the applicant to submit an additional document justifying the use of Corn Close as a single point of entry? Was it just in response to the public comments to the initial application or has something else brought its suitability into doubt?
- Not only is the fact that you propose to turn a narrow Close into a major thoroughfare ridiculous, but the entire development is flawed in so many details, the scale is too huge and it is in completely the wrong location. Please listen to the views of the people who will be affected by this.
- The report goes on to say that even if a second access point was created on Hall Lane that most residents would still choose to access the development via Corn Close. This is a poor assessment and lazy designing. By having a 2 road system rather than a single loop design, traffic can be directed exactly where you want it to go, it could easily be designed so that 75% of the homes only have Hall Lane as an access point thus massively reducing the flow, burden and inconvenience from the residents of Corn Close. Although all this does is pass the negative impact on to their neighbours on Hall Lane and Ferry Road.

Local residents :(Part 2) Representations have also been received from: Applegarth, Ferry Road; Kestan Place, Plough Lane; Well Hill, Plough Lane; The Old Rectory, Reepham Road; Fen View, Lincoln Road; South Fork, Reepham Road; 1 Lincoln Road; Bramley Cottage, Orchard Road; Cavendish House, Reepham Road; Kosylea Orchard Road, The Haven, Plough Lane; Katchikalli, Plough Lane;

All of the representations above **support** the application. Summary of comments below

- The village needs to increase in size if it is to generate the facilities and social amenities it requires. The country needs to increase its housing stock as part of the governments plan to regenerate the economy. I think it is better to have a large number of relatively small developments like this one rather than the large scale development of new towns.
- I believe it provides the best option for the village. It is in accordance with the current plan and fits within the present bounds of the village, not making it even longer.

- I have lived in the village since 1951 and would like to see sensitive development of modern eco housing and the maintenance and support of local community facilities.

I think a large open space within the village would be a great and lasting benefit for the village and affordable when such a large building plan is proposed.

- it fits in with the village it's near to the school which would ease school run traffic easy access to the main road, the sewage treatment plant is nearby hopefully there will be affordable housing to attract young couples it would be nice to see the cricket and football field reinstated and the village shop.
- it would be good for the community to get some planning gain from this development. Access from the development to Hall Lane would be a good idea and give two ways in and out.
- it is the most organic location for the proposed development in respect of the village in terms of amenities, traffic flow, safety & drainage, I look forward to the plans moving forward.
- Fiskerton needs to develop for future generations and attract younger families to the village. This proposed development appears to provide everything needed to do just that, while complying with the current Central Lincolnshire Local plan.
- This is definitely the right place for further development in the village. Roads and pathways are much better suited here. It will be safer as further into the village, rather than the outskirts. Great to see numbers improve in the fantastic village school if families were to move in.
- A much-needed development for Fiskerton village, which will allow the village to remain sustainable and develop, well into the future. The proposal conforms well with the requirements of the current Central Lincolnshire Local Plan and is well thought through and presented.

LCC Highways and Lead Local Flood Authority:

02.12.24 :Following on from yesterdays meeting, I can confirm the Highway Authority's position on the utilisation of Hall Lane for vehicular access, as not being required for this proposed development. The transport information contained in the application lays out a robust justification, in safety and capacity terms, for the use of Corn Close as the sole means of vehicular access. No improvements to the network, in terms of this element, are required.

It is the Highway Authority's desire to utilise Hall Lane as a shared space for pedestrians, cyclists and the small amount of existing vehicular access associated with the lane at present. A link from the development site onto the lane for pedestrians and cyclists is all that is required.

02.08.24 No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Recommendation subject to the S106 requests and highway improvements outlined below:

- Tactiles crossing points at 5 junctions in the locality of the development,
- Improvements and metalling of the existing PROW's that run through the site, including a diversion under the T&CPA,
- 15k S106 contribution to provide 2x additional bus stops in the locality of the development.
- 140k S106 contribution towards bus services, 12-month travel pass contribution per household.
- 5k S106 contribution toward future monitoring of the approved Travel Plan.

Conditions are recommended to cover ; Construction Management Plan and Method Statement; Tactile Crossing points; Travel Plan

Highway capacity

The submitted Transport Assessment (TA) documents outline the proposed developments trip generation impact on the public highway, and it is considered that the impact is acceptable. Access to the site will be via the existing priority junction of Corn Close and Ferry Road, and no improvements to this junction are required to facilitate this development.

Flood Risk and Drainage A suitable in principle drainage strategy has been submitted and will be subject to detailed design at reserved matters stage.

All culverted sections and associated structures of the existing outfalls from the site will require surveying and any remedial works carried out.

Outfalls proposed for the surface water management of the developed site must be upgraded where necessary.

A Planning condition in relation to the details of surface water drainage is recommended.

Anglian Water

Wastewater Treatment

The foul drainage from this development is in the catchment of Fiskerton Water Recycling Centre that will have available capacity for these flows

Used Water Network

This response has been based on the following submitted documents: FRA Rev P02 6/5/24 and Sustainable Drainage Strategy Rev P02 3/5/24 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

LCC Historic Services:

31.10.24 : I can confirm that given the results of the archaeological evaluation, no further archaeological input is required for this application.

09.07.24 Pre-application comments were given by this department for the site of application WL/2024/00446. A recommendation was made for the submission of a geophysical survey to inform archaeological trial trenching, all of which should be carried out pre-determination of the application. We have received the report of the geophysical survey, but archaeological trial trenching is yet to have been carried out on the site in support of the application.

NHS Lincolnshire Integrated Care Board

Impact of new development on GP practice

The above development is proposing up to 150 dwellings which, based on the average of 2.3 people per dwelling for the West Lindsey District Council area, would result in an increase in patient population of 345.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting Room GP

Proposed population	345
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.345 \times 5260 = 1814.70$
Assume 100% patient use of room	1815
Assume surgery open 50 weeks per year	$1815/50 = 36.3$
Appointment duration	15 mins
Patient appointment time hrs per week	$36.2 \times 15/60 = 9.1$ hrs per week

Treatment Room Practice Nurse

Proposed population	345
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.345 \times 5260 = 1814.70$
Assume 20% patient use of room	363
Assume surgery open 50 weeks per year	$363 / 50 = 7.259$
Appointment duration	20 mins
Patient appointment time hrs per week	$7.259 \times 20/60 = 2.4$ hrs per week

Therefore an increase in population of 345 in the West Lindsey District Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements

GP practice(s) most likely to be affected by the housing development

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity. The development will impact Nettleham Medical Practice and Wragby Surgery as the development is within their catchment area.

Issues to be addressed to ensure the development is acceptable

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands. NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of up to 150 dwellings on Land North of Corn Close, Corn Close, Fiskerton, Lincoln to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP and East Lindsey Primary Care Networks (PCNs) at Nettleham Medical Practice and/or Wragby Surgery.

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. The strategic direction both nationally through the development of PCNs and locally through the Sustainability Transformation Plan is to provide primary care at scale, facilitating 100% patient population primary care and services delivered in the community in an integrated way. Included within the PCNs this is the introduction of additional roles to enhance the delivery of primary care, including a Clinical Pharmacist, Physiotherapist and Social Prescriber. Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), includes measures to:

- Improve out-of-hospital care, supporting primary medical and community health services.

- Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025.
- Support older people through more personalised care and stronger community and primary care services;
- Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer.

The Nettleham Medical Practice and Wragby Surgery are within the LICB IMP and East Lindsey PCN where the housing is being developed; there is a huge variation in the type; age and suitability of premises within the PCN of the planned development

Fairly and reasonably related in scale and kind to the development

	Average list size per GP	Required m2	£ per m2	Total cost	£per person
GP team	1,800	170	2,300	£391,000	217
GP furnishings	1,800			£20,000	12
					229
Contingency requirements @ 20%					46
Total per resident					275
Total per dwelling (resident x 2.3)					632.50

The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined. This figure is multiplied by 2.3 (the average number of persons per dwelling for West Lindsey District Council) to provide a funding per dwelling of £632.50.

Financial contribution requested

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

Trigger point

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.

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

County Council (Education):

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places available 2026/27 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	45	N	45	£891,607.50
Secondary	24	N	24	£0
Sixth form	9	N	9	£0
			Total	£891,607.50

Please note, where an application is outline, a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

Type	Amount	Scheme
Primary	£891,607.50	Education provision at Cherry primary planning area
Secondary	£654,032.16	N/A - CIL
Sixth form	£245,262.06	N/A - CIL

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests for items formerly on a Regulation 123 list are now permitted; the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) still restricts secondary and school-based sixth form to CIL only. Requests can also be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

House Type (if known)	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
Unknown	150	0.30	45	0.1611	24.165	0.060	9
Total (rounded down)	150	-	45	-	24	-	9

CapaCapacity is assessed using the County Council's projected capacity levels at 2026/27, this is the point when it is reasonable to presume that the development would be complete or well on the way.

This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application. The level of contribution sought in this case is in line with the below table.

Type	Places to be mitigated	Contribution per place*	Sub-total	Local multiplier **	Lincolnshire contribution per place	Total contribution requested
Primary extension	45	£19,425	£874,125	2.00	£19,813.50	£891,607.50
Secondary extension	24	£26,717	£641,208	2.00	£27,251.34	£654,032.16** *
Sixth-form extension	9	£26,717	£240,453	2.00	£27,251.34	£245,262.06** *
Total	-	-	£1,755,786	-		£891,607.50

* Current cost multiplier per pupil place based on National Cost Survey ** to reflect Lincolnshire's average build cost compared to national average ***amounts for indicative purposes only, request reduced to £0 in line with Developer Contributions Supplementary Planning Document.

We would suggest the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability. Please note the County Council retains the statutory duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at maintained schools, academies, and free schools. We would invest

the funding at the most appropriate local school(s) regardless of their status but ensure the s.106 funding is used only to add capacity as this is the only purpose for which it is requested.

Strategic Housing :Should the proposal be acceptable, the application would trigger an affordable housing obligation of 20% under Policy S22 of the adopted Central Lincolnshire Local Plan (April 2023) as the site falls within Value Zone B. Given the indicative dwelling number, this would equate to 30 affordable housing units with onsite provision being the expected form of delivery. The details of the appropriate mix of affordable property types would require agreement with the Council at the reserved matters stage. The distribution of the affordable housing units across the site would also need agreement, and it should be noted that Policy S22 requires the affordable housing to integrate seamlessly into the site layout amongst the private housing. A Section 106 agreement would be required in order to secure the affordable housing obligation.

Following the introduction of the Governments First Homes policy, the Council's preferred tenure split for a site is

25% First Homes

15% Shared Ownership

60% Affordable Rent

It should be noted that Policy S22 applies a maximum value price cap to a First Home of £179,000 after the necessary 30% discount is applied, with this figure being adjusted annually in April. The proposal also triggers the provision of at least 5% of the dwellings as serviced plots for self-build or custom build homes, as required by Policy NS24 of the Local Plan. The applicant is encouraged to have further discussions with Strategic Housing regarding the affordable housing requirement for the site as the proposals progress.

Lincs Wildlife Trust

Reviewing the BNG metric for this planning application we can see the ratio of vegetated gardens to developed land is above the 30:70 ratio, exceeding the national BNG user guidance. The ratio for this application is closer to 40:60 meaning the development is overly reliant on these vegetated gardens in achieving the minimum 10% net gain requirement. Lincolnshire Wildlife Trust agree urban green space for people and nature is critical for the well-being of all, but the applicant cannot guarantee that astro-turf or patios are not laid straight after sale, as there are no controls placed on the private gardens. Therefore, to address the biodiversity and climate crises developers should not be trying to reduce their mandatory 10% net gain for biodiversity by including gardens that cannot be secured through relevant legal mechanisms. 10% net gain should be secured through legal mechanisms including providing Habitat Management and Monitoring Plans (HMMP). Lincolnshire Wildlife Trust has discussed this with the wider Wildlife Trust family, and in regard to gardens contributing to mandatory BNG, we take the policy position that this does not count.

Therefore, in regard to this application further units should be secured to address the shortfall created by removing units accredited to gardens.

Principal Ecology and Wildlife Officer (Summary below with full details available to view on WLDC website):

If final site layout is a reserved matter, then following correction to the baseline I would be able to support this application. If site layout is not a reserved matter, then I object due to the lack of understanding as to proposed habitat at post development. A S106 will be required to secure Significant post development habitat and a monitoring fee.

15.01.25: As this is outline with all matters reserved a definitive monitoring fee for the s106 cannot be determined. A such legal will need to add that there will be payments of a monitoring fees calculated in accordance with <https://www.n-kesteven.gov.uk/sites/default/files/2024-05/Monitoring%20Fee%20overview.odt>

The monitoring frequency within the S106 also needs to encompass all options as until receipt of the Reserved matters total site complexity cannot be guaranteed. The HMMP requirements should also be kept broad to encompass all scenarios

18.10.24: Any reserved matters planning application submitted to the Local Planning Authority must include the details listed below:

- A minimum of one bat roost unit incorporated into each structure.
- A minimum of one bird nest unit incorporated into each structure (with 50% dedicated to swifts)
- A minimum of one bee brick unit incorporated into each structure.
- Hedgehog appropriate fencing
- Amphibian friendly curb treatments and drains.

The details submitted must include the positions, types and specifications. The details approved must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

Conditions are also recommended including a Construction Environmental Management Plan (CEMP) with reference to the submitted Preliminary Ecological Appraisal . Detailed requirements for a Habitat Management and Monitoring Plan (HMMP) are also identified. A habitat management and monitoring plan is a detailed plan that outlines how the land will be managed over at least 30 years to:

- create and enhance habitats for biodiversity net gain (BNG)
- manage and monitor the BNG

The HMMP will be delivered by use of a section 106 agreement .

Environment Agency: The Environment Agency does not wish to make any comment on this application. It does not appear to meet any of the criteria listed on our External Consultation Checklist.

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 Lincolnshire Minerals and Waste Local Plan

Development Plan:

- ***Central Lincolnshire Local Plan 2023***

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

NS24: Custom and self-build Housing

S45: Strategic Infrastructure Requirements

S47: Accessibility and Transport

S48: Walking and Cycling Infrastructure

S51: Creation of Open Space, Sports and Leisure Facilities

S53: Design and Amenity

S60: Protecting Biodiversity and Geodiversity

S61: Biodiversity Opportunity and Delivering Measurable Net Gains

S81: Housing Sites in Medium Villages

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

The site is partly within a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF 2024)
- National Planning Practice Guidance
- National Design Guide (2019)
- National Model Design Code (2021)

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 2024.. Paragraph 232 states:

However, existing 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).

It also states that "Where a local planning authority can demonstrate a five year supply of deliverable housing sites and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure.

In Central Lincolnshire [we currently have a 7.8yr HLS \(October 2024\)](#), and achieved over 100% in the HDT (2023 = 178%; 2022 = 182%; 2021 = 175%). The policies of the CLLP should not be considered to be out of date as a result of the new housing requirement figures.

Draft Fiskerton Neighbourhood Plan

NPPF paragraph 49 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- e. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- f. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- g. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Fiskerton Parish Council is preparing the Fiskerton Neighbourhood Plan for the parish. It has completed the Plan's Regulation 14 (pre-submission) stage on which consultation closed on 28 October 2024.

This is relatively early in the process. A Pre-submission Draft Plan was published in September 2024. The Parish Council considered that only limited weight should be attached to it. Whilst the draft NP may be a material consideration, it is not yet part of the statutory development plan.

Relevant Draft Policies

Policy 1: Flood Risk

Policy 2: Roads and Transport

Policy 10:using Type and Mix

Policy 11: Development Allocation

Draft Minerals and Waste Local Plan (DMWLP)

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024.

The Draft Plan has not been adopted as yet once adopted will cover the period to 2041. The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources.

Applying paragraph 49 of the NPPF, the draft plan would have some limited weight in the decision-making process.

Main Considerations:

- Principle of Development:
- Increase in Indicative Capacity
- Highway Safety / Access
- Flood Risk and Drainage:
- Design, Visual Impacts on the site at this relatively early stage in the process, applying NPPF paragraph 49.and wider landscape.
- Impacts on existing residents and future occupiers of the development
- Affordable Housing
- Infrastructure Requirements and Contributions:
- Public Open Space:
- Ecology, Biodiversity and Net Gain:
- Custom and Self Build Housing
- Climate Change
- Historic Assets
- Minerals
- Site specific requirements of policy S81

Assessment:

Planning law requires that planning applications are determined against the provisions of the development plan, unless there are material considerations that would indicate otherwise.

Principle

Policy S81 Housing Sites in Medium Villages of the Central Lincolnshire Local Plan (Adopted in April 2023) allocates the site which is identified as "WL/FISK/00A , Land North of Corn Close Sykes Lane" primarily for residential development." The indicative

number of dwellings identified over the plan period is 122. it also identifies a number of site specific requirements:

- *Development to address low voltage power lines along southern boundary*
- *Design to be sensitive to the local rural context and in keeping with the local vernacular*
- *Public Rights of Way to be retained*
- *Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension*
- *Requirement to engage with local community*
- *Partially within Sand and Gravels Mineral Safeguarding Area*

The application seeks approval to the principle of development with only access considered at this stage. Appearance, scale, layout and landscaping are reserved for future consideration. The principle of housing is therefore supported by its specific allocation for such purposes in the Central Lincolnshire Local Plan adopted in 2023.

The proposed development for up to 150 dwellings would therefore accord with the residential allocation in the Central Lincolnshire Local Plan 2023.

Detailed impacts including, highway safety, drainage, and impacts on existing education and medical services are discussed below.

Increase in Indicative Capacity from 122 to 150

A number of objections have been received due to the indicative numbers within the CLLP of 122 dwellings, being exceeded.

Paragraphs 13.2.2-13.2.3 of the CLLP address this matter. It states that *"Where the site is without planning permission, the figure is in most cases an estimate based on the size of the site, an assumption about the net developable area, and an assumption about the net residential density which would be appropriate for the area in which the site is located."*

The CLLP assumes the site is 75% developable and would have a net density of 20dph to derive the indicative figure.

However, paragraph 13.2.3 clearly states:

"The indicative numbers of dwellings are used to demonstrate how the Local Plan requirement can be met [29,150 dwellings across the plan period]. It is emphasised that they are only 'indicative', and do not represent a fixed policy target for each individual site."

This has been tested at appeal. In 2019 planning permission was sought for 63 dwellings in Nettleham (ref 138494). In granting permission, a condition was placed to limit the number of dwellings to 50, to accord with the indicative development plan figure.

This condition was appealed [appeal ref APP/N2535/W/19/3233948. The planning inspector found that " *the disputed condition limiting development to 50 dwellings is both unreasonable and unnecessary and so does not meet the tests of conditions set out at Paragraph 55 of the Framework* " and allowed the appeal.

The key issue is whether the site can satisfactorily accommodate the increase in numbers. The calculation of the indicative capacity in the CLLP is explained in the "residential allocations introduction" found in the planning policy library with the reference HOU002a. (<https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library>).

The assumptions that underpin this relate to the "developable area" which for sites of this size is 75% **and** the location within the settlement hierarchy. As a medium village a density of 20dph is assumed. 75% of the developable area is 6.3 hectares and 122 dwellings would equate to 19.4 dph. Notwithstanding this, based on a simple calculation of density in relation to the total site area 122 dwellings is equivalent to a density of 14.7 dwellings per hectare with the proposed 150 dwellings a density of 18.29 dwellings per hectare. This is still a low density of development and demonstrates that the site is capable of accommodating the increased numbers. Paragraph 129 of the NPPF states that decisions should support development that makes efficient use of land.

Highway Safety / Access

Access is to be determined with this application, and is not reserved for subsequent approval (i.e. a reserved matter).

Policy S81 states that site access is to be made "via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension".

The application proposes that all vehicular access will be taken via Corn Close only. This would also allow access for pedestrians and cyclists. A link for pedestrians and cyclists will be provided from the site to Hall Lane.

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. The Highways authority have commented that the "*submitted Transport Assessment (TA) documents outline the proposed developments trip generation impact on the public highway, and it is considered that the impact is acceptable. Access to the site will be via the existing priority junction of Corn Close and Ferry Road, and no improvements to this junction are required to facilitate this development.*" (Officer underlining).

On this advice, no harm is considered to arise to highway safety. The recommendation for 5 tactile crossings is also noted with the reason being " *safe and adequate means of access to the development*" . The only tactile crossing that would provide direct access to the site would be at the junction of Corn Close with Ferry Road and this is considered acceptable whilst the remaining junctions are located to the east and west

and do not provide direct access to the site. On this basis they are not considered to be necessary to make the development acceptable.

The Section 106 requests have also been considered. The £15,000 S106 contribution to provide 2 additional bus stops in the locality of the development and £5,000 towards Travel Plan monitoring are considered reasonable and proportionate in terms of promoting sustainable transport. The sum of £140,000 requested towards the provision of 12 month bus passes per household has also been considered. This is a site allocated for housing development in the Central Lincolnshire Local Plan. It does not preclude consideration of issues of sustainability. It is accepted this could help promote use of transport other than the car. There is no actual detail, however, supplied in terms of how this would be delivered and there is a possibility that £140,000 provided up front to purchase bus passes may not actually be utilised. On this basis on balance it is not therefore considered necessary to make the development acceptable.

The requested metalling of the public rights of way and their proposed diversion is not considered necessary at this stage where layout is a reserved matter.

Policy S81 sets out criteria for development of the site which includes:

"Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension"

This was considered as part of the determination process with a view to also limiting noise and disturbance to existing residents by utilising a second access off Hall Lane. A highways technical note and noise report was submitted by the applicants to provide additional information.

Pell Frischmann Technical Highways Note Extracts below:

"The proposed development could be expected to generate a total of 671 vehicles daily. This covers a 12-hour period (07:00-19:00). Due to the site's location relative to the nearest trip attractors, primarily within Lincoln, the vast majority of traffic is directed onto Ferry Road (West). This includes traffic accessing both the wider highway network and destinations along the A15. Having two access points to the site would not alter the overall distribution of trips but would instead affect the proportion using each access. Some trips would utilize the nearest access point, with most trips still routing west as that is the direction of their routing, especially also given the higher specification of this access."

An email from LCC Highways dated 02.12.24 sets out the following:

"Following on from yesterdays meeting, I can confirm the Highway Authority's position on the utilisation of Hall Lane for vehicular access, as not being required for this proposed development. The transport information contained in the application lays out a robust justification, in safety and capacity terms, for the use of Corn Close as the sole means of vehicular access. No improvements to the network, in terms of this element, are required. It is the Highway Authority's desire to utilise Hall Lane as a shared space for pedestrians, cyclists and the small amount of existing vehicular

access associated with the lane at present. A link from the development site onto the lane for pedestrians and cyclists is all that is required."

It is therefore reasonable to conclude notwithstanding, the objections raised by residents and Fiskerton Parish Council, that the provision of a second vehicular access off Hall Lane as set out in the site criteria would not bring about any highway safety benefits. On this basis the use of Hall Lane for pedestrians and cyclists only is considered acceptable. Subject to the imposition of certain conditions requiring the improvements discussed above to be completed before occupation of any dwellings it is considered that no harm would arise to highway safety, and it would be in accordance with policy S47. The cycle and pedestrian link would also assist in the provision of walking and cycling infrastructure required by policy S48. The link will be conditioned.

Flood Risk and Drainage

The vast majority of the site falls within Flood Zone 1 which is low probability land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2 and 3) There are also vertical sections of the site within Flood Zone 2 which is medium probability land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map



A Drainage Strategy has been submitted in support of the application. This shows that the site is underlain primarily by clay and till which prohibits the disposal of surface water runoff by means of infiltration.

It is proposed for the development area to drain as two catchments. Outfall locations have been noted as existing culverts, two located in the south-west of the site and the third located along the western boundary to the east of the centre of site. The developable and impermeable areas have been measured from the development masterplan. The impermeable area also accounts for 10% urban creep.

The attenuation for Catchment "A" will utilise the existing basin located along the southern boundary in the catchment. The current basin is split into two discrete features by the existing Public Right of Way which cuts across the site. The idea is to increase the size of the basin to accommodate the proposed volumes produced by Catchment "A".

The existing volumes proposed additional volumes and total volumes of the attenuation required has been calculated. The attenuation required for the Catchment "B" will be provided by a grassed attenuation basin. This basin will be dry under normal conditions and will fill up under significant storm events prior to discharge into the receiving sewer at the catchment greenfield. It is noted that the capacity of the attenuation ponds has been questioned, nevertheless, the proposed volume has been arrived at following detailed calculations set out in Appendix G of the Sustainable Drainage Report

The detailed objections from the Parish Council and residents are noted with particular reference to the possibility of flooding southwards toward existing housing. The drainage strategy includes an exceedance plan in order to show that the houses to the south of the proposed development are not at risk of flooding. The western basin will flow to the southwest or southeast in the case of water levels exceeding the top of bank level, and the majority of the exceedance flow from the eastern basin would flow to the east towards Hall Lane.

The Lead Local Flood Authority has confirmed that it is suitable in principle and will be subject to detailed design at reserved matters stage. Subject to the imposition of conditions requiring the submission of detailed proposals for written approval it would be in accordance with policy S21.

S12 seeks to minimise impact on the water environment of by utilising water efficiency measures including the provision of water harvesting butts and this will be secured by condition.

Design, Visual Impacts on the site and wider landscape.

These matters are not capable of detailed consideration at this stage as appearance, scale, layout and landscaping are reserved for future consideration. Nevertheless a Landscape and Visual Impact Assessment (LVIA) has been submitted with the application together with an Arboricultural Impact Assessment.

This demonstrates that the site is visually well contained and is only visually accessible in short and medium range views from its southern and eastern boundaries. A break of slope, a dense thick hedgerow with trees, both combine to preclude views into, and out of, the site from the north and the west respectively. Due to its elevated position, long distance views of the site can be obtained from the lower lying land across the River Witham to the south, but these views are influenced to some extent by the ribbon of existing development which defines the character of its southern boundary.

In terms of landscape effects the development is judged to have a largely minor to negligible adverse effect on landscape character and a variable effect from major to no change on landscape resources. Residual effects are judged to remain the same. In terms of landscape resources most of the residual effects also remain the same apart from hedgerows as the new perimeter hedge matures and makes a positive contribution linking all existing hedges together.

In relation to visual effects, the effects are similarly varied. Where the viewpoint is close to the development then the effects are predicted to be moderate adverse as open views of countryside are replaced with housing. This applies to most of the footpaths that cross the site. However, where the viewpoint is more contextual, then values of moderate beneficial are recorded where the development is seen as a consistent, non-prominent extension of the existing housing along Ferry Road. In terms of residual effects which consider mitigation measure then the values are predicted to decline slightly as the hedgerow and street trees mature.

The case officer is in agreement with the findings that the landscape is capable of accommodating the development proposed.

Arboricultural Survey:

A total of four trees (T) and two tree groups (TG) have been identified and assessed as part of the tree survey. All trees surveyed with the exception of one tree group were within the site or stood on the boundary.

The distribution of the trees and tree groups across the site is limited to being randomly dispersed within field boundary hedgerows. A tree group is also present off-site, immediately adjacent to the south-eastern boundary, with a canopy that extends into the site.

Hedgerows: A total of seven hedgerows have been identified and assessed as part of the hedgerow survey. Whilst the hedgerows were assessed against the Hedgerow Regulations (1997) criteria, they did not support the number of woody species or associated features required to meet the criteria for an Important Hedgerow.

Recommendations (Adequate Tree Protection) Those trees identified within any development plan for retention will need to be adequately protected during any approved development works. As a general rule at this Site, measures to protect trees should follow the best practice principles set out in BS5837: Trees in Relation to Design, Development and Construction (2012). Prior to any construction or development work proceeding, the RPAs of individual trees to be retained should be marked out using the distances provided in the Table 1. Marking out should be completed by a person with arboricultural or horticultural expertise as individual trees will have root zones that may be affected by local conditions and allowances would need to be made to accommodate this.

Recommendation 2 (Ash Dieback) Trees that display signs of ash dieback should be monitored annually to assess their long-term viability.

The Tree survey carried out identified and plotted tree categories: These are:

Category (A): Trees whose retention is most desirable and are of high quality and value. These trees are considered to be in such a condition as to be able to make a lasting contribution (a minimum of 40 years)

Category (B): Trees whose retention is considered desirable and are of moderate quality and value. These trees are considered to be in such a condition as to make a significant contribution (a minimum of 20 years).

Category (C): Trees that could be retained but are considered to be of low quality and value. These trees are in an adequate condition to remain until new planting could be established (a minimum of ten years) or are young trees with a stem diameter below 150 mm.

Category (U): Trees that are considered to have no significant landscape value but it is not presumed that there is any overriding need to remove these unless stated otherwise in the description and recommendations.

A condition will be imposed requiring retention of category A and B trees with associated root protection measures to be implemented before development commences. This will help mitigate the visual impact of the development and protect biodiversity.

Impacts on existing residents and future occupiers of the development

Policy S53 sets out that all development proposals will be assessed against and will be expected to meet specified design and amenity criteria (officer underlining) including

8a) Provide homes with good quality internal environments and adequate space for users and good access to private , shared or public spaces.

This is considered achievable due to the size of the site.

8d) Not result in harm to peoples amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare.

As with 8a) above harm within the development is considered unlikely. Whilst objections have been raised by some residents to the south on the subject of overlooking it is noted that the land rises to the north which could potentially allow a greater degree of overlooking however as layout is a reserved matter for future consideration it is considered that sufficient distance separation could be provided to mitigate any impacts.

Increased noise and disturbance would arise principally to residents surrounding and in proximity to the single access proposed into the site which originally weighed against a positive determination. it is also noted that the site specific criteria includes access "*via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension*"

The proposed development could be expected to generate a total of 671 vehicles daily. This covers a 12-hour period (07:00-19:00). In addition to the highways technical note discussed earlier in this report a noise report by acoustic consultants Sharps Redmore was also submitted in support of the application which is based on the traffic movements predicted. It should be noted that the figures quoted are not disputed by the Highways Authority.

Sharps Redmore Noise Report Extracts below:

To determine existing noise levels a noise survey was carried out in 13 November 2024. Measurements were taken at a location chosen to be representative of the residential bungalows in Corn Close.

Survey Results – 13 November 2024

Period	Noise Level $L_{A10,1hr}$	Observations
1300 – 1400 hrs	54 dB	Noise levels dominated by road traffic on Ferry Lane.
1400 – 1500 hrs	56 dB	
1500 – 1600 hrs ^[1]	55 dB	

^[1]Measurement cut short due to influence from red arrows practicing near site

"Using the above formulae the existing day time ambient noise level $L_{Aeq16hr}$ is calculated as 52 (55-2-1) dB. As advised above with the exception of air craft noise after 1520 hours, the existing noise climate is dominated by road traffic noise on Ferry Road, which as observed carried a steady flow of traffic, including buses, light and heavy goods vehicles. Existing noise levels are in excess of 50 dB $L_{Aeq16hr}$ as advised in the World Health Organization Guidelines but below the upper threshold of 55 dB $L_{Aeq16hr}$.

Predicted Noise Levels

To determine predicted noise levels, SR has used data provided by the transport consultants Pell Frischmann. Two scenarios have been considered:

Option 1 – Single access into site from Corn Close;

Option 2 – Main access off Corn Close (75% of predicted flow) with secondary access (25% of predicted flow) off Hall Lane

TABLE 6: Predicted Noise Levels – Existing + Development Traffic

	100% Corn Close	75% Corn Close
Predicted Level $L_{Aeq16hr}$	49 dB	48 dB
Measured Existing Noise Level $L_{Aeq16hr}$	52 dB	52 dB
Overall Noise Level $L_{Aeq16hr}$	54 dB	54 dB
Change in noise level $L_{Aeq16hr}$	+2dB	+2dB

The change in noise level for both scenarios would be an increase in ambient daytime noise levels of around 2 dB. As advised an increase of 2dB would be imperceptible and have a negligible impact on existing residents in Corn Close. Predicted noise levels would also still be below the upper threshold of 55 dB, as recommended in the WHO Guidelines for Community Noise. As shown the impact of the secondary access off Hall Lane on noise levels in Corn Close would be negligible, and therefore in terms of noise, there is no benefit of having a secondary access off Hall Lane."

It would therefore be reasonable to find based on the above that traffic noise and disturbance would not represent a reason to withhold consent. Concerns raised about noise and disturbance from construction are also noted and a Construction Environmental Management Plan will be conditioned to help mitigate impacts. In conclusion it is considered that unacceptable adverse impacts on existing and future residents would not arise and the proposal would be in accordance with policy S53.

Affordable Housing

Policy S22 requires the provision of 20% affordable housing on the site which would equate to 30 units. This has been agreed by the applicant and can be delivered through the completion of satisfactory S106 agreement. Subject to this it would be in accordance with S22.

Infrastructure Requirements and Contributions

Policy S45 requires development to be supported by and have good access to infrastructure.

Medical Services

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings).

This will fund improvements to Nettleham Medical Practice and Wragby Surgery as the development is within their catchment area.

This has been agreed with the applicants and can be delivered by completion of a Section 106 Legal Agreement.

Education contribution

The Local Education authority (Lincolnshire County Council) has identified a shortfall in Primary School places and does not have current capacity to meet the needs that will arise from the development.

They are seeking a financial contribution to address an expected shortfall in primary school places. They estimate that a scheme of 150 dwellings could generate a need for up to an additional 45 spaces.

Following February's meeting, further discussion has been held with the applicant. They have now confirmed that they are agreeable to making a full contribution to cover the amount of primary school places that will be generated by the development.

As is standard practice, as the application is in 'outline', a formula will be used in the S106 planning obligation in order to calculate the final number of primary pupil places expected to be generated, based on the final house numbers, types and sizes approved at the reserved matters stage.

Public 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)."

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.

According to The Fields in Trust website (FIT) (previously the National Playing Fields Association (NPFAs)) 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.

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)

Where household size is unknown (e.g. outline permission) the district average household size will be used (2.3). The average occupancy levels for calculating development population are set out in Table A3.3 in Appendix 3 of the Central Lincolnshire Local Plan and replicated below. 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.

Table A3.3. Average Occupancy Levels for Calculating Development Population

Number of bedrooms	Lincoln	North Kesteven	West Lindsey
1	1.3	1.3	1.3
2	1.9	1.7	1.7
3	2.4	2.3	2.3
4	2.9	2.9	2.8
5 or more	3.5	3.2	3.1
District average occupancy rate	2.2	2.3	2.3

Up to 150 Dwellings proposed x 2.3 : Therefore total population calculated to be 345.
TOTAL POPULATION= 345

Calculated requirement of Open Space by type:

Allotments and Community Growing Space:

$345/1000 \times 0.31 = 0.1069$ hectares or 1069m²

Amenity Greenspace:

$345/1000 \times 0.66 = 0.2277$ hectares or 2277m²

Provision for Children and Young People:

$345/1000 \times 0.12 = 0.0414$ hectares or 414m²

Local and Neighbourhood Parks and Gardens:

$345/1000 \times 0.38 = 0.1311$ hectares or 1311m²

Outdoor Sports Facility:

$345/1000 \times 1.09 = 0.3760$ hectares or 3760m²

Natural and Semi-Natural Greenspace:
345/1000 x 1 = 0.3450 hectares or 3450m²

The total requirement (0.1069 + 0.2277+ 0.414+ 0.1311 + 0.3760 + 0.345) = 1.6007 hectares (16,000 sq.m.)

Provision identified on indicative site plan
0.792 + 0.847 + 0.371 = 2.01 hectares (20,100 sq.m)

This demonstrates that there would be sufficient space within the application site to accommodate the total requirement. Concerns have been raised by the parish and objectors with regard to its location and usability. Layout is reserved for future consideration and is not a matter under consideration with this application. A condition will be imposed requiring details of the public open space to be submitted to and approved in writing by the local planning authority, and to demonstrate compliance with Appendix 3 of the CLLP and the latest Central Lincolnshire Developer Contributions SPD (or similar subsequent document). An additional condition would require the timing of implementation of the approved public open space to be submitted to and approved in writing by the local planning authority. Subject to this it would accord with policy S51.

Ecology, Biodiversity and Net Gain

Policy S60 seeks to protect biodiversity and geodiversity. A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. A summary of its findings is reproduced below.

Designated Sites: The site is not covered by any statutory or non-statutory native conservation designations. There are no sites covered by statutory designations within 2km of the site boundary and there is a single Local Wildlife Site within 2km of the site boundary. No impacts upon designated sites are predicted and no further survey and assessment work are recommended.

Habitats: The habitats within the site have no significant or intrinsic botanical value and the loss of the area of arable agricultural cropland, ruderal vegetation and neutral grassland habitats would not be significant. No further survey or assessment work is recommended with regard to their botanical value.

Bats (Buildings and Structures): There are no buildings within the site. No impacts upon roosting bats in buildings are predicted and no further survey or assessment work is recommended

Bats (Trees and Habitats): There are no large trees with potential roost features to be removed or directly affected by the proposed development and no commuting routes would be disrupted. Habitats created as part of the outline site plan will create additional areas of foraging habitat for bats. No significant impacts upon commuting or feeding bats or upon bats roosting in trees are predicted and no further survey and assessment work is recommended.

Otter: The site does not contain any habitats of potential value to otters, no evidence of otter activity was recorded during the field survey. No impacts upon otters are predicted and no further survey or assessment work for otters is recommended.

Water Vole: The site does not contain any habitats of potential value to water vole, no evidence of water vole activity was recorded during the field survey and the ditches were considered unsuitable for this species. No impacts upon water vole are predicted and no further survey or assessment work for water vole is recommended

Brown Hare: The arable agricultural land is of limited value to brown hare, and none were recorded during the field surveys. Areas of new grassland and hedgerow proposed for the site will provide habitat for brown hare. No significant impacts upon brown hare are predicted and no further survey or assessment work for brown hare is recommended.

Hedgehogs: The hedgerows within the site boundary provide foraging habitat and potential hibernating habitat for hedgehogs. The hedgerow and associated habitats would be retained. The outline landscape proposals include the planting of new extensive length of hedgerow along the northern site boundary with some areas of woodland planting and grassland creation. Garden fences will include access for hedgehogs to move freely between gardens and adjacent areas of habitat and the retained hedgerows will provide corridors for movement through the residential areas. No significant impacts upon hedgehogs are predicted and no further survey work is recommended.

Breeding Birds: The arable agricultural land has little interest for breeding birds and the boundary and dividing hedgerows would be retained and protected with natural buffer zones. No significant impacts upon nesting birds are predicted and no further ornithological survey work is recommended

Amphibians: The site does not contain any ponds and is linked only to a single off-site pond adjacent to the southern boundary. No impacts upon amphibians are predicted and no further survey work is recommended.

Reptiles: Previous ecological studies completed in 2015 identified a small number of grass snake on site adjacent to the southern boundary. The arable agricultural cropland is of very limited value to reptiles and hedgerows and much of the existing flood basin will be retained as habitat suitable for reptile. It is recommended that any development of the site be undertaken under the guidance of a standard method statement to minimise potential impacts upon reptiles and that this be included in the project CEMP. No significant impacts upon reptiles are predicted and no further survey work is recommended

Recommendations:

Breeding Birds: That removal of trees, shrubs and surface vegetation should be completed outside of the bird breeding season (March to September inclusive). Where this is not possible a suitably qualified and experienced ecologist should complete a survey of the site immediately prior to completion of the proposed works to search for

nesting birds and to advise on exclusion zones or timing of works if nesting birds are recorded.

Reptiles: It is recommended that any development of the site be undertaken under the guidance of a standard method statement to minimise potential impacts upon reptiles and that this be included in the project CEMP.

Subject to conditioning the recommendations above no harm is considered to result to biodiversity on the site notwithstanding the objections received from residents on this issue.

Biodiversity enhancement and the delivery of BNG:

The results of the BNG metric are reproduced below which show in excess of 10% BNG being delivered. As an outline planning application no landscaping proposals have been submitted with the indicative masterplan demonstrating that the required BNG could be delivered. This will be delivered on site through soft landscaping proposals that would be submitted at reserved matters.

On-site baseline	Habitat units	22.85	
	Hedgerow units	6.61	
	Watercourse units	1.42	
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	25.51	
	Hedgerow units	8.47	
	Watercourse units	1.61	
On-site net change (units & percentage)	Habitat units	2.66	11.65%
	Hedgerow units	1.86	28.11%
	Watercourse units	0.20	13.78%

A Habitat Management and Maintenance Plan (HMMP) will be required and this will be secured through a section 106 agreement. Subject to this it would deliver in excess of the statutory requirement for BNG.

Custom and Self Build Housing

Policy NS 24: Part 3 Provision of plots on large sites: This requires proposals for 100 or more dwellings to deliver serviced plots of at least 5% of the total number of dwellings (i.e. 8 plots for a site of 150 dwellings). All plots set aside for self build or custom build housing (secured via a legal agreement or planning condition) must include:

- a) Legal access onto a public highway
- b) water, foul drainage, broadband connection, and electricity supply available at the plot boundary.
- c) sufficient space to build without compromising neighbouring properties and their amenity and the amenity of future occupiers: and
- d) an agreed design code or plot passport If plots remain unsold after a thorough and proportionate marketing exercise which:
- e) includes making details available to people on the custom and self build register at the Central Lincolnshire Districts: and
- f) 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.

This can be secured by a Section 106 legal agreement.

Climate Change

Policies S6 and S7 collectively seek to reduce energy consumption in all new residential development and set out design guidance. The submission of an Energy Statement is required. The principal aim is to ensure that the energy demands of new development are met by renewable energy. The target is to achieve a site average space heating demand of 15-20 kW/m²/yr and a site average total energy demand of 35kW/m²/yr. No single dwelling can have a total energy demand of greater than 60kW/m²/yr irrespective of the amount of renewable energy generation. A condition will be placed requiring an Energy Statement to be submitted with the Reserved Matters application. It would therefore be in accordance with S6 and S7.

Historic Assets

Policy S57 requires that development affecting archaeological remains should take steps to protect them. Following further investigations recommended by LCC Archaeology it has been determined that it would be unlikely that any significant archaeological remains will be impacted by the proposed development. On this basis it would accord with policy S57.

Minerals

It is noted that the draft Minerals and Waste Local Plan is progressing towards adoption.

Nevertheless the current plan is considered relevant for assessment purposes. Policy M11 allows development in such areas if it forms part of an allocation in the Development Plan. This is the case here.

Site specific requirements of policy S81

Development to address low voltage power lines along southern boundary ;

The application submission indicates that these will be placed underground.

Design to be sensitive to the local rural context and in keeping with the local vernacular :

Layout, scale, appearance and landscape are reserved for subsequent approval and cannot be considered at this stage although this is considered capable of being delivered at reserved matters stage.

Public Rights of Way to be retained :

Layout is a matter for future consideration. Nevertheless the submitted illustrative layout incorporates the rights of way which demonstrates this is capable of delivery.

Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension :

Vehicular access is proposed from Corn Close with a link from the site onto Hall Lane for pedestrians and cyclists to be provided. This is the explicitly expressed preference of the Highways Authority. This is supported by the submission of additional information principally the Highways Technical note prepared by Pell Frischmann , whilst it is noted this is subject to objections from residents it is important to note that the Highways authority does not question its methodology or findings. The provision of a link to the site for pedestrians and cyclists will be conditioned. Technically this could be considered an access to the site.

Requirement to engage with local community :

This is summarised in the design and access statement:

Community involvement has taken place during the course of the design process. In summary, this process has included a mail-shot to the local residents and stakeholders and a Community Consultation Event where local residents and stakeholders were invited to view and comment upon the proposals.

Following the public consultation event, held on 27.02.2024, the following improvements have been made to the illustrative site layout:

- *Parking provisions are in-curtilage.*
- *Hall Lane Site access is for pedestrians and cyclist only, with provisions for emergency vehicles to be access controlled.*

On this basis it is reasonable to conclude that there has been engagement with the local community.

Partially within Sand and Gravels Mineral Safeguarding Area:

This has been discussed in the Minerals section above and the development complies with the Minerals and Waste Local Plan.

Other Matters

The Parish Council is concerned by the noise and disturbance generated during construction. A condition is recommended for a Construction and Environmental Management Plan to be submitted for written approval to help mitigate the impacts.

Conclusion and reason 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 , NS 24 Custom and Self Build Housing, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S51 Creation of New Open Space, Sports and Leisure Facilities, S53 Design and Amenity, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, and S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan 2023 . 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.

This is an application for outline permission with all matters apart from access reserved for future consideration for up to 150 dwellings on a site specifically allocated for residential development. It exceeds the indicative capacity of 122 however the site size is capable of satisfactorily accommodating the increase. The need for additional school places and improvements to existing medical services have been considered in detail and are capable of being provided through financial contributions secured by legal agreements. Highway safety has also been considered and has been found to be acceptable subject to the imposition of conditions. Surface water drainage arrangements have been considered by the Lead Local Flood Authority who raise no objections. The required level of affordable housing and public open space will also be secured. Existing measured noise levels are 52db and the predicted increase of around 2 db is not considered significant. Biodiversity will be protected and enhanced with BNG provided via a suitable soft landscaping scheme submitted in the future via an application for approval of the reserved matter of landscaping and will be delivered through an appropriate S106 legal agreement that will include monitoring arrangements. Approval is therefore recommended.

Decision Level: Committee

Defer and delegate approval to officers subject to completion of a Section 106 agreement that provides:

Education

A contribution to be paid on completion of 50% of the development to increase primary school capacity to accommodate the number of primary age children expected to be generated by the development

NHS

A contribution of up to £94,875 on completion of 50% of the dwellings in order to contribute to the extension of existing medical facilities at the Nettleham Medical Practice and Wragby Surgery

Highways

£ 15,000 for two new bus stops
£ 5,000 to monitor the Travel Plan

Affordable Housing 20% of the dwellings to be delivered as affordable housing. The tenure split shall be:

25% First Homes; 15% Shared Ownership and 60% Affordable Rent.

Provision of Plots for Custom / Self build homes - No less than 5% of plots to be reserved for custom and self build housing.

Biodiversity Net Gain

and recommended conditions

1. Apart from the allocated self-build plots an application for approval of the reserved matters for the remaining 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 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 building(s) 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).

4. The 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 policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

5. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must include:

- The retention and protection of the category "A" and "B" trees identified by the Arboricultural Survey prepared by Delta Simons dated April 2024.
- A minimum of one bat roost unit incorporated into each structure.
- A minimum of one bird nest unit incorporated into each structure (with 50% dedicated to swifts)
- A minimum of one bee brick unit incorporated into each structure.
- Hedgehog appropriate fencing

- Amphibian friendly curb treatments and drains.

The details submitted must include the positions, types and specifications. The details approved must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

Reason: In the interests of biodiversity protection and enhancement in accordance with policy S60 of the Central Lincolnshire Local Plan and section 15 of the National Planning Policy Framework

6. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must contain details of a pedestrian and cycle link from the site to Hall Lane.

Reason: In the interests of improving cycling and pedestrian accessibility to the site in accordance with policy S48 of the Central Lincolnshire Local Plan.

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

7. No development shall commence until a surface water and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority

The scheme shall:

- 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 upto and including the 1 in 100 year critical storm event with an allowance for climate change, from all hard surfaced areas within the development to 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 shall be restricted to an agreed greenfield run off rate.
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development including any arrangements for adoption by a public body or statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime

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

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream in accordance with policy S21 of the Central Lincolnshire Local Plan.

8. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall indicate measures to mitigate the adverse impacts of noise and disturbance and vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. The CEMP shall include

- a) Location of the site compound and routing of construction and delivery vehicles
- b) Parking and turning areas for construction vehicles, delivery vehicles and site personnel;
- c) Temporary traffic management signage;
- d) Access points, loading/unloading and turning areas for construction traffic;
- e) Hours of operation and timing of deliveries which are to be between 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on a Saturday and at no time on a Sunday or Bank Holiday unless in association with an emergency;
- f) Dust suppression, odour suppression and vapour suppression methods;
- g) fencing/hoardings to any compounds;
- h) Structures to be located within compounds and any proposed lighting including measures to limit light spillage to the public highway and to nearby residents;
- i) Plant, equipment and machinery to be installed within the compound including details of hours of operation and noise during operation;
- j) Facilities for washing the wheels, chassis and bodywork of construction vehicles free of mud;
- k) Storage and removal of demolition and construction waste;
- l) Construction activities to be carried out in accordance with best practice pollution prevention guidelines.

Reason: In the interests of highway safety and to restrict disruption to the living conditions of neighbouring dwellings and the surrounding area from noise, dust and vibration in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

9. No development shall take place until a written Construction Ecological Management Plan (CEMP) in accordance with the Preliminary Ecological Appraisal dated June 2024 and prepared by Rob Firth is submitted to and approved in writing by the Local Planning Authority. The CEMP shall relate to the species-specific mitigation and enhancement measures described in subsection 6.6 and 6.7. The details approved must be adhered to.

Reason: In the interests of preservation of biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan.

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

10. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved relates to the following drawing:

Site Location Plan Drawing No. S001 Rev A - red line application boundary

Reason: In the interests of proper planning

11. No works above ground level shall take place until details of the proposed public open space including planting plans, written specification, schedules of plants and species and any outdoor seating or equipment to serve the development have been submitted to and approved in writing by the local planning authority. The details submitted must demonstrate compliance with Appendix 3: Open Space Standards of the Central Lincolnshire Local Plan adopted 2023 and compliance with the latest Central Lincolnshire Developer Contributions Supplementary Planning Document (or similar subsequent document).”

Reason: To ensure sufficient provision of open space to serve the development in accordance with policies S51 and S53 of the Central Lincolnshire Local Plan.

12. The public open space details approved by condition 11 must be provided on site prior to first occupation of the dwellings approved **or** to a timescale and phasing that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the timely provision of public open space to accord with Policy S51 of the Central Lincolnshire Local Plan.

13. The dwelling/s hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan (2023).

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.

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

15. No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of the provision of a tactile crossing point at the following junction locations, have been certified complete by the Local Planning Authority.

Corn Close/Ferry Road

Reason: In the interests of highway safety in accordance with policy S47 of the Central Lincolnshire Local Plan

16. Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of highway safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

17. Before any dwelling is occupied it must have a rain harvesting water butt of a minimum 100 litre capacity within its garden area.

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

18. 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.

Human Rights Implications:

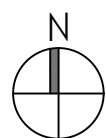
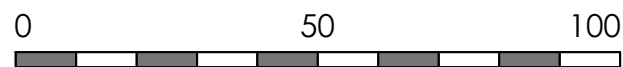
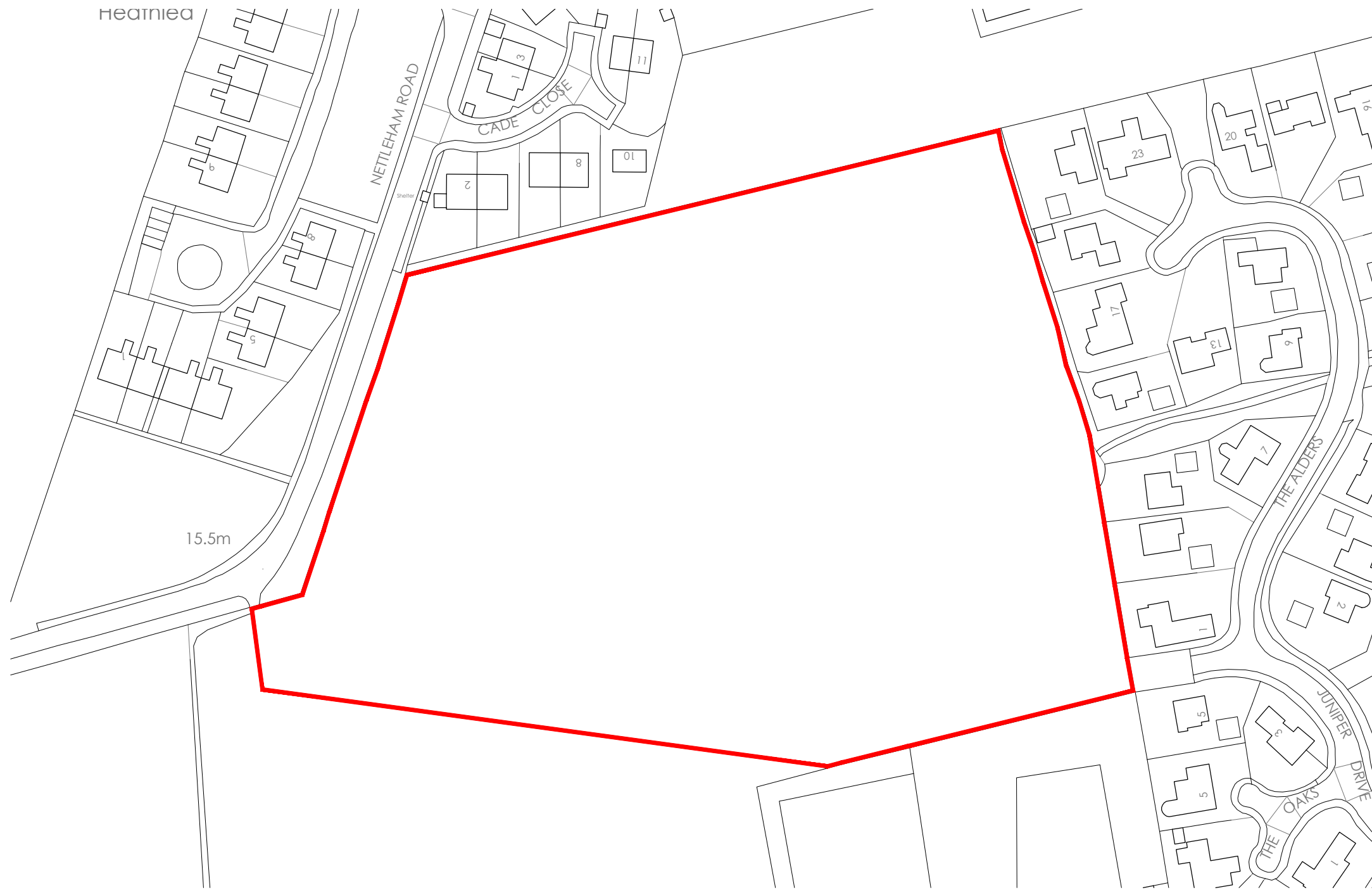
The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family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

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Rev	Revision note	Date	Drawn by
	PROPOSED RESIDENTIAL DEVELOPMENT AT LAND OFF NETTLEHAM ROAD SCOTHERN		
	Drawn by HU	Issue PLANNING	Date MAY 2024
	Scale 1:1250 @ A3		
	Framework Architects	SITE LOCATION PLAN	Dwg No J2342 - 00101
			Rev -

Officers Report

Planning Application No: WL/2024/00570

PROPOSAL: Planning application to erection 49no. dwellings including formulation of new vehicular access from Nettleham Road, internal access roads, provision of areas of open space, landscaping, and drainage infrastructure.

LOCATION: LAND OFF NETTLEHAM ROAD, SCOTHERN, LINCOLN

WARD: SADBROOKE

WARD MEMBER: Cllr B Velan

APPLICANT NAME: Barber Farms Ltd and Robert Adey

TARGET DECISION DATE: 16/10/2024 (Extension of time agreed to 7th March 2025)

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Holly Horton

Recommended Decision: Grant planning permission with conditions and delegate to officers to issue an approval subject to the signing of a S106 agreement to include:

- NHS contribution of £632.50 per dwelling totalling £30,992.50.
- LCC education contribution of £336,829.50 for primary extension.
- 20% of units to be affordable comprising 7 x Affordable Rent units, 2 x Shared Ownership units, 3 x First Homes units
- Biodiversity Net Gains on-site and off-site.
- Open Space – commitment to management and maintenance

This application has been referred to the planning committee following representations on planning matters made by third parties, including the Parish Council.

Description:

The site:

The site is allocated for residential development under Policy S81 of the Central Lincolnshire Local Plan, reference WL/SC/004A, and policy H4 of the Neighbourhood Plan.

The application site comprises an area of land measuring approximately 2.72 hectares, located on the eastern side of Nettleham Road, to the south-west of the settlement of Scothern. The site is former cropland which currently consists of a mixture of grassland, hedgerows, small trees and shrubbery.

The site is adjoined by residential dwellings to the east (forming Juniper Drive/ The Alders/ The Oaks), with Grange Park – an area of designated local green space to the north/north-west, with dwellings forming Cade Close to the north/north-east of

the site. Nettleham Road adjoins the site to the west, with residential dwellings beyond, with an agricultural field to the south/south-west and van/low loader business 'Maxi Mover' to the south/south-east.

The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. There are also a number of public rights of ways in the nearby vicinity of the site.

The proposal: The application seeks planning permission, in full, for the erection of 49 dwellings. The proposed development comprises 12 no. affordable dwellings (25%) and 37 no. open market dwellings. The overall unit breakdown would be as follows:

- 6 no 1-bedroom dwellings (2no market, 4no affordable)
- 7 no. 2-bedroom dwellings (1no market, 6no affordable)
- 15 no. 3-bedroom dwellings (13no market, 2no affordable)
- 17 no. 4-bedroom dwellings (17no market)
- 4 no. 5-bedroom dwellings (4no market)

Please note, the application has been amended since submission and relates to drawings received on 16th December 2024. The proposal has been amended following concerns from statutory consultees, non-statutory consultees and the LPA. The number of dwellings remains the same however the layout of the site has been amended to address the matters raised.

Relevant history:

134295 - Planning application for residential development of 38no. dwellings- resubmission of 133190 – Refused 22/06/2016 (Appeal dismissed).

133190 - Planning application for residential development of 38no. dwellings – Refused 09/02/2016.

Representations:

Scothern Parish Council:

13/02/2024 - Scothern PC are pleased that some of their original comments have been addressed in the re-consultation however, there are still concerns:

Flooding

- Still concerned about the flooding issues, due to the significant surface water in the area and would like to stress the importance to solve the issues as stated in the reports. If the proposal is approved, the PC would like to see the work on the drainage which effects Grange Park and Church Street commenced as soon as possible.

Highways

- The increased number of vehicles still remains a concern, and we support the developers view of no access to the site from the Alders.
- Concerns were raised over the safety to the entrance of the development and would like Highways to assess the area.
- The driveways from Plots 17, 18 & 1,2,3,4 all exit very near to the entrance off Nettleham Rd.
- There is no footpath to the west side for the safety of pedestrians from the site.

Legal

- The PC would like to see a financial contribution to a local bus service and to be included in the 106 Agreement decisions.

19/08/2024 – Makes the following comments and materials considerations on the application:

General - Requests that the application be reviewed by the Planning Committee, not under delegated powers due to the large development proposed.

Highways - Vehicles should be prevented from traveling through the village due to safety concerns.

Flooding - The village experienced serious flooding during storms Babet and Henk in late 2023, and the Anglian Water Pumping Station on Northing Lane couldn't cope. Further development would further strain the station.

Affordable Housing - should be integrated into the site to avoid discrimination of future occupants.

Consultation with local residents - The process excluded many residents, despite the development's village-wide impact. A brief consultation meeting with the Parish Council on 9 April 2024 did not involve village residents or address a Section 106 Agreement.

NHS & Education - Local school and medical facilities are at capacity, the impact of the proposal on these services requires further investigation.

Housing Types - The parish council would like to see bungalows for local residents to downsize and stay in Scothern with available care support.

Sudbrooke Parish Council:

13/01/2025 – supports Scothern Parish Council with its comments made on 19/08/2024.

- There is lack of infrastructure in Scothern, a very infrequent bus service and no shop.
- The local schools are at full capacity so where would children on the development go to school?
- There has been serious flooding in Scothern in the past 18 months. Additional drainage could be diverted through Sudbrooke.

- Development traffic should not be directed through Sudbrooke via the A158 as this would exacerbate a problem in Sudbrooke at the junction of Scothern Lane/A158.

Local Residents:

Object to the application/have concerns with the application, as summarised below:

6 The Alders, Scothern
5 The Alders, Scothern
3 The Alders, Scothern
Slayleigh 19 Church Street, Scothern

Flooding Issues

- Unresolved flooding in Scothern after drainage works on Sudbrooke Road and has caused inconvenience and distress for residents.
- Large lakes developed in Grange Park area, and on land where new houses would be developed.
- Disputed claims that the site is not at risk of flooding and that the proposal will not increase flood risk.
- Anglian Water's assessment deems surface water strategy unacceptable.
- Weather and rainfall is becoming more extreme so site needs a robust scheme to alleviate potential flooding.
- Severe flooding from Storms Babet and Henk in October 2023 and January 2024.
- Unmaintained dykes resulted in flooding of properties and gardens.
- Wastewater infrastructure requires extensive work.

Housing Allocation

- Site originally allocated for 41 houses, but 49 planned.
- 37 homes are 3, 4, and 5-bedroomed, not starter or "affordable" homes.
- Likely to be purchased by people from more expensive areas, not aiding local youngsters.

Affordable Housing:

- 12 affordable units included, unclear if suitable for less mobile/elderly occupants.
- Affordable units should be integrated throughout development.
- Unclear if units are for rent, purchase, or shared ownership.

Highways/Traffic/Parking

- TRICS database projections for extra car journeys is guesswork.
- Incorrect information regarding bus services.
- Public transport not adequate for new residents, increasing car dependency.
- 24.5% of residents are over 65, needing public transport as stated in NP.
- Lack of public transport and connectivity to surrounding villages.
- Travel Plan incorrectly states public transport is available to Cherry Willingham and Wragby.
- Limited public transport provided by CallConnect and PC Coaches only to Lincoln City Centre.

- Increased traffic puts pedestrians and cyclists at risk.
- Central Lincolnshire Local Plan 2023 requires minimum 135 parking spaces, only 101 allocated in proposals.
- Contradiction in Lindum Homes' promise of minimum 2 car spaces per property.
- Lack of visitor parking spaces in plans.
- Opposition to access via Juniper Drive/The Alders due to safety concerns and creation of 'rat run' and increased noise.
- Four access points on busy Nettleham Road; main access on a bend – not good.
- No provision for metalled footpath from bus shelter to main site access.
- Roads should meet Lincolnshire Council Highways specifications.
- Development vehicles should be restricted from village centre access and required to clean wheels before leaving the site.

Local Facilities/Infrastructure:

- Lack of local facilities/infrastructure in Scothern, requiring travel to other villages for basic needs.
- School may need to expand to accommodate new students. It is already at capacity disadvantaging current residents.
- Ellison Boulters Academy and William Farr Comprehensive CoE School are at capacity and landlocked.
- Covenant at William Farr School restricts pupil intake due to extensive development in surrounding areas.
- Both Nettleham and Welton medical practices are at capacity and landlocked.
- Proposal may increase class sizes and affect education quality.
- Struggle for doctor's appointments and dental services.
- Doubts about effectiveness of developer donations to local services.
- Surrounding villages also stressed by increased demand on services.

Previous Rejection:

- 2015 application for 38 dwellings was rejected due to concerns of overdevelopment and lack of sustainability.
- Current proposal for 49 dwellings exacerbates overdevelopment and imbalance.

Planned Growth:

- Scothern identified as a medium-sized village with a 10% growth target (345 households).
- Recent developments led to 20% growth, far exceeding targets.
- Further growth unnecessary and unbalancing.

Consultation:

- Insufficient communication and consultation with residents and a short response period impacts research and response quality.
- Fail to see how this application improves current residents lives.
- Inadequate community consultation, letters sent only to immediate vicinity.
- Drop-in session needed for all residents to view proposals and provide feedback.
- Only six responses received by Lindum showing it was not comprehensive

- No discussion on Section 106 agreement.

Green Spaces:

- Need for more green spaces which is vital in a village to prevent overcrowding.
- Increased traffic would impact existing green spaces (LGS5) nearby to entrance of site.
- Management committee needed for green spaces.

Environmental:

- Development will harm local wildlife habitats, including bats.
- Fails to meet the 10% net gain in biodiversity requirement.
- Increased light pollution will negatively affect biodiversity.

Character:

- Quiet, rural character of The Alders will be lost.

Residential Amenity:

- Noise and disruption will affect daily life and work-from-home arrangements.

Other Matters:

- Potential decrease in house resale value due to proximity to new development.
- Concerns about negative psychological impacts from unsightly new houses.
- Risk of flooding and increased insurance premiums.
- Should be determined at planning committee and not via delegated powers.

LCC Highways and Lead Local Flood Authority:

17/02/2025 - No Objections subject to conditions, informatives and S106 contributions. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Planning Conditions as detailed below:

- Construction Management Plan.
- Closure of existing field access.
- Tactile crossing point outside and opposite Cade Close and tactile crossing point at the junction of Heathlea.
- Improvements to public rights of way Scothern 852/1 and 853/1.
- Surface Water Drainage Scheme.

S106 Contribution - sum of £309,608.000 is requested to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling.

24/01/2024 - ADDITIONAL INFORMATION REQUIRED

- Please provide a connecting link to the adjacent site to connect to The Alders. This will provide permeability within the site and allow local connections. This is a requirement of the small structures guide where the primary entrance is culverted, it is necessary to have an alternative access in the event the culvert needs repairs.
- The drainage layout has now changed to a positive piped system with no swales, please could the area where the swales were located be given over the grass tree lined verges in accordance with Building for a Healthy Life guidance.
- The proposed field access is constructed of block paving, would tarmac be more suited to this type of road if farm vehicles will be using it?

14/08/2024 - ADDITIONAL INFORMATION REQUIRED

Layout

- The proposed layout is acceptable in terms of adoptable standards however consideration should be given to the following;
- A vehicle access link should be provided to Juniper Close as requested during the pre-application stage.
- Please provide a parking strategy to indicate that parking provision is in line with the guidance below – some plots do not appear to meet the guidelines. Garages cannot be included as a parking space unless they are of sufficient size – approx 6x3m
 - 2 Bed – 2 spaces
 - 3 bed – 3 spaces
 - 4 bed – 3 spaces
 - 5 bed – 3 spaces
- Consideration should be given to providing tandem parking rather than a linear arrangement. Can you confirm if the 1.8m strip is a footway or grassed service margin? In the area where the road is 5.5m a 1.8m grass service strip would be acceptable for a shared surface.

Drainage

- Please provide an intrusive ground investigation report.
- The proposed drainage strategy may not be feasible given the high water table as a 1m buffer is required from the water table to the base of the SUDs structure (this will need to be confirmed with the provision of the GIR).
- Based on the information within the Drainage Strategy, it may be necessary to revert to a positive piped system with the removal of the swales. The area where the swales were located should be used to provide tree lined verges in accordance with Building for a Healthy Life. Further comments will be provided on the Drainage Strategy on receipt of the Ground Investigation.
- Is there a reason the storage on site is underground and a pond/basin isn't proposed within the POS? Storing the water above ground would be preferable to a crate system.

Improvements

- A frontage footway from the site entrance to link to the existing footway on Nettleham Rd is required.

- Upgrades to the PROWs running adjacent to the site will be required - Footpaths 149, 153, 852 and 853.
- A series of tactile crossing points in the village will be required to upgrade pedestrian safety in the area.
- Transport Services have been consulted regarding a S106 contribution towards local bus services which will likely be requested, further information will be provided on this in final comments.

LCC Archaeology:

A geophysical survey has previously been carried out on this site. Our department has commented on previous applications on the site (133190 & 134295), and it has been recommended that no further archaeological input is required. This continues to be the case.

WLDC Trees and Landscape Officer:

18/09/2024:

- The Arboricultural Impact Assessment (AIA) includes a plan showing the positioning of the tree protection fencing, and the content of the document includes information on the type of protective fencing. This information is appropriate and acceptable. Protective fencing should be erected prior to any works commencing on site, and be retained in its approved position until completion of works.
- No objection to the proposed removal of trees T12, T13 and T19 as these are category C and U trees which are trees of low and poor quality that should not pose a constraint to development. I do note that a range of young trees have already been removed from site. It may be that these were possibly below the stem size threshold for inclusion in a tree survey, but a group outline indicating their presence could have been shown on the plans to provide a complete picture of the site.
- H2 hedgerow along the westerly side of the site proposes to have various gaps created for road access into the site and for three new driveway access points to new dwellings. Creating 4 gaps through the hedgerow fragments the hedge and reduces its efficiency and value as a wildlife corridor. This hedgerow should be retained as a continuous line where possible, so gaps created for access should be restrict to as few as possible.

LCC Education:

03/01/2025 - The Education department has requested a contribution of £336,829.50 for primary extension as there are insufficient places available for a 2026/2027 start. Contribution for secondary school places to be secured via Community Infrastructure Levy (CIL).

29/07/2024 - Requested a contribution of £336,829.50 for primary extension to accommodate 17 extra primary school – age pupils, as there are insufficient places available for a 2026/2027 start.

NHS Lincolnshire:

26/09/2024 - The development will impact Nettleham Medical Practice and Welton Family Health Centre, as the development is within their catchment area. The contribution requested for the development is £30,992.50 (£632.50 x 49 dwellings)

WLDC Strategic Housing:

25/09/2024 - Should the proposal be acceptable, the application would trigger an affordable housing obligation of 25% under Policy S22 of the Central Lincolnshire Local Plan as the site falls within Value Zone A. This would equate to 12 affordable housing units on the site which is the number proposed. Details of the internal floor area sizes of the affordable house types is requested in order to determine whether the proposed mix is acceptable, and there is concern regarding the affordable housing units' concentration towards the rear of the site. The Council's standard trigger for the delivery of the affordable units is prior to first occupation of 50% of the open market dwellings, therefore clarification is required that this is achievable with regard to the proposed build out of the site. The proposed tenures of the affordable housing also needs amendment as the Council's required tenure split for the site is:

7 x Affordable Rent units

2 x Shared Ownership units

3 x First Homes units

It should be noted that Policy S22 applies a maximum value price cap to a First Home of £179,000 after the necessary 30% discount is applied, with this figure being adjusted annually in April. A section 106 agreement will be required in order to secure the affordable housing obligation.

Lincolnshire Fire and Rescue:

No objections to the application provided that the following items were included:

ACCESS - Access requirements for buildings include specifications for fire appliances and fire fighters must meet the Building Regulations 2010 (As Amended), Part B5. Equivalent standards may also be applicable and should be referenced in correspondence. Lincolnshire Fire and Rescue mandates a minimum carrying capacity for hard standing areas for pumping appliances of 18 tonnes, exceeding the 12.5 tonnes specified in the regulations. This weight limit also applies to any private/shared access roads.

WATER - Lincolnshire Fire and Rescue advises installing fire hydrants according to Building Regulations 2010 (As Amended), Part B5, at the developer's expense. This should be integrated into the water mains scheme for long-term fire safety. Developers must inform Anglian Water Services that hydrants are required. All hydrants should conform to BS750-2012 and BS9990: 2015, with further guidance in BS9999:2017 Section 22. Hydrant Inspectors will conduct acceptance testing upon completion, and the Fire Service will handle ongoing maintenance. Hydrants will be marked with a standard yellow "H" marker plate.

Environment Agency:

20/12/2024 – No comments to make on the amended plans and refer to position within previous response.

14/08/2024 - Whilst we have no objections to this application, we would like to draw the applicant's attention to the following informative comments:

Water recycling centre capacity

Nettleham Water Recycling Centre (WRC) has exceeded its permitted dry weather flow for 2023 and has been above 90% of its permitted limit for dry weather flow since 2021. Additional flows could lead to the WRC exceeding its permit limits, which could cause pollution of the receiving watercourse, Nettleham Beck GB105030062210. Anglian Water Services (AWS) is legally obliged to operate within permit limits and the Environment Agency will take all necessary action to ensure that the receiving watercourse is protected.

AWS has not yet demonstrated how it would manage the additional flow from this development if there is no capacity at the WRC to treat it. We encourage the council to liaise with AWS and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

Anglian Water:

20/02/2025 - Nettleham WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. Anglian Water OBJECTS to any connection into our foul network from the proposed development, due to capacity constraints and pollution risk. In order to overcome our objection, we require that the applicant consults Anglian Water in a form of a Pre- Development enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC). However, if the LPA are minded to approve the application, despite our objection and risk of pollution, we recommend the following condition is applied:

Condition: No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework. If permission is granted, we require the applicant to engage with us via our pre-development services and to submit a pre-development enquiry.

Surface Water: Anglian Water has reviewed the submitted documents AMENDED FLOOD RISK ASSESSMENT December 2024, and can confirm that these are

acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.

2/08/2024 – No objections to foul or surface water proposals. The foul drainage from this development is in the catchment of Nettleham Water Recycling Centre that will have available capacity for these flows. Also request informatives to be added to a decision should permission be granted.

Comments with regard to surface water: The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to rates being proposed (4l/s) are not in accordance with Anglian Water policy and cannot be accommodated. We would therefore recommend that the applicant consults with Anglian Water.

Witham Internal Drainage Board (IDB):

No objections - The site is partly within the Witham Third District Internal Drainage Board area. The Board has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment. However, the document does not include any information on the future maintenance of the watercourses that are on the west, north and east of the site.

A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance.

CLLP Ecology Officer:

06/02/2025 - The site has a large deficit which we knew it would as such I would expect greater effort in delivering (non BNG metric features) in private gardens. This should include tree planting, a number of garden ponds, rain gardens potentially even living roofs and walls for garages etc This will help with the NPPF requirement for enhancement and mitigation before compensation outside of BNG. The proposal is now acceptable subject to conditions and securing of off-site gains via a S106 agreement.

08/08/2024 - Additional Information Required - In its present form I can only object to this application.

There is significant pre-app degradation that does not appear adequately and precautionarily accounted for and must be agreed with the LPA as matter of urgency. In addition, a number of rural trees are excluded from the baseline as are ditches. If these issues are not rectified, application must be refused on an inaccurate baseline assessment.

The application has not effectively adhered to the Biodiversity Gain Hierarchy, not enough effort has been made to avoid loss of medium distinctiveness habitat onsite. The proposal does not follow the user guide rules on planting within the curtilage of private properties.

The Biodiversity Metric is also not adequately completed.

WLDC Trees and Landscape Officer:

14/02/2025 - The extra information is suitable and I have no further comments or queries

18/09/2024 - The Arboricultural Impact Assessment (AIA) information is appropriate and acceptable. Protective fencing should be erected prior to any works commencing on site, and be retained in its approved position until completion of works.

I have no objection to the proposed removal of trees T12, T13 and T19 as these are category C and U trees which are trees of low and poor quality that should not pose a constraint to development. I do note that a range of young trees have already been removed from site. It may be that these were possibly below the stem size threshold for inclusion in a tree survey, but a group outline indicating their presence could have been shown on the plans to provide a complete picture of the site.

H2 hedgerow along the westerly side of the site proposes to have various gaps created. Creating 4 gaps through the hedgerow fragments the hedge and reduces its efficiency and value as a wildlife corridor. Hedgerow as “priority habitats” which should be retained and improved where possible. This hedgerow should be retained as a continuous line where possible, so gaps created for access should be restrict to as few as possible.

Information within the AIA document should be adhered to e.g. three dimensional cellular confinement system, which must be installed above existing ground levels.

Natural England:

NO OBJECTION - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Lincolnshire Wildlife Trust:

10/02/2025 – Further information required before re-reviewing the BNG assessments.

14/08/2024 - HOLDING OBJECTION in regards to the above planning application until further ecological information has been submitted.

Canal & River Trust:

This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

Development Plan

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 Scothern Neighbourhood Plan Review (adopted June 2024) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

- ***Central Lincolnshire Local Plan 2023 – 2043 (CLLP)***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy
Policy S2: Growth Levels and Distribution
Policy S6: Design Principles for Efficient Buildings
Policy S7: Reducing Energy Consumption- Residential Development
Policy S12: Water Efficiency and Sustainable Water Management
Policy S20: Resilient and Adaptable Design
Policy S21: Flood Risk and Water Resources
Policy S22: Affordable Housing
Policy S23: Meeting Accommodation Needs
Policy S45: Strategic Infrastructure Requirements
Policy S47: Accessibility and Transport
Policy S49: Parking Provision
Policy S51: Creation of New Open Space, Sports and Leisure Facilities
Policy S53: Design and Amenity
Policy S54: Health and Wellbeing
Policy S57: The Historic Environment
Policy S56: Development on Land Affected by Contamination
Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S66: Trees, Woodland and Hedgerows
Policy S67: Best and Most Versatile Agricultural Land
Policy S81: Housing Sites in Medium Villages
<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Scothern Neighbourhood Plan Review Adopted June 2024 (NP)***

Relevant policies of the CLLP include:

Policy H1: Location of New Residential Development
Policy H2: Housing Type and Mix
Policy H4: Site H1.5 Land off Nettleham Road/Juniper Drive, Scothern
Policy D1: Design and Character
Policy D2: Renewable Energy and Low Carbon Development
Policy T2: Pedestrian and Cycle Routes
Policy E2: Biodiversity
<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/scothern-neighbourhood-plan>

- **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 2024. Paragraph 232 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/EVR076-082%20Policy%20S76-82%20Residential%20Allocations%20Introduction%20Reg19.pdf>

Main issues

- Principle of Development;
Density and Indicative Dwelling Numbers
Housing Mix
- Climate Change and Energy Efficiency;
- Character and Visual Impact;
Landscaping, Trees and Hedgerows
Rights of Way

- Residential Amenity;
- Highways and Access;
- Biodiversity Net Gain and Ecology;
- Archaeology;
- Drainage;
- Affordable Housing;
- Developer Contributions;
- Open Space;
- Community Infrastructure Levy;
- Other Matters

Assessment:

Principle of Development

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

Policy S1 (The Spatial Strategy and Settlement Hierarchy) of the CLLP categorises Scothern as a 'Medium Village'. The policy states that *'Medium villages are defined as those with between 250 and 749 dwellings at 1 April 2018. Well-connected or well served medium villages may receive some limited growth **through allocations in this plan** in order to achieve a balance between ensuring the vitality of the village and protecting the rural character.'*

Policy S81 of the CLLP identifies sites within Medium Villages which are allocated primarily for residential use. The application site is identified by reference WL/SC/004A as 'Land off Juniper Drive, Scothern', with a site area of approx. 2.72ha, and is given an indicative capacity of 41 dwellings.

In addition, the allocation notes the following site-specific requirements:

- Development of the site will need to assess drainage and surface water flood risk on the site.
- Design to be sensitive to the local rural context and in keeping with the local vernacular.

The site is also allocated in the Scothern Neighbourhood Plan. Policy H4 is a bespoke site-specific policy which states that the site is "is allocated for the development of residential dwellings and associated infrastructure. The development of this site will be of the highest quality design and will need to demonstrate how it complies with the following design code". It then sets out a list of criteria to be addressed within this report.

Under planning law, development is to be determined in accordance with the development plan, unless there are material considerations that indicate otherwise. The development is for 49 dwellings on a site allocated for residential development

in the development plan. Subject to meeting the above criteria, the proposed development would accord with the site allocation within both the CLLP and SNP.

Density and Indicative Dwelling Numbers

The indicative number of dwellings within allocation reference WL/SC/004A is 41 dwellings (15 dwellings per hectare, gross density). The number of dwellings per hectare proposed within this application is approximately 18 dwellings per hectare and is therefore considered to be a low-density development.

The Central Lincolnshire Policies S76 – S82 Evidence Report at paragraph 4.15 assumed densities of development sites within each of the settlement hierarchy categories which were used as a starting point to provide indicative capacities. For Medium and Small Villages, it assumed a net density of 20dph with 75% of the site being development, accounting for green space and roadways etc. 49 dwellings would equate to 24 dwellings per hectare, net density. It is noted that the proposed density and proposed housing numbers exceed the indicative figures contained within policy S81, however the supporting text to the residential site allocations policies of the CLLP states that:

‘13.2.3 The indicative numbers of dwellings are used to demonstrate how the Local Plan requirement can be met. It is emphasised that they are only ‘indicative’, and do not represent a fixed policy target for each individual site.

13.2.4. Developers are encouraged to produce the most appropriate design-led solution, taking all relevant Local Plan policies and national policy into account, in arriving at a total dwelling figure for their site, and they need not be constrained by the figure that appears in the column headed ‘indicative dwelling figure’.

The supporting planning statement details that the site has been designed to reflect the Sudbrooke Road/Nettleham Road Character Areas, which have a character of ‘larger than average plots’ on Nettleham Road with The Alders/Juniper Drive on Sudbrooke Road being a ‘self-contained estate with a series of cul-de-sacs’ with ‘a mixture of 2, 3 and 4 bedroomed brick built houses and bungalows with drives, garages and gardens’. The proposed layout and designs have sought to reflect these characteristics contained within the Scothern Character Assessment.

Overall, it is considered that in this instance, the developer has produced a design-led solution in response to the local development plan policies and character assessment, and has produced a development that exceeds the indicative figures as contained within Policy S81. The density of development still remains low at 18dph. The NPPF at paragraph 129 states that *‘Planning policies and decisions should support development that makes efficient use of land’*. As such, it is considered that the density of development and number of dwellings proposed would be acceptable in this instance. It is considered that an appropriate balance has been struck between providing dwellings on the site and providing ample private garden space for each dwelling, sufficient off-street parking to meet the parking standards, sufficient open space and drainage areas, sufficient turning space for large vehicles, and on-site biodiversity net gains.

Housing Mix

Policy H4 of the NP (the site-specific policy for this allocated site) states that the development should *'provide a mix of dwelling types, sizes and tenures to help meet local housing need, including specialist and self and custom build housing;'*

Policy H2 of the NP focuses on housing type and mix within new developments and states that:

1. *'Development proposals for 10 or more units (per site) should demonstrate that, at least, 25% of the total number of dwellings are for affordable housing. The delivered affordable homes should include a mix of house sizes (including 1-, 2- and 3-bedroom dwellings) which reflect the most up-to-date assessment of housing needs in the parish.'*

4. *In addition to the affordable housing, open market homes should also provide a mix of 1-, 2- and 3-bedroom dwellings, including single storey dwellings.'*

The proposed housing mix has been amended through the submission in order to meet the policy requirements of the NP and is as follows:

- 6 no 1-bedroom dwellings (2no market, 4no affordable, single storey) (12%)
- 7 no. 2-bedroom dwellings (1no market, 6no affordable, two storey) (14%)
- 15 no. 3-bedroom dwellings (13no market, 2no affordable, two storey) (31%)
- 17 no. 4-bedroom dwellings (17no market, two storey) (35%)
- 4 no. 5-bedroom dwellings (4no market, two storey) (8%)

The proposal includes a mix of 1, 2 and 3 bedroom affordable housing units. In addition, the proposal includes a mix of 1, 2, 3, 4 and 5 bedroom open market dwellings, with 2no open market single storey dwellings. It is considered that the bungalows on the site could accommodate elderly or disabled people and could be adapted for their specific needs if required. Based on the above housing mix, it is considered that the proposal would accord with policies H2 and H4 of the Scothern NP, as well as Policy S23 of the CLLP and paragraph 71 of the NPPF.

Concluding Statement

The principle of housing development on the site has been established by its allocation status (WL/SC/0004A) in the CLLP. It is considered that the proposal would accord with Policy S23 of the CLLP and Policy H4(a) of the NP.

Climate Change and Energy Efficiency

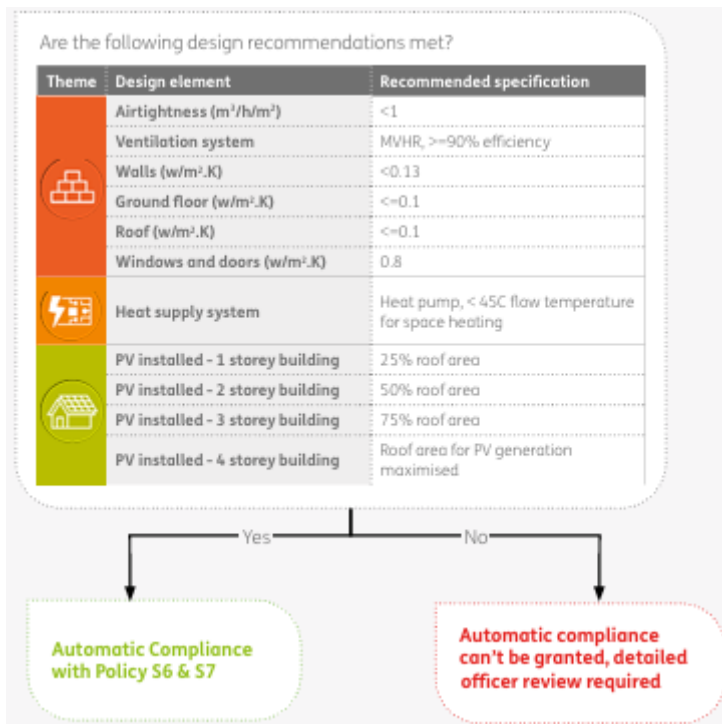
The CLLP sets specific standards that are required by new residential and non-residential development in relation to site average space heating demand and total energy demand. Policy S6 states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated. Policy S7 requires that all new residential buildings are accompanied by an Energy Statement and in addition to the requirements of policy S6, must meet the following criteria:

1. 'Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as the electricity they demand over the course of a year, such demand including all energy use (regulated and unregulated), calculated using a methodology proven to accurately predict a building's actual energy performance; and
2. To help achieve point 1 above, target achieving a site average space heating demand of around 15-20kWh/m2/yr and a site average total energy demand of 35 kWh/m2/yr, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m2/yr, irrespective of amount of on-site renewable energy production. (For the avoidance of doubt, 'total energy demand' means the amount of energy used as measured by the metering of that home, with no deduction for renewable energy generated on site).'

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should:

'k) allow for the use of passive solar energy through the appropriate orientation of the dwellings, where practicable'

The energy statement justifies Policy S6 and S7 using the compliance tree contained within the Energy Efficiency Design Guide supplementary planning document on the Central Lincolnshire website. The compliance decision tree is as follows:



The submitted energy statement provides the following table detailing the proposed specification of the dwellings against the recommended automatic compliance.

Building Element	Energy Efficiency Design Guide Automatic Compliance (Utilising SAP route)	Proposed Specification
Air Tightness (M3/H/M2)	<1	3
Ventilation System	MVHR, >=90% efficiency	MVHR 91% efficiency
Walls (W/M2.K)	<0.13	0.14
Ground Floor (W/M2.K)	<=0.1	0.12
Roof (W/M2.K)	<=0.1	0.09
Windows and Doors (W/M2.K)	0.8	0.8

The above table demonstrates that the proposed specification does not meet the standard for automatic compliance, however the specification proposed is close to, and sometimes improves on, the required specification for the building element.

Air Source Heat Pumps with a heat flow temperature of less than 45 degrees Celsius will be used. In addition, solar photovoltaic panels across the site would generate 158,974 KW of energy per year which would cover the 158,772 KW of total site energy that the dwellings would generate over a year.

The Energy Statement also details that all of the proposed properties achieve an energy demand of less than 35kWh/m2/yr, as required by Policy S7. This can be seen in the table below:

House Type	Floor Area (m2)	No of plots	Total Annual Energy Use kWh/yr	Total site energy use per year	KW Photovoltaics (PV)/ Plot	Total PV Fitted Generation (KW)	Site Total Generated (KW)	Energy Use Intensity kWh/m2/yr
A	64.6	6	2137	12822	2.6	15.6	13158	33.08
B AFF	80.55	2	2720	5440	3.4	6.8	5873	33.77
B	81.47	8	2750	22000	3.4	27.2	23490	33.75
B1	81.47	3	2823	8469	3.5	10.5	8107	34.65
D	92.54	2	3145	6290	3.9	7.8	6201	33.99
D1	92.54	2	3145	6290	3.9	7.8	5665	33.99
F	124.53	3	3612	10836	4.5	13.5	11041	29.01
G	138.28	2	4250	8500	5.3	10.6	8426	30.73
H	133.94	5	3740	18700	4.7	23.5	18169	27.92
J	199.25	2	5410	10820	5.3	10.6	9880	27.15
K	158.96	1	4760	4760	6	6	4940	29.94
L	128.61	5	3867	19335	4.8	24	19079	30.07
M	199.73	2	5430	10860	6	12	9941	27.19
S	108	2	3145	6290	3.9	7.8	6736	29.12
U	52.7	4	1840	7360	2.6	10.4	8268	34.91
Total		49		158772		194.1	158974	

The revised energy statement provides a more detailed analysis of the total energy demand for each of the house types proposed as SAP calculations are known to be fairly inaccurate. As such the applicant has put forward more detailed calculations based on PHPP principles and has further set out in the above table the breakdown of energy use requirements per house type and the required PV spec in terms of Kw generation required to offset the demand as opposed to percentage of roof area covered as set out in the compliance tree detailed above.

This approach is considered to be acceptable given the level of detail provided to demonstrate how energy demand has been assessed and how this is proposed to be offset in terms of the Kw PV systems proposed according to plot/house type.

Were it minded to grant planning permission, it is recommended to impose a suite of energy conditions relating to the development being completed in accordance with the details in the Energy Statement, the removal of national permitted development rights with respect to fuel tanks, and a pre-occupation condition requiring a verification statement to ensure the approved scheme has been implemented in full. It is considered that subject to conditions, the proposal would accord with the aims of policies S6 and S7 of the Central Lincolnshire Local Plan and Policy H4(k) of NP.

Character and Visual Impact

Local Plan Policy S53 states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area.

It further states that development should contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness, and should be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should:

***h)** provide a linear green buffer landscaped with trees and a hedgerow to the south of the site to reduce the development of a hard edge between the new development and the open countryside;*

***i)** the dwellings that are next to Nettleham Road should face the road to provide a positive entrance to the site and the village from Nettleham;*

***j)** retain any existing hedgerows around the site;*

***l)** respond to local character by maintaining the building height levels with other nearby residential developments;*

***m)** use sustainable and locally sourced building materials, where practicable;*

***n)** use materials that are compatible with the existing materials within the local area to reinforce local character and distinctiveness;*

p) establish natural boundary treatments through the use of hedgerows where those boundaries are adjacent to open countryside;

In addition to this, Policy S81 details the site specific requirements which need to be achieved to make development acceptable. The following is relevant in regards to the Character and Visual Impact of the development:

- *'Design to be sensitive to the local rural context and in keeping with the local vernacular.'*

The dwellings forming Juniper Drive/The Alders/The Oaks which are to the east/south east of the site and accessed off Sudbrooke Road are largely two storey in height with the occasional bungalow within the development of approximately 35 houses. The dwellings forming Cade Close to the immediate north of the site are largely two-storey in height with 4no bungalows included also. The dwellings on the western side of Nettleham Road are all single storey in height and are all set back from Nettleham Road by a minimum of 10 metres. The approach to the settlement of Scothern when travelling along Nettleham Road is a green and verdant one, with a strong presence of green boundaries including trees and hedgerows.

The proposed development consists of 6no bungalows and 43no two-storey dwellings. The dwellings along Nettleham Road are all two-storey in height and would all front the highway (meeting H4(i)). They would all be set back from the highway by approximately 15 metres. The proposed pond, attenuation tank and double pump station would be situated to the north/north east of the site. The frontage hedgerow along Nettleham Road would be retained as part of the development, albeit a section of hedging would be removed for the creation of the access point into the site. All other boundaries of the site would consist of a mixture of native hedging, grassland mix, retained vegetation and existing and proposed tree planting. The entire site would therefore be bounded and screened by greenery to all boundaries (meeting H4 (h)(j)).

The proposed dwellings would be finished in a combination of red and buff brick (examples include Forterra Hampton Rural Blend, Forterra Belgravia Gault Blend, Forterra Oakthorpe Red Stock, Forterra Ardleigh Yellow Stock and Forterra Atherstone Red Multi', with a mix of grey slate roofing or red pantiles. The proposed indicative materials as detailed above are considered to respect the local rural context of the site as required by Policy S81, however it is considered reasonable and necessary to include a condition on any permission that secures full materials details including windows, doors, rainwater goods, hard-surfacing, boundary treatments etc.

The proposal would largely consist of two-storey dwellings. Whilst it is noted that there are a number of bungalows to the west of the site, there is also a strong presence of two-storey dwellings to the north and east of the site. As such it is considered that the development would not appear incongruous when read within the street scene context and the surrounding character of the area, and would therefore respect the surrounding scale and massing of development.

Landscaping, Trees and Hedgerows

Policy S66 of the CLLP states that *'development proposals should be prepared based on the overriding principle that:*

- the existing tree and woodland cover is maintained, improved and expanded; and*
- opportunities for expanding woodland are actively considered, and implemented where practical and appropriate to do so.'*

As detailed at the beginning of this section, Policy H4 of the NP also provides a number of requirements in this regard, notably criteria h, j and p.

The WLDC Trees and Landscaping Officer has been consulted on the proposal throughout. Amendments have been made to the proposal including the retention larger sections of the frontage boundary hedge along Nettleham Road. In their most recent comments they have confirmed they are happy with all of the submitted information including the proposed planting plan, and have requested a condition to secure garden landscaping proposals. It is therefore considered that subject to this condition, the proposed development is acceptable in this regard.

Rights of Way

The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. Whilst the development would be readily visible to users of the Rights of Way within and outside of the site, it is considered that they have been appropriately landscaped within the site and the site itself has made provision for a considerable amount of soft landscaping to the boundaries to help the development assimilate into the surrounding countryside context. As such, it is not considered that users of the Rights of Way would be unacceptably harmed as a result of the proposal.

Overall, it is considered that the proposal, subject to conditions, would accord with Policies S53 and S81 of the Central Lincolnshire Local Plan, Policy H4 of the NP, and the provisions of the NPPF.

Residential Amenity

Criteria 8 Homes and Buildings of Policy S53 states that development proposals will:

- a) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;*
- b) Be adaptable and resilient to climate change and be compatible with achieving a net zero carbon Central Lincolnshire as required by Policies S6, S7 and S8;*
- c) Be capable of adapting to changing needs of future occupants and be cost effective to run by achieving the standards set out in Policy S20;*
- d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;*
- e) Provide adequate storage, waste, servicing and utilities for the use proposed;*

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should

'c) promote adaptive building spaces to promote home working;

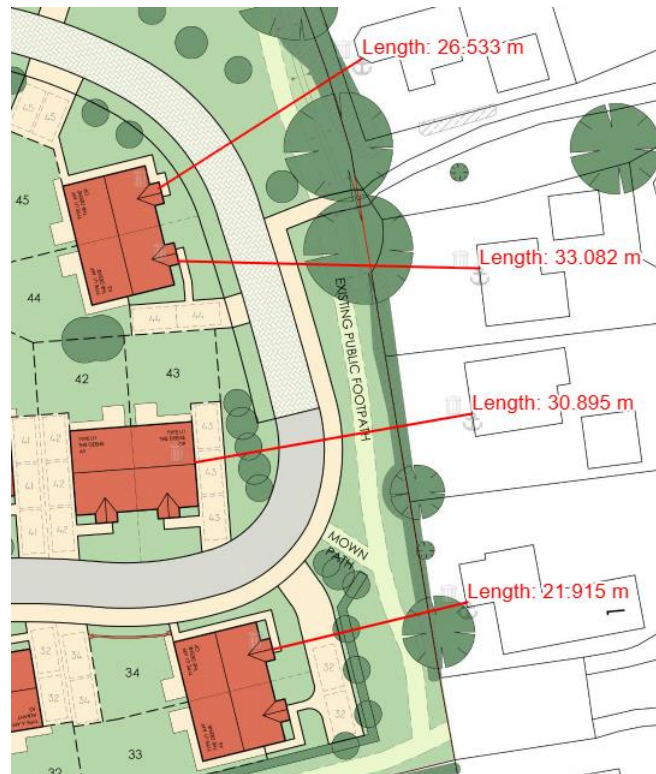
o) be designed to reduce the impact on the private amenity of adjacent residential dwellings;

With separation distances of between 30-34m between proposed and existing properties along the northern boundary, and with an intervening public right of way – development would not be expected to have an adverse impact through overdominance, overlooking or overshadowing, as can be seen on the below screenshot of the proposed site plan.



'The Deene' dwelling types are the dwellings closest to the existing dwellings that bound the site to the east forming The Alders and The Oaks. It should be noted that these dwellings are all single storey in height, therefore due to their height and due to the separation distances (as detailed in the below screenshot), it is considered that there would be no unacceptably harmful impacts on the occupiers of these existing dwellings to the east of the site.

In regards to overlooking between dwellings within the proposed site, there are sufficient separation distances between the dwellings so as not to unacceptably harmfully overlook neighbouring dwellings or their garden areas.



Dwelling adaptability

The Scothern NP requires that new development should have adaptive building spaces to promote home working. The majority of the 4no and 5no bed dwellings would have dedicated ‘study’ rooms which could be utilised for home working. The smaller dwellings could adapt additional bedrooms into study spaces if required, which is common of smaller bedrooms due to the rise in working from home arrangements. It is considered that the provision of accommodation within the dwellings would accord with the relevant requirement of the Scothern NP.

Private Amenity Space

The proposed dwellings are considered to have sufficient private amenity space to the rear, with an average length minimal length of approximately 10.5 metres, with some garden extending to 19 metres in length.

Construction

Although the construction phase is temporary, it can last a number of months when constructing 49 dwellings. To ensure the construction phase would not have an overly disturbing impact on the existing residents, it is considered relevant, reasonable and necessary to attach a construction management plan condition to the permission.

Conclusion

It is considered that overall, the proposed development would not harm the living conditions of the existing occupiers of the dwellings which are nearby to the site, or the future residents of the development site. As such, it is considered that the proposal would accord with Policy S53 of the Central Lincolnshire Local Plan, Policy H4 of the NP, and the provisions of the NPPF.

Highways and Access

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. It also requires that first priority should be given to pedestrians, cyclists, and people with impaired mobility. Policy S49 of the CLLP sets out minimum parking standards that are required for residential and non-residential development within Central Lincolnshire.

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should provide an access from the site from Nettleham Road, retain the existing public right of way to the east and south of the site which provides access to Juniper Drive for pedestrians, and should not lead to any detrimental impact to the existing highway capacity or safety. In addition to this, Policy T2 of the Scothern NP states that where practicable, new developments should provide for safe, direct and landscaped pedestrian and cycle routes.

The proposed development would have one vehicular access point off Nettleham Road, which would serve all of the dwellings. The proposed development would include adoptable roads as well as private drives as identified on the site plans for the proposed development. It would also contain 2no public rights of way with pedestrian access out of the northern, eastern, southern and western boundaries of the site. There is also cycle access from both the western and eastern boundaries of the site.

The Highways Authority at Lincolnshire County Council have stated that the proposal would not have an unacceptable impact on highway safety, provided the necessary mitigation measures/conditions are delivered as part of the application. They have also requested a S106 contribution. They therefore have no objections to the development subject to the following conditions, S106 contribution, and a number of informatives.

Planning Conditions as detailed below:

- Construction Management Plan.
- Closure of existing field access.
- Tactile crossing point outside and opposite Cade Close and tactile crossing point at the junction of Heathlea.
- Improvements to public rights of way Scothern 852/1 and 853/1.

S106 Contribution - sum of £309,608.000 is requested to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling.

Paragraph 57 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”*.

Paragraph 58 of the NPPF states that *“Planning obligations must only be sought where they meet all of the following tests:*

a) necessary to make the development acceptable in planning terms;

- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.”*

The closure of the existing field access as well as the Construction Management Plan are considered to be reasonable and necessary and relevant to the proposed development. The junction of Nettleham Road with ‘Heathlea’ lies approximately 65 metres to the north of the northernmost point of the site. The bus stop near Cade Close lies approximately 20 metres to the north of the northernmost point of the site. It is not considered to be reasonable, necessary or relevant to the development to be permitted, to require the applicant to provide a series of tactile crossing points to such areas mentioned above that are not within the site. The proposal includes a footway behind the existing hedge fronting Nettleham Road which would connect the site to the existing footway network along Nettleham Road.

With regard to the improvements to public rights of way Scothern 852/1 and 853/1, both of these rights of way lie outside of the site boundary. They are currently grassed with areas worn by pedestrian use as can be seen in the below photographs.



It is not considered to be reasonable, necessary or relevant to the development to be permitted to require improvements to the public rights of way outside of the site.

The request for a sum of £309,608.000 to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling is not considered to meet all of the following tests as required by Paragraph 58 of the NPPF:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.”*

Whilst the request for a contribution to provide further bus provision within the village is noted – there is no supporting evidence to demonstrate that the addition of a further 49 dwellings would now necessitate an hourly bus service. The request is not considered to be necessary to make the development acceptable in planning terms, nor is it considered to be fairly and reasonable related in scale and kind to the development proposed.

Whilst the recommended conditions and request for S106 contribution by the Highways Authority are acknowledged, as discussed above, on balance, it is considered that they are not relevant, necessary, or reasonable to make the

development acceptable in planning terms. The development would therefore accord with Policy S47 of the Central Lincolnshire Local Plan, Policy H4 and T2 of the NP, and the provisions of the NPPF in this regard.

Parking

Policy S49 sets the following car parking standards for dwellings in Villages and Rural Areas:

- 1 bed dwelling – 1 parking space;
- 2 bed dwelling – 2 parking spaces;
- 3 bed dwelling – 3 parking spaces;
- 4 bed dwelling – 3 parking spaces;
- 5 bed dwelling – 3 parking spaces.

The applicant has provided a site layout that demonstrates that each of the plots provides sufficient parking in line with the required parking standards, without requiring the use of the garages which can often be used for storage. This would therefore comply with the requirements of Policy S49 of the CLLP.

Subject to conditions to secure the close of the existing field access and a construction management plan, overall, the development is considered to be acceptable in regards to highways, and would not have a severe harmful highways safety impact, and would provide a sufficient level of parking as required by policy S49 of the CLLP. The proposal would accord with policies S47 and S49 of the Central Lincolnshire Local Plan, Policies H4 and T2 of the NP, and the provisions of the NPPF.

Biodiversity Net Gain and Ecology

Biodiversity Net Gain (BNG) is mandatory on major developments from 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development.

This is also a requirement of Policy S61 of the CLLP which requires *“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 Central Lincolnshire Ecology Officer has been consulted on the proposal. The proposal has been subject to extensive discussions between the applicant and the Ecology Officer to overcome the issues with Biodiversity Net Gain on site, amended BNG documents and plans have been received as a result and the Ecology Officer now has no objections to the proposal, subject to conditions and securing off-site net gains through a S106 agreement.

The site is comprised of other neutral grassland, cropland, hedgerows, line of trees, ditches, and fences. The submitted accompanying metric states that the proposal would result in a net loss on site of -56.70% in habitat units which equates to -7.97

units, a net gain on site of 63.16% in hedgerow units which equates to 1.18 units, and a net gain on site of 78.07% in watercourse units which equates to 0.56 units.

Off-site habitat creation is to be implemented to ensure that the scheme delivers a minimum of 10% biodiversity net gain. To achieve a 10% net gain and to meet the trading rules, we are required to provide an additional 9.53 medium distinctiveness units off-site as broken down below;

- 5.64 Scrub units
- 3.72 Grassland units
- 0.17 pond units

It is clear from the above that the 10% net gain requirement would be met through a variety of on-site and off-site provision. Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

In this instance, a S106 agreement is needed to secure the off-site net gains. This will also secure a Habitat Management and Monitoring Plan (HMMP), completion period of 5 years, monitoring on the site over a 30 year period (years 1, 2, 3, 4, 5, 10, 15, 20, 25, 30), as well as a monitoring fee. Subject to the signing of a S106 agreement to secure the above, the proposal is considered to be acceptable in this regard.

Ecology/Protected Species

The application has been accompanied by a Preliminary Ecological Appraisal Report (PEAR) completed by RammSanderson dated March 2024. It is noted that the site supports a range of species including bats, common amphibians and common reptiles, breeding birds and hedgehog.

The PEAR makes a number of enhancement recommendations to ensure that the development helps to deliver improvements towards biodiversity:

- *Provision of bird nest boxes could be installed to the retained trees. Use of boxes such as the Schwegler 1B nest box (Figure 5) and the Manthorpe swift brick, or house sparrow nesting boxes, which can be built into new dwellings, provide a long-term nest box solution requiring limited replacement unlike wooden boxes which need regular replacement as a result of weathering. As some of nesting bird habitat on Site is to be removed (hedgerows) the provision of bird nesting boxes would aid in compensation for the loss of nesting bird habitat.*
- *Consideration to provision of bat boxes could be given in respects to the retained trees. Use of boxes such as the Vivara Woodstone box (Figure 6) provide a long-term nest box solution requiring limited replacement unlike wooden boxes which need regular replacement as a result of weathering.*

- *Consideration to provision of bat boxes could also be given in respects to the new building. Use of in-cavity boxes such as Ibstock Enclosed Bat Box C provide a long term next box solution incorporated into the building.*
- *Hedgehog boxes (Figure 7) could be placed within hedgerows, away from the main roads.*
- *Invertebrate houses (Figure 8) could be placed between the hedgerow by the northern boundary and the area of proposed attenuation basin, which will be enhanced with wildflowers.*
- *Any landscape planting associated with the Scheme should consider the use of native shrub species and also species such as lavender which provide important sources for pollinating species. The Royal Horticultural Society provide online resources to identify suitable plants for garden areas that are aesthetically pleasing but of significant value to local pollinators (www.rhs.org.uk/plantsforpollinators).*

The PEAR will be conditioned to ensure that the development is carried out in accordance with the recommendations. In addition to this, the Central Lincolnshire Ecology Officer has also recommended a Construction Environmental Management Plan (CEMP) to provide further details with regard to construction methods, lighting strategy, and location of ecological enhancements. Overall, subject to conditions, the proposal would accord with Policy S60 and S61 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Whilst LWT had placed an initial holding objection, the request for further information regarding degradation and surveys, this information has been discussed and clarified with the Central Lincolnshire Principal Ecology Officer and it is considered that the development can proceed subject to the above conditions and S106 agreement.

Archaeology

Policy S57 states *“Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance”*.

The Historic Environment Officer at Lincolnshire County Council Archaeology has commented on the proposal that *“A geophysical survey has previously been carried out on this site. Our department has commented on previous applications on the site (133190 & 134295), and it has been recommended that no further archaeological input is required. This continues to be the case.”*

It is therefore considered that there would be no unacceptably harmful impacts on any archaeological remains, and therefore the development would accord with Policy S57 of the CLLP and the provisions of the NPPF.

Drainage

Policy S21 of the CLLP requires proposals demonstrate that they have incorporated Sustainable Drainage Systems (SUDS) in to the proposals unless they can be shown to be inappropriate; to show that there is no unacceptable increased risk of flooding

to itself or existing land or buildings; and that adequate foul water treatment and disposal already exists or can be provided in time to serve the development.

Paragraph 182 of the NPPF states that *“Sustainable drainage systems provided as part of proposals for major development should:*

- a) take account of advice from the Lead Local Flood Authority;*
- b) have appropriate proposed minimum operational standards; and*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.*

The site specific requirements under Policy S81 states that development of the site will need to assess drainage and surface water flood risk on the site.

Policy H4 of the NP states that any development on this site should *‘reduce surface water runoff or pooling on site or offsite as a result of the development’*.

An amended Flood Risk Assessment (FRA) dated December 2024 and completed by Fortem Civil Engineering Consultants Ltd was received by the LPA during this application.

The submitted FRA confirms that that the proposed development site is located within Flood Zone 1 (low probability – less than 1 in 1000 annual probability), as defined by the Environment Agency’s flood risk map for planning. In regard to surface water flooding, the site is identified as being largely in within a very low risk area for surface water flooding (less than 1 in 1000 annual probability), however there are some parcels of land towards the north east and west of the site that have a low to high risk (between 1 in 1000 annual probability to greater than 1 in 30 annual probability).

The Lead Local Flood Authority being Lincolnshire County Council Highways have been consulted and have not raised any objections in principle to the proposed drainage (see below).

Foul Water Drainage

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.”

Page 9 of the submitted FRA states that *“It is proposed to discharge the foul water flows from the development to the existing 150mm diameter foul sewer in Nettleham Road west of the development. Due to the topography of the site and the depth of the existing sewer network it is proposed to pump foul water flows.”*

Anglian Water were consulted on the application, and they provided a representation in August 2024 confirming that in summary, they had no objections to the proposed foul water drainage proposals and advised that *“Based on the above assessment*

Nettleham WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.”

However, in February 2025, Anglian Water have made a subsequent late representation on the application in which they have now changed their position in regard to foul water drainage and stated they have objections to the foul use water network.

Despite the objection, they state that should the LPA be minded to approve the application, they would recommend a condition on the permission. This stance appears to be contrary to their previous comments made in August 2024 in which they made it clear they had no objections in this regard.

The LPA have been in contact with Anglian Water in order to clarify their position and in order to ascertain whether there has been any change in circumstances to now justify a change in position. The response received from Anglian Water is as follows:

“These constraints were not identified prior to our first response in August 2024, hence our change in position.”

However, they do not detail any previously unidentified constraints. They do state that *“in order to overcome our objection, we require that the applicant consults Anglian Water in a form of a Pre-Development enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC). This will avoid the constrained network which could cause pollution and flood risk downstream.”*

As the applicant is known to have entered into pre-development enquiries with AW prior to making their application (since 2023), it is unclear as to why this has now been raised at such a late stage in the process.

It seems that they need to agree a SPOC – AW have not indicated that this would not be feasible.

It is clear from their response that there is capacity at the Nettleham Water Recycling Centre (WWRC) for the proposed growth, and despite their concerns, it is apparent that Anglian Water would be content with a condition were the LPA minded to recommend approval of the application.

The proposed condition is as follows:

No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

AW have not evidenced to the LPA that there are matters that fundamentally could not be overcome, and there is clear capacity at the Nettleham WRC to accommodate the proposed growth. On that basis, we consider that the recommended condition by AW to provide a strategic foul water strategy prior to commencement of development would be reasonable and relevant in this instance.

Surface Water Drainage

The surface water hierarchy at criteria (k) of policy S21 of the CLLP states that following, in line with the surface water hierarchy contained within the NPPG Paragraph: (056 Reference ID: 7-056-20220825)

- i. surface water runoff is collected for use;*
- ii. discharge into the ground via infiltration;*
- iii. discharge to a watercourse or other surface water body;*
- iv. discharge to a surface water sewer, highway drain or other drainage system, discharging to a watercourse or other surface water body;*
- v. discharge to a combined sewer;*

Accompanying information within the application states that *“the current field drains predominantly to the north and east into the existing network of ditches surrounding the site – this run off is currently uncontrolled and unrestricted. The downstream connectivity of these ditches is unknown (as per IDB comments in the Flood Risk Assessment) however it is thought the ditches flow northwards, towards the centre of the village. As well as dealing with surface water runoff from the development, the introduction of the proposed drainage system for the site will divert existing surface water flows away from the watercourse network. This will significantly reduce the volume of surface water going into the ditches, with water from the development going into to Anglian Water surface water sewers instead.”*

The proposal has considered surface water outfall/discharge options in accordance with the aforementioned hierarchy. Infiltration drainage was confirmed as unsuitable for the development due to high groundwater and CLAY strata. Discharge to a watercourse was also discounted due to the extent of water noted in the eastern boundary watercourse as part of the site walkover. As such, discharge to the public surface water sewer was considered. The FRA notes at paragraph 3.2.1 that *‘Anglian Water have confirmed it is acceptable to discharge surface water to the 375mm diameter surface water sewer, located in The Alders, at a restricted discharge rate of 4.0 l/s.’*

In line with the above, a meeting was held in November 2024 between the applicant and Anglian Water in which they agreed the discharge rate for surface water, which Anglian Water have now confirmed they are agreeable to.

Lincolnshire County Council Highways have not raised any objections to the proposed surface water drainage strategy and have commented as follows. They have also requested a surface water drainage scheme condition.

“This application will discharge surface water to the Anglian Water system at a restricted rate. Based on this rate, adequate storage will be provided so water will be

attenuated on site which has been designed to accommodate water for a 1 in 100 year event. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.”

Under the aforementioned hierarchy, discharge to a surface water sewer may be acceptable where discharge into the ground via infiltration or a watercourse is not feasible. It has been shown that in this instance, infiltration and discharge to a watercourse is unviable and therefore, discharge into a surface water sewer can be accepted.

The Lead Local Flood Authority have requested a condition to secure a full surface water drainage scheme, therefore subject to this condition, the development is considered to accord with Policy S21 of the CLLP, and the provisions of the NPPF.

Overall, subject to the recommended conditions, the proposal is considered to accord with Policy S21 and S81 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Water Efficiency

Policy S12 of the CLLP requires that a rain harvesting water-butt with a minimum capacity of 100l be included for all residential development. Were it minded to grant permission, a condition would be included in this regard to ensure all dwellings have a rain-water harvesting but with a capacity of at least 100l. In addition to this, Policy S12 and S21 require that all new dwellings meet the Building Regulation water efficiency standard of 110 litres per occupier per day or the highest water efficiency standard that applies at the time of the planning application. Were it minded to grant permission, a condition would also be included in this regard.

Affordable Housing

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;

Policy H2 and H4 of the NP state that development should *‘provide, at least, 25% affordable housing on site as prescribed in Policy H2;’*

Policy S22 states that where a site qualifies for affordable housing (as above), the percentage sought would be based on the value zones indicated on Map 3. The site is located within Value Zone A on Map 3 and therefore should would be required to provide 25% affordable housing, with a proposal for 49 dwelling units, this would equate to 12 units. This level of 25% affordable housing is echoed by Policy H2 and H4 of the NP.

The WLDC Housing Officer has confirmed that the affordable housing units required would be 12 units and that a Section 106 agreement will be required in order to secure the affordable housing obligation. The proposed affordable housing meets the Council’s required tenure split for the site as follows:

- 7 x Affordable Rent units

- 2 x Shared Ownership units
- 3 x First Homes units

The applicant is proposing 4no 1 bed, 6no 2 bed and 2no 3 bed affordable units. The Strategic Housing Team have confirmed that the affordable housing types proposed are acceptable and that the revised distribution of the plots as indicated on the proposed site plan are acceptable. They have notes that the proposed 2 bedroom affordable house type is below the standard required to accommodate a 4 person household, which will therefore limit the use of the units to smaller households, however it is considered that this standard would be acceptable.

A S106 Agreement has been instructed and is being prepared by the Local Authorities legal team. The development would therefore be in accordance with the affordable housing contribution required by Policy S22 of the CLLP, Policies H2 and H4 of the NP, and the provisions of the NPPF.

Developer Contributions

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”*

National Health Service (NHS):

The development falls in the catchment area of Nettleham Medical Practice and Welton Family Health Centre, and therefore would have an impact on these facilities. The contribution requested for the development is £30,3992.50 (£632.50 x 49 dwellings). This will help contribute to the expansion in capacity through remodelling/changes to layout or extension the existing facilities within the IMP Primary Care Network at Nettleham Medical Practice and/or Welton Family Health Centre. Where appropriate, the contribution may 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.”*

The above contribution, to be secured through a S106 agreement being prepared by the Local Authorities legal team, is considered to accord with Policy S45 and S54 of the CLLP.

LCC Education:

The Education department at Lincolnshire County Council has requested that contributions of £299,764.74 for secondary extension and £109,005.36 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. The contribution would not need to be duplicated through the S106 agreement for this application.

The Education department has requested a contribution of £336,829.50 for primary extension as there are insufficient places available in the Nettleham Primary planning area for a 2026/2027 start. This request would accord with the Central Lincolnshire Planning Obligations Supplementary Planning Document (SPD) which states that *“obligations could be sought, where appropriate, for: b. a financial contribution to provide additional capacity for a new or existing education facility off-site”*.

It is noted that the contribution request has changed throughout the application determination period, this was due to the change in dwellings types proposed within this application.

Subject to securing the above contributions through a S106 agreement, it is considered that the application would accord with Policy S45 of the CLLP, 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”.

According to The Fields in Trust website ¹(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.

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.

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. It is acknowledged that there is an error in table A3.4 in relation to Outdoor Sports Facilities (Public) and this should in fact read 25.07m²/dwelling to match up to the standards in Table A3.1 and as is also referenced in Part B of the Appendix.

The figures in table A3.3 are used to calculate the average occupancy of the proposed development as follows:

- 1 bedroom: 1.3 x 6 = 7.8
- 2 bedrooms: 1.7 x 7 = 11.9
- 3 bedrooms: 2.3 x 15 = 34.5
- 4 bedrooms: 2.8 x 17 = 47.6
- 5 bedrooms: 3.1 x 4 = 12.4

Adding up the above figures gives a total figure of 114.2 people. Therefore, the proposed development would increase the population of Market Rasen by approximately 114 people. The average occupancy rate would therefore be 2.3 people.

To derive at the amount of public open space of each type (see table A3.1 of Appendix 3 of the CLLP) the development should deliver, it is necessary to calculate the proposed population increase against the amount of greenspace the

¹ <http://www.softsurfaces.co.uk/blog/playground-surfacing/lap-leap-neap-play-area/>

development should deliver on site. For 49no dwelling units as proposed, the site should provide approximately:

- Allotment and Community Growing Space = $114/1000 \times 0.31 = 0.035$ hectares or 350m²
- Amenity Greenspace = $114/1000 \times 0.66 = 0.075$ hectares or 750m²
- Provision for Children and Young People = $114/1000 \times 0.12 = 0.014$ hectares or 140m²
- Local and Neighbourhood Parks and Gardens = $114/1000 \times 0.38 = 0.043$ hectares or 430m²
- Outdoor Sports Facility (Public) = $114/1000 \times 1.09 = 0.124$ hectares or 1240m²
- Natural and Semi-Natural Greenspace = $114/1000 \times 1 = 0.114$ hectares or 1140m²

The total open space requirement equals approximately 0.405 hectares (4050 square metres).

The proposed site plan makes provision for approximately 4000m² of 'Natural and Semi-Natural Greenspace' within which some could be classed as 'Amenity Greenspace' under table A3.1 of Appendix 3 as identified by the red line on the below screenshot. It is also noted that there are a number of other smaller pockets of grassland areas within the development which would contain bulb planting and tree planting to the front, side and rear of certain dwellings.



Grange Park identified as a 'Local Green Space' within the Scothern NP and the CLLP has a site area of approx. 0.880 ha and lies to the immediate north/north-east of the site, and is connected to the site by definitive right of way Scth/1025/1. Heatlea Greens identified as 'Local Green Space' is located to the immediate west of the site on the opposite side of Nettleham Road.

Scothern Playing Fields (also identified as a 'Local Green Space' within the Scothern NP and the CLLP) which has play equipment, a cricket pitch and tennis courts, is an approximate 450 metre walk from the northern pedestrian access point of the site. The park is accessible on foot via public footpaths.

There are a number of existing open spaces throughout Scothern that are accessible via public footpath, and the application site lies on the southwestern edge of the town and therefore is bounded by open countryside to the southwest. The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. The Rights of Way would provide a further close and useful mode of outdoor exercise to the residents and provide public access 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.

The proposed development would provide a considerable amount of 'Natural and Semi-Natural Greenspace' within an element of 'Amenity Greenspace' on the site also (Approximately 4000m²). It is noted that a certain amount of this would be landscaped and contain biodiversity net gain elements, however there is still considerable open space provision on the site nevertheless. The site contains 2no Rights of Way which would provide residents with access to open countryside walks. The development would also be located within walking distances of nearby open space and recreation facilities, with Grange Park bounding the site to the north/north east and Scothern Playing Fields being an approximate 450 metre walk from the northern-most pedestrian access point.

On the whole, taking into account the development provides a considerable amount of open space on site, and is located nearby to the open countryside and other facilities within the village of Scothern, it is considered that the proposal would accord with Policy S51 of the CLLP.

The management and maintenance of the open space is proposed to be secured via the s106 agreement. Subject to this, the proposed development is considered to accord with Policy S51 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Community Infrastructure Levy (CIL)

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The site is within zone 1 where there is a charge of £25 per square metre created.

Other Matters

Responses to Parish and Neighbour Comments

- Matters in relation to property prices and insurance are not material planning considerations.

- A full consultation took place when the application was submitted to the LPA and a site notice was also displayed. A further re-consultation took place from 16th December 2024 – 6th January 2024 on the amended plans.
- Discussions in regards to the S106 Legal Agreement between the LPA and the applicant are held between the respective legal teams. There is no obligation for the applicant or the LPA to involve the Parish or residents in such discussions.

Conclusion and Reasons for decision:

The decision has been considered against policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S6: Design Principles for Efficient Buildings, S7: Reducing Energy Consumption- Residential Development, S12: Water Efficiency and Sustainable Water Management, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S22: Affordable Housing, S23: Meeting Accommodation Needs, S45: Strategic Infrastructure Requirements, S47: Accessibility and Transport, S49: Parking Provision, S51: Creation of New Open Space, Sports and Leisure Facilities, S53: Design and Amenity, S54: Health and Wellbeing, S57: The Historic Environment, S56: Development on Land Affected by Contamination, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains, S66: Trees, Woodland and Hedgerows, S67: Best and Most Versatile Agricultural Land, S81: Housing Sites in Medium Villages of the Central Lincolnshire Local 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 residential development within the Central Lincolnshire Local Plan 2023 therefore the principle of housing on the site has been established. The proposed 49 dwellings would provides a density that makes most effective use of land. Provision is made for 12no affordable housing units, sufficient on-site biodiversity net gains, off-street parking provision, on-site usable greenspace and sufficient turning arrangement for larger and emergency vehicles. The site-specific requirements for development to be acceptable have also been addressed with full details being secured by conditions.

The proposed development would not have an unacceptable harmful visual impact or have a harmful impact on the living conditions of existing and future neighbouring dwellings. The proposal would not have a harmful impact on highway safety, archaeology, drainage, biodiversity, ecology or increase the risk of flooding. It would provide the required infrastructure contributions and would provide dwellings which are energy efficient and incorporate renewable energy sources. The proposal is therefore acceptable subject to the signing of a Section 106 Agreement and satisfying a number of pre-commencement conditions.

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 CEMP has been submitted to and approved in writing by the local planning authority. The CEMP protection plan shall include:
 - A plan showing habitat protection zones;
 - Details of development and construction methods measures to be taken to minimise the impact of any works on habitats/wildlife.
 - Details of any precautionary method statements for protected species
 - Details of a sensitive lighting strategy
 - Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds and urban greening [i.e. rain gardens])
 - Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage and the wider development.
 - Details, specification location of hedgehog highway boundaries throughout the site
 - Details, specification, locations of amphibian friendly curb and drain treatments.
 - Details, specification, locations of mink trap(s) installed in collaboration with Greater Lincolnshire Nature Partnership "Operation Water vole"
 - Details, specification and location of the following species incorporated into private dwellings across the site:
 - 20x small hole bird box/brick, 5x open fronted bird box, 12x multi species bird box/brick[installed in groups of 3], 9x Swift box/brick [installed in groups of 3], 1 x kestrel box, 1x owl box
 - 20x small bat box/brick. 5x large bat box, 10x multi chamber bat box, 10x bat lofts [2 access tiles each)
 - 1 to 2 bee/insect bricks per dwelling

The CEMP shall be implemented in accordance with the approved plan. All features to be installed within private dwellings shall be installed prior to occupation and retained a such thereafter.

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

3. No development hereby permitted shall take place until a Construction Management Plan and Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Plan and Statement shall indicate

measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The development shall thereafter be undertaken in accordance with the approved Construction Management Plan and Methods Statement.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction, in accordance with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

4. No development shall take place until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. The foul water drainage works must be completed prior to occupation of any dwelling and must be carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development in accordance with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

5. No development shall take place until a tree protection fencing plan has been submitted to and agreed in writing by the Local Planning Authority. The fencing must be erected prior to commencement of the development and retained in place until the development is fully completed.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity in accordance with the National Planning Policy Framework and Policy S53 and S66 of the Central Lincolnshire Local Plan.

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

6. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric received 14/11/2024 and prepared by The Environment Partnership.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan.

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

Site:

- Site Location Plan: J2342 00101 Received 16/12/2024
- Proposed Site Plan: J2342 00103 Rev E (excluding the accommodation schedule) and J2342 00104 Rev B Received 16/12/2024
- Proposed Parking Plan: J2342 00108 Received 16/12/2024
- Proposed Site Sections: J2342 00107 Received 16/12/2024
- Public Open Space Planting Schedule: 12542-FPCR-XX-XX-DR-L-0001 Rev P05 dated 28/01/2025
- Flood Risk Assessment dated December 2024 completed by Fortem Civil Engineering Consultants Ltd.

House Types:

- TYPE A AFF - ALBANY - AS/OP: J2342 - 01-01 received 16/12/2024
- TYPE A AFF - ALBANY - AS/OP/OP: J2342 - 01-02 Rev A received 16/12/2024
- TYPE A AFF/A- ALBANY/ELTHAM - AS/OP: J2342 - 01-03 received 16/12/2024
- TYPE B - GREENWICH - AS/OP: J2342 - 02-00 Rev A received 16/12/2024
- TYPE B1 - GREENWICH – OP: J2342 - 02-02 Rev A received 16/12/2024
- TYPE B AFF - BEAUMONT - AS/OP: J2342 - 02-03 Rev A received 16/12/2024
- TYPE D - OSBOURNE – AS: J2342 - 04-00 received 16/12/2024
- TYPE D1 - KINGSBOURNE – AS: J2342 - 04-02 Rev A received 16/12/2024
- TYPE F - GROSVENOR – OP: J2342 - 06-01 Rev A received 16/12/2024
- TYPE G - RICHMOND – AS: J2342 - 07-00 Rev B received 16/12/2024
- TYPE H - REGENT – AS: J2342 - 08-00 Rev A received 16/12/2024
- TYPE J - KENSINGTON – AS: J2342 - 10-00 received 16/12/2024
- TYPE K - WINDSOR – OP: J2342 - 11-01 Rev A received 16/12/2024
- TYPE L - HAMPTON – AS: J2342 - 12-00 Rev A received 16/12/2024
- TYPE L - HAMPTON – OP: J2342 - 12-01 Rev A received 16/12/2024
- TYPE M - SANDRINGHAM – OP: J2342 - 13-01 Rev A received 16/12/2024
- TYPE S - HYDE – AS: J2342 - 19-00 Rev A received 16/12/2024
- TYPE U1 - DEENE - AS/OP: J2342 - 21-02 received 16/12/2024
- TYPE U1 AFF - DEENE - AS/OP J2342 - 21-03 received 16/12/2024

Garages:

- SINGLE GARAGE LEFT: J2342 - 27-00 Rev A received 16/12/2024
- SINGLE GARAGE RIGHT: J2342 - 27-01 Rev A received 16/12/2024
- DOUBLE GARAGE LEFT: J2342 - 27-02 Rev A received 16/12/2024
- TWIN GARAGE: J2342 - 27-04 Rev A received 16/12/2024

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 and Policy S53 and S57 of the Central Lincolnshire Local Plan.

8. No development above ground level must take place until a comprehensive external materials schedule for all dwelling types and garages listed in condition 7 have been submitted to and approved by the Local Planning Authority. The external material details to include:

- Brick Type
- Roof Type
- Windows and Doors including colour finish
- Rainwater Goods including colour finish

The development must be completed in strict accordance with the approved materials schedule.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with Policy S53 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

9. No occupation of any residential units hereby approved must take place until a private gardens landscaping plan alongside a comprehensive planting/management/aftercare statement for the public open space planting area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of phasing in terms of their implementation to include plot specific landscaping requirements as well as the areas of public open space. The landscaping plan and/or statement must include details of:

- All hardstanding
- Retained trees and hedging
- New hedging and trees including position, species, planting height and planting arrangement.

The development must be completed in strict accordance with the approved landscaping and management details and timescales.

Reason: To ensure the development site is appropriately landscape in its setting to accord with Policy S53 and S66 of the Central Lincolnshire Local Plan, and the provisions of National Planning Policy Framework.

10. Prior to occupation of any dwelling, details of boundary treatments shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall indicate the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details. Unless such an alternative phasing scheme has been agreed, thereafter the approved boundary treatment/s shall be implemented prior to the occupation of each respective dwelling/building.

Reason: In the interests of privacy and visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

11. The development hereby approved must only be carried out in accordance with the recommendations set out in sections 3 and 4 of Preliminary Ecological Appraisal Report (PEAR) completed by RammSanderson dated March 2024.

Reason: To ensure the development proceeds in accordance with the approved management plan and to protect the habitats and wildlife on site to accord with the National Planning Policy Framework and S60 of the Central Lincolnshire Local Plan.

12. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 10/02/2025 unless otherwise agreed in writing by the Local 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.

13. 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.

14. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- 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 shall be restricted to greenfield run off rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall 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/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development, to accord with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

15. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan.

16. The development hereby permitted shall not be occupied until an External Lighting Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include lighting contour plans to illustrate light spillage from proposed lighting.

Reason: To mitigate impacts on the ecological network so as to accord with Policy S60 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

17. No occupation must take place until all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels, to

accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

18. Within seven days of the new access being brought into use, the existing field access onto Nettleham Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To remove unused access points to the development, in the interests of road safety to accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

19. No occupation of each individual dwelling must take place until its individual access and driveway identified on Proposed Site Plan: J2342 00103 Rev E has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety, and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

20. Prior to occupation of the first dwelling of each phase identified on the 'Preliminary Phasing Plan' 400011_010 received 10/02/2025 (or another plan as agreed with the LPA), 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 received 10/02/2025, and approved in writing by the Local 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.

21. The development hereby approved must only be carried out in accordance with the tree protection measures set out in the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan dated May 2024 completed by RammSanderson.

Reason: For the avoidance of doubt and to ensure all parties are aware of the approved operations, whilst ensuring the continued well-being of the trees in the interest of the amenity of the locality in accordance with Policy S66 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

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

22. 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 dwellings hereby approved.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan.

23. All planting, seeding or turfing comprised in the approved details of landscaping as required by condition 10 and as detailed on drawing 12542-FPCR-XX-XX-DR-L-0001 Rev P05 dated 28/01/2025 shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 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 that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

Informatives:

HIGHWAYS

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management -

<https://www.lincolnshire.gov.uk/traffic-management>

LINCOLNSHIRE FIRE AND RESCUE

ACCESS

Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended), Part B5. These

requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010, (As Amended), Part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.

WATER

Lincolnshire Fire and Rescue recommends the installation of fire hydrant(s) in accordance with the Building Regulations 2010 (As Amended) Part B5 "Provision of private hydrants" in respect of this planning application to be provided at the developer's expense as an integral part of the water mains scheme to support the long- term fire safety of residents. Developers completing their applications to Anglian Water Services for a new water mains scheme shall inform the water undertakers that fire hydrant(s) are required by the Fire Service. All fire hydrants should conform to BS750-2012 and BS9990: 2015. Further guidance is also provided in BS9999:2017 Section 22 'Water supplies for fire and rescue service use'.

Acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption, the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant(s). The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.

BIODIVERSITY NET GAIN

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.

(h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-gain-plan). The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

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

OFFICERS REPORT

PLANNING APPLICATION NO: WL/2024/00043

PROPOSAL: Outline planning application for to erect 20no. apartments with layout and scale considered.

LOCATION: Land on corner of North Street
Gainsborough
Lincolnshire
DN21 2HU

WARD: GAINSBOROUGH SOUTH WEST

WARD MEMBER(S): Councillor Jeanette McGee and Councillor Trevor Young

APPLICANT NAME: Mr Clayton, 12 Sidsaph Hill, Walkeringham

TARGET DECISION DATE: 29/12/2023

CASE OFFICER: G.Backovic

Recommended Decision: Refusal

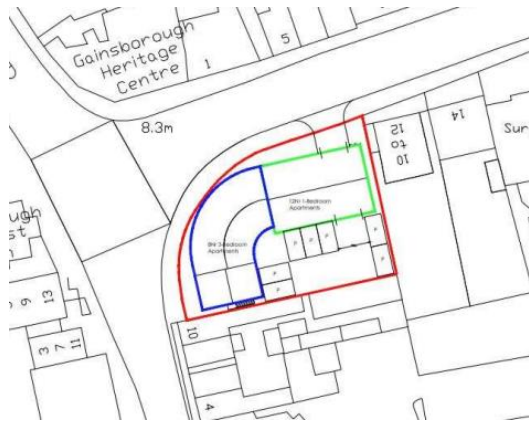
Description and Proposal:

Outline planning application to erect 20 apartments with
The application form states 12 of the apartments are to fall within Use Class C3(b) of the Town & Country Planning (Use Classes) Order 1987 (as amended). This is for use as a dwelling house by "not more than six residents living together as a single household where care is provided for residents".

The application site is a vacant area of unkept land located on the corner between North Street and Spital Terrace.

The site lies within Gainsborough Town Centre surrounded by a number of Listed Buildings and within the Gainsborough Britannia Conservation Area. North Street and Spital Terrace adjoin the western and northern boundaries respectively. The site comprises of an open area of grass with a footpath and measures approximately 850m² in area.

The application was originally submitted with matters of layout, scale, appearance, access and landscaping all reserved for subsequent approval ('reserved matters'). During the course of determination, layout and scale were agreed to be determined and not reserved for future consideration – they are now under consideration as part of this application. The layout is reproduced below. This shows that there would be 12 one bed apartments and 8 three bed apartments.



Scale: The building will be four stories high with a staggered reduction in height .

An **indicative** 3D image has been submitted and is reproduced below



Relevant Planning History

141017: Application for change of use of land to park including siting of vehicle for hot & cold foods, seating, raised area, perimeter fencing, and siting of a storage shed.

Refused 07.01.21:

1. The proposed development would have a harmful impact on the heritage landscape of Central Gainsborough including the Gainsborough Britannia Conservation Area, the setting of nearby Listed Buildings notably the County Court Building (GII*) and non-designated heritage assets notably 12 North Street (Former Post Office Building). The proposed development is therefore contrary to policies LP25, LP26 and LP38 of the Central Lincolnshire Local Plan and policy NPP18 of the emerging Gainsborough Neighbourhood Plan.

Appeal against refusal dismissed on 9th March 2022. The Inspector felt that the green space was important as he considered it made a positive contribution and its loss meant that the proposal failed to preserve or enhance the character or appearance of the Gainsborough Britannia Conservation Area and that it would not preserve the settings of the nearby listed buildings and non-designated heritage assets.

134332 - Planning application to erect a four storey block of 17no. apartments with associated access and car parking-resubmission of 131913. Granted 02/06/2017.

131913 - Planning application to erect a four storey block of 19no. apartments to provide a supported living environment for adults with learning difficulties. Refused 28/04/2015.

M06/P/0082 - Planning Application to erect 24no. apartments and 5no. shop units. Granted 13/06/2006.

Representations

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

Gainsborough Town Council: Resolved: to Object to the application as the site is located within the Britannia Conservation area which includes a number of listed buildings and concerned that elements of the building are not in keeping with the Conservation area. The access is close to the busy Spital Terrace/ North Street roundabout which can be congested at peak times and the proximity to the signalised crossing and car parking bay adjoining the site. The refuse vehicles would cause a traffic hazard, this would be on weekly basis as wouldn't be able to wait clear of the carriageway on Spital Terrace. Not only would this be for refuse vehicles, but other larger vehicles used for deliveries as well. The green space has become a welcomed area in the town and would be a loss of landscaping.

Local residents:

1 Spital Terrace. : This is an unattractive and overbearing building in a conservation area. It will block out the light from our showroom windows. There is insufficient on-site parking, it is already a busy corner with regular queuing traffic at the lights and roundabout and access to the site both for on-site parking and refuse collection will be difficult. There is a pedestrian crossing right outside and near the on-site access. I can see no benefit to the town in this proposal, clearly planned for maximum profit from overdeveloping a very small site.

LCC Highways and Lead Local Flood Authority:

06.02.2024: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Highway safety

Although access is not considered as part of this application, the access shown on the block plan is of sufficient width to serve the proposals and would allow two vehicles to pass without causing an obstruction to the highway.

Highway capacity

The application is for 20 flats, it's noted that 12 of these are class C3 b and therefore is unlikely they would have access to a car. The site is located in a sustainable location with good transport links in the area for pedestrians and cyclists. There is a good

public transport network available for residents to use. It's unlikely the proposals would have an unacceptable impact on highway capacity.

Flood Risk and Drainage

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application intends to attenuate water on site and discharge at a controlled rate into the existing surface water system, providing a betterment of the current situation where the water is currently un restricted. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

12.10.2023 Additional Information Required.

Please request the applicant submit the following information;

A Flood Risk Assessment or Statement, as applicable

A Drainage Strategy including adoption and/or maintenance proposals and sketch layout plans.

Preliminary "outline" hydraulic calculations.

Desktop Ground Investigation Report (infiltration rates, seasonal water table levels etc.).

Proposed adoption and discharge agreements.

Environment Agency: The Environment Agency does not wish to make any comments on this application. It does not appear to match any of the criteria on our consultation checklist.

Anglian Water:

08.01.24 Please be advised we have sufficient information to proceed with application.

17.10.23 We are unable to make an accurate assessment for the proposed development because no drainage strategy has been submitted with the application and therefore it is not clear where the applicant is proposing to connect to Anglian Water network.

Developer Contributions & Enabling Officer: (May 2024)We don't feel that the letter they've supplied from EHSL is sufficient for us to give specific support for the proposal to include 12 units of C3(b) accommodation. The applicant has provided no evidence of the need for this kind of provision in this location, and there doesn't appear to have been any consultation with LCC as the Adult Services authority. I also note that EHSL is not a Registered Provider.

09.01.24

Should the proposal be acceptable, the application would trigger an affordable housing obligation of 10% under Policy S22 of the Central Lincolnshire Local Plan (adopted April 2023) as the site falls within Value Zone D. This would equate to 2 general needs affordable housing units on the site, unless the Council determines that a commuted sum payment is necessary in this instance. Nevertheless, a Section 106 agreement will be required in order to secure the affordable housing obligation. It is noted that the application documents state that 12 of the proposed units will be delivered as Use

Class C3(b). Further details are requested from the applicant regarding the nature of the proposal including evidence of the need for this particular type of accommodation within this location. In addition, it would be beneficial to obtain the views of Lincolnshire County Council who are the Adult Social Services Authority, as they have an interest in seeing that such facilities are sited in location that match the local population and its needs, insofar as it can be known, and also that they are well designed to meet the requirements of those that may use them.

LCC Archaeology:

30.11.23 The Heritage Impact Assessment provided is sufficient at this stage. As stated in the document, a fully-fledged Heritage Impact Assessment should be provided at a reserved matters stage if permission is granted. This should inform with regards to any potential impact on settings of heritage assets and impact on the conservation area.

This department is still waiting for a Desk Based Assessment regarding archaeological impact of the proposed development. This will need to be provided before a full recommendation can be made.

14.10.23. The proposed site is located on the edge of the medieval core of Gainsborough. Only a part of the site appears to have been developed in the 19th century and later cleared. Archaeological remains on this part of the site may have been disturbed by the construction of a building and its later demolition. However, the remainder of the site does not appear to have been disturbed by post-medieval developments and has a high potential for medieval below-ground archaeological remains.

Although I have given brief comments on the historical context and archaeological potential of the site, no appropriate Desk-based Assessment (DBA) has been provided by the applicant, especially given the archaeological potential. The proposed site is located within Gainsborough Conservation Area and there are several listed buildings in the vicinity. No appropriate Heritage Impact Assessment (HIA) has been provided to describe the significance of any heritage assets and the potential impact on their significance from the proposed development. This department will not be able to give a fully informed recommendation until the applicant has provided an appropriate DBA and an appropriate HIA covering the above concerns. Once these documents are submitted further recommendation can be given. The requirement for the provision of these documents by the applicant is outlined in paragraph 194 of the National Planning Policy Framework (NPPF).

Lincolnshire Fire And Rescue:

The Fire Authority would make no objection to the application provided that the following items were included within the development:

- I. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.
- II. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the

Building Regulations 2010 part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.

III. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense as an integral part of the water mains scheme to support the long term fire safety of Residents. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies. Fire hydrants shall conform to BS750-2012 and acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant(s). The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.

Conservation Officer: Objection

The area of the proposal is situated in northern area of the Britannia Works Conservation Area. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The Conservation Area Appraisal (CAA) highlights the proposal site as a negative influence "Lost Corner", noting the area as "a weak corner and poor open space" and "offering no substantial benefit to the conservation area".

However, the appraisal also notes this corner does "provide a viewing point into the town centre conservation area with the church tower showing above the trees" and this area has existed as an open space since the development of the area. This space has more recently been reviewed by The Planning Inspectorate with a site visit in November 2021 who concludes the weakness of the corner is in the maintenance and condition of the site and not in its importance as a green space in the Conservation Area. The CAA notes the initial vision of this area was to create a "garden suburb" and with few open green spaces, there is greater importance on those remaining spaces. This open space is therefore an important feature within the conservation area which provides a positive character to the setting. Although it is considered "weak", has been concluded to not be a negative feature but an area in need of improvement.

Within the setting are several listed and locally important buildings. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The buildings of highest note to discuss are the Grade I listed Parish Church of All Saints, (1147378) which is not included in the Appeal assessment. The church tower that is visible originates from the 14th century with the remainder being rebuilt in 1736-44 by Architect Smith of Leicester. The church tower is clearly visible over the trees to the north-west offering a great presence and space in what is a mostly confined area of buildings. The Grade II* listed County Court Building is located to the south creating a visual "stop" as the road curves around the building. This visual "stop" enhances the grandeur and importance of the building which became a long serving courthouse for the county. The Grade II listed 14 (1063492) and 16 Spital Terrace (1168458) are located to the east of the site. Both are built in the 19th century with two-storeys that

provide the pinnacle of the grouping of heritage assets with 10-24 Spital Terrace. The locally important group included with the above grade II listed properties are 10-12 Spital Terrace and 18-24 Spittal Terrace. There are terraced houses built the 19th century but offer less architectural interest to the nationally designated pair in the middle. The locally important former Post Office, now Heritage Centre, is located directly opposite the site. This building has a highly decorated front façade that curves around the corner, offering a strong presence on North Street and Spital Terrace.

Historic maps show this corner to have always been an open space and therefore always been part of the setting to the built environment. As previously stated, this green space is an important feature to the conservation area but, this space has also been a significant part of the character to the setting of the listed and locally important buildings around it.

The space is prominent with visuals on North Street. When coming in from the north, the open space and visual “stop” of the County Court Building are experienced in conjunction once passing the locally important Heritage Centre building. From the west there is a continued relationship to the setting on Spittal Terrace, the grouping of the locally important buildings and listed buildings are experienced before there is a visual break leading towards the open space which becomes more prominent as you approach the roundabout.

There are views from Church Street, just outside of the boundary of the Parish Church of All Saints, and Roseway where there are open views through the new infrastructure built prior to 1939. This enables a stronger setting connection with the Grade I listed church with the space having opened up but, unfortunately, this has been harmed with the out of character KFC building set within this space. This harm, however, does not remove the setting connection.

The importance of this space to the setting of the built environment is in its continued relationship with the built heritage assets. There are those with direct connections in the immediate vicinity that have be intentionally developed to be experienced with this open space but also those such as the County Court House and Parish Church of All Saints that have a positive setting in conjunction with the open space upon navigating the streets within and around the Conservation Area.

Under paragraph [212] of the NPPF there should be great weight given to the conservation of a heritage asset, irrespective of amount of harm, when considering the impact of a proposed development.

The open green space, offers a positive impact to the Conservation Area and the setting of the listed and locally listed heritage assets. As a positive feature to the conservation area, it would provide harm to the heritage asset. I would consider any development on this site outside of improving the green space for public use to be a negative impact upon the heritage assets.

The proposal would be considered as less-than-substantial harm under paragraph [215] of the NPPF and Policy S57 of the CLLP. In both policies, this harm must be weighed against the public benefits. In this case I cannot suggest any public benefit to the development here to provide any weight against the harm.

The proposal is contrary to Policy S57 and the NPPF and therefore I must object to this.

I am aware that the planning history on the site previously had approved development here. If the planning officer is of the conclusion to go ahead with a similar development, then it would require the highest design and material approach with the surrounding heritage asset to mitigate against the harm as best as possible. I will, however, state again, that this harm would not be sufficiently mitigated through any design for development in this space to meet policy and the only positive approach to the heritage assets is to retain the open green space.

Date System Checked: 14/02/25

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 Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and Gainsborough Neighbourhood Plan (Made 28.06.2021)

Development Plan:

- ***Central Lincolnshire Local Plan 2023***

Relevant policies of the CLLP include:

Policy S1 The Spatial Strategy and Settlement Hierarchy.
Policy S2 Growth Levels and Distribution.
Policy S3 Housing in the Lincoln Urban Area, Main Towns and Market Towns.
Policy S6 Design Principles for Efficient Buildings
Policy S7 Reducing Energy Consumption - Residential Development
Policy S21 Flood Risk and Water Resources
Policy S22 Affordable Housing
Policy S23 Meeting Accommodation Needs
Policy S47 Accessibility and Transport
Policy S48 Walking and Cycling Infrastructure
Policy S49 Parking Provision
Policy S53 Design and Amenity
Policy S57 The Historic Environment
Policy S58 Protecting Lincoln, Gainsborough and Sleafords Setting

- ***Gainsborough Neighbourhood Plan (NP)***

Relevant policies of the NP include:

NPP 1 Sustainable Development
NPP 2 Protecting the Natural Environment and Enhancing Biodiversity
NPP 6 Ensuring High Quality Design
NPP 7 Ensuring High Quality Design in each Character Area

NPP 8 A Mix of Housing Types
NPP 18 Protecting and Enhancing Heritage Assets

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

The site is not within a Minerals Safeguarding Area

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF), December 2024

The NPPF sets out the Governments 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 2024. Paragraph 232 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
- National Design Guide (2019)
- National Model Design Code (2021)

Other Guidance:

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990.

Section 72 of the Planning (Listed Building & Conservation Areas) act 1990.

Gainsborough Britannia Conservation Area

Draft Minerals and Waste Local Plan (DMWLP)

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024. The Draft Plan has not been adopted as yet once adopted will cover the period to 2041. The consulted draft plan includes the following relevant policy: SM15: Safeguarding of Mineral Resources. Applying paragraph 49 of the NPPF, the draft plan would have some limited weight in the decision-making process.

Main Considerations:

- Principle of Development:
- Previous Permissions
- The Historic Environment
- Housing Supply Contribution
- Highway Safety and Parking Provision
- Drainage

- Affordable Housing and Meeting Accommodation Needs:
- Highway Safety and Parking Provision:
- BNG
- Energy Efficiency

Assessment:

Principle:

The application site is located within Gainsborough Town Centre although it falls outside of the allocated primary shopping area. Policy S3 sets out that within the developed footprint * of Main Towns development proposals at appropriate locations** not specifically identified as an allocation will be supported in principle .(Officer underlining)

The site is considered to fall within the "developed footprint" of Gainsborough, as defined in the Local Plan.

Appropriate locations means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. (Officer underlining) In

addition, to qualify as an 'appropriate location', "*the site, if developed, would:*

- *retain the core shape and form of the settlement.*

- *not significantly harm the settlements character and appearance; and*

- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement"*

Accordingly, the site needs to qualify as an appropriate location, in order to benefit from the "support in principle" offered by policy S3. The report assesses whether it meets the criteria set out. It is found to principally conflict with both national and local policy in relation to Heritage Assets.

Previous permissions granted.

It is noted that previous approvals have been granted for the development of this site with the most recent 8 years ago in 2017. Development has not been commenced to the best of knowledge and these permissions have expired. However, the application under consideration today needs to be considered against the provisions of the Central Lincolnshire Local Plan, adopted in April 2023, and Gainsborough Neighbourhood Plan, made June 2021. The current Development Plan therefore post-dates these previous decisions.

A material consideration afforded significant weight is the Inspectors dismissal in 2022 (APP/N2535/W/21/3270518) of a change of use of land to park including siting of vehicle for hot & cold foods, seating, raised area, perimeter fencing. This resulted in a new consideration of the application site and its setting within the conservation area it forms part of and its relationship with the setting of nearby listed buildings. Part of paragraph 9 of the Inspectors decision letter is reproduced below, with officer underlining.

"As an open green space in a key and prominent roadside position at an important road junction which is recognised as a primary entrance/gateway to the town centre, the appeal site contributes positively to the historic character and appearance of this part of the conservation area."

This accords with the advice of the Conservation Officer, who considers positive weight should be given to the current green space.

The Historic Environment

Archaeology : It is noted that the desk based assessment requested by LCC Historic Services to inform their final comments in respect to impacts on archaeological remains, is outstanding. This lack of information weighs against approval of the development.

NPPF 2024 para 207 refers to need to do archaeological assessment....

Listed Buildings and Conservation Areas: The site is situated in the northern area of the Britannia Works Conservation Area. Within a Conservation Area, the Council has a statutory duty (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990), to 'have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area'.

Within the setting are several listed and locally important buildings. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority is also placed under a statutory duty to " have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses".

Policy S57 requires proposals to protect, conserve and seek opportunities to enhance the historic environment . Policy NPP18 of the Neighbourhood Plan supports the preservation and enhancement of heritage assets.

The conservation officer has advised:

"The open green space, now better maintained, offers a positive impact to the Conservation Area and the setting of the listed and locally listed heritage assets. As a positive feature to the conservation area, it would provide harm to the heritage asset. I would consider any development on this site outside of improving the green space for public use to be a negative impact upon the heritage assets.

The proposal would be considered as less-than-substantial harm under paragraph 212 of the NPPF and Policy S57 of the CLLP. In both policies, this harm must be weighed against the public benefits. In this case I cannot suggest any public benefit to the development here to provide any weight against the harm."

The NPPF at paragraph 212 sets out that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm

to its significance. (officer underlining)

Paragraph 215 states 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 including, where appropriate, securing its optimum viable use.

The loss of the green space simply in isolation would harm the character and appearance of the conservation area and detract from the setting and appearance of existing listed buildings. This would be further compounded by the scale of the building proposed. The case officer agrees with the conservation officer that the harm would be less than substantial. Whilst noting that the statutory test has primacy, nevertheless it is considered useful to examine the claimed benefits of the proposal below.

The provision of residential accommodation in a sustainable town centre location that would contribute to meeting housing supply needs is, however, considered to be a public benefit of the proposal and is a positive material consideration to be weighed in the overall planning balance. The provision of accommodation for adults with care provided is normally considered a public benefit, however this is tempered by the lack of evidence supplied and the absence of a registered provider as discussed further below.

Nevertheless the conclusion must be reached that the development would have an adverse impact on heritage assets contrary to policy S57 of the CLLP, policy NPP18 of the Gainsborough Neighbourhood Plan and the NPPF. It would also be in conflict with policy S58 (g) and (h). These collectively require development to take into account the Gainsborough Town Centre Conservation Area Appraisal and to protect and enhance the landscape character and setting of Gainsborough.

Housing Supply Contribution

The application as submitted proposes 8 standard dwelling units. The remaining 12 are for not more than 6 residents where care is provided. Comments made by strategic housing raise concerns that no evidence of the need for this kind of provision in this location has been submitted and there doesn't appear to have been any consultation with LCC as the Adult Services authority. The applicant has identified that a firm called EHSL would operate this component of the proposals. This is not a registered provider of such accommodation. Repeated requests for additional evidence by the case officer have not resulted in any new additional evidence being provided. This is simply stated as a way of helping to assess the positive weight to be attached to the proposal in the overall planning balance.

Following the publication of the new National Planning Policy Framework (NPPF) in December 2024, the requirement to maintain a five year land supply (with buffer) has been reintroduced, In response to this the Central Lincolnshire Local Plan Team issued a 5 year Land Supply Interim Update Statement in February 2025.

The conclusion is reproduced below:

"Current Five Year Housing Land Supply Position at February 2025 The current five year land supply position, taking into account the changes from the 2024 NPPF is as follows:

- Baseline housing requirement – 1,102 dwellings per year, 5,510 dwellings across the five year period.*
- Requirement plus additional 5% buffer to the baseline housing requirement – 1,157 dwellings per year, 5,786 dwellings over the five year period.*
- Housing supply from deliverable sites anticipated to come forward within the five year period – 8,621 dwellings.*
- Five Year Housing Land Supply – 7.45 years of deliverable supply expected to come forward within the five year period.*

This position will be kept under review in subsequent publications of the Five Year Housing Land Supply Report and the situation at the time of 1 July 2026 will indicate whether a 20% buffer will need to be applied"

It is acknowledged that the direction of central government guidance and policy is the importance placed on new housing being delivered. Nevertheless, as it stands, the housing supply is well in excess of the required 5 years plus the buffer and there appears to be no evidence presented of any pressing unmet need for the nature of the accommodation provided. On this basis therefore it would be reasonable to apportion limited positive weight to the proposal against the less than substantial harm to heritage that is expected. Having considered this, the conclusion reached is that this is not an appropriate location for development.

Highway Safety and Parking Provision

Objections have been raised by the Town Council on this matter noting that the *"access is close to the busy Spital Terrace/ North Street roundabout which can be congested at peak times and the proximity to the signalised crossing and car parking bay adjoining the site. The refuse vehicles would cause a traffic hazard, this would be on weekly basis as they wouldn't be able to wait clear of the carriageway on Spital Terrace"*.

Objections have also been received from Spital Terrace referencing the lack of parking.

Although access is a reserved matter the highway authority raise no objections on the grounds of highway safety. They also comment that It's unlikely the proposals would have an unacceptable impact on highway capacity. The case officer is in agreement with these findings.

On this basis it would be in accordance with policy S47 of the Central Lincolnshire Local Plan. This is considered a neutral impact.

Car parking standards are set out in appendix 2 of the CLLP. For "flatted development" - 1 plus visitor allowance is required so potentially 20+ spaces would be required. This location, however, within the centre of town with good public transport provision and good links for pedestrians and cyclists could be considered sufficient to overcome this shortfall.

Flood risk and Drainage:

The site is located within Flood Zone 1 which is land with low probability (less than 1 in 1,000 annual probability) of river or sea flooding.

The submitted outline sustainable drainage strategy sets out that "*British Geological Survey maps indicates that the site is located on a bedrock of mudstone which is unlikely to support the use of infiltration. There are no watercourses near to the site and therefore the only option is to discharge the surface water to the adjacent combined sewer.*

Flow control will be employed with discharge into the course graded aggregate of the parking area which will be lined and will provide the required storage. This is considered an acceptable means of drainage. If the application were recommended for approval this matter could satisfactorily be dealt with by the imposition of conditions.

Affordable Housing

The applicant has agreed to the required provision of affordable housing set out by policy S22 and if the application was recommended for approval it would be capable of being delivered by completion of a satisfactory Section 106 agreement. This has been agreed by the applicant.

Biodiversity

The application was submitted prior to statutory BNG coming into force for all applications on 2nd April 2024. Nevertheless policy S61 of the Central Lincolnshire Local Plan requires this to be provided at 10%. A Biodiversity Assessment forms part of the submission. This shows that provided the proposed habitat creation measures are implemented, the calculator has indicated a LOSS in habitat (area) biodiversity units of -0.0521 units (-38.38% change). It goes on "*In order to compensate for this unavoidable loss, the acquirement of compensatory biodiversity units off-site (e.g., by an offset provider) may be necessary.*"

On this basis as it stands it would not accord with policy S61 of the CLLP.

Energy Efficiency

The Central Lincolnshire Local Plan requires all developments to achieve a site average space heating demand of around 15-20kWh/m²/year and a site average total energy demand of 35 kWh/m²/year, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m²/year, irrespective of amount of on-site renewable energy production. No evidence has been submitted to demonstrate compliance with these requirements. It would therefore be contrary to policies S6 and S7 of the Central Lincolnshire Local Plan.

Conclusion

This is an application for the provision of standard residential accommodation and accommodation for adults with care in the town centre of Gainsborough . The site is within the Gainsborough Britannia Conservation Area and within the setting of nearby Listed Buildings. This would cause harm to these Heritage Assets which would not be offset by the benefits of the proposal. On this basis it cannot be considered an "appropriate location" for development and would not benefit from the "Support in principle" offered by policy S3.

Furthermore, the development would result in a net loss of biodiversity, and does not demonstrate that it would, or could, accord with the principles for reducing energy consumption in the Local Plan. It has not assessed the potential for archaeological assets.

The development proposed by the application is considered to be contrary to policies S3, S6, S7 and S57, S58 and S61 of the CLLP and policy NPP 18 of the Gainsborough policy NPP18 of the Gainsborough.

Recommendation : Refusal for the following reasons

1. The proposed development would not preserve, nor enhance the heritage landscape of Central Gainsborough including the Gainsborough Britannia Conservation Area, the setting of nearby Listed Buildings notably the County Court Building (GII*) and non-designated heritage assets notably 12 North Street (Former Post Office Building). This harm would not be outweighed by the benefits of providing residential units to help meet the housing supply of Central Lincolnshire and cannot therefore be considered an appropriate location as set out by policy S3 and is also contrary to policies S57 and S58 of the Central Lincolnshire Local Plan and policy NPP 18 of the Gainsborough Neighbourhood Plan.
2. Insufficient evidence has been submitted to determine the potential impact on underground archaeological remains contrary to policies S57 of the Central Lincolnshire Local Plan and policy NPP 18 of the Gainsborough Neighbourhood Plan.
3. Insufficient evidence has been submitted to demonstrate that the development could accord with the energy demand requirements of policies S6 and S7 of the Central Lincolnshire Local Plan.
4. The development would result in a Biodiversity net loss, without any compensatory measures, contrary to policy S61 of the Central Lincolnshire Local Plan.

Decision Level: Committee

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

Prepared by:



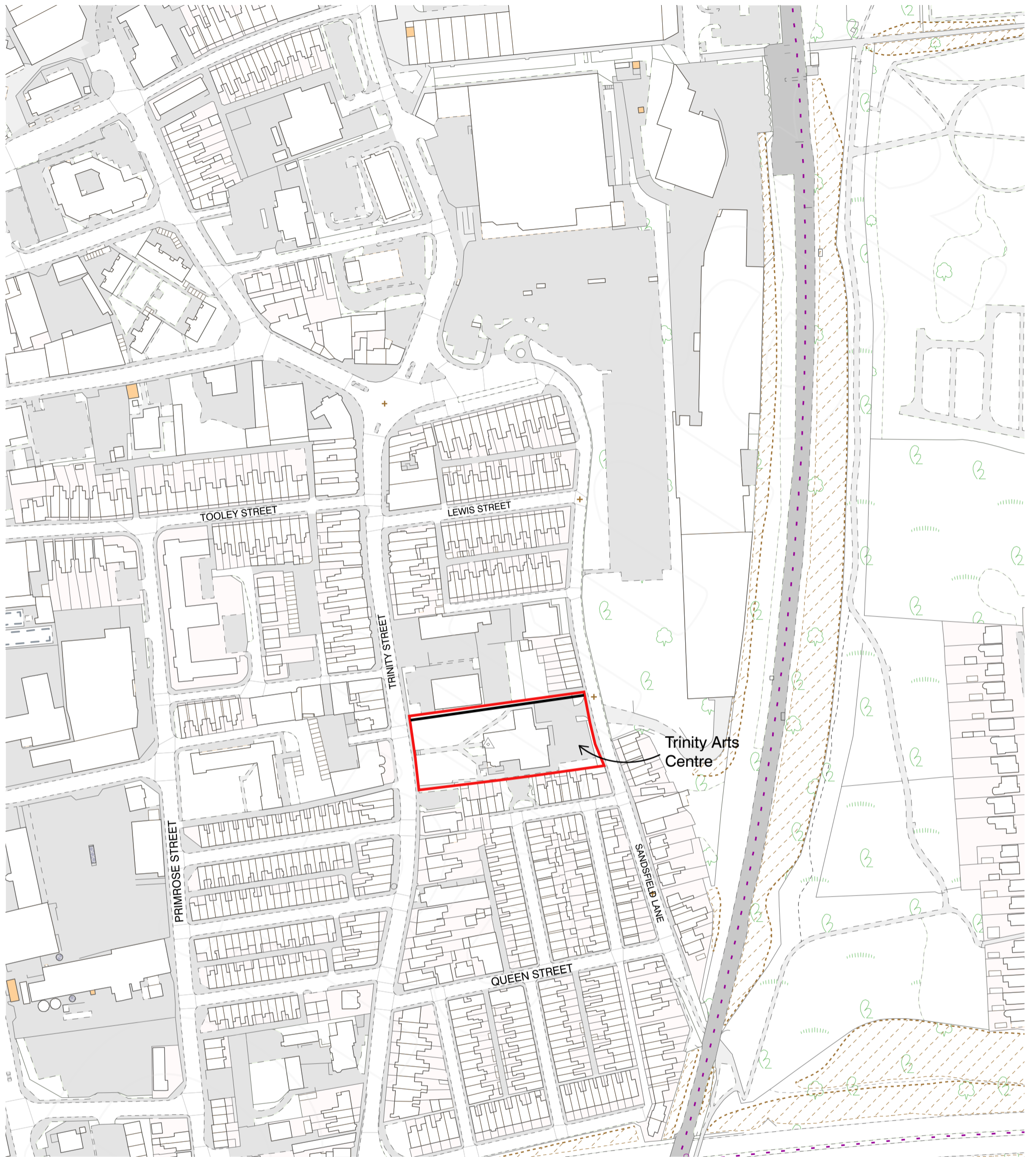
Date: 18/02/2024

Handwritten signature of R. Clark in black ink.

Authorising Officer: _____

Date: 19/02/2025

Agenda Item 6d



- Curtilidge of the former Trinity Church (Grade II)
- Northern boundary wall

Site location

Notes:

Status BIM Status - BIM Status Description

Project Trinity Arts Centre - Northern Boundary Wall

Drawing Title Curtilidge Plan

Client West Lindsay District Council

File Name Project-Originator-Zone-Level-Type-Role-DrawingNumber-Status-Revision
7536-LAT-S1-XX-DP-A-1002-S3-A

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Rev	Drawn	Revision Description	Date
A	JP	Site location plans	20.09.22

Lathams Job Number
7536

Page 132

Scale 1:2000

Date 20.09.22

Revision Current Revision



Officers Report

Planning Application No: WL/2025/00044

PROPOSAL: Planning application to rebuild section of boundary wall being variation of conditions 2, 3, 5 and 6 of planning permission 145640 granted 1 December 2022 re: adjustment to the extent of the wall for underpinning and rebuilding.

Listed Building Consent No: WL/2025/00005

PROPOSAL: Listed building consent to rebuild section of boundary wall being variation of conditions 2-8, 12, 13 and 15 of listed building consent 145568 granted 1 December 2022 re: adjustment to the extent of the wall for underpinning and rebuilding.

LOCATION: TRINITY ARTS CENTRE, TRINITY STREET, GAINSBOROUGH, DN21 2AL

WARD: GAINSBOROUGH SOUTH WEST

WARD MEMBERS: Cllr Miss J S McGhee and Cllr T V Young

APPLICANT NAME: Mr Luke Matthews on behalf of West Lindsey District Council

TARGET FPA DECISION DATE: 13/03/2025

TARGET LBC DECISION DATE: 14/02/2025 (Extension of time agreed until 07/03/2025)

CASE OFFICER: Holly Horton

Recommended Decision: Grant planning permission and listed building consent, subject to conditions.

These applications have been referred to the planning committee as the applicant is an employee of West Lindsey District Council and is applying on behalf of West Lindsey District Council.

Site Description:

The application site is located in the town of Gainsborough, on the eastern side of Trinity Street and the western side of Sandsfield Lane. The boundary wall is curtilage listed in association with the listed Trinity Arts Centre. The site is bounded to the north by residential properties and their garden areas as well as a 'Kwik-Fit' garage and associated parking.

The Historic England record describes the site as follows: *'The (former) church of Holy Trinity, Gainsborough is designated at Grade II for the following principal reasons: * Redundant church of 1841-3 by T Johnson of Lichfield, ashlar faced in a plain, pre-archaeological Gothic style. * Chancel enlarged in 1871, with further work*

*in 1911 and in 1982-4 following conversion to an arts centre. * Tall W tower and spire form an important landmark.'*

Proposal:

These applications seek to vary conditions 2, 3, 5 and 6 of planning permission 145640 and conditions 2 - 8, 12, 13 and 15 of listed building consent 145568. Amendments are sought as there has been an adjustment to the extent of the wall required to be underpinned and rebuilt. Overall, this change means that more of the original wall would be retained, however the area of wall to be rebuilt extends by 1 bay beyond what was included in the original application. Both variation applications include technical documents to address the conditions originally imposed on 145568 and 145640. These are assessed later in the report.

Relevant site history:

145770 - Listed building consent for alterations and refurbishment of an existing internal door – Granted time limit plus conditions – 05/01/2023

145568/145640 – Planning application and Listed Building Consent to rebuild section of boundary wall – Granted time limit plus conditions – 01/12/2022

143385/143386 – Planning application and Listed Building Consent to rebuild section of boundary wall – Withdrawn by applicant – 23/09/2021
Reason for withdrawal – Insufficient information.

132837/132906 – Planning application and Listed building consent for replacement of existing slate roof covering, replacement of downpipes and miscellaneous rainwater goods, local repairs to stonework, infilling of several existing clerestory windows and provision of solar panels – Granted with conditions – 09/09/2015

130542 – Planning application for installation of pole mounted satellite dish in car park – Granted with conditions – 19/11/2013

128813/128386 – Planning application and Listed Building Consent for replacement and relocation to ground floor of 3no. gas boilers and replace existing flue with 3no. 150mm diameter flues through roof at the rear – Granted time limit cond only – 30/08/2012

M04/P/1038 - Planning application to form a new disabled wc and changes to entrance – Granted with conditions - 5/11/04

M02/P/0010 Planning application to construct disabled ramp, boundary treatment, railings and copings and tree works - Granted with conditions - 3/4/02

M00/P/0189 - Consent to display name sign, two poster display boards and free standing sign. Granted with conditions - 17/4/00

Various applications in the late 1970's and 1980's relating to the conversion of Holy Trinity Church to an arts centre together with signage.

Representations:

Chairman/Ward member(s): No representations received to date.

Gainsborough Town Council: Resolved to support the application.

Local residents: No representations received to date.

LCC Highways: No Objections. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

LCC Archaeology: This section previously advised on the earlier application (19/10/2022):

“The proposed excavation and underpinning works has the potential to disturb human remains within the churchyard. However, as this cemetery was laid out relatively recently in the 19th century it would usually be anticipated that graves would be carefully arranged in rows within the cemetery in only one phase, so there is less chance of earlier disturbed remains within the graveyard soil or of graves that might extend up to, beneath or beyond the boundary wall as can occur on older medieval church sites. The church was also constructed in an area that was not previously within the settlement of Gainsborough and where earlier pre-Victorian remains are not anticipated.

Therefore, we would not recommend that it was necessary for these works to be continuously monitored by an archaeologist. If, however, during the course of the works human remains are revealed all work should halt as under the Burial Act 1853 it is an offence to disturb a burial without a license from the Ministry of Justice.”

This advice remains valid, with an addendum to refer to the Burial Act 1857, and we will be happy to issue further advice and recommendations if human remains are exposed during groundworks.

Historic England: Not offering advice in this instance.

Conservation Officer:

Representation received 18/02/2025 - You can retract my comment on Condition 5 (145640) and Condition 12 and 13 (145568) as they are not relevant.

I am now happy with the methodology now (Condition 2 (145640) and Condition 3 (145568)).

Representation received 14/02/2025 –

Condition 2 (145568) – intrusive survey

Acceptable.

Condition 3 (145640) & Condition 6 (145568) – Condition Survey

Acceptable.

Condition 4 (145568) – Gravestone record

Acceptable.

Condition 5 (145568) – Storage

Acceptable.

Condition 7 (145568) – Mortar Sample

Acceptable.

Condition 8 (145568) – Photographic Record

Acceptable.

The new methodology to vary Condition 2 (145640) and Condition 3 (145568) appears reasonable in the approach, but I am missing information on some of the documents that are mentioned within it. All being well with the details yet to be submitted in the methodology, the variation of the proposed works would be supported.

The specification document for Condition 5 (145640) and Condition 12 and 13 (145568) is not available. I cannot make comment on these as of yet.

Date Checked: 18/02/2025

Relevant Planning Policies and Legislation:

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 Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and the Gainsborough Town Neighbourhood Plan (adopted June 2021),

Development Plan

- **Central Lincolnshire Local Plan 2023**

Relevant policies of the CLLP include:

S21 Flood Risk and Water Resources

S47 Accessibility and Transport

S53 Design and Amenity

S57 The Historic Environment

S58 Protecting Lincoln, Gainsborough and Sleaford's Setting and Character

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Gainsborough Neighbourhood Plan (2020-2036)**

The following policies are considered relevant in the determination of this application:

- NPP 1 Sustainable Development
- NPP 6 Ensuring High Quality Design
- NPP 18 Protecting and Enhancing Heritage Assets

Gainsborough Heritage and Character Assessment:

TCA 06 Gainsborough Town Centre

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

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

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

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 2024. Paragraph 232 states:

However, existing 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).

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

- 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 Model Design Code (2021)

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

Other- Statutory Duties

Sections 16 and 66 of the Town and Country Planning (Listed Building & Conservation Areas) Act 1990 (The 'Act').

Main Considerations:

These applications are made under s73 of the Town & Country Planning Act 1990 and S.19 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in order to develop land/alter a listed building not in compliance with conditions previously attached. In accordance with planning law (s.73(2)), “*consider only the question of the conditions subject to which planning permission should be granted.*” It is not a re-visitation or reassessment of the original decision to grant planning permission.

- Principle of Development and Heritage Impact
- Other Matters
Archaeology

Assessment:

Principle of Development and Heritage Impact

The principle of the development has already been established in planning permission 145640 and listed building consent 145568 dated 1st December 2022.

These variation applications have been submitted as there has been an adjustment to the extent of the wall required to be underpinned and rebuilt. Overall, this change means that more of the original wall would be retained, however the area of wall to be rebuilt extends by 1 bay beyond what was included in the original application. Both variation applications have included documents with details to discharge/remove the conditions attached to 145640/145568. Please see assessment later in the report.

The WLDC Conservation Officer has been consulted on the amended proposal as well as the additional information submitted to satisfy a number of conditions included on 145640 and 145568. Following the removal of a couple of annotations on the proposed plans, the Conservation Officer has commented that the variation to the proposed works is acceptable and that all of the submitted information provided to discharge the conditions is acceptable. Condition 5 (145640) and Conditions 12 and 13 (145568) would need to remain on any future permission as the information to discharge these conditions has not yet been provided

The proposed amendment would in fact retain more of the original wall which is considered to be an enhancement to the development approved in 145640 and 145568.

Overall, the proposed works are required to avoid the potential partial collapse of the historic boundary wall. The amended proposal and submitted additional details would preserve the special character and significance of the listed building and its setting. It is considered that the proposed works would be in accordance with policy S57 of the CLLP, Policy NPP 18 of the NP, the guidance contained within the National Planning Policy Framework and the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

Archaeology

Archaeological impacts were considered in applications 145640 and 145568. The Historic Environment Team at LCC Archaeology have confirmed that their advice remains valid, with an addendum to refer to the Burial Act 1857, and would be happy to issue further advice and recommendations if human remains are exposed during groundworks. An advisory note will be added to the planning permission.

Assessment of conditions:

As a variation of condition application will create a brand-new permission/consent in itself, a review of conditions originally imposed on 145640 and 145668 needs to be undertaken. Without this any new permission/consent would be unrestricted. In the interest of clarity and simplicity, all conditions have retained the same numerical order. The reason for the conditions have all been amended to reflect the relevant policies of the most recent version of the CLLP.

145640:

Condition 1 – Implementation/Time Limit

This condition is still relevant and necessary, but the expiry date will be listed as 1st December 2025.

Condition 2 – Methodology

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawing.

Condition 3 – Defective Material Survey

The information provided is satisfactory to meet this condition therefore this condition will be amended to be done in accordance with the approved details and amalgamated into condition 6.

Condition 4 – Brickwork Detailing

This condition remains relevant and necessary and will be retained.

Condition 5 – Materials Following Partial Demolition

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawing.

Condition 6 – Approved Plans

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawings.

145568:

Condition 1 – Implementation/Time Limit

This condition is still relevant and necessary, but the expiry date will be listed as 1st December 2025.

Condition 2 – Methodology of the Exploratory Intrusive Survey

The information provided is satisfactory to meet this condition therefore this condition will be amended to be done in accordance with the approved details and amalgamated into condition 15.

Condition 3 – Methodology

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawing.

Condition 4 – Photographic Record of Gravestones

The information provided is satisfactory to meet this condition. This condition no longer needs to be included on any future decision.

Condition 5 – Location of safe storage of gravestones

The information provided is satisfactory to meet this condition therefore this condition will be amended to ensure that the gravestones are reinstated to their previous recorded positions following the completed of the works.

Condition 6 – Defective Material Survey

The information provided is satisfactory to meet this condition therefore this condition will be amended to be done in accordance with the approved details and amalgamated into condition 15.

Condition 7 – Mortar sample

The information provided is satisfactory to meet this condition therefore this condition will be amended to be done in accordance with the approved details and amalgamated into condition 15.

Condition 8 – Photographic Record of the wall to be taken down

The information provided is satisfactory to meet this condition. This condition no longer needs to be included on any future decision.

Condition 9 – Brickwork Detailing

This condition remains relevant and necessary and will be retained.

Condition 10 – Storage of sound materials

This condition remains relevant and necessary and will be retained.

Condition 11 – Demolition by hand/hand tools

This condition remains relevant and necessary and will be retained.

Condition 12 – Sample Panel of Brickwork

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawing.

Condition 13 – Materials Following Partial Demolition

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawing.

Condition 14 – Cleaning of Masonry

This condition remains relevant and necessary and will be retained.

Condition 15 – Approved Plans

This condition remains relevant and necessary, albeit the condition will be varied to include the updated drawings.

Conclusion and reason for decision:

Planning Application: WL/2025/00044

The proposal has been considered against policies S21 Flood Risk and Water Resources, S47 Accessibility and Transport, S53 Design and Amenity, S57 The Historic Environment of the Central Lincolnshire Local Plan, and Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 as well as the Gainsborough Neighbourhood Plan in the first instance. Guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

In light of this assessment, it is considered that subject to the recommended conditions, the proposal will respect the character and appearance of the historic fabric of the curtilage listed wall as well as Trinity Arts Centre. The proposal will therefore preserve and enhance the special character and significance of the listed building, its setting and the special architectural features or historic interest they possesses. It will not harm the character and appearance of the street-scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties.

Listed Building Consent: WL/2025/00005

The proposal has been considered against the duty contained within section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended. In light of this assessment, the proposed amendments are considered as preserving and enhancing the desirability of the Listed Building and its setting. Furthermore, the proposed development will preserve and enhance the desirability of the special architectural features or historic interest it possesses.

Recommended Conditions – WL/2025/00044

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

1. The development hereby permitted shall be begun before the date of 1st December 2025 specified in planning permission 145640.

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. The works shall follow the "Preparation", "Investigation", "Stabilisation Works", and "Repair Works" as noted on drawing J000605-A-DR-0003 Rev 3 dated 18/02/2025 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under S57 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

3. Void.

4. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 3) within the "Stabilisation Works" in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under S57 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

5. Following the partial demolition as shown on drawing J000605-A-DR-0003 Rev 3 dated 18/02/2025 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under S57 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

6. 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:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022
- J000605-A-DR-0002 Rev 3 dated 18/02/2025
- J000605-A-DR-0003 Rev 3 dated 18/02/2025
- Detailed Survey of Defective Material dated 19/12/2024 Rev 0

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 Policies S53 and S57 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

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

None.

Notes to the Applicant

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1857 it is an offence to disturb a burial without a license from the Ministry of Justice.

Recommended Conditions – WL/2025/00005

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

1. The development hereby permitted shall be begun before the date of 1st December 2025 specified in planning permission 145640.

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:

2. Void.

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

3. The works shall follow the “Preparation”, “Investigation”, “Stabilisation Works”, and “Repair Works” as noted on drawing J000605-A-DR-0003 Rev 3 dated 18/02/2025 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Void.

5. Following the completion of the 'Stabilisation Works' (as stated drawing J000605-A-DR-0003 Rev 3 dated 18/02/2025) the gravestones shall be reinstated to their previous recorded positions.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Void.

7. Void.

8. Void.

9. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 6) within the "Stabilisation Works" in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings of condition 6 shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out only by hand or by tools held in the hand and not by any power-driven tools.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition as shown on J000605-A-DR-0003, a 1m² (one square metre) sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on

site. The Local Planning Authority shall approve the above details of the brickwork prior to the rebuild commencing and the development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing J000605-A-DR-0003 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. 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:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- J000605-A-DR-0003 Rev 3 dated 18/02/2025
- J000605-A-DR-0002 Rev 3 dated 18/02/2025
- Mortar Analysis Results for Boundary wall TRINITY ARTS CENTRE received 02/01/2025
- Detailed Survey of Defective Material dated 19/12/2024 Rev 0
- 51294-TN001 Boundary Wall Ground Investigation and Foundation inspections received 02/01/2025

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 work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Notes to the Applicant

If, during the course of the works, human remains are revealed all work should halt as under the Burial Act 1857 it is an offence to disturb a burial without a license from the Ministry of Justice.

Decision Level: Committee

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