

Guildhall Gainsborough
Lincolnshire DN21 2NA

Tel: 01427 676676 Fax: 01427 675170

AGENDA

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

Planning Committee

Wednesday, 23rd July, 2025 at 6.30 pm

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

Members:

Councillor John Barrett
Councillor Owen Bierley
Councillor Matthew Boles
Councillor Karen Carless
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Roger Patterson
Councillor Tom Smith
Councillor Paul Swift
Vacancy – Liberal Democrat Administration Group
Vacancy – Liberal Democrat Administration Group

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 - 24)
Meeting of the Planning Committee held on 25 June 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**

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

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) 145475 (WL/2024/00015) - Land at Woodcock Lane, (PAGES 25 - 76)
Burton Waters
- ii) WL/2025/00182 - RPC Containers Ltd, Gallamore Lane (PAGES 77 - 94)
Industrial Estate, Market Rasen

7. Determination of Appeals

(PAGES 95 - 115)

Bill Cullen
Interim Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 15 July 2025

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 25 June 2025 commencing at 6.30 pm.

Present:

Councillor Matthew Boles (Chairman)
Councillor Ian Fleetwood (Vice-Chairman)
Councillor John Barrett
Councillor Karen Carless
Councillor David Dobbie
Councillor Tom Smith
Councillor Jim Snee
Councillor Paul Swift

In Attendance:

Russell Clarkson	Development Management Team Manager
Ian Elliott	Development Management Team Leader
Danielle Peck	Senior Development Management Officer
Paul Weeks	Legal Advisor
Ele Snow	Senior Democratic and Civic Officer
Molly Spencer	Democratic & Civic Officer

Apologies: Councillor Trevor Bridgwood

Also in Attendance: 34 members of the public

8 PUBLIC PARTICIPATION PERIOD

There was no public participation.

9 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Having been proposed and seconded, it was

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 28 May 2025, be confirmed and signed as an accurate record.

10 DECLARATIONS OF INTEREST

Councillor Dobbie declared a non-pecuniary interest regarding planning applications WL/2025/00326 and WL/2025/00431. He noted that both applications had previously been considered by Gainsborough Town Council, of which he was a Member. He confirmed he would assess the applications based solely on the information presented at the meeting and take part in the discussion and vote.

11 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

An update was provided following the previous month's announcement concerning measures to accelerate build-out rates for consented sites. It was reported that the Government had begun consulting on changes to biodiversity net gain regulations, with a key proposal to exempt small sites of fewer than ten dwellings. Currently, only self-build developments were exempt. Consideration was also being given to introducing a new category for medium-sized developments, defined as those comprising between 10 and 49 dwellings, which might be subject to separate rules.

At the local level, it was confirmed that the Reepham Neighbourhood Plan referendum was scheduled for the following day. The Dunholme referendum had been arranged for 24 July 2025. The Ingham Neighbourhood Plan had been submitted to West Lindsey District Council and was expected to enter consultation shortly. The Saxilby with Ingleby review was undergoing consultation until 22 August 2025. The Grasby and Grasby and Searby cum Owmbly plan was at the Regulation 14 stage, with consultation running until 6 July 2025, after which formal submission would follow.

12 145475 (WL/2024/00015) - LAND AT WOODCOCK LANE, BURTON WATERS

The Committee gave consideration to application number 145475 (WL/2024/00015) seeking approval for permissions to erect 66no. residential dwellings together with associated access, parking and landscaping.

The Officer provided an update to the Committee, confirming that correspondence had been received from Sir Edward Leigh MP in support of objections raised by the occupants of 20 Bay Willow Road, Burton Waters. It was reported that negotiations regarding the viability clause remained ongoing with the applicant. The Officer advised that, should agreement on the clause wording not be reached, the application would be returned to the Committee with revised wording for consideration.

The Officer's presentation continued, outlining the application for 66 dwellings, access roads, parking, and associated landscaping on land to the south-west of Woodcock Lane, Burton Waters. It was confirmed that the site formed part of an allocation within the Central Lincolnshire Local Plan and that extant permission existed for 18 blocks of terraced properties, which constituted the fallback position.

It was explained that a Lawful Development Certificate had been granted on the basis that a material start had been made and that the dwellings could be classed as C3 dwelling houses, due to the absence of conditions or legal agreements to secure the dwellings as a C2 use. The proposed site layout was presented, including open space, a small woodland area to the north, and a one and a half metre landscape buffer along Woodcock Lane. Site levels, street scenes, floor plans, and elevations were also shown, along with photographs illustrating the site context and surrounding area.

The Chairman thanked the Officer for her presentation and stated there were six registered speakers for this application; the first speaker, Councillor Sue North, as Chairman of Burton-by-Lincoln Parish Council was invited to address the Committee.

Councillor Sue North, the Chair of Burton Parish Council stated that when the original concept for Burton Waters had been proposed, the then Parish Council had objected to the development, although support had been expressed for elements such as single storey lodges, assisted housing, and the inclusion of a nature reserve.

Reference was made to the Central Lincolnshire Local Plan, in which the parcel of land in question had been allocated for approximately one hundred units of extra care housing. It was asserted that this allocation remained in place. Concern was raised that Burton Waters, classified as a medium village, would typically accommodate growth of up to ten dwellings, whereas the current application proposed 66 dwellings with no provision for assisted living. It was stated that the scale and nature of the proposal were at odds with the existing community, which was characterised by over-50's living and single storey properties.

Councillor North emphasised that the Parish was not opposed to development in principle but considered the current proposal to be unsuitable and non-compliant with the Central Lincolnshire Local Plan. It was noted that Burton Waters fell within Zone Value B for affordable housing, which required a twenty percent provision, yet none had been proposed.

Concerns were also raised regarding the existing drainage system, which was reported to be problematic, with regular visits from tankers required to address blockages and assist water flow. It was stated that this issue should be resolved prior to any further development.

Further objections were expressed in relation to the proposed number of vehicles, with over two hundred parking spaces included in the application. It was suggested that the nearby A57 roundabout already experienced significant congestion, which would be exacerbated by the development.

The speaker urged Members of the Committee to visit the site to observe the contrast between the proposed development and the existing community, which included Burton Waters Lodges, Lakeshore, and The View – all described as single-storey, low-density, age-restricted homes set in a lakeside or woodland parkland setting. It was stated that the proposed development was the opposite of this character.

The speaker concluded by requesting that a decision be deferred until a site visit had been undertaken and the objections submitted via the West Lindsey planning portal had been reviewed.

The Chairman thanked Councillor North for her comments, and invited the second speaker, Mr David Barker, as Agent to take his seat.

Mr Barker addressed the Committee, stating that the proposal was the result of over two years of work with a range of stakeholders. It was explained that the application had evolved through careful consideration and in response to advice from planning officers and consultees. The site was confirmed to be allocated for development in the Local Plan and to benefit from extant planning permission for one hundred market homes, including a significant proportion of two-storey buildings.

It was stated that the landowner had held land in this part of Burton Waters for twenty-two years, with the intention of delivering a high-quality development and completing the settlement. The speaker noted that extra care housing was not viable on the site due to the

presence of an existing care home at Burton Waters. The current proposal for 66 homes was described as a lower-density alternative to the extant scheme, offering reduced traffic, increased landscaping, larger plots, and more generous gardens. These features were said to enhance residential amenity, support biodiversity, and provide additional open space along the Fosdyke.

Mr Barker confirmed that no objections had been received from statutory consultees, including the Highways Agency, Environment Agency, Drainage Officers, Education Authority, NHS, Wildlife Trust, Canal and River Trust, County Archaeology, Environmental Health, Strategic Housing, Tree and Landscape Officer, Anglian Water, Police, or Fire and Rescue Service. It was acknowledged that some residents preferred the site to remain undeveloped or to be developed differently, but it was emphasised that this part of Burton Waters had remained incomplete for many years.

Mr Barker stated that approval of the application would facilitate the completion of Woodcock Lane and the nature reserve to the north of Burton Waters. Reference was made to national housing targets and the importance of delivering allocated sites. It was noted that Ripon Homes, the intended developer, was no longer trading, but that Quintor would seek another local builder to deliver the scheme.

The proposal was said to include a £41,000 NHS contribution and to offer affordable housing if the viability of the scheme improved. Public open space would be provided, and the scheme was described as offering improved energy efficiency, electric vehicle charging points, and thirty percent M42-compliant homes. Flood risk would be addressed through ground level adjustments, supported by the Environment Agency and local flood authorities. Biodiversity gain would be delivered, including the use of hedges in place of walls and ecological monitoring during construction.

Mr Barker concluded by stating that the proposal complied with planning policy, offered significant benefits over the extant scheme, and represented the best opportunity to complete this part of Burton Waters. Support for the application was requested.

The Chairman thanked Mr Barker for his comments and confirmed that three objectors had registered to speak. It was noted that all three had agreed for the first registered speaker, Mr Anderson, to speak on their behalf for the full five-minute allocation. Mr Anderson was then invited to take his seat.

Mr Anderson began by thanking the Chairman and Committee for the opportunity to speak. He stated that he was speaking on behalf of the Burton Waters Management Company, the Burton Waters Residents Group, the recognised Tenants Association, and, he believed, the majority of the audience present. He introduced himself as a chartered town planner and chartered surveyor specialising in development.

He clarified that the community was not opposed to development, but wished to see the right type of development brought forward. He expressed concern that the application demonstrated little regard for the principles of community and placemaking upon which Burton Waters had been established. Reference was made to several policies of the Central Lincolnshire Local Plan, including Policy S4, Policy S81, Policy S22, and Policy S53, which were cited in relation to the principle of development, lack of affordable housing, and the design's adverse impact on local character.

Mr Anderson stated that the site was allocated for one hundred extra care dwellings, not private housing. While acknowledging the extant permission and the Lawful Development Certificate issued in 2019, he emphasised that the current application should be assessed on its own merits. He noted that the original intention for the site had included extra care housing, park homes, a visitor centre, and a nature reserve, all of which were considered more appropriate for the character of Burton Waters.

Concerns were raised regarding the viability of the scheme, particularly in light of the insolvency of Rippon Homes, the intended developer. Mr Anderson questioned whether the scheme could be delivered and suggested that it might serve only as a gateway to a future, undefined proposal. He criticised the absence of any affordable housing contribution and noted that the site's allocation for one hundred units meant the current proposal would reduce the housing supply by thirty-four units.

In terms of design and scale, Mr Anderson argued that the proposed estate-style housing was incongruous with the existing settlement, which was characterised by low-density, single-storey park homes and lodges. He noted that the extant permission had included single-storey dwellings along the eastern edge, whereas the current proposal introduced two-storey dwellings in that location, which he believed would adversely affect the amenity of existing residents.

He further highlighted concerns regarding the unadopted status of Woodcock Lane and the increased pressure the development would place on it. He concluded by urging the Committee to either refuse the application or defer it to allow Members to undertake a site visit and assess the context in person. He reiterated that the community supported appropriate development but believed this proposal did not meet that standard.

The Chairman thanked Mr Anderson for his comments and explained that there had been two registrations to speak in the Ward Member capacity so the time would also be shared.

Councillor Brockway began by expressing support for the calls for a site visit. She stated that there were inaccuracies in the information presented to the Committee, particularly the claim that the proposed development would not have a detrimental effect on the character of the area. She disagreed, noting that the area was a retirement community comprising three retirement developments and a care home at the entrance to the road. She emphasised that it was a child-free area and that this was a key concern.

While supporting the points raised by previous speakers, Councillor Brockway highlighted what she considered to be a serious safety issue. She explained that there were no social or educational facilities in the area for families or children, and that there was no school within safe walking distance. The A57 was described as lacking footpaths for much of its length, making it unsafe for children to walk or cycle to school. She expressed doubt that any parent would consider the route safe for primary-aged children.

She further stated that, despite being informed there was no objection from the education authority, a local school had confirmed that no one had contacted them regarding capacity. She considered this a significant oversight. Concerns were also raised about the presence of two-storey houses in a community of bungalows, which she believed would be out of keeping with the area and likely to have a negative impact on residential amenity.

Additional concerns were expressed regarding drainage and flood risk, particularly in relation to the proposed raising of land levels and the potential impact on nearby lodges. Councillor Brockway concluded by stating that the proposal did not serve the public interest and would negatively affect existing residents. She also noted that no consideration had been given to the safety of families and children using the adjacent road.

The Chairman thanked Councillor Brockway for her comments and asked the Officer if she had any response to the statements.

In response, the Officer addressed several points raised during the discussion. It was clarified that Policy S4 of the Central Lincolnshire Local Plan was not relevant to the application. The Officer explained that Policy S4 relates to Large, Medium and Small Villages, as defined in the Settlement Hierarchy in Policy S1, which will experience limited growth to support their role and function through allocated sites of 10 or more dwellings in the Local Plan the application site is allocated under Policy S81, which was the applicable policy in this case.

With regard to affordable housing, the Officer confirmed that no provision had been included within the proposal. It was stated that viability assessments had been undertaken throughout the application process and had been reviewed by the Council's consultants, who concluded that the scheme was not viable to support affordable housing contributions.

In relation to highways, the Officer reported that Lincolnshire County Council, as the highways authority, had been consulted and had raised no objections concerning the capacity of the A57.

Finally, the Officer addressed the matter of education contributions. It was confirmed that Lincolnshire County Council, as the education authority, had been consulted and had not requested any contribution in connection with the application.

The Chairman thanked the Officer for her response and opened the floor for discussion. Councillor Fleetwood declared a non-pecuniary interest as a member of the Witham Third Internal Drainage Board, which had submitted comments in relation to the application.

Councillor Barrett also declared a non-pecuniary interest as a member of the Witham Third Internal Drainage Board and noted concerns regarding drainage and flood risk associated with the proposal.

Councillor Tom Smith declared a pecuniary interest due to his employment with Sir Edward Leigh MP, as recorded in his declaration of pecuniary interests. He confirmed that he had not communicated with or undertaken any work related to the application.

Members discussed the history of the Burton Waters development and acknowledged the presence of residents attending the meeting. It was noted that the community had developed over the past twenty-five years and that the application before the Committee represented a significant proposal for the area.

Reference was made to the comments submitted by the Internal Drainage Board, which had objected in principle to new development. Concerns were raised regarding site levels and

the potential for flooding, particularly in relation to nearby lodges. It was questioned whether the proposed operations would adequately address these issues.

Support was expressed for a site visit, with Members noting the strong level of local interest and the importance of understanding the site's context. It was suggested that a visit would allow Members to assess the relationship between the proposed development and the existing community.

Clarification was sought regarding the outline planning permission and whether it had specified the type of development expected on the site. The Officer responded that the earlier permission had been for a larger development and that the current application represented the reserved matters for this part of the site.

Further questions were raised regarding the provision of fire hydrants, as recommended by the Fire and Rescue Service. Officers confirmed that this matter would be addressed through building regulations.

Concerns were also expressed regarding the process by which the site had transitioned from a C2 to a C3 use through the granting of a Lawful Development Certificate. It was emphasised that lessons should be learned to prevent similar situations in future.

Members requested that Officers provide a clear explanation of the betterments offered by the current proposal in comparison to the scheme. It was stated that if no material improvements could be identified, the application should be refused. However, if betterments were present, these should be clearly outlined in advance of any site visit to assist Members in their assessment.

The Officer responded to queries by confirming that the permission was for a denser development comprising eighteen terraced blocks of properties. While the current proposal was still considered relatively dense, it was stated that it offered improvements in comparison, including increased landscaping, enhanced parking provision, and efforts to meet biodiversity net gain and energy efficiency standards, which would not be delivered under the extant scheme.

A Member raised questions regarding the unadopted status of the road serving the development, noting the presence of poles in the carriageway and querying whether the road would be adopted upon completion. The Officer confirmed that the road would remain unadopted. A further question was raised regarding bus infrastructure, referencing a trigger point in a previous planning application. The Officer advised that a bus stop was located further along within the Lakeshore development.

A proposal was then made and seconded that a site visit be undertaken. Upon being put to the vote, it was

RESOLVED that the application be deferred for a site visit to be held, to afford Members a greater understanding of the potential development site including the safety of the location, and access to the site.

The Chairman introduced the application and invited the Officer to share his presentation. The Planning Officer confirmed that no updates had been received and proceeded with a summary of the proposal. The application sought permission for the installation of four silos at the RPC facility on Gallimore Lane Industrial Estate, Market Rasen. Two silos had been proposed to the north and two to the south of the site, each adjacent to existing silos.

West Lindsey District Council's Tree and Landscape Officer had reviewed the proposed road widening and confirmed acceptance of the plan, subject to advisory conditions regarding the treatment of existing trees, which were to be included in any recommendation for approval.

Visuals were presented showing the proposed elevations and locations. It was noted that the southern silos would be partially obscured by existing structures. A plan showing proposed road widening at the rear of the site was included to facilitate vehicle access. The Landscape Officer had reviewed and accepted the proposal, subject to advisory conditions.

The site had been identified as part of an established employment area within the local development plan. The proposed silo locations were shown on existing hardstanding surfaces. Photographs were shown to illustrate the relationship of the site to nearby residential properties, including views from 25 Caistor Road and Sunnymede cottages.

The Chairman thanked the Officer for his presentation and stated there were three speakers registered for this application, and invited Mr Alan Scoffin, as agent, to take his seat.

A statement was delivered by Mr Alan Scoffin of Ross Davies Associates, acting as the planning consultant on behalf of the applicant, Amcor (formerly known as RPC).

It was stated that the Gallimore Lane Industrial Estate had been established since the mid-1960s and had accommodated a range of industrial and commercial businesses. The site, originally known as the Plastic Box Company, had operated in various forms since that time. For over thirty years, the facility had produced specialist packaging for the healthcare, food and personal care sectors.

It was reported that the site currently employed 125 residents, thereby contributing to the local economy. The facility specialised in Injection Blow Moulding (IBM), a niche technology in the United Kingdom, which enabled the production of complex precision packaging with reduced waste compared to traditional methods.

It was explained that, to remain competitive, the site required periodic updates and modifications. A new project had been secured from a major global brand, which would utilise IBM technology and was expected to generate approximately £4.5 million in revenue. The project was anticipated to create at least twelve new jobs and support the long-term viability of the site.

To facilitate this development, permission was being sought for the installation of four new silos. These would support the storage and handling of materials specific to the new production line, including post-consumer recycled polymers. The proposal aligned with both the company's and its clients' sustainability objectives, particularly in reducing reliance on virgin polymers and lowering energy consumption.

It was concluded that the development would support local employment and reinforce

Market Rasen's role as a centre for sustainable specialist manufacturing.

The Chairman thanked Mr Scoffin for his statement and invited the second speaker, Mrs Karen Dowle, as objector, to take her seat. Mrs Dowle had provided two images on printed paper of her property, for the Members to view. The Democratic and Civic Officer distributed these whilst Mrs Dowle took her seat.

Mrs Dowle explained that both households were situated directly on the southern and southeastern boundaries of the RPC site. Objection was raised to the proposed installation of additional silos on the southern side of the factory, on the grounds of adverse impact on residential amenity.

A brief history of previous planning consents was outlined. It was stated that in 2003 and 2004, permission had been granted for five silos, including two on the southern side. It was reported that RPC had originally proposed all silos on the northern side but had been instructed by the Council to relocate two to the south. The interrelationship between the silos and neighbouring dwellings had been deemed acceptable at that time.

In 2018, further silos had been approved on the southern side despite objections. It was stated that the resulting seven silos had significantly affected the outlook, light, and noise environment of the neighbouring properties. It was further noted that landscaping conditions attached to the 2003 consent had not been implemented, and that existing vegetation had predated the development.

Mrs Dowle raised concerns regarding drainage, with reference to a riparian ditch located along the eastern boundary. It was stated that runoff from the site discharged into the ditch, which ultimately flowed into the River Rase. A flooding incident in 2002 was recalled, during which gardens and the speaker's home had been inundated. It was asserted that RPC had failed to maintain the ditch, despite being responsible for it.

Noise impacts were described as severe and ongoing. It was stated that although forklift movements had been restricted during night hours, noise from silo filling, machinery, and roof-mounted air vents had become increasingly disruptive. It was reported that vibrations from factory operations had been felt within the dwelling, with supporting evidence, not shown to the Committee, recorded using a mobile application.

It was acknowledged that the speaker's husband had been employed at the factory for over twenty years and that the success of the business was not opposed. However, it was argued that the southern side of the site had become overdeveloped, and that further intensification would be unacceptable. A suggestion was made that the new silos be relocated to the western side of the site, where space and access were considered more appropriate.

Doubts were expressed regarding the operational need for additional silos, given the reported underuse of existing machinery. Mrs Dowle raised questions as to whether existing silos could be repurposed or removed if obsolete.

Environmental concerns were also raised, particularly in relation to plastic waste and water discharge. A request was made for non-financial mitigation, including the planting of trees and shrubs, the installation of sound reducing fencing, and meaningful consultation with affected residents. It was stated that no engagement had taken place with the applicant.

Mrs Dowle concluded by questioning whether further silo applications would be submitted in future and called for a clear limit to be established. It was stated that, if necessary, the matter would be referred to the Environment Agency.

The Chairman thanked Mrs Dowle for her comments, and welcomed the final speaker on this application, Councillor Bunney, as Ward Member, to take his seat.

Councillor Bunney declared an interest that he sits on Market Rasen Town Council who had also discussed the application, he confirmed he was speaking in his capacity as a Member of the District Council, the County Council and Market Rasen Town Council.

Councillor Bunney stated that, in principle, support existed for industrial activity within Market Rasen Town, recognising the importance of employment and economic development. However, concern was expressed regarding the proposed location of the silos on the southern side of the site, which was near several residential properties, including Sunnymede cottages, 25 Caistor Road, and a nearby bungalow.

He acknowledged that noise, vibration, and drainage issues had been reported by residents. While he felt some of these matters could be mitigated through appropriate works, concern remained that the installation of four additional silos on the southern boundary would exacerbate existing problems.

It was suggested that alternative locations existed within the site where the silos could be accommodated, and that such options should have been explored through negotiation between the applicant and the planning authority. Concern was raised regarding the removal of a landscaped mound and several trees, which had previously provided partial screening. It was noted that the trees were deciduous and therefore did not offer year-round noise mitigation.

Reference was made to a proposed delivery time condition within the application, limiting activity to between 08:00 and 19:00 on weekdays. However, it was noted by Councillor Bunney that noise associated with the transfer of materials from tankers into silos could occur outside these hours, and that such operations had been reported by residents on both sides of Gallamore Lane.

Councillor Bunney acknowledged that living adjacent to an industrial site presented challenges, but it was emphasised that the affected properties were subject to significant and persistent noise. It was suggested that relocation of the silos to the western or northern sides of the site would be preferable. It was noted that a residential property existed to the north, but that it appeared to experience fewer issues due to the presence of mature trees.

The Chairman thanked Councillor Bunney for his comments and looked to the Planning Officer to respond.

The Planning Officer confirmed that the site was an established employment area and that the proposed silos formed part of the factory's expansion. It was stated that drainage would not be worsened, as existing storm drains would not receive additional runoff. Partial responsibility for the adjacent ditch had been acknowledged by the applicant, with maintenance reported.

A noise report had been requested, the results of which indicated low impact without mitigation. It was clarified that only two silos were proposed on the southern side, not four. West Lindsey District Council's Tree and Landscape Officer had advised that the excavation works for road widening would not harm existing trees, which were unprotected and within the applicant's ownership.

The Chairman thanked the Officer for his response and opened the floor for discussion.

A Member of the Committee expressed understanding of the concerns raised by residents, based on prior experience working in an industrial setting adjacent to residential areas. Reference was made to the planning history, noting that previous silos had been directed to the southern side of the site. It was questioned why this location had been chosen, given the proximity to dwellings.

It was suggested that the western side of the site, which faced the wider industrial estate, would have been more appropriate. The Committee Member noted that in similar industrial contexts, noisy infrastructure was typically positioned away from residential boundaries to minimise disturbance. Clarification was requested regarding the original decision to locate silos near residential properties. The Officer confirmed that the question regarding the original placement of silos could not be answered, as they had not been involved in the earlier application and no documentation had been found to explain the decision.

A Member of the Committee noted that reference was made to the shared concerns expressed by the Ward Member, objectors, and the Town Council regarding the proposed location of the silos. It was suggested that the relocation of silos within the site might be feasible, as materials such as plastic pellets could be conveyed over distance using pressurised systems.

A question was raised as to whether any discussions had taken place with the applicant regarding alternative siting. It was confirmed by the Officer that no such discussions had occurred.

The Committee Member then proposed that the application might be deferred to allow for such engagement, with the aim of achieving a mutually acceptable outcome.

The Development Management Team Leader stated that during Officer site visits, the levels of noise and vibration reported by residents had not been observed. A noise impact assessment had been requested and submitted. The report indicated that the silos were active for an average of six minutes per hour, with noise occurring in two phases, increasing as materials were drawn into the ducting. The assessment concluded that the impact was low and that no mitigation was required. It was further stated that the addition of two further silos was not expected to result in a significant increase in noise. However, the Committee was advised by the Development Management Team Leader that it remained open to defer the application should it wish to explore alternative locations for the silos. The feasibility of such alternatives would need to be confirmed with the applicant.

A Member expressed support for deferring the application to allow further checks and requested that specific amendments be considered. Concern was raised regarding the removal of earth near the road and the potential impact on tree stability. It was suggested

that structural support may be required to prevent root exposure and possible tree failure.

An amendment was proposed to include the planting of fast-growing screening species, between existing trees to enhance visual and acoustic screening. Additionally, concern was expressed regarding the proposed delivery hours, which excluded restrictions on weekends. An amendment was requested to extend delivery restrictions to Saturdays and Sundays.

It was confirmed by the Development Management Team Leader that the proposed delivery condition could be amended to include weekends.

The Development Management Team Leader advised that while discussions could be held with the applicant regarding alternative silo locations, the planning authority could only assess the application as submitted. It was also clarified that enforcement of riparian clearance fell under the remit of the Internal Drainage Board, not the Local Planning Authority.

Having been seconded and voted upon, it was

RESOLVED that the application be deferred in order for Officers to request further information regarding potential alternative locations for the proposed silos and/or appropriate mitigation measures in response to noise complaints.

14 WL/2024/00504 - LAND TO REAR OF BRINKBURN HOUSE, CHURCH STREET, SCOTHERN

The Committee gave consideration to the third application on the agenda, application number WL/2024/00504 seeking planning permission to erect three dwellings with a new access driveway and associated parking and garaging, as well as a replacement garage serving No.16 Church Street, at the land to the rear of Brinkburn House, Church Street, Scothern.

Elevations and floor plans for Plot One and its associated garage were presented. The drainage plan had been reviewed and accepted, with consultation undertaken with the Council's Building Control team.

It was noted that the application had been amended during the process following consultation with West Lindsey District Council's Conservation Officer. Amendments had been made to preserve views of the nearby listed church tower from the public right of way.

The Chairman thanked the Officer for his presentation and with no registered speakers for this application, opened the floor for Members to discuss.

A query was raised regarding whether the access road serving the proposed dwellings would be private and how waste collection would be managed. It was confirmed by the Officer that the road would likely be private, serving only three new dwellings and one existing property. However, the Officer was unable to confirm the proposed location for bin storage.

Concern was expressed that, without a designated bin storage area, multiple bins would be

placed on Church Street, potentially affecting visibility and amenity. A request was made for a condition requiring the provision of a bin storage area within the site, accessible to waste collection operatives.

It was noted that, in general, residents were responsible for presenting bins at the kerbside for collection. The Vice-Chairman confirmed that this was standard practice for properties accessed via private roads.

The Chairman acknowledged the discussion and proceeded to propose acceptance of the Officer's recommendation, with no further speakers indicating a wish to contribute.

The proposal to accept the Officers recommendations was duly seconded and voted upon. It was therefore agreed that planning permission be **GRANTED** subject to the following conditions:

Recommended 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 hereby permitted shall take place until a written Habitat Management and Maintenance Plan [HMMP] in accordance with the Statutory Biodiversity Metric dated 12/12/2024 and prepared by Michelle Huang has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall relate to all 'significant' biodiversity gains on site (excluding any habitat within or making up private garden) and must be strictly adhered to and implemented in full for a minimum of 30 years following the initial completion period approved pursuant to condition 13. The HMMP must contain the following:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP];
 - c) the details of funding, resources and mechanisms for long term delivery of the [HMMP].
 - d) the planned habitat creation and enhancement works for the initial completion period to create or improve habitat in accordance with best practice.
 - e) the management measures to maintain habitat for a period of 30 years from completion in accordance with best practice;
 - f) the monitoring methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority. Surveys may be completed by a competent person as

defined by the small site metric user guide.

- Expected monitoring years 5,10,15,20,30
- g) the mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

Applicants are advised to use the Natural England Small Site HMMP Template found at <https://publications.naturalengland.org.uk/publication/5813530037846016>

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. No development shall take place until details of faunal species enhancements including their positions, types and specifications have been submitted to and approved in writing by the Local Planning Authority. Enhancements must include
- A minimum of a single bat roost unit incorporated into each structure (access via bat roof tile).
 - A minimum of a single bird nesting brick unit incorporated into each structure
 - A minimum of a single bee brick unit incorporated each structure
 - Hedgehog appropriate fencing
 - Amphibian friendly drain and curb treatments

The details approved must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

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

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

4. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric dated 12/12/2024 and prepared by Michelle Huang.

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.

5. 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:

Site Location Plan J2226 00101 Rev A dated March 2023
Proposed Block Plan J2226 00108 Rev H dated 11/02/2025
Plot 1 Plans Section and Elevations J2226 00104 Rev E dated 20/09/2024
Plot 1 Proposed Garage J2226 00110 Rev C dated 15/09/2024
Plot 2 Plans Section and Elevations J2226 00105 Rev F dated 10/02/2025
Plot 3 Proposed Garage J2226 00115 dated August 2023
Plot 3 Plans Section and Elevations J2226 00106 Rev E dated 22/03/2024

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 of the Central Lincolnshire Local Plan.

6. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement dated April 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.

7. 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 dated April 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.

8. The development must be completed in strict accordance with the drainage strategy as detailed within the drawings and details within 'Drainage Strategy Report' Rev C dated 28/05/2025 including the surface water maintenance methods on page 16. No occupation must occur until the approved scheme has been installed and retained and maintained as such thereafter.

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

9. No occupation of the dwellings hereby approved must take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include (but not limited to):

- Type, height, specification and position of all boundary treatments.
- Material finish of all any access roads, driveways, patios and paths.
- Species, planting height, formation and position of new trees and hedging.

The development must be completed in strict accordance with the approved landscaping scheme.

Reason: To ensure that appropriate landscaping is introduced and would not unacceptably impact on the character and appearance of the site and the surrounding area or the amenity of nearby residents to accord with the National Planning Policy Framework and local policies S53 of the Central Lincolnshire Local Plan 2023.

10. Any new hardstanding shall be constructed from a porous material or shall be appropriately drained within the site 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.

11. Prior to occupation of the approved dwelling, 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.

12. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwellings 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.

13. The development shall be carried out in accordance with the submitted flood risk assessment undertaken by Roy Lobley Consulting dated October 2024 including the following mitigation measure it details:

- Plots 1 & 2 minimum floor level 12.90m AOD.
- Flood resilience to 13.20m AOD.
- Surface water exceedance route around buildings.

These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in line with Policy S21 of the Central Lincolnshire Local Plan.

14. The development hereby approved must only be carried out in accordance with the recommendations set out in sections 4 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment completed by Arbtech dated 20/12/2024.

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.

15. Notice in writing shall be given to the Council within 15 working days of the Initial habitat creation and enhancement works as set out in the [HMMP] being completed.

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 Policy S61 of the Central Lincolnshire Local Plan.

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

16. All planting, seeding or turfing comprised in the approved details of landscaping as required by condition 9 shall be carried out in the first planting and seeding season following the occupation of the building(s) 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 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.

17. 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.

18. Notwithstanding the provisions of Classes A, AA, B, C, E, F, G and H of Schedule 2 Part 1 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) the dwellings hereby permitted must not be extended and no buildings or structures must be erected within or on the curtilage of the dwellings, or alterations made to the roof of each respective dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the character of the area, the setting of the non-designated heritage asset, and the amenities of neighbouring dwellings, to accord with the National Planning Policy Framework and Policies S53 and S57 of the Central Lincolnshire Local Plan 2023.

15 WL/2025/00326 - LORD STREET, GAINSBOROUGH

The Chairman introduced the fourth application of the meeting and invited the Officer to present. The Officer provided a presentation and confirmed that there were no updates to report. The application had been brought before the Committee as it represented a departure from parking standards and Policy S49 of the Local Plan. Otherwise, it would likely have been determined under delegated powers.

The proposal sought permission for the creation of three residential units while retaining a reduced retail unit on the ground floor. The scheme also included repair works to the

building to restore it to a suitable standard. The Officer presented existing and proposed floor plans and elevations, noting that the retail unit would front onto Lord Street, with three flats located across the ground and upper floors. Photographs were shown to illustrate the current condition of the building, which had been vacant for some time.

The Chairman thanked the Officer for his presentation and invited the only speaker on this application, Mr Matt Deakins as Agent, to address the Committee.

Mr Deakins stated that the Officer's report had comprehensively covered the key points. He emphasised that the building had been long vacant and was in a poor state of repair. His client had made efforts to acquire the western portion of the building, which was under separate ownership, in order to deliver a comprehensive redevelopment, though these efforts had not yet been successful.

It was noted that the building was a heritage asset within the town centre and had been identified within the Townscape Heritage Scheme. The applicant intended to submit a funding application under this scheme, subject to timing.

Mr Deakins explained that the retail unit had been vacant for approximately five years, with the upper floors unused for several decades. He described the internal condition as extremely poor, with limited access to parts of the building. The proposed scheme would reduce the size of the retail unit, which was considered more marketable, and introduce three residential units, bringing the upper floors back into use.

The lack of on-site parking was acknowledged as the reason for the application being considered by the Committee. However, it was noted that the site had never had parking provision and was located within a pedestrianised area of the town centre, with access to public transport and amenities. Cycle storage and external storage facilities had been incorporated into the scheme.

The Chairman thanked Mr Deakins for his statement and invited Members to comment.

A Member expressed appreciation to the agent for the detailed explanation and welcomed the proposal, noting that the building had been in a poor state for many years. It was considered a significant improvement for the town centre.

Further support was expressed by another Member, commenting that the site's location within a pedestrianised zone made parking concerns less relevant. The building was described as being in unacceptable condition, and the proposed development was seen as a substantial improvement. It was noted that many properties in Gainsborough were being brought up to standard, which was welcomed.

A further Member also expressed support, stating that both the developer and Officer had done a commendable job. The photographs demonstrated the building's poor condition, and the proposed scheme was expected to result in a significant visual improvement.

The Chairman added that the development was a welcome transformation of a long-standing eyesore. Interest in acquiring the adjacent property was noted, and it was suggested that this could potentially address parking concerns, as the neighbouring site (a former public house) included space to the rear.

With no further comments the proposal to accept the Officer's recommendations was duly seconded and voted upon. It was therefore agreed that planning permission be **GRANTED** subject to the following conditions:

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

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

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

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

2. No development or conversions works shall take place until a level 2 Historic Building Record of the buildings has been submitted to and approved in writing by the Local Planning Authority.

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

3. No conversion works shall take place until details showing the areas of masonry to be demolished and setting out the method of ensuring the safety and stability of the building fabric identified to be retained throughout the phases of demolition and reconstruction have been submitted to and approved in writing by the Local Planning Authority. Such details are to include structural engineering drawings and/or a method statement. The work shall be carried out in full accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the listed building and its surroundings to accord with the National Planning Policy Framework and Policy S53 and S57 of the Central Lincolnshire Local Plan.

4. No conversion works shall take place until details of the following external materials including the colour finish to be used have either been inspected on site or submitted to and approved in writing by the Local Planning Authority:

- Sample of brick type and size, bond, texture and mortar for openings to be bricked up;
- Type, size, material and finish of the proposed skylight;
- Joinery details for the timber external door (north elevation) at a scale of no less than 1:20, including materials, glazing bars, method of opening, colour and finish, as well as frame and surround;
- Paint finish and colour for all external joinery (please see informative);
- Sample panel of pointing.

The development must be completed in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the listed building and its surroundings to accord with the National Planning Policy Framework and Policy S53 and S57 of the Central Lincolnshire Local Plan.

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

5. The works shall follow the schedule of works as detailed on drawing RD:5749 – 04 dated January 2025 (Proposed Floor Plans and Details) unless otherwise approved in writing by the Local Planning Authority.

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.

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:

- Proposed Site and Location Plans: RD:5749 – 07 dated March 2025
- Proposed Elevations/Sections: RD:5749 - 06 dated March 2025
- Proposed Floor Plans and Details: RD:5749 – 04 dated January 2025
- Proposed Floor Plans: RD:5749 – 03 Rev A dated 27/03/2025

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 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.

16 WL/2025/00431 - HICKMAN STREET, GAINSBOROUGH

The Chairman introduced the application and invited the Officer to make her presentation.

The Officer provided a brief presentation on the application, which sought retrospective advertisement consent for a fascia sign. The sign related to a recently opened gym and included some illumination details. Site photographs were shown, highlighting similar fascia signage in the surrounding area.

The Chairman thanked the Officer for her presentation and confirmed that the application had been brought before the Committee solely because the applicant was a relative of a council Officer.

With no comments from Members, having been proposed, seconded and voted upon it was therefore agreed that the permissions be **GRANTED** subject to the following conditions:

1. The grant of express consent expires five years from the date of the grant of consent.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

3. No advertisement shall be sited or displayed so as to—

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

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: A-004 Rev P2 (Existing and Proposed Elevations) dated 29/07/2024, Signage Dimension received 30/04/2024 and Illumination Detail received 30/04/2025. 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 development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

17 DETERMINATION OF APPEALS

The Chairman confirmed that there were no appeal determinations to note.

The Development Management Team Manager provided updates on two appeal matters.

The Committee was advised that an appeal had been lodged following the refusal of planning permission for a battery energy storage system near Willingham by Stow, which had been considered by the Committee in February 2025. The appeal would be heard at a public hearing, with the date yet to be confirmed. It was noted that Councillors Mullally (as Ward Member) and Bailey would act as Member leads, as the decision had been a Member overturn.

A further appeal had been submitted in relation to the refusal of a battery storage scheme near Reepham, which had been considered at the December 2024 Planning Committee. The Planning Inspectorate had indicated that this appeal would be heard at a full four-day

public inquiry scheduled for October 2025. The Committee was advised that a Member lead would be sought, either from the Planning Committee or the relevant Ward Member, and further communication on this would follow.

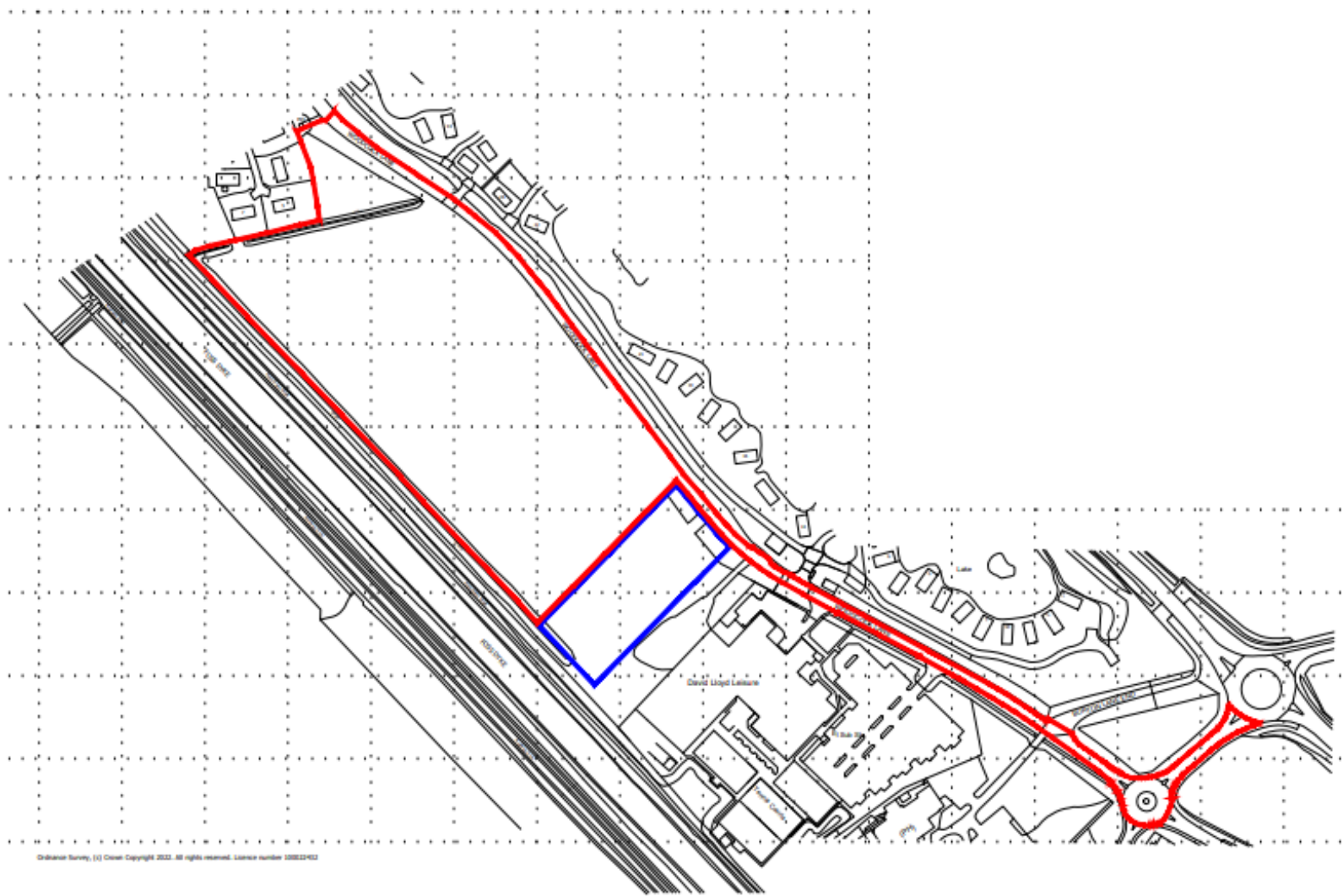
The Chairman indicated that any Members interested in acting as a lead for the upcoming inquiry should contact the Development Management Team Manager.

18 PLANNING ENFORCEMENT - FORMAL CASE UPDATE

With no comments, questions or requirement for a vote, the Planning Enforcement Report was **NOTED**.

The meeting concluded at 8.03 pm.

Chairman



Officers Report

Planning Application No: 145475 (WL/2024/00015)

PROPOSAL: Planning application to erect 66no. residential dwellings together with associated access, parking and landscaping.

LOCATION:

LAND AT WOODCOCK LANE
BURTON WATERS
LINCOLN
LN1 2BE

WARD: SAXILBY

WARD MEMBER(S): Cllr P Lee and Cllr J Brockway

APPLICANT NAME: Quintor Homes- Mr David Coates

TARGET DECISION DATE: Extension of time agreed until 30th June 2025

CASE OFFICER: Danielle Peck

Recommended Decision: Grant planning permission with conditions and delegate back to officers to issue a decision subject to the signing of a Section 106 Legal Agreement to secure the following;

- NHS Contribution of £41,745;
- The inclusion of a Viability Clause to detail a mechanism within the S106 legal agreement to request that an assessment of costs and values towards the end of the development is carried out to see if there is scope to make a commuted sum contribution toward affordable housing. The clause will also ensure a full viability assessment is carried out in relation to any future variations (Section 73 Applications) made to the scheme.
- Open Space and Landscaping- Details of future management and maintenance.

The application is referred to the Planning Committee for determination due to the significant level of objections received from Local Residents/ Third Parties and the Parish Council stating material planning considerations.

The application is referred to the Planning Committee following the deferral from the meeting of the 25th June 2025 to allow the Committee to carry out a site visit.

Since the last meeting the Applicant has provided a comparison document to show the differences between the extant planning permission and this application, along with a plan showing the separation distance between Burton

Waters Lodges and the application site. The additional information can be found on the Councils website.

Site Description: The application site is located on the south west side of Woodcock Lane, to the north western side of the main Burton Waters Marina development. The site is adjoined by Burton Water Lodges to the east/north east, another lodge style development is located to the north of the site. The David Lloyd gym is located beyond the south boundary. The site itself is currently in an overgrown state and is open to all boundaries.

The site is allocated for residential development under Policy S81 of the Central Lincolnshire Local Plan 2023 reference WL/BUR/005 for 100no. units. A small section to the north west of the application site covers an area within allocated housing site WL/BUR/005A. This comprises of a woodland copse and will not be developed within this application, the remainder of the wider part of the allocated site (005A) has already been developed for Park Homes.

The development gained Outline Planning Permission on 8th August 2013 and forms one element of the comprehensive development of this northern section of Burton Waters. The site has a long-standing history of permissions for development and has been allocated within the Local Plan for extra care housing development since 2006.

The application site is located immediately adjacent to the built up area of the relatively modern settlement of Burton Waters. It is 3.3 miles to the north west of the city of Lincoln, and is approximately 2.8 miles to the south east of Saxilby. Lincoln is highly accessible location and acts as a hub for a number of A Roads including the A15, A46, A57 and A158. The area also has a number of water canals, one of which forms the western boundary of the site. This trail acts as both a functional and recreational connection between Saxilby and Lincoln and beyond.

The Proposal: The application seeks full planning permission for the erection of 66no. dwellings, with associated access off Woodcock Lane, garages and parking together with associated landscaping. The proposals also include a cut and fill exercise to alter the existing site levels and essentially lift the development outside of the Flood Zones 2 and 3. An area of open space is proposed to the north of the site and a woodland copse is also proposed to be retained.

There have been numerous amendments and amended plans/documents have been received during the application process, as follows;

- Amended Site Location Plan and Certificate B received on 01/02/2023 - A full 21 day re-consultation was carried out on 03/02/2023.
- Viability Assessments received February 2023 and March 2025.
- Bat Survey Report (April 2024), a Badger and Otter Survey Report (April 2024) and a Reptile Survey Report (April 2024).
- BNG updated information dated April 2024.
- Energy/Sustainability Efficiency information received September 2024.

Relevant Planning History

There is significant site history in relation to this site and the wider Burton Waters development- the most relevant is listed below.

138861- Application for lawful development certificate for the proposed use class and commencement of works of the 100 extra care dwellings, visitor centre and associated works in planning permission 138295. Granted without conditions 28/03/2019.

1. The application has included clear evidence to demonstrate that a material start has occurred prior to the end of 30th September 2018 in accordance with Section 56(b) and (d) of the Town and Country Planning Act 1990 (as amended).

2. The extra care housing referenced in the description of development and subsequent officers' report can due to the lack of a legally binding agreement and/or relevant planning conditions be considered as falling within Class C3. Dwellinghouses of The Town and Country Planning (Use Classes) Order 1987 (as amended)

138295- Planning application to vary condition 12 of planning permission 137658 granted 15 August 2018 - trigger point for bus infrastructure. Granted with conditions 19/10/2018.

137770- Application to vary conditions 6 and 7 relating to outline planning permission of 130050 granted 08 August 2013 re: drainage and commencement of works. Granted with conditions 15/08/2018.

137658- Planning application to vary condition 6 of planning permission 131842 allowed on appeal 25 June 2015 - amended layout. Granted with conditions 15/08/2018.

137213- Request for confirmation of compliance with condition 1 of planning permission 134630 granted 30 September 2016. Condition discharged 23/01/2018.

135026- Request for confirmation of compliance with condition 8 of planning permission 1300050 granted 8 August 2013. Condition discharged 01/02/2017.

134630- Reserved matters application following outline planning approval 130050 granted 8th August 2013 for 100 extra care dwellings, visitors centre and associated works. Granted with conditions 30/09/2016.

134386- Request for confirmation of compliance with conditions 2 and 5 of planning permission 130050 granted 8 August 2013. Condition discharged 15/02/2017.

130050- Planning application for comprehensive mixed use development comprising of full planning permission, material change of use of land, for the construction of 56no. park home units, use Class C3 dwelling, bus turning area and associated works. Outline planning permission with all matters reserved for subsequent consideration. Granted with conditions 08/08/2013.

126216- Planning application for the erection of 120 bedroomed hotel, conference centre and associated car parking (approval of matters reserved by outline planning permission M05/P/0983) to replace extant planning permission reference number 121437. Granted with conditions 22/11/2010.

121437- Reserved Matters Application for the erection of 120 bedroomed hotel, conference centre and associated car parking (approval of matters reserved by outline planning permission M05/P/0983, lifting of conditions 2, 3 and 4). Granted with conditions 11/08/2008.

Representations

Comments have been summarised, full versions of the representations received can be found on the Council's website using the following link: [West-Lindsey | Public Portal](#)

Chairman/Ward member(s): No representations received to date.

Burton Parish Council:

19/03/2023;

- Rippon Homes, who are the developer, undertook a public engagement session on 17th March 2023 at Burton Waters in relation to the above application;
- They did not seem to understand much about the development at Burton Waters including the relationship between the leaseholders of the plot, the freeholders and residents of the area.
- On the subject of social housing and on the fact that they seem to be ignoring the Central Lincolnshire Local Plan in many ways, they said that this was something that had yet to be taken up with WLDC.
- Many residents who attended were dissatisfied with the proposals. Burton Parish Council would like to record that the people attending this event were overwhelmingly, if not unanimously against the proposal.
- Having looked at the new documents the proposed development does not fit in any respect with the communities adjacent to the site. The development is predominately large 4 bed 2-storey houses (71%) with only 3 bungalows. High density, urban feel targeting families. This contrasts with the existing communities of all single storey, low density, woodland/parkland environment, age restricted dwellings aimed at an older/retired demographic
- Whilst the developers reference the main Burton Waters site as its locality the site sits north of David Lloyd Leisure a good way from the entrance to the main BW site. That side of Davis Lloyd only has single storey developments this will create significant overlooking / loss of privacy for several lodges opposite the proposed site. 2-storey houses are proposed backing onto the boundary with

Woodcock Lane 3 Despite being targeted at families there is no communal recreational space included in the proposal The Parish Council cannot see any significant change on these new plans and Design and Access statement and refer you to our original objections to this proposal

- Having looked at the new documents the proposed development does not fit in any respect with the communities adjacent to the site. The development is predominately large 4 bed 2-storey houses (71%) with only 3 bungalows. High density, urban feel targeting families. This contrasts with the existing communities of all single storey, low density, woodland/parkland environment, age restricted dwellings aimed at an older/retired demographic.
- Whilst the developers reference the main Burton Waters site as its locality the site sits north of David Lloyd Leisure a good way from the entrance to the main BW site. That side of Davis Lloyd only has single storey developments this will create significant overlooking / loss of privacy for several lodges opposite the proposed site. 2-storey houses are proposed backing onto the boundary with Woodcock Lane despite being targeted at families there is no communal recreational space included in the proposal.
- The Parish Council cannot see any significant change on these new plans and Design and Access statement and refer you to our original objections to this proposal

12/02/2023- Having seen the reconsulted application they consider the changes to be marginal and therefore would reiterate all their previous comments on this application.

11/10/2022- This is a planning application to erect 66 residential dwellings together with associated access, parking and landscaping. The first point that the Parish Council would wish to put forward is that there has been no consultation and engagement with the Parish Council and local community. This is a major planning application which is not in accordance with Central Lincolnshire Local Plan Policy LP4 which identifies Burton Waters as a medium village where there is only 9 Dwellings identified in that policy. There is a revised Central Lincolnshire Local Plan which has been submitted to the Planning Inspectorate. Policies S1/ S4 of this emerging Local Plan again identifies Burton Waters as a medium village and does not identify it has having this type of development under this plan but rather remains similar to the current Policy LP4. As this application is a departure from the Local Plan and emerging Local Plan there is an expectation of consultation and engagement with the local Parish Council and community.

The original plan for Burton Waters identified this as an area distinct from the main Burton Waters development. This development to date has been single lodges sympathetically designed to blend to their natural environment. This has been successful in design as the area is abundant with local wildlife which blends in with the preserved woodland and parkland setting. The original planning proposals for the site subject to this application was for extra care dwellings largely of single storey nature. This type of development would have complimented the existing lodge community as currently there are age restrictions in these properties and the extra care facilities

would have been seen to attract the older generation. Their single storey design would have also blended in with the existing lodges.

The current application mirrors the other side of the Burton Waters development being of a harsh urban design with high density largely 2 storey housing. The plans look to removing most current hedgerows and trees making this development highly visible from the towpath and the 2 storey homes would overlook the existing lodges. This is a loss of residential amenity for existing residents. The development style is largely family homes. Local amenities are not available for families. There is an extremely limited bus service so that all travel would be by car. Most homes having two cars. This would bring approximately a further 120 cars using Woodcock Lane which is not suitable. Burton Waters has no shops only cafes, restaurants and businesses offering services. The health club is a private fee paying club.

Local residents/ Third Party Representations:

Letters of comment and objections have been received from the following addresses:

- 1, 2, 2b 4, 7, 11, 12, 13, 14, 17, 18, 19, 20,21, 22,26, 31, 33,36 Burton Water Lodges, Woodcock Lane
- 34, 36 The Quays, Burton Waters
- 40, 53 Ellisons Quay, Burton Waters
- 5,6, 7, 9, 11, 15, 17, 18, 20,22, 23,35 Bay Willow Road, Burton Waters
- 1, 3,4,5, 7, 9, 15, 16, 18, 35, Bay Willow Rod, Burton Waters
- 5 Oakwood Road, Lincoln
- 2 Mereside, Burton Waters
- 4 and 44 Park Lane, Burton Waters
- 18 Marine Approach, Burton Waters
- 131 Crow Lane, Romford
- Torksey Caravans Ltd
- Burton Waters Management Limited.
- 72 Cleveland Way, Stevenage

The comments and objections have been summarised as follows;

Principle

- Demographically, this development will not fit in with the existing developments of lodges for retired people and is thus, not in keeping with these.

- Go back to the original intention for retirement and sheltered housing. It is widely accepted that there is an overwhelming need for homes for the elderly and disadvantaged in a quiet and safe context.
- The documents continually refer to the adjacent sites as 'holiday lodges'. It is time this misconception was disabused once and for all. All of the dwellings by the site are full-time residential (holiday lodges require time away), inhabited by people over 45 (Lakeshore) and 55 (Lodges) and to continue to refer to these as holiday lodges and park homes instead of homes seeks to diminish the standing of said lodges and park homes;
- This maximum profit Urban Housing Estate venture is clearly the only plan they have. It subtracts massively from the area and simply exploits what exists.
- The site should only be used for retirement homes.
- The allocation allocates the site for 100 units, only on the basis that the scheme is to provide extra care accommodation. The allocation is clear that the 'extra care' is a site specific requirement which is what it needed to be achieved on the site to make it acceptable.
- It is not accepted that the extant permission represents a 'fall back' for private housing;
- The original permission did not allow unrestricted 'C3' housing for private use and it is suggested that the outcome would not have been the same if the application was originally for private market housing.
- There is no recognition of the character of Woodcock Lane as a residential community for over 55s.

Design and Character

- The buildings are not in keeping with the surrounding lodges;
- The density is not appropriate for the surroundings;
- There should only be low level/single storey housing here;
- No objection to the building of bungalows but do object to houses which will be occupied by families, the adjacent lodges are retirement properties;
- All the previous planning applications were for mainly single storey, low-rise accommodation, whether park homes or sheltered accommodation, where the 2-storey buildings were well away from the road and thus didn't overlook the Lodges;
- The volume of houses proposed on such a small area, the increased population and associated demands that brings is of great concern given that the Burton Waters Lodges site only has around 39 dwellings in an area of 16 acres;
- This is an urban estate and is not reflective of the area;

Residential Amenity

- No acoustic survey has been carried out;
- Has light pollution been assessed;
- The area will not be quiet with the family homes proposed;
- This development will impede on the privacy of the Residents of Burton Waters Lodges numbers 14 to 22 and 26 where they will be overlooked by 12 houses 1 and 6-15 which are all 2- storey bounded by a 1.5metre fence;
- Increased noise and air pollution;
- With the requirement for heavy plant to be delivered in the early stages, residents do not want to be delayed going about their business waiting or being woken up by the delivery of heavy plant.

Highways

- The road is unadopted;
- Concerns with construction working times- they should be restricted;
- No travel plan submitted;
- There is already a lot of traffic and visitors to the marina, pub and gym, this will put a strain on the narrow road and will increase noise for residents;
- The increase in traffic will be a danger to pedestrians;
- Woodcock Lane is already full of pot holes. The increase of traffic will cause problems as Burton Waters has only one entrance;
- There are no footpath links to the bus stop on Lakeshore.

Flooding and Drainage

- There are errors in the flood risk assessment;
- There is still the greater risk of flooding in the area;
- I would like to point out that the area in question has acted as a sponge and flood plain during the recent bad weather with the large number of trees also alleviating the situation.
- When the dyke is full because the canal and rivers further down flood, there is nowhere for the water to go and will subsequently cause flooding at worst, damage to the infrastructure at least, to all the dwellings impacted by this.
- Recently when the Fosseway has been high the ground has shown signs of high water. Lakeshore development, next door to the proposed development also has a lake that would naturally flow into the area the proposed development would cover.
- This past year has seen the Lakeshore lake rise to worryingly high levels, heading for the area of the proposed development. If the development goes

ahead the risk of flooding to this development, Lakeshore and The View would increase.

Ecology, Wildlife and BNG

- Concerns in relation to the loss of the significant amount of trees and bushes;
- There is a proposal to use hedgehog holes in the gravel boards of fences however there is no detail of where these are going to be fitted, ideally they should link each side of each garden and also into the general landscape, there should be a plan of possible routes that hedgehogs could take;
- What provision will be made to deal with existing wildlife safely;
- Development may impact off site habitats due to disturbance;
- The land has been left for such a length of time that nature has moved in and it would be criminal in the extreme to destroy the trees and wildlife that now use the land as their homes.

Developer Contributions and Other

- The application still does not provide any affordable housing, nor does it make any reference or justification as to why the affordable housing has been omitted. The information is silent on the matter.
- Social Housing will have a negative impact upon the area and businesses due to a high risk of anti-social behaviour;
- There are no shops nearby;
- Fire Risks need to be taken into account;
- The existing residents pay for security and up keep of the of the infrastructure on site, this development will add pressure with no contribution to the upkeep of the highway;
- There will be an impact upon local doctors and schools;
- Concerns with the consultation event that was carried out by the developer.
- The land is currently used by locals as an area to enjoy, able to take dogs walking and enjoying nature, a community amenity especially during the summer months.
- The area has no facilities for children and young people and the proposals contain no details about how the recreational and educational needs of younger residents will be met.

LCC Highways and Lead Local Flood Authority:

27/03/2025- No objections.

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 has an acceptable drainage strategy, in principle, and therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

Introduction/Site Location- 66 residential dwellings and associated infrastructure.

Existing Conditions- Site to be served from existing private internal estate roads.

Highway safety- The proposed development does not pose an adverse effect on public highway safety.

Highway capacity- The roundabout on the A57 has previously been constructed to serve the wider development, therefore the proposed will not have a detrimental effect on highway capacity.

Travel Plan- Is not required for this development.

Site Layout- Internal estate road networked designed to adoptable standards.

Flood Risk and Drainage- Flood risk and drainage has been considered and mitigated. A suitably designed sustainable drainage strategy is proposed, attenuating and discharging at an agreed rate.

Off-Site Improvements No off- site improvements are required for this development.

Planning Conditions: No highway related planning conditions are required.

Recommends an Informative in the event permission is granted.

14/10/2022- ADDITIONAL INFORMATION REQUIRED The Highway and Lead Local Flood Authority would comment as follows: Highways The development site is private and as such the roads serving it will not be adopted by the highway authority.

The nearest adopted highway is the A57 and provides safe access to the overall site with the proposal having a negligible effect on highway capacity. The following are recommendations only, with regard the layout:

- Removal of the raised areas/vertical deflections and road narrowing. Considering the layout, they will not be required.
- It is recommended that an internal loop is created as opposed to the two large cul de sacs shown, to aid with site permeability.

Drainage The drainage strategy would appear acceptable in principle, subject to suitable detailed design. From a sustainable drainage perspective initial capture of surface water via gullies and carrier pipes provides little in the way of surface water treatment and there are alternatives that provide better first stage treatment. Discharge consent and rate will require agreement with the relevant Internal Drainage Board.

Lincolnshire County Council Education- The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.

Environment Agency:

21/02/2023- No comments to make on the amendments and refer you to our comments of 05/10/2022.

05/10/2022- The proposed development will only meet the National Planning Policy Framework's and Policy LP14 of the Central Lincolnshire Local Plan (2012-2036) requirements in relation to flood risk if the following planning condition is included.

Condition- The development shall be carried out in accordance with the submitted flood risk assessment (Doc Ref: RHL-1614-01-FRA-004-P1, dated 16/08/2022 produced by Inspire Design & Development Ltd) and the following mitigation measures it details: · Finished floor levels to be set no lower than 6.1m above Ordnance Datum (AOD) · Flood resilience and resistance measures to be incorporated into the proposed development as stated. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Network Rail: No observations to make.

NHS Lincolnshire:

The development is proposing 66 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 152.

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 Trent Valley Surgery, The Glebe Practice, Lindum Medical Practice and Brayford Medical Practice as the development is within their catchment area.

Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 66 dwellings on Land at Woodcock Lane, Burton Waters to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Trent Care Primary Care Network (PCN) at Trent Valley Surgery and/or The Glebe Practice. Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

The contribution requested for the development is £41,745.00 (£632.50 x 66 dwellings).

Witham Internal Drainage Board: The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However, it is up to West Lindsey District Council as the planning Authority granting planning permission. It is noted that a Flood Risk Assessment is included in the Application that contains appropriate mitigation. It is noted the proposed FFLs of 6.1m would potentially remove the development into Zone 1.

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

- The proposed attenuated surface water discharge from the existing pond of 43.4 litres per second is acceptable to the Board and in line with the agreed strategy. The Proposed flow control will require a Land Drainage Consent from the Board.
- Although the site is attenuated within the pond, I would expect that WLDC as the LPA and LCC as the LLFA in accordance to National and Local Policies to insist on the use of SuDS within the development rather than a 'piped' system, the Board would support this.
- The design calculations date from 2016 and potentially do not take into account of the current proposals. Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.

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.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Lincolnshire Wildlife Trust:

22/06/2023- The reported 4.82% net gain falls short of the minimum 10% now required under Policy S61 of the Central Lincolnshire Local Plan that was adopted in April 2023 mandating the minimum requirement ahead of the national start date. Furthermore, the trading rules are not satisfied due to the loss of 3.84 ha of mixed scrub onsite. This

is a medium distinctiveness habitat requiring an equal area of habitat of the same broad habitat or distinctiveness. This can be achieved through offsite gains and we strongly encourage the applicant to contact the 'Green Investment in Greater Lincolnshire' (GIGL) project to seek advice on this.

Hedgehog passes- The 'Landscape Management and Maintenance Plan' shows several locations for hedgehog passes across the proposed development. The majority of these are appropriately located but a small number along the north-eastern boundary appear to be passes between private gardens and Woodcock Lane with no passes between these gardens (private gardens 8, 11 & 15). This is likely to increase the risk of road collisions with hedgehogs by granting them only partial access to the collection of gardens in the proposed development and limited access routes between them. The passes between the aforementioned private gardens should also have passes between them. The gardens in the interior of the development (private gardens 18 – 37) have no hedgehog passes. This is an oversight in the plan as hedgehogs have territories between 10-30 hectares and thus require large areas to forage and breed.

Webwall -The inclusion of a 'Webwall' is an innovative way of introducing biodiversity units into an urban setting. The vertical elements of construction are all too often underutilised for these purposes but can lead to large gains in biodiversity units.

Protected Species - We expect the recommendations listed in the Preliminary Ecological Appraisal (PEA) regarding further survey work for protected species to be completed before any construction work takes place. The relevant species cannot be explicitly stated here due to their sensitivity but fall within the protections listed under the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2017 (as amended) and Part two of Policy S60 of the Central Lincolnshire Local Plan. We anticipate these future surveys to form an updated or pre-commencement report, providing there is no undue risk to protected species on site as a result of the development.

Ecological Enhancements- We agree with the recommended enhancements set out in 8.5 to 8.10 in the PEA which provide important nesting and roosting provisions as well as hibernacula and would like to see these implemented throughout the site in line with Part two of Policy S60 of the Central Lincolnshire Local Plan.

The Lincolnshire Wildlife Trust hopes these comments are helpful at this stage and welcomes further discussion relating to the points covered. LWT are keen to discuss this application further with the Local Planning Authority, the developer and others as a joint endeavour to achieve more for the natural environment in Central Lincolnshire.

30/09/2022- Holding Objection- LWT want to see how the Proposed Site Plan will deliver the minimum of 10% Biodiversity Net Gain now required under the Environment Act 2021. The baseline, pre-development habitat units, including any and all existing trees and hedges would need to be assessed using the latest DEFRA Biodiversity Metric and the UK Habitat Classification assessment required by the Defra Metric.

At present, the site appears to be composed of a mosaic of habitats including broadleaved woodland, scrub and semi-natural grassland. This combination of

habitats, along with its proximity to a watercourse, proves incredibly valuable to wildlife. The applicant will need to take great steps to ensure the area remains so post-development according to its claims in the Design and Access Statement. LWT would like to acknowledge the proposed hedgehog passes throughout the residential gardens and the locations of hibernacula. It is worth stating that these enhancements, while valuable, will not contribute to any biodiversity net gain as the metric focusses on habitats.

LWT would prefer to see SuDS incorporated into the proposed design rather than an outflow into the drain alongside Foss Dyke. The proposal exceeds the minimum threshold (10 dwellings) for incorporation of such features and should be designed as a wildlife area as well as a functioning drainage feature. We would recommend the use of native species, of local provenance, in the SuDS landscaping schemes.

Canal and River Trust:

26/06/2023- We note the provision of additional information and further cross section drawings (Drawing 1621-15D Site Sections (1 of 2) and Drawing 1621-51 Site Sections (2 of 2)) which show clearly the proposed changes to ground levels indicate that there is to be no earthmoving/ground level changes within the identified tree protection area.

Providing that all other drawings which suggested that earthmoving/ground level changes would take place within the tree protection area are now superseded and the canal side tree belt is to be fully retained then we are satisfied that these cross sections clarify matters and address our previous queries in this regard.

Although updated street scene drawings have been submitted (Drawings 1621-12C, 1621-13C and 1621-14C), as noted in our previous response, these street scenes still do not show the outward facing views from neighbouring land, but only internal views of the houses fronting the roads, which means that the impact of the proposal on views from beyond the site, such as from the Fosssdyke Canal corridor remains difficult to judge.

We note that a retaining webwall is proposed along the boundaries to Plots 46-57 and 61-62 and that this is to site immediately beyond the tree protection fencing. More detail regarding the webwall would have been helpful in more clearly understanding how this feature will contribute towards the ecological enhancement of the area and minimise the visual impact of the proposed rear boundary fences of the adjoining properties. A streetscene looking towards the webwall from the Fosssdyke would have been particularly helpful in this regard. We consider that it is important that views of this fencing are well screened from view from the Fosssdyke by retained and/or new vegetation to ensure that it does not adversely affect the character of the waterway corridor.

30/09/2022- Existing and Proposed Ground Levels There appear to be significant changes to the site levels proposed through the importation of material which are expressed in an existing topographical survey (with flooded areas not surveyed) and a resulting site level of approximately the same height as the Fosssdyke Canal banks shown on the Contours Plan. A Cut and Fill plan is provided to help explain the

changes in ground levels proposed, but this is at odds with the Site Sections plan that shows in section AA the drain to the north-east of the Fosdyke Canal appearing to have been fully infilled. Providing existing cross sections on the proposed sections plans would further enhance understanding of the proposal's potential impacts.

Ecology and Landscaping The site is currently mixed grassland with scrub trees and the Design & Access Statement states that Arboricultural and Ecological surveys will be supplied with the application, but do not appear to be available. Whilst these have been requested from the case officer, they have not become available within the consultation period

The existing trees and vegetation within the steeply sloping sides of the drain along the south-western edge of the site provide important ecological habitats that the Trust consider should not be harmed either through earthworks to re-grade the edges of the site or the development of the proposed dwellings. The Arboricultural report should assess the health of existing trees and vegetation as well as recommending Root Protection Areas (RPAs) for those to be retained as landscaping to the proposed development. Currently the Cut & Fill Plan indicates that significant earth removal is proposed along the north-east edge of the drain which would result in the currently unjustified loss of existing trees and vegetation from the Soft Landscaping area along the frontage to the Fosdyke Canal.

The site currently provides dark sky habitat that is likely to be important to nocturnal foraging species such as bats. The Fosdyke Canal will also be a nocturnal foraging area for bats and otters. The Ecological Survey should be carried out during summer months and take account of neighbouring habitats and nocturnal species.

The street scenes provided do not show the outwards facing views from neighbouring land, but internal views of the houses fronting the roads, which means that the impact of the proposal on views from beyond the site, such as from the Fosdyke Canal corridor is difficult to judge. Furthermore, a 1.5m high close board fence is proposed to face the Fosdyke Canal along the majority of the south-western rear garden boundaries, but as discussed above the retention of existing landscaping is unclear. The removal of significant levels of existing trees and vegetation from the north-eastern edge of the drain would result in the close board fence forming an obvious and harsh boundary of urban character as viewed from the Fosdyke Canal corridor, which the Trust consider to be a non-designated heritage asset. The developer is unable to rely on the presence of trees and vegetation within 5m of the drain and on the slopes of the Fosdyke Canal embankment as from time to time it is necessary to responsibly manage such vegetation in the interests of maintaining the canal's infrastructure.

Disposal of Surface and Foul Water A Flood Risk Assessment is provided that includes calculations for the disposal of surface water via attenuated SuDs to an existing drain to the north of the site. It is noted that changes to the ground levels along the length of the south-western frontage of the site may mean that surface water runoff could be increased to the drain along the Fosdyke Canal boundary of the site. It is also unclear which direction the drain to the northern boundary flows. The Trust are not a drainage authority and so the disposal of surface water into our watercourses is not granted by right, but by commercial agreement.

Connectivity with the Fossdyke Canal Towpath The extent of the site and drain along the boundary with the Fossdyke Canal will likely prevent connectivity with the towpath, but future development of the site adjacent to the David Lloyd gym may allow this as the drain is absent and the ground levels more level in the southern corner of this land. This should form part of the LPAs material considerations with regards to sustainable travel from the site.

The planning application does not include a Certificate B advising that notice has been served upon the Trust with respect to this area of land being included within the site area. The Trust therefore request that the application site area be amended to accurately reflect the land ownership, or that Notice be served upon the Trust and Certificate B submitted as part of the application to rectify this matter.

LCC Archaeology: This site has been extensively archaeologically evaluated in association with previous development proposals in this area. These identified nothing of archaeological interest sufficient to merit any further archaeological work on this site. On this basis we would recommend that no further archaeological input be required.

Recommendation: no further archaeological input required.

WLDC Environmental Protection: Recommends a contaminated land survey and a construction management plan.

WLDC Strategic Housing- The above site will trigger an affordable housing contribution under Central Lincolnshire Local Plan. The CLLP requires for sites in the Lincoln Strategy Area to deliver 25% of the dwellings on site as affordable housing. On this site of 66 this will equate to 16.5 rounded to 17.

The NPPF requires 10% of all dwellings built on site to be available as a low cost home ownership tenure (equates to 6.6 units.) Alongside that, under the new ministerial statement, from the 28th December 2021 25% of all affordable housing contributions are required to be First Homes – which can contribute towards the low cost home ownership requirement. The Central Lincolnshire Local Plan Developer Contributions SPD requires the affordable housing tenure split to be 70% affordable rented and 30% shared ownership. However, due to policies brought in since the adoption of the plan, it is not always possible to achieve this tenure split.

Based on the above, to meet all of the required criteria, the tenure split I propose is:

60% affordable rented - 10
15% Shared ownership - 2
25% First Homes - 5

These units will need securing through a S106.

The location of these units does not lend itself to affordable rented housing for general needs housing for families due to the lack of links to schools and amenities. However, should the residents have access to a car, the location is not remote and so would be able to access facilities with relative ease. Alongside that, the small number of units

that would be being delivered as affordable here subsequently means location would not be a reason to not deliver affordable rented units on this site. There are public transport links to this area facilitating access to other amenities such as shops, employment etc.

The types of accommodation being proposed would need to be looked at for delivery of affordable housing, the majority of the site is 3-4 bed houses with a minimal amount of bungalows and smaller units. It could be difficult to engage with an RP in this location for units of that type to be delivered as affordable. I would welcome a discussion regards affordable housing delivery on this site with the developer to understand the opportunities for delivery of affordable housing this site can bring.

WLDC Tree and Landscape Officer:

19/06/2023- Proposals for soft landscaping: The information given in the agents response and revised plans/documents are appropriate, and I have no further queries or concerns.

Potential effect on any trees or hedges on or near the site: Please note: although most of the triangle of TPO woodland is north of the ditch, it does extend south of the ditch into the site.

To show the TPO woodland in context of development done since the TPO was made please see the extract below, where you can see that the SE corner of the TPO would also include tree 5 as a TPO tree.

The area of the TPO was far too dense to me to access but there appears to be various trees within the TPO south of the ditch, though the exact position of the ditch was difficult to see. See point 9 of my previous comments and the recent KRT response “no changes are made to existing ground levels within their RPA”, but please ensure it is clear that the TPO does extend south of the ditch and includes tree 5 amongst others. The positions of the tree protection fencing is suitable. Details given regarding the hand digging of post holes for garden fences to the rear of plots 16 and 17 is suitable.

I am satisfied with the responses and revised details since my previous comments on this site. I have no further queries or issues regarding these proposals.

Comments on originally submitted application-

Design & Access Statement (DAS) – the DAS points out that the dwellings that back onto Woodcock Lane will have a 1.5m landscape buffer between the rear boundary fences and the back of the footpath, for native hedgerow and wildflower planting. The Landscape Plan, ref no. KD.BRTW.D.001, also shows various trees to be planted along this 1.5m strip alongside Woodcock Lane and new public footpath. A 1.5m planting strip is narrow if it is to include a hedgerow, trees and wildflower planting. The roadside trees are very important for landscaping of this site, otherwise the backs of the houses would be clearly viewed from Woodcock Lane, but most importantly, all their garages and the long line of 1.8m high fencing alongside Woodcock Lane would be the main views from Woodcock Lane which would have a negative and harsh

appearance in the street scene and to the character of the area. Therefore, the planting and retention of the hedgerow and trees is crucial to the future appearance and character of the street scene.

The proposed trees are not all natives as the tree schedule on the plan describes.

The hedgerow will help screen the long 1.8m boundary fence adjacent the road, but it will take several years for hedgerow plants to grow sufficiently to provide worthwhile screening of the long length of fencing, providing residents retain it at a reasonable height, and don't remove it or keep it cut down to a low height.

The intended trees along the 1.5m strip adjacent Woodcock Lane includes various narrow-crowned varieties, probably due to the restricted width of the planting strip and the adjacent footpath and road that branches would overhang as the trees grow.

The proposed trees have clearly been thoughtfully positioned where their screening and softening value will be of most use in views from the road in relation to building positions.

Comments and queries in relation to the Arboricultural Report- answered in email from the agent dated 22/05/2023.

Anglian Water:

14/03/2023- Section 2 - Wastewater Treatment The foul drainage from this development is in the catchment of Skellingthorpe Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network This site falls within an area served by a vacuum sewerage system. These systems are different to conventional gravity system in that connections can only be made to an interface valve chamber, also known as a vacuum pot. These interface valve chambers have limited capacity and are only able to accommodate up to 4 properties or 0.5 litres per second. Connections are only permitted via gravity; a pumped connection is not permitted. The Developer will be required to employ the appropriate Vacuum contractor, which in this case is Redivac, to design and undertake the connection on their behalf. Due to the nature of the system, upgrades may be required to accommodate the proposed development. If there is insufficient capacity or pressure to accommodate the new development, Anglian Water will fund the necessary improvements downstream of the connection point. Please note that this can take up to 24 months to be implemented. We cannot begin this process until planning permission has been granted and the developer has made us aware of the proposals. Connecting new development before these upgrades are implemented could have a detrimental impact on the operability of the existing vacuum sewerage network and properties already connected.

Section 4- 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 and the submitted drawings indicate that surface water discharge from this site runs to an attenuation pond and ultimately discharges to a ditch.

Recommends informatives and a condition for foul drainage disposal.

13/09/2022- Used Water Network- This response has been based on the following submitted documents: Flood Risk Assessment and Drainage Strategy Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development

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 and the submitted drawings indicate that surface water discharge from this site runs to an attenuation pond and ultimately discharges to a ditch. On this basis, Anglian Water can confirm this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency.

Recommends Infomatives and Condition.

Lincolnshire Police- No objections to the application.

Lincolnshire Fire and Rescue Service- I refer to the planning application reference 145475. The Fire Authority would make no objection to the application provided that the following items were included with the development:

ACCESS- Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2000 Approved Document B (ADB) Part B5.

Lincolnshire Fire and Rescue recommends the installation of two (2) 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 and Occupiers. One hydrant should be positioned on the main entrance to the site. Where there are dwellings more than 200 metres from this fire hydrant, a further fire hydrant should be positioned at a mid-point on the site.

ENVIRONMENTAL- It is acknowledged that the environmental impact of fire water has been considered within this proposal.

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).

Development Plan

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

Relevant policies of the CLLP include:

S1 The Spatial Strategy and Settlement Hierarchy
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
S23 Meeting Accommodation Needs
S45 Strategic Infrastructure Requirements
S47 Accessibility and Transport
S48 Walking and Cycling Infrastructure
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
S60 Protecting Biodiversity and Geodiversity
S61 Biodiversity Opportunity and Delivering Measurable Net Gains
S66 Trees, Woodland and Hedgerows
S81 Housing Sites in Medium Villages

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

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

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

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

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>

- **Neighbourhood Plan**

There is currently no Neighbourhood Plan in preparation within the Burton Parish and there are no draft policies that need to be taken into consideration.

Other:

The Town and Country Planning (Use Classes) Order 1987

[The Town and Country Planning \(Use Classes\) Order 1987](#)

Assessment

Main Considerations:

- Principle of Development
- Flood Risk
- Design, Character and Visual Amenity;
- Neighbouring/Residential Amenity
- Highway safety and Parking Provision:
- Infrastructure requirements and Contributions;
- Affordable Housing and Viability;
- Open Space
- Energy Efficiency
- Trees, Hedgerows, and Landscaping:
- Ecology, Biodiversity, and Net Gain:
- Drainage
- Minerals
- Other Considerations

Assessment:

Principle of the Development

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

The application seeks full planning permission for the erection of 66no. dwellings on land to the west/ south west of Woodcock Lane, within Burton Waters.

The site is allocated for development under Policy S81 (Housing Sites in Medium Villages) of the Central Lincolnshire Local Plan 2023 under allocation reference WL/BUR/005. The allocation details that the site has planning permission for 100no. units. The site specific requirements detail the following;

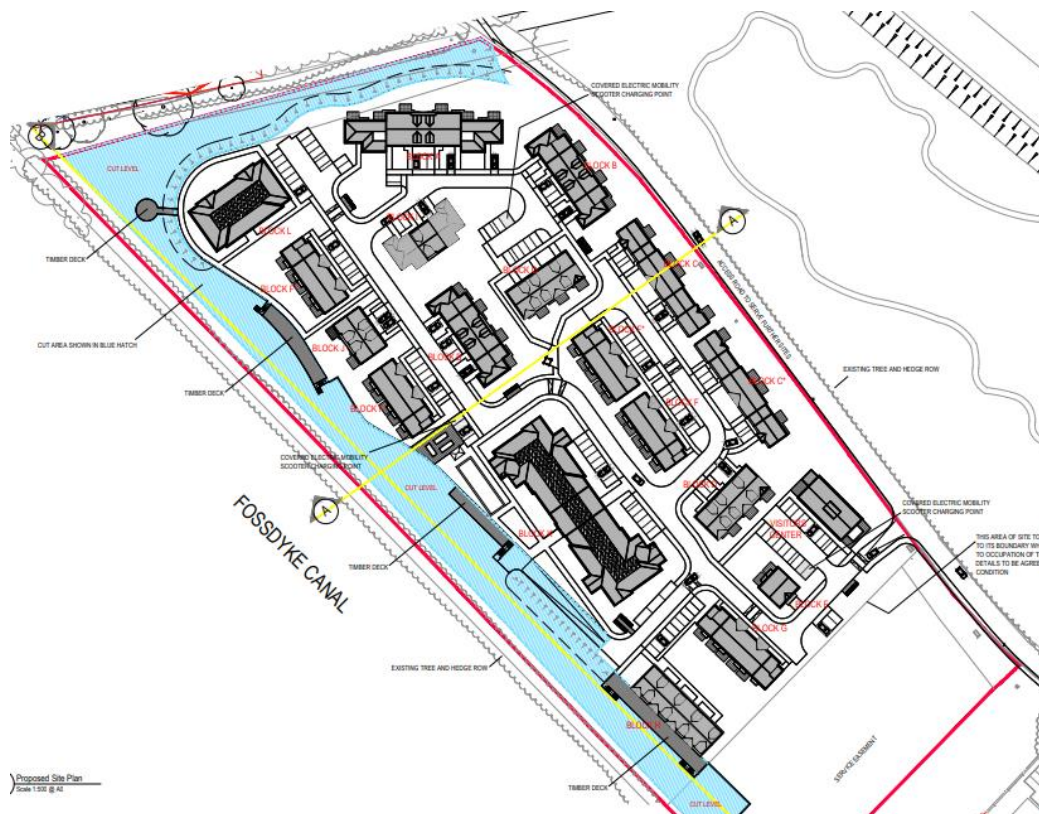
- Scheme to provide extra care accommodation;
- Within a Sand and Minerals Safeguarding Area.

It is first important to detail the planning history of this site. A Hybrid Planning permission (part full and part outline) was first granted in 2013 under reference 130050, with the following description;

*Planning application for comprehensive mixed use development comprising of full planning permission, material change of use of land, for the construction of 56no. park home units, use Class C3 dwelling, bus turning area and associated works. Outline planning permission with all matters reserved for subsequent consideration, for the development of a 60 bedroom hotel, **extra care housing, up to 100 units** and 24 holiday lodges, and associated works.*

The full extent of the application site included land to the north and south and was part of a larger phased development. The application site for consideration here was the area where the 100no. units of extra care housing was proposed to be located.

A Reserved Matters application was submitted in 2016 under reference 134630 for the same area as proposed in this application. The application was granted, with conditions for the erection of 100no. extra care units set out in 18 semi-detached, terraced and apartment blocks, as shown on the approved site plan below;



A Lawful Development Certificate (LDC)- Existing, was submitted in 2019 under reference 138861. The LDC sought confirmation from the LPA that the 100no. units could be used as unrestricted C3 dwellings and that a lawful start had been made on site (in accordance with the original outline permission), meaning that the three year commencement of development condition had been met and the permission was extant (existing).

Following legal advice sought by the LPA, the Lawful Development Certificate was granted, for the following reasons:

- 1. The application has included clear evidence to demonstrate that a material start has occurred prior to the end of 30th September 2018 in accordance with Section 56(b) and (d) of the Town and Country Planning Act 1990 (as amended).**
- 2. The extra care housing referenced in the description of development and subsequent officers' report can, due to the lack of a legally binding agreement and/or relevant planning conditions be considered as falling within Class C3. Dwellinghouses of The Town and Country Planning (Use Classes) Order 1987 (as amended).**

Ultimately the LDC confirmed that the blocks/terraces/units of extra care C2 accommodation, which remain extant and could be built out at any time and could be used as Use Class C3- Dwellinghouses without any further planning permission. Whilst the proposal comprising of 66no. dwellings would not fully meet with the site-specific requirement (extra care accommodation) under Policy S81, significant weight

in the planning balance is given to this extant planning permission and subsequent decision of the Lawful Development Certificate.

Density and Indicative Dwelling Numbers

The indicative number of dwellings within the allocation ref is 100 dwellings (24 dwellings per hectare, gross density). The number of dwellings proposed in this application is 66 and the number of dwellings per ha would be 16, gross density.

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. 66 dwellings would equate to 22dph, net density.

Neighbouring developments directly to the north and northwest comprise of lodge style dwelling types, set out in larger plots, and therefore have a lower density than the proposal. However, weight is given to the density previously found to be acceptable here in the scheme for 100no. units, which is a realistic fall-back position. In this case, 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 S23 states that; *Developers are expected to provide housing solutions that contribute to meeting the housing needs of the housing market area, as identified in the latest Central Lincolnshire Housing Needs Assessment and in any other appropriate local evidence. This means new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.*

The housing mix for the proposal is as follows;

- 48 x 4 bed dwellings;
- 13 x 3 bed dwellings;
- 2 x 3 bed bungalows;
- 3 x 2 bed bungalows.

The site will comprise of 10 different house types. It is recognised that the site comprises of a high number of 4 bedroom detached dwellings. The site does also include 3 bed dwellings as well as five, 2 and 3 bed bungalows. As detailed further on within this report, viability assessments have been submitted for review during the application process. The applicant argues that the viability of the site is the main reasoning for including such a high number of 4-bedroom dwellings. It is acknowledged that the site is heavily balanced towards 4 bedroom dwellings but in this particular case it is considered that the mix is acceptable, and weight in the

determination is given to the viability assessment and its findings. The proposal would broadly accord to the requirements of Policy S23.

M4 (3): Policy S23 states that “Proposals which deliver housing at the higher access standards of Part M Building Regulations (Access to and use of buildings) to M4(3) standard will be encouraged.” 30% (20) of the units would be built to Building Regulations M4 (3) standards. A plan has been provided to show which dwellings would be built to this standard.

With consideration to the above discussion, it is therefore considered that the principle of development accords to Policy S81 of the CLLP. Further assessment of material planning considerations, including the impact upon the character of the area are carried out below.

Flood Risk

The site is located within Flood Zones 2 and 3 as defined by the Environment Agency’s Flood Risk maps for planning. In accordance with the NPPF and Policy S21 of the CLLP the application has been accompanied by a site specific Flood Risk Assessment (FRA) by Inspire Design and Development dated August 2022.

As the site is allocated for development within the development plan, the sequential and exceptions test does not need to be passed in this case. Nevertheless, the development has to demonstrate that the development and the surrounding area would be stay safe in a flood event. Previous applications at this site were proposed to carry out cut and fill exercises to lift the development outside of the flood risk zones, this is also proposed in this application. Ground levels of the dwellings throughout the site will be at a minimum of 6.1m AOD.

A cut and fill exercise will be carried out at the application site, the application has been submitted with a topographical survey and various site sections. The cut and fill process involves the excavating (cutting) of material from areas where the ground is higher than the desired level and using it to fill areas where the ground is lower. The drawing below shows an example of part of the site and how the cut and fill exercise will look in terms of land levels. The green line denotes the existing land levels, and the black line denotes the design level. Ultimately the cut and fill exercise will comprise of lifting the development outside of the predicted flood zones.



The proposals have been reviewed by the Environment Agency who have recommended a condition in the event permission is to be granted. Overall, subject to the recommended conditions the proposal would be expected to accord to Policy S21 of the CLLP.

Design, Character and Visual Amenity

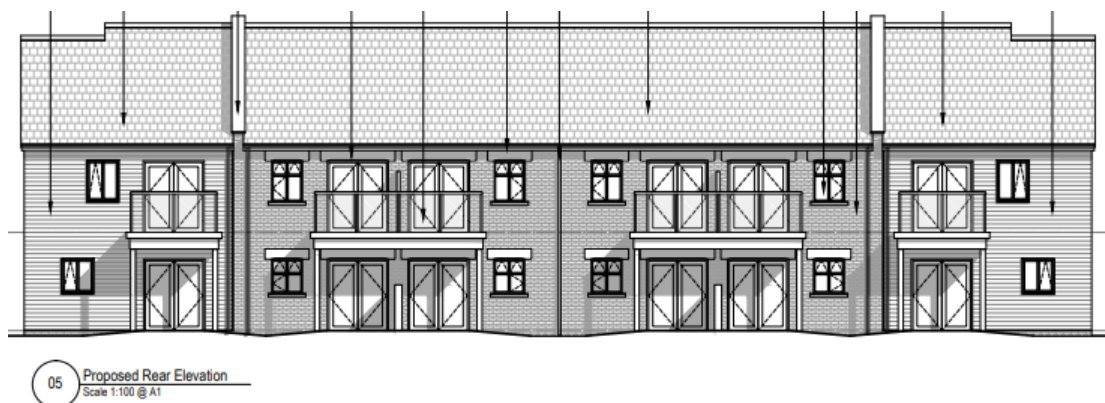
Policy S53 states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context and existing characteristics 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.

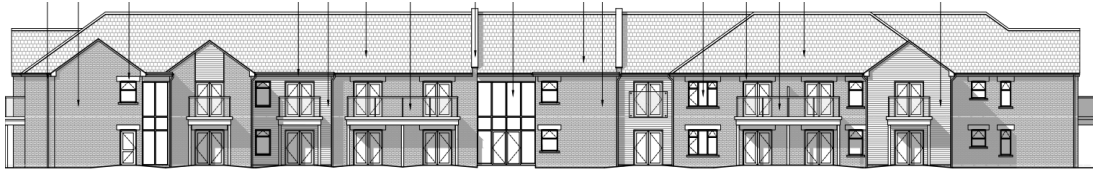
It further states that development should contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness, and should be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, 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.

The site is surrounded on three sides by developed sites, to the south the David Lloyd fitness centre dominates the area as a prominent commercial building. To the east, on the opposite side of Woodcock Lane, are lodge style dwellings, these styles of properties are also evident on the park homes site to the north. The site is very well enclosed by trees, the David Lloyd Centre, topography around the site and beyond its boundaries and therefore the site is well screened from the A57, Fosdyke canal path and wider public views.

There has been significant local objection to the development in terms of the development consisting of two storey dwellings. As detailed above to the north and north west of the application site the character comprises of single storey detached lodge style dwellings. These developments are set back from the main highway through, Woodcock Lane. Each of these developments were clearly planned developments of their time. This is also the case for the two and three storey dwellings which surround the marina basin, further to the east.

Consideration has to be given to what could be erected here, lawfully, without any further planning permission, which is 18no. semi-detached, terraced and apartment blocks. Below includes some approved elevations and commentary on the approved extant development (134630):.





It is also acknowledged that some of the approved blocks were single storey/bungalows in their scale.



Assessment of this application (145475/ WL/2024/00015)- The majority of the site submitted for determination in this application does predominantly consist of two storey dwellings, with detached and integral garages, there is also a small number of bungalows located to the south corner of the site. An indicative street scene view is shown below;



welling frontages have simple symmetry to porches with canopies used in some instances. The majority of the houses have gabled features creating vertical emphasis. The streetscape is broken by, dormer windows and a variation in ridge heights. A variety of stone/brick heads, cills/band courses and cladding is also evident. In terms of the proposed site layout, each of the dwellings would be sited within ample sized plots, whilst also providing off street parking. Dwellings will address the roads where there are corner turns, pockets of planting are also shown. Boundary treatments will consist of some open frontages, with native hedge planting to front boundaries, some plots will have walled (1.8m) side garden areas, timber panel fencing (1.8m) in height will separate rear garden areas.

Proposed materials to be used in the dwellings are detailed on plan reference 1621-08 B and comprise of the following;

- Grey roof tiles;
- Red Multi Brick;
- Red Brick;
- Anthracite Grey, Feature weatherboard cladding- on some plots throughout the site.
- Windows- White UPVC. Front Doors- Anthracite Grey.

- Black Rainwater Goods.

There is a mixture of materials used in the surrounding developments, including timber cladding, red and buff bricks as well some small areas of render on properties. Subject to final specifications, the proposed materials are considered to be acceptable within the context of the wider area.

Rear garden areas are ample in their size, with many having depths of at least 6m. An area of open space is located to the northwest of the development as well as a retained landscaping buffer between the site and the Fosseydyke to the south. Smaller pockets of landscaping are also shown within the development. The built form is similar to the scheme for the 100no. units approved under reference 134630.

It is acknowledged that the appearance of the proposed dwellings in this application would be different to those of the lodge style dwellings to the north and north west. Nevertheless, Burton Waters comprises of pockets of differing planned development types. Each of these development types are read individually within their site boundaries. This would be the same situation with the application site.

A landscaping buffer at 1.5m in height is proposed along the north east boundary which lies adjacent to Woodcock Lane in front of rear garden boundary fencing. This will, once established help to soften the development for users of Woodcock Lane. The existing landscaping along the south boundary, which lies adjacent to the Fosseydyke will be retained as part of the proposals. Landscaping within the site will include the planting of trees and hedgerows.

The site is not within an area designated for its special landscape or scenic quality such as an Area of Outstanding Natural Beauty or an Area of Great Landscape Value.

Overall, the proposal would not have an unacceptable impact upon the character of the area, it is also considered that the proposal represents a more complementary development to that of the extant large C2 accommodation blocks and terraces and would accord to the aims of Policy S53 of the CLLP.

Neighbouring and 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;*

Criteria f) of Para 135 of the NPPF states that planning policies and decisions should:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Objections have been received in relation to the living conditions of existing neighbouring residents.

The application site is adjoined by other residential uses to the north, beyond the highway and to the northwest beyond the intervening woodland copse.

At the closest point the proposed rear elevations dwellings that would run along the northern boundary of the site would be sited between c.25-35 m away from the lodges that run adjacent to the south boundary of the Burton Water Lodges site. It is recognised that the cut and fill exercise would raise the height of these dwellings (by approx. 1m in this location) however given the large separation distances it is not considered that there would be any harmful overlooking or dominating impacts upon these neighbouring residents.

There are no amenity concerns in relation to the dwellings which adjoin the site to the north, which are separated from the application site by intervening open space and the woodland copse.

With regards to the proposed dwellings, they are all adequately separated from one another as to not cause any dominating impacts. Window openings are also appropriately placed as to not cause unacceptable overlooking impacts. Rear garden areas are relatively large, with most garden areas having a depth of at least 6m.

Concerns have been raised in relation to noise from construction traffic. Although construction phases are usually temporary, it has the potential to last for a prolonged period of time when constructing 66 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.

Concerns have also been raised in relation to light pollution. It is recommended that in the event permission is granted, a condition will ensure that full external lighting details are first approved by the LPA.

Overall and subject to conditions the proposal is considered acceptable in relation to the impacts upon residential amenity, subject to conditions and would accord to Policy S53 and the NPPF.

Highway safety and Parking Provision

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.

Access into the site is to be taken off Woodcock Lane, from the south east corner. Internally, dwellings will be served off private roads (built to adoptable standards) and driveways. Turning heads are also proposed within the site. The Highways Authority have been consulted on the proposals and are satisfied that there would not be a detrimental to highway safety and there is sufficient capacity within the highway network.

The road would not be adopted at public expense. As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Policy S49 and Appendix 2 of the CLLP sets the following car parking standards for dwellings in Villages and Rural Areas:

- 2 bed dwelling – 2 parking spaces;
- 3 bed dwelling – 3 parking spaces;
- 4 bed dwelling – 3 parking spaces;

The application has been accompanied by a parking strategy layout. Each of the dwellings meets with the standards contained within Appendix 2. Whilst some spaces are shown to be within the garages, internally the garages do measure c. 3m by c. 6m and therefore are of a size which can accommodate a car. Many of the plots are also to be provided with timber sheds which can accommodate usual household items that may not be able to be stored in the garages.

Policy S48 states that development proposals should facilitate active travel by incorporating measures suitable for the scheme from the design stage. Plans and evidence accompanying applications will demonstrate how the ability to travel by foot or cycle will be actively encouraged by the delivery of well designed, safe and convenient access for all both into and through the site.

The Fossdyke Canal and Public Right of Way ref: Bur/229/1 is located adjacent to the south west boundary of the application site. Access to this walkway is gained further to the west, close to the main Marina area. Links to the footpath through the site are not considered appropriate in this case given it would mean access onto land owned by the Canal and River Trust. It would also mean the removal of trees which is not encouraged.

Infrastructure requirements and Contributions

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'*.

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 within the catchment area of Trent Valley Surgery, The Glebe Practice, Lindum Medical Practice and Brayford Medical Practice. A request of £41,745.00 (£632.50 x 66 dwellings) has been requested in this case. 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.*”

LCC Education: No contribution has been sought in relation to education, with the consultation response stating that there is sufficient provision within the area for the development.

No other financial contributions are to be sought. Subject to the S106 legal agreement to secure the NHS contribution the development would accord to the aims of Policy S45 of the CLLP.

Affordable Housing and Viability

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;*

It also states that; *The Central Lincolnshire Authorities will seek the level of affordable housing on the basis of the above targets, but will negotiate with developers if an accurate viability assessment which reflects the recommended approach in the national Planning Practice Guidance demonstrates these cannot be met in full.*

The principles for carrying out a viability assessment is detailed within the NPPG1 (Paragraph: 010 Reference ID: 10-010-20180724) as the following;

Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return.

¹ [Viability - GOV.UK](https://www.gov.uk/guidance/assessing-the-viability-of-a-development)

A viability assessment on behalf of the applicant was submitted to the LPA for review in February 2023. The initial assessment was reviewed by the Councils consultants and the following recommendations were found;

“Based on our assessment we find that the Applicant’s assessment is not reasonable because it does not adequately reflect the scheme specifics as well as the government and the Local Authority requirements to meet sustainable development.

7.3.2 We recommend that the Council seeks 20% affordable housing (x9 affordable rent, x1 shared ownership and x3 First Homes), a CIL payment of £168,681, S106 payment of £41,745, 10% biodiversity net gain, water efficiency of 110 litres per day per person (Policy S12), 30% of all units delivered as M4(2) to meet accessibility requirements (Policy S20), EV charging points to all dwellings and a reduction in energy consumption in excess of building regulations (Policies S6 & S7). Our recommendation is viable because it has addressed the shortcomings of the Applicant’s assessment and in doing so it strikes the appropriate ‘...balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission.”

Following the recommendation a further viability assessment from the applicant was submitted for review following increases in build costs as well as the abnormal cost of the cut and fill exercise and foul water drainage system. The latest review of the submitted information was carried out by the Councils Consultants in March 2025. Following the request from the LPA to include the biodiversity and energy requirements of the 2023 CLLP a further viability assessment was received from the applicant. The assessment has since been reviewed by the Councils consultants, in conclusion the findings are as follows;

Conclusion: Based on the assessment of the revised cost information provided by the Applicant, the costs have increased, which means the development is now shown to be unviable with 0% affordable housing. This is different to our October 2023 assessment, which showed the scheme could viably support 20% affordable housing. The increases in costs are justified to use in the viability assessment because they are much more detailed than we have previously been provided and they have been reviewed by our cost consultant. Therefore, we are now in an agreement with the Applicant that the scheme cannot viably provide any affordable housing.

Recommendation: We recommend that the Council should not seek an onsite affordable housing contribution. The costs provided are elemental at this stage and given the level of viability deficit, we have concerns about deliverability. There could be scope for cost engineering, which could improve viability, therefore we are recommending a viability review clause in the S106 agreement, to assess actual costs and values, to see if there is scope at a later stage to make an affordable housing commuted sum contribution. The viability review clause should be triggered towards the end of the development, say on the completion of the 50th dwelling. The viability review clause should use our assessment of the benchmark land value.

The findings of the assessments have been carefully considered. The scheme has been found to be unviable and therefore an affordable housing contribution, on or off site will not be sought in this case. Nevertheless, the LPA does consider it necessary to detail a mechanism within the S106 legal agreement to request that an assessment of costs and values towards the end of the development is carried out to see if there is scope to make a commuted sum contribution toward affordable housing. The mechanism will also secure that if any variations to the scheme are submitted for consideration, then a full review of the viability of such a scheme will be required.

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”.

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:

2 bedrooms- $1.7 \times 3 = 5.1$
3 bedrooms- $2.3 \times 15 = 34.5$
4 bedrooms- $2.8 \times 48 = 134.4$

Therefore, the proposed development would increase the population of Burton Waters by approximately 174 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 development should deliver on site. For 66no dwelling units as proposed, the site should provide approximately:

- Allotment and Community Growing Space = $174/1000 \times 0.31 = 0.053$ hectares or 530m²
- Amenity Greenspace = $174/1000 \times 0.66 = 0.11$ hectares or 1100m²

- Provision for Children and Young People = $174/1000 \times 0.12 = 0.20$ hectares or 200m²
- Local and Neighbourhood Parks and Gardens = $174/1000 \times 0.38 = 0.06$ hectares or 600m²
- Outdoor Sports Facility (Public) = $174/1000 \times 1.09 = 0.18$ hectares or 1800m²
- Natural and Semi-Natural Greenspace = $174/1000 \times 1 = 0.17$ hectares or 1700m²

The total open space requirement equals approximately 0.773 hectares (7730sqm). The application site proposes an area of open space which measures approximately 5872sqm to the north of the dwellings as well as down the western boundary of the site, adjacent to the Fosdyke Canal. It is also noted that there are a number of smaller pockets of grassland which would contain tree and shrub planting within the site boundaries.

The site is located adjacent to the Fosdyke Canal and a network of Public Right of Way which links the Burton Waters Marina development to Lincoln and beyond. The site is also within close proximity to the main marina basin, it is also located within close proximity to the main body of Lincoln, where there is a range of outdoor facilities and parks. It is recognised that the proposed development would provide a considerable amount (5872sqm) of 'Natural and Semi-Natural Greenspace' with an element of 'Amenity Greenspace' also on the site.

On the whole, taking into account the development provides a considerable amount of open space on site, the proximity to the canal side public right of way and it is located nearby to the open countryside and other facilities within Burton Waters, as well as its close proximity to Lincoln 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.

Energy Efficiency

The application was first submitted in June 2022 and had an original determination date of 30/11/2022 it would have therefore not been subject to the CLLP 2023 Energy Efficiency policies. Nevertheless, an email was sent to the agent for the application on 15/11/2023 requesting that energy efficiency measures are incorporated into the development.

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).'

The application has now been submitted with an Energy (sustainability) statement, SAP calculations, specification sheets for solar panels and a plan to show the air source heat pump and solar panel locations.

In terms of design principles detailed within Policy S6 the submitted statement details the following in relation to how the dwellings have been designed.

- The house type designs and glazing specification will facilitate each home in benefiting from the beneficial effects of solar gain;
- The construction specification of every home will include high levels of insulation in the ground floor, external walls and roof spaces. This will lessen heat loss from the building envelope and lower the energy requirement of every home;
- The design of each house type will allow for cross ventilation and so will ensure any risk of summer overheating will be removed by natural ventilation;
- Energy efficiency measures, including the specification of thermally broken lintels, high levels of insulation and high performance double glazing will be included in the design and construction of every home.

The sustainability statement details that the proposed dwellings would have the following in terms of U Values;

Element	Part L 2021	Specification
Wall	0.26W/m ² K	0.19W/m ² K
Cold Roof	0.16W/m ² K	0.11W/m ² K
Sloped Roof	0.16W/m ² K	0.16W/m ² K
Floor	0.18W/m ² K	0.12W/m ² K
Glazing	1.60W/m ² K	1.40W/m ² K
Door	1.60W/m ² K	1.20W/m ² K
Air Permeability	8.0 m ³ /(h.m ²) @ 50 Pa	5.0 m ³ /(h.m ²) @ 50 Pa

The proposed U Values are slightly above those as detailed within the Central Lincolnshire Design Guide, they are however considered to be broadly acceptable. Heat pumps will be installed at a 45 degree flow temperature as well as solar panels. PV panels will also be installed on the dwellings. The proposals however fall short of the S7 target by 157,664.48kWh/year. A further 183kWp, assumed installed in a

southerly orientation (which is not possible), would be necessary to meet this target. The proposals as they stand represent the current maximum fits accounting for the most efficient roof slopes.

It is noted that not all of dwellings energy demands would be met through the provision of renewable energy. Given that the application was submitted in 2022 and would not have been subject to the policies within the 2023 plan at the original time of determination, the energy efficiency measures are welcomed and accepted in this case. The application includes the use of air source heat pumps and the installation of solar panels to meet with the majority of the energy requirements of the dwellings. Subject to conditions, the proposal would broadly accord to the aims of Policies S6 and S7 of the CLLP.

Trees, Hedgerows, and Landscaping

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.’*

The application has been submitted with an Arboricultural Assessment by Kedd Limited. The survey has assessed the trees within the site boundaries and if the development would impact them.

There is one Category A tree, and three Category B trees located within the site boundary. None of these trees are to be removed during the works. In addition, there were an addition there were four Category C trees recorded within the site boundary. Three of these trees are to be retained during the works with just Tree 2 to be removed.

There are three tree groups located within the site boundary. Tree Group 1 (located on the north east boundary) is assessed as Category C, Tree Group 2 (located to the North boundary) is assessed as Category A this group is also protected by a TPO Burton No1 2009. Tree Group 3 (adjacent to the canal) is assessed as Category B. Tree Group 2 is to be retained during the extent of the works. A 15 metre stand-off should be observed from this woodland during the extent of the works.

The TPO woodland copse to the north of the site will remain as part of the proposals. Tree protection measures have been shown on a plan in relation to this group and the other trees to be retained and a condition will ensure that they are in place during the construction of the development.

A full scheme of landscaping has also been submitted which includes, shrubbery, hedging, trees (within front gardens, and a 1.5m wide buffer along Woodcock Lane). The proposals have been reviewed by the Councils Tree and Landscape Officer and following initial concerns the amended plans and information have now addressed the comments of the tree and landscape officer. The Tree and Landscape Officer now has no objection subject to conditions.

Ecology, Biodiversity, and Net Gain

As per the energy efficiency section of this report, the application was submitted prior to the implementation of the CLLP 2023 and therefore at the time of the original determination date would not have been subject to the policies of this plan. Included in the email to the agent, dated 15/11/2023, was the request to

The application was also submitted prior to the introduction of the legislative requirement for developments to provide a 10% BNG. Nevertheless, Policy S61 of the CLLP 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”*.

A BNG Assessment Report by Kedd Limited dated and the Statutory BNG Metric tool have been submitted with the application. The BNG Assessment Report states the following in relation to the baseline of the site, there is a total of 15.68 habitat units and 1.19 hedgerow units, there are no watercourse units. In relation to post development, the report and metric detail that there will be an on-site gain of 17.28 habitat units (10.18%) and 2.20 (85.06%) hedgerow units. Habitat replacement should replace on a like for like basis. As stated within the consultation response from Lincs Wildlife Trust, it is noted that some of the habitats would be replaced by those of a lesser distinctiveness, which would mean a shortfall of approximately 4.82%.

This gain onsite will be achieved through the enhancement of retained grassland and also through the planting of neutral grassland. The scheme will also include urban tree planting, green wall planting and native scrub planting within the landscape strategy. The northern boundary woodland will also be enhanced through management to benefit wildlife in the long-term.

As the original determination date was prior to the implementation of the CLLP 2023 which introduced Policy S61, it is considered that in this case the on-site gains are acceptable. As the proposal was submitted prior to the introduction of the mandatory BNG legislation it would not be subject to the pre commencement condition in law. Nevertheless, appropriate conditions will be added to the decision notice to ensure that the development accords to the information submitted with the application.

Ecology and Protected Species

Circular 06/20052 states that *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”*. Ecological mitigation should only be employed where it is not possible to avoid the impact. Furthermore, mitigation measures should be specific to an identified harm.

The removal of a number of trees and other landscaping from within the site would have the potential to affect biodiversity and protected species. Significant concern has

² [Viability - GOV.UK](https://www.gov.uk/guidance/viability)

been submitted from third parties in relation to protected species that may be using the site and how these will be impacted if the development were to go ahead.

The application has been accompanied by a Preliminary Ecological Appraisal (PEA) by Kedd Limited dated May 2023. As well as this the application has also been accompanied by a Bat Survey Report (April 2024), a Badger and Otter Survey Report (April 2024) and a Reptile Survey Report (April 2024).

In relation to the site itself, the survey details that there are no Statutory Designated Sites within 2km of the site boundary. It is not anticipated that the proposed works will have any impact on any Ancient Woodland sites or any Non-Statutory Designated Sites. The Fosdyke Canal runs immediately adjacent to the western site boundary. This Canal Network provides a corridor of habitats which support a diversity of species. The reports note the following in relation to protected species.

Bats- The site was assessed as having a moderate suitability for foraging bats, given the proximity to the Fosdyke Canal. Survey work has been carried out in accordance with the recommendations of the PEA.

One transect survey per month from April – October 2023 was conducted. one transect route was identified to cover the Site. The transect route was approximately 3km long and covered the whole Site during each of the survey visits to reach the BCT Guidance of 2 – 3 hours per survey. In addition to this, static bat detectors were also deployed to the site for five nights per month. . The species recorded within the static detector surveys were common pipistrelle, soprano pipistrelle, noctule, brown-long eared and myotis bats. The peak location for foraging bats within the site was the western site boundary which was adjacent to the Fosdyke Canal.

The removal of scrub within the site boundary will reduce the overall foraging and commuting habitat within the site. However, the boundary vegetation between the Fosdyke Canal and the site is to be retained during the works. This will ensure commuting habitat is present along the Fosdyke Canal in the long-term.

Bat Roost surveys were also carried out on 2 trees which were found to be suitable for roosting. No areas of roosting habitat for bats are to be removed as part of the proposals. Therefore, the bat boxes detailed within the landscape scheme will provide a long term benefit for roosting bats within the site.

Recommended mitigation measures within the survey include species rich hedgerow planting, bat boxes and retention of hedgerows/scrub where possible.

Badgers and Otters- During the update badger walkover survey conducted on the 17/04/2024, no evidence of badgers was found within the site boundary.

Due to the potential of an onsite otter holt, it is recommended that a camera trap is placed onsite in order to monitor this holt for signs of otters using this holt. This monitoring should initially be conducted for a period of 2 months and then further recommendations can be provided. A condition will ensure this is carried out prior to any works commencing on site.

Reptiles- Survey work was carried out at the site in the form of placing artificial refugia on suitable areas of the site for reptiles. Reptile mats were placed within the site conforming to the minimum recommended density of between 5 and 10 per hectare of suitable habitat. The refugia were then checked on 8 separate occasions. The surveys had a peak count of 2 common lizards which were recorded within the central grasslands.

The proposed works will require the removal of vegetation within the site which provides suitable habitat for common lizard. Due to the presence of a small number of common lizards on the site, the proposals will result in potentially adverse impacts on this species.

In terms of mitigation the report recommends the following;

Receptor Site- As there will be limited habitat remaining onsite for common lizard, and due to there being limited suitable habitat in the wider surrounding area, it is assessed that a receptor area will need to be identified before any onsite mitigation works can take place.

Translocation- The site will need to be fenced using one-way reptile fencing, allowing reptiles to exit the area but not enter it. A period of trapping will then be required involving the placement of artificial refugia throughout this area. Regular visits will be required to check the reptile mats. Any reptiles encountered will be safely captured and placed into the receptor area. Visits will continue until there have been 5 consecutive visits without any reptiles. Once all reptiles have been removed from the fenced site, the regrading works can commence. The fence will need to remain in-situ until all regrading works have been completed.

A mitigation plan will be secured by condition in the event permission is granted. In terms of other ecological mitigation and enhancements, the PEA recommends the following are included within the development.

- 16 bird boxes;
- 16 bat boxes;
- 36 hedgehog gates; and
- 5 hibernacula

These enhancements have been shown on a plan (ref 1621-10 Rev B) that has been submitted with the application. Overall and subject to conditions, the proposals would be in accordance with Policy S60 of the CLLP and 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 application has been accompanied by an FRA and an Outline Drainage Strategy by Inspire Design and Development. The Lead Local Flood Authority at Lincolnshire County Council Highways Department are the statutory drainage authority for surface water disposal on major developments within the District. They have not raised any objections to the development, in principle, see surface water section below.

Foul Water Disposal

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.”

Foul water disposal on Burton Waters is disposed of via a vacuum disposal system. Anglian Water have advised that currently there is no existing capacity within this network and that upgrades will need to be carried out prior to any works being carried out at the site. Early engagement with them has been recommended as well as a condition to ensure that the scheme is agreed prior to occupation. It is considered necessary to make this a pre commencement condition, to ensure that the site is not left in a partially constructed state for prolonged periods of time whilst foul drainage upgrades are carried out. Subject to agreeing these works, the foul water disposal is acceptable in principle.

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;*

Concerns have been raised by consultees and third parties in relation to the proposed surface water scheme and that the application should be considering a SUDS scheme

in the first instance. This is the most preferred option in the drainage hierarchy and major proposals, such as this one should incorporate such schemes. The application has been submitted with a Flood Risk Assessment and Drainage Strategy by Inspire Design and Development.

It is firstly important to note that a drainage scheme at this site has previously been approved as part of the wider development, which included the previously consented scheme for 100no. units.

The built form layout of the site is not too dissimilar to that proposed in this application. In relation to the use of a SUDs scheme, the drainage strategy details the following;

“While infiltration may be theoretically feasible in the River Terrace Sands and Gravels at original ground levels, the thickness of Made Ground (up to 3m) required to lift the Site above flood levels makes this option impracticable”

The proposed surface water drainage system will collect future runoff from the roofs, driveways and access roads and discharge the outflow directly to the large open pond in the wider development area to the north-west for attenuation storage, all in accordance with the previously approved Drainage Statement.

As the 1 in 100-year rainfall event with allowance for climate change is estimated to raise the pond water level by 17mm for the total approved impermeable area of 2.94 ha, runoff from the Site will potentially raise the water level by less than 10mm. It is not considered that such a small increase in water level will create any significant impact on the catchment area of the pond.

The pond will continue to drain, as it does at present, to the open ditch which runs along the northern Site boundary and via the 750mm diameter pipe culvert beneath Woodcock Lane, the existing holiday lodges and the A57 Saxilby Road to Burton Fen Drain (FID16). A flow control device will be fitted to the inlet of the 750mm pipe so as to restrict the peak outflow to the approved flow rate of 43.4 litres per second. In principle, this method is considered to be acceptable, subject to conditions.

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. Were it minded to grant permission, a condition would also be included to require the developer to provide evidence that the dwellings would have a rainwater harvesting water butt prior to occupation.

Minerals

The application site is located within a Sand and Gravel Minerals safeguarding area. This is also noted as a site specific requirement under Policy S81 of the CLLP. Policy M11 of the Lincolnshire Minerals and Waste Core Strategy details that proposals within Minerals safeguarding areas need to be accompanied with a minerals

assessment. The application has been accompanied by a Minerals Assessment by KEDD Limited.

The BGS Mineral Resource Map for Lincolnshire indicates that the proposed site is underlain by River Terrace deposits of sand and gravel. The adopted locations plan within the core strategy production area is met through the remaining permitted reserves in existing sites, by the provision of sand and gravel from extensions to existing sites that have a Committee resolution to grant planning permission.

According to the latest figures obtained from Lincolnshire's Local Aggregate Assessment (published in July 2021), at the end of 2021, Lincolnshire had sufficient permitted reserves of sand and gravel to meet the 7-year minimum landbank and there should be sufficient sand and gravel resources to last beyond the LMWLP period which extends to the end of 2031.

Even if there were some mineral operator interests in this area of sand and gravel, it is considered that any form of development appraisal or sustainability appraisal would show that the site's location within 100 metres of the existing residential and leisure development, is heavily constrained by amenity considerations.

The proposed housing development would not physically sterilise any minerals (sand and gravel) of notable economic value and that the recovery of any of the sand and gravel that lies below the site is not viable or deliverable; and

It is not feasible or obviously desirable to recover any of the sand and gravel prior to the housing development or to facilitate the housing development.

It is therefore considered highly unlikely that a workable resource exists at the site due to the limited size of the site together with existing constraints on mineral working within this land.

No comments have been received from the minerals and waste authority at Lincolnshire County Council.

Weight is also given to the allocated housing status of the site within the development plan. Policy M11 of Lincolnshire Minerals and Waste Core Strategy states that development on allocated sites within the development plan (S81 of the CLLP) will be granted even if the development would sterilise a minerals resource.

It is therefore considered that the submitted assessment and the allocated status of the site in the development plan addresses the requirements of Policy M11, and the site-specific requirements contained within Policy S81 of the CLLP.

Community Infrastructure Levy

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

Other Considerations

Electric Car Charging- Policy NS18 of the CLLP states that; The location of charging points in development proposals should be appropriately located to allow for easy and convenient access from the charge point to the parking space/s. This is also reflected in Policy S20 where adaptable housing designs are encouraged. The proposed parking strategy layout plan includes an electric car charging point for each dwelling.

Burton Waters Leaseholders/Management Company- Comments have been received querying if future occupiers of the dwellings would pay toward Burton Waters management company. This would be a private matter to be agreed between the relevant parties in terms of any contribution that future occupiers may need to pay towards the management company at Burton Waters.

Conclusion and Planning Balance: The application has been considered against the following policies S1 The Spatial Strategy and Settlement, Hierarchy, 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 , S23 Meeting Accommodation Needs, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S48 Walking and Cycling Infrastructure, 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, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S81 Housing Sites in Medium Villages of the Central Lincolnshire Local Plan 2023 in the first instance, Furthermore consideration has also been given to the guidance within the NPPG and the provisions of the NPPF, National Design Guide and National Design Model Code.

The site is allocated for development within the Central Lincolnshire Local Plan 2023. Whilst the site-specific criteria of the site providing extra care accommodation has not been met, significant weight in the balance of the decision is given to the planning history of the site, which includes the approved Lawful Development Certificate confirming that the approved development is considered as Use Class C3 (dwellinghouses).

The proposed development would not have a detrimental impact upon the character of the area, residential amenity, highway safety or minerals resource. Matters of ecology, drainage, biodiversity net gain and energy efficiency are considered to be acceptable subject to conditions. It is recommended that permission is granted subject to conditions and the signing of a S106 agreement.

Decision Level: Committee

RECOMMENDATION: Grant planning permission with conditions and Section 106 Legal Agreement to secure the following;

- NHS Contribution of £41,745;
- The inclusion of a Viability Clause to detail a mechanism within the S106 legal agreement to request that an assessment of costs and values towards the end

of the development is carried out to see if there is scope to make a commuted sum contribution toward affordable housing. The clause will also ensure a full viability assessment is carried out in relation to any variations (Section 73 Applications) made to the scheme.

- Open Space and Landscaping- Details of future management and maintenance.

RECOMMENDED 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. Prior to any development a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To ensure the development is served by an acceptable foul water drainage system in accordance with Policy S21 of the CLLP and the NPPF.

3. No development, including any site clearance shall take place until the results of the further Otter survey as detailed within Section 5 of the Badger and Otter Survey Report dated April 2024 by Kedd Limited. Details of any mitigation measures shall also be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved mitigation plan.

Reason: In the interests of protected species in accordance with Policy S60 of the CLLP 2023 and the NPPF.

4. No development, including any site clearance shall take place until a reptile mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be prepared in accordance with mitigation recommendations contained within Section 6 of the Reptile Survey Report dated April 2024 by Kedd Limited. The development shall only proceed in accordance with the approved mitigation plan.

Reason: In the interests of protected species in accordance with Policy S60 of the CLLP 2023 and the NPPF.

5. 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.

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

Reason: In the interests of residential amenity and the safety and free passage of those using the adjacent public highway the permitted development during construction, in accordance with Policy S47 and S53 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

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

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:

Site Location Plan 1621-01 Rev A
Landscape Layout (April 2024) KD.BRTW.D.001A
Planning Layout (1:500) | 1621-02 - Rev S
Planning Layout (1:1000) | 1621-54 - Rev C
Pedestrian & Vehicle Movement Plan | 1621-03 - Rev E
Landscape Management & Maintenance Plan | 1621-04 - Rev F
Refuse Vehicle Tracking Plan | 1621-06 - Rev E
Material Finishes Layout | 1621-08 - Rev E
Boundary Treatments Layout | 1621-09 - Rev E
Ecological Enhancement Plan | 1621-10 - Rev E
Parking Strategy Layout | 1621-11 - Rev E
Tree Protection Plan | 1621-55 - Rev C
FVA Area Plan | 1621-65 - Rev B
ASHP & PV Panel Locations | 1621-66
Typical Street Scenes (Sheet 1 of 3) | 1621-12 - Rev F
Typical Street Scenes (Sheet 2 of 3) | 1621-13 - Rev F
Typical Street Scenes (Sheet 3 of 3) | 1621-14 - Rev F
Site Sections (Sheet 1 of 2) | 1621-15 - Rev F
Site Sections (Sheet 2 of 2) | 1621-56 - Rev B
House Type 3D9 - M4(2) - (as) | 1621-23 - Rev B
House Type 3D9 - M4(2) - (opp) | 1621-24 - Rev B

House Type 3D9 - M4(2) CLAD (as) | 1621-60 - Rev A
 House Type 4D48 (as) | 1621-25
 House Type 4D36G (as) | 1621-29 - Rev A
 House Type 4D36G (opp) | 1621-30 - Rev A
 House Type 4D36S (as) | 1621-31 - Rev A
 House Type 4D36S (opp) | 1621-32 - Rev A
 House Type 4D36S CLAD | 1621-59
 House Type 4D52 (as) | 1621-33
 House Type 4D52 (opp) | 1621-34 - Rev A
 House Type 2B4 (as) | 1621-45
 House Type 2B4 (opp) | 1621-46
 House Type 3B17 (as) | 1621-47
 House Type 3B17 (opp) | 1621-48
 House Type 4D50 (as) | 1621-57
 House Type 4D50 (opp) | 1621-49 - Rev A
 House Type 4D32 (as) | 1621-50 - Rev A
 House Type 4D32 (opp) | 1621-51 - Rev A
 House Type 4D32 CLAD | 1621-61
 House Type 4D32 CLAD | 1621-62
 House Type 4D20 - M4(2) - (as) | 1621-52 - Rev C
 House Type 4D20 - M4(2) - (opp) | 1621-53 - Rev C
 House Type 4D20 - M4(2) CLAD (as) | 1621-63 - Rev A
 Single Garage | 1621-39 - Rev A
 Double Garage | 1621-40 - Rev A
 2 Car Garage | 1621-41 - Rev A
 900mm High Native Species Hedgerow | 1621-44
 1.2m High Palisade Fence Detail | 1621-58
 1.5m High Panel Fence with 300mm Gravel Board | 1621-42
 High Brick Screen Wall Detail | 1621-43 - 1.8m
 Proposed Contouring | 202.DR.002 Revision B
 Cut and Fill Exercise | 202.DR.001 Revision C
 Cross Sections | 202.DR.004

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 of the Central Lincolnshire Local Plan.

7.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 (PEA) completed by Kedd Limited dated May 2023.

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.

8.No development above damp-proof course level shall commence until a detailed scheme for the disposal of surface water based on the principles as set out in the Flood Risk Assessment and Drainage Strategy has been submitted to and agreed in writing by the Local Planning Authority. The development shall proceed in accordance with the approved scheme.

Reason: To ensure that the development is served by an appropriate surface water drainage scheme in accordance with Policy S21 of the CLLP and the NPPF.

9.No occupation of any dwelling shall occur until the ecological enhancements as shown on plan ref 1621-10 Rev B have been implemented and retained as such thereafter.

Reason: In the interests of protected species and enhancing the biodiversity of the site in accordance with Policies S60 and S61 of the Central Lincolnshire Local Plan and the NPPF.

10. Notwithstanding the mitigation plans detailed within conditions 4 and 5 of this consent. The development shall proceed in accordance with the ecological recommendations contained within the following reports;

- Preliminary Ecological Appraisal (PEA) by Kedd Limited dated May 2023
- Bat Survey Report (April 2024)

Reason: In the interests of protected species and enhancing the biodiversity of the site in accordance with Policies S60 and S61 of the Central Lincolnshire Local Plan and the NPPF.

11.No development above damp-proof course level shall take place until details, including specifications of all the proposed facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details.

Reason: In the interests of visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan 2023.

12.No occupation of each individual dwelling must take place until its individual access and driveway identified on Proposed Site Plan: 1621-54 - Rev C 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.

13. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwellings 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.

14. 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.

15. The development hereby approved must only be carried out in accordance with the tree protection measures set out in the Arboricultural Assessment, Tree Protection Plan 1621-55 - Rev C completed by Kedd Limited. The tree protection measures as shown on plan reference 1621-55 Rev C shall be erected and retained in their position prior to and for the duration of the construction works.

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.

16. The development hereby permitted shall proceed in accordance with the Amended Biodiversity Net Gain Assessment and Metric dated April 2024.

Reason: To ensure the development delivers the on-site Biodiversity Net Gain in accordance with Policy S61 of the Central Lincolnshire Local Plan 2023.

17. No development, apart from site clearance shall occur, until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation in accordance with policies S53 and S60 of the Central Lincolnshire Local Plan.

18. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Amended Sustainability Statement dated September 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

19. Prior to occupation of the buildings, a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement dated September 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 2023.

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

20. The scheme of landscaping as detailed on plan reference KD.BRTW.D.001A shall be carried out in the first planting and seeding season following the occupation of the building(s) 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 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.

21. 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.

Notes to Applicant

Community Infrastructure Levy- Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge.

The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

Please note that CIL liable development cannot commence until all forms and necessary fees have been submitted and paid. Failure to do so will result in surcharges and penalties.

Highways- The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Witham Internal Drainage Board- You are advised to contact the drainage board to obtain the relevant consents.

Anglian Water- Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

We highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution. If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
- Development size
- Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
- Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required).

Environment Agency-

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>.

It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them

to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

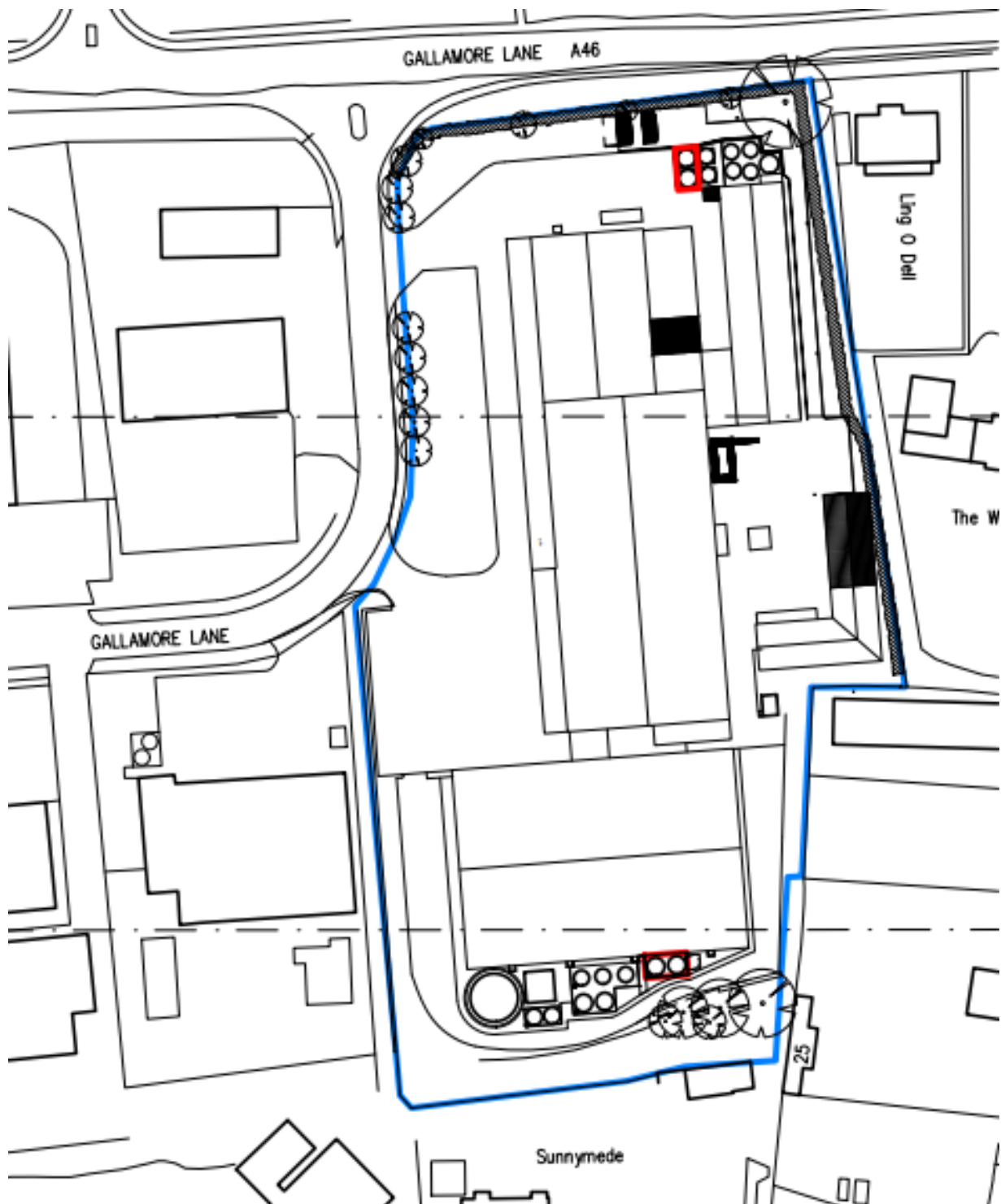
For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>

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/2025/00182

PROPOSAL: Planning application for 4no. silos.

LOCATION: RPC Containers Ltd, Gallamore Lane Industrial Estate,
Gallamore Lane, Market Rasen LN8 3HA

WARD: MARKET RASEN

WARD MEMBER(S): Cllr S Bunney, Cllr E L Bennett, Cllr M K Westley

APPLICANT NAME: Mr Luke Withers-Adamson (Berry CPI – Agile
Solutions)

TARGET DECISION DATE: 15th April 2025 (Extension agreed until 25th July
2025)

CASE OFFICER: Ian Elliott

Recommended Decision: Grant permission subject to conditions

Planning Committee:

This application was referred to the Planning Committee meeting held on 25th June 2025 due to objections from the Ward Member, the Market Rasen Town Council and a number of third parties. The planning committee resolved to defer the application for the applicant/agent to consider alternative locations for the placing of the proposed silos. Following the meeting the applicant has provided an "Alternative Location" Document. This sets out that the applicant considers that alternative locations are not feasible, and therefore that the application should be determined in accordance with the original locations as per site plan RD:5785/01 dated 18th December 2024 (Proposed Only).

Site Description

The application site is part of an established plastic manufacturing business on Gallamore Lane Industrial Estate at Market Rasen which is covered by hardstanding.

The site is located at the eastern end of the Industrial Estate. Residential properties adjoin the site along its eastern and southern boundaries.

To the south of the proposed silo adjacent the south gable end is a grass bank with trees along the south boundary. High timber fencing screens the east boundary with the north elevation of 1 and 2 Sunnymede along the south boundary. The existing silos and main commercial building are to the north and west.

The silo to the north of the buildings is screened by high hedging, high trees and timber fencing to the north and east boundary. Existing silos also screen the site to the east. The existing buildings provide screening to the south. To the west is open across the site to the main access.

The site is within an area allocated as an Important Established Employment Area (IEEA) in the Central Lincolnshire Local Plan.

Proposal:

The application seeks permission for 4 raw material silos (2 pairs) adjacent to existing silos. The silos would store plastic granules ready for transfer into the factory. The proposed silos would be split positioned into different locations on the site. One pair adjacent the south gable end of the factory, and the 2nd pair to the north end section of the site.

The pair of silos (including safety fencing) would be:

- 7.4 metres in width
- 11.3 metres in height
- In a stainless steel finish

Each silo would have two an individual diameter of 3.4 metres.

Relevant Planning History

137212 - Planning application for 2no. raw material silos adjacent to existing silos – 13/03/18 - Granted time limit plus conditions

137796 - Request for confirmation of compliance with condition 2 of Planning Permission 137212 granted 13 March 2018 - Condition discharged - 11/06/2018

Planning Constraints

- The site is on an established employment area E21 (inset map 51 of the Central Lincolnshire Local Plan 2023-2043).
- Silos are positioned within flood zone 1 (low probability).
- Flood zone 2 (medium probability) and 3 (high probability) sits close by to the east and south of the proposed silos adjacent the south gable end.

Representations

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

Cllr Bunney: Objections

- Detrimental affect on properties at end of Rasen Lane (Sunnymede) and 25 Caistor Road.
- Silos will overlook the neighbouring properties.
- Noise and Vibration from filling and emptying the silos will be greater and more invasive causing distress to residents.
- Possibility that trees will be felled which will increase invasiveness especially in summer months.
- As part of the planning permission granted in 2004 it was stipulated that environmental planting and landscaping should occur to protect the

integrity of the properties but did not happen. This situation needs to be considered during this application.

- Silos should be to the north or west of the factory.

Market Rasen Town Council: Objections

- Will have a detrimental impact on properties on Rase Lane, in particular Sunnymede and 25 Caistor Road.
- Silos will impede the view of the properties.
- Will be invasive as overlook the properties.
- Noise from filling will be detrimental to neighbours.
- As part of the planning permission granted in 2004 it was stipulated that environmental planting and landscaping should occur to protect the integrity of the properties but did not happen. This situation needs to be considered during this application.
- Felling trees would be detrimental and invasive to neighbours.
- Consideration should be given to re-location of silos elsewhere on the site.

Local residents: Objections received from:

2 Sunnymede, Rasen Lane, Market Rasen
25 Caistor Road, Market Rasen

Residential Amenity

- Suffer from continued droning noise which will increase with silos.
- Extra traffic noise caused by articulated lorries.
- Continued bleeping noise from forklifts.

Visual Amenity

- Impact on view from seating area of 2 Sunnymede.
- The silos to the south side would be clearly visible from 25 Caistor Road.
- More acceptable location for silos on west of factory close to apex of roof.

Trees

- It is important three trees remain in place for screening

Flood Risk

- Will cause greater flood risk to houses adjacent.
- In 2022 25 Caistor Road was flooded. The dyke that is on east side of factory overflowed. As far as we are aware, the dyke has only been majorly cleared out once, that was after our home was flooded. All the water from RPC site, roofs and associated buildings, drains into the dyke.

Other

- Value of properties will decrease.

LCC Highways and Lead Local Flood Authority: 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.

Planning proposal does not affect the public highway.

WLDC Tree and Landscape Officer: No objections with advice

The revised plan and details for some screen/privacy planting is suitable.

Having looked at the plan RD:5785/05 which shows the worst-case scenario in relation to extent of any excavations along that side of the road near the tree, I have no objections to the work, as there should be very few roots in that area of soil so close to the existing road.

If any roots greater than 2.5cm diameter are encountered, the ground below them should be excavated lower and try to push them down into the lower ground and recover them with soil.

LCC Archaeology: No representations received to date

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) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016)

Development Plan

- **Central Lincolnshire Local Plan 2023-2043**

Relevant policies of the CLLP include:

S1 The Spatial Strategy and Settlement Hierarchy

S20 Resilient and Adaptable Design

S21 Flood Risk and Water Resources

S31 Important Established Employment Areas

S47 Accessibility and Transport

S49 Parking Provision

S53 Design and Amenity

S57 The Historic Environment

S61 Biodiversity Opportunity and Delivering Measurable Net Gains

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Neighbourhood Plan (NP)**

The site is not within a designated Neighbourhood Area and there is no Neighbourhood Plan to consider.

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

- **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)**

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 85 states:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential."

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-planning-policy-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>

Main Considerations:

- Principle of the Development
*Central Lincolnshire Local Plan 2023-2043
Concluding Statement*
- Visual Impact
- Residential Amenity
- Highways
- Surface Water Drainage and Flood Risk
- Trees
- Biodiversity Net Gain

Assessment:

Principle of the Development

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

The business uses the site for industrial manufacturing with associated storage facilities. Therefore, the site has B2 (general industrial) and B8 (storage and distribution) use in accordance with the uses allowed in local policy S31 (Important Established Employment Area (IEEA)) reference E21 of the CLLP. The proposed silos add further needed storage (B8 use) for the growth of the business.

The application has been submitted to increase the plastic granule storage following the award of new contract from a major British company worth 4.5 million pounds. The new contract would provide 12 new full-time job opportunities to the local area.

Central Lincolnshire Local Plan 2023-2043:

The application site is located on an Important Established Employment Area (IEEA). It is referenced in local policy S21 of the CLLP as E21 with accepted use classes as B1, B2, B8 and A2.

Paragraph 5.1.1 of Local policy S31 states that '*This section sets out how the Central Lincolnshire Authorities will assist the achievement of strong and sustainable local economic growth where entrepreneurship, innovation and inward investment are actively encouraged*'.

Concluding Statement

Therefore, growth of this established business within an Important Established Employment Area accords with the Development Plan (S31)

The development can be supported in principle, subject to assessing any environmental impacts and meeting all other relevant policies.

Visual Impact

Objections have been received in relation to the visual amenity harm caused by the proposed silos adjacent the south gable end.

Local policy S53 of the CLLP sets out 10 criteria based on design and amenity. It is considered that criteria 1 (Context), 2 (Identity), 3 (Built Form), 5 (Nature) and 8 (Homes and Buildings) of S53 are the most relevant to the development.

The Identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The site or surrounding area is not designated as having any special character or scenic beauty.

Indeed, the site is allocated as an Important Established Employment Area where employment use is the key characteristic.

The application site is on Gallamore Lane Industrial Estate which is located in the north west of Market Rasen. The proposed silos are an industrial style bulk storage and conveying system which feeds plastic granules into the factory through connected piping. The silos would match the existing silos across the site and would have the normal stainless steel finish.

The proposed silos to the north of the buildings would be located adjacent existing silos and be well screened, particularly to the north, east and west. The silo would be viewed within its industrial setting.

The proposed silos to the south of the buildings would be located adjacent existing silos and be well screened to the north and the west. The scale of the proposed silos would be in view from parts of the garden areas to the closest residential dwellings to the east and south. These views from the nearest residential dwellings would again be viewed as you look towards the industrial site and buildings. The view of the silos would be softened by low and high trees.

Locating the silos adjacent existing silos to group the silos together at either end of the factory building and is preferred rather than dotting them throughout the site providing no harm is caused.

The silos may be utilitarian in appearance, but this is appropriate to an Established Employment Area setting.

It is therefore considered that the proposed silos would not have a harmful visual impact on the site or the surrounding area and would accord to local policy S53 of the CLLP and the provisions of the NPPF.

Residential Amenity

Objections have been received in relation to the proposed silos to the south gable end of the factory creating overlooking and further noise from operation, articulated lorries and forklift vehicles.

The proposed silos to the north of the site would be at least 30 metres from the nearest residential dwelling. Existing silos of the same height would sit

between the new silo and the dwellings to the east. The next nearest residential dwellings on the other side of Gallamore Lane.

The proposed silos to the south gable end of the factory will be (approximate measurements taken from plan RD:5785/02 dated 4th January 2018):

- 18 metres from the north elevation of 1 and 2 Sunnymede
- 21 metres from the west elevation of 25 Caistor Road
- 46 metres from the north elevation of Sunnymede

The proposed silos on their own and cumulatively with other silos adjacent, are set into the site away from the boundary and would not have a harmful overbearing impact on the living conditions of neighbouring dwellings.

The silos do have safety fencing around the top of the silos which would be used for maintenance and monitoring purposes. The applicant has stated in email dated 22nd May 2025 that *"it can be variously for maintenance, cleaning access, or safety checks. Staff go up there no more than once or twice a year. Realistically, it's only a 'when needed', not necessarily a routine"*.

The rear gardens of the dwellings to the east and south would be in view when employees are carrying out duties at the top of the silo adjacent the south gable end. However, the number of times that employees would be up there during a year is so modest that the south silo would not have an unacceptable harmful overlooking impact on the living conditions of neighbouring dwellings.

On the request of the case officer a Plant Noise Assessment (PNA) by Soundplanning dated 17th April 2025 has been submitted. The Noise Assessment was requested to assess the noise created by the day today operation of the silos. As discussed later in the report noise is created by heavy goods vehicle deliveries but these deliveries would be around 3 per week and would only be for the time it takes to arrive at the site, fill the silos and leave the site. This has been confirmed in writing by the applicant as a maximum of 2 hours.

In summary the PNA sets out the noise levels in decibels (dB) to be:

- Combined noise level of 33 dB with a background noise level of 37 dB during the daytime (7:00-23:00 hours)
- Combined noise level of 33 dB with a background noise level of 35 dB during the nighttime (23:00-7:00 hours)

The background noise level of the combined silos is subsequently -4 and -2 less than the background level. The noise report concludes that:

"The evaluation shows that the predicted noise rating level at the nearest noise sensitive receiver is 'low impact' in accordance with BS 4142:2014+A1:2019. 9.4. No noise mitigation strategy should be required for the 2 additional silos"

Objections have also been received in relation to noise created by heavy goods vehicles delivering plastic granules to the silos. In approved planning application 137212 (2 silos adjacent the proposed) the application detail stated *"At present we are averaging between 2-3 silo deliveries per week. With the new silos we estimate that this would increase to just over 3 per week. i.e. an extra delivery every 2 weeks". 'Our core unloading times from 8.00 to 15.00 but we do accept deliveries up to 17.00 if they are delayed due to traffic and very rarely (once every 18 months or so) there may be a deliver between 17.00 and 18.00. We only accept this if it is required to avoid stopping the production"*.

The agent has stated that these silos would require *"1 additional delivery per new silo per month"*. Therefore, only two additional deliveries will be required to both pairs of silos to the south gable end of the building.

A condition restricting times of delivery was added to planning permission 137212. The condition stated:

"No deliveries to the proposed silos shall take place outside the hour of 8:00-19.00 on a Monday to Friday.

Reason: To preserve residential amenity to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036."

This condition is still considered as necessary and reasonable to add to this permission to restrict deliveries to the times stated.

Objections have additionally been raised in relation to forklift vehicles bleeping whilst operating on the site. Forklifts bleep when they are reversing as a warning to people nearby. The site is a commercial/industrial site and it is the responsibility of the business to as much as possible respect the neighbouring uses when operating forklifts vehicles.

As stated in the officer's report for 137212 the extra storage capacity will help to reduce the number of forklift truck movements which currently take place around the rear of the property to move bagged plastic granules. In fact the silos will stop any further increase from larger stocks of bagged granules stored on site to meet the higher demands of the new contract.

It is therefore considered that the proposal would not have an unduly harmful noise disturbance on the living conditions of neighbouring dwellings due to the amount and timing of deliveries expected each week and the results of the PNA. If the operation of the silos does materialise to be the subject of noise complaints the Council has separate statutory powers to investigate and address unacceptable disturbance.

It is therefore considered that the proposed silos would not result in unacceptable noise pollution or have an otherwise harmful impact on the

living conditions of neighbouring dwellings and would accord to local policy S53 of the CLLP and the provisions of the NPPF (paragraph 187(e)).

Highways

As stated above the proposed silos will create a very modest increase to the amount of deliveries to the site which will use the existing access off the Industrial estates road. The proposal would not remove any parking spaces from the site. The application states that the development would create 12 full time employment opportunities. The applicant has stated that the site has *“more than enough spare off-road parking. Whilst it is 12 new jobs, it's split across multiple shifts meaning it's only 3-4 extra parking spaces at any given time”*. The Highways Authority at Lincolnshire County Council have not objected to the application.

The proposal will therefore not have a harmful highway safety impact and accords to local policy S47 and S49 of the CLLP and the provisions of the NPPF.

Surface Water Drainage and Flood Risk

Objections have been received from neighbouring dwellings on surface water flooding.

The application form states that surface water will be disposed of to the mains sewer. It is considered that this relates to the overall site and not to the silos which would be unlikely to be connected directly to the mains sewer.

The silos to the south of the site would be close to areas of flood zone 2 and 3. However, the silos would be positioned within flood zone 1 therefore are located on land which has the lowest risk of flooding and would meet the NPPF sequential test for locating development in areas of the lowest potential for flooding.

The government's flood map for planning¹ identifies that the northern silos would be located on ground which has history of surface water flooding. The southern silos would be primarily on land which has no history of surface water flooding but would be cover some limited ground which has history of surface water flooding.

The Lead Local Flood Authority at Lincolnshire County Council have no objections to the development.

The silos to the north would be positioned on impermeable hardstanding therefore would have a neutral impact on surface water drainage from rainfall.

The silos to the south would be positioned on areas of permeable brick effect hardstanding which extends to the immediate surrounding area including the lane to the south of the factory. The introduction of the southern silos will reduce the amount of permeable ground to the south of the factory. The

¹ [Map – Flood map for planning – GOV.UK](#)

surface water which comes off the proposed silos would still infiltrate through the remaining brick effect hardstanding as well as discharging into the dyke to the east of the site.

The agent has stated in writing that the *“the new silos will be on an impervious base, again drained to the existing surface water system. There will be no increase in impermeable area”*.

The applicant has provided comments from their Engineering Manager which states that:

‘With regards to the southern silos, there are 5 storm water drains along the southern block paved section, the storm water currently goes into those storm drains and is then piped off site, the dyke is other side of the storm drains. So, water from the dyke, flows out of the dyke via the drainpipes which the southern storm drains then join into. So, there will be no additional water going into the dyke because of these silos. There are no drains in the location where the new silos will sit. The existing storm drains are a few meters south of the where the new silos would sit. So, we will not be reducing the number of storm drains for surface water to go down.

We do have some responsibility for the dyke, in 2022 we hired in a small excavator and cleared the dyke, which the neighbours were very pleased with. We have checked the condition of the dyke and continued to liaise closely with one of the neighbours to ensure he is happy with the condition of it. I expect we will need to hire a small excavator again in a couple years to give the dyke a thorough clear out again. Which we are happy to do.

Therefore, the silos to the south of the site would also have a neutral impact on surface water drainage from rainfall.

Therefore, it is considered that the silos would have a neutral impact on surface water flooding of the site and the surrounding area. The proposal will therefore accord to local policy S21 of the CLLP and the provisions of the NPPF.

Trees

Local 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.”*

The silos to the south gable end of the factory would be close to four or five trees to the south as identified on the below photos. The trees are not protected but provide some amenity and screening value therefore it would be preferred if they were retained.



The trees are located on land raised above the existing road which would need to be widened to allow vehicles to get to the new silos. The application has included plan RD:5785/05 dated 18th December 2024 identifying the amount of the embankment to be removed to widen the road.

The Authority's Tree and Landscape Officer (TLO) has no objections in terms of the excavation works affecting the existing trees. However, the TLO has provided some advice which is considered necessary to attach as an advisory note.

"Having looked at the plan RD:5785/05 which shows the worst-case scenario in relation to extent of any excavations along that side of the road near the tree, I have no objections to the work, as there should be very few roots in that area of soil so close to the existing road."

If any roots greater than 2.5cm diameter are encountered, the ground below them should be excavated lower and try to push them down into the lower ground and recover them with soil."

Having considered the advice given, the proposal will therefore not have a harmful impact on the existing trees and accords to local policy S66 of the CLLP and the provisions of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 sets out in law that 10% Biodiversity Net Gain (BNG) for minor developments is a statutory requirement after 2nd April 2024. This takes precedence over local policy S61 of the CLLP.

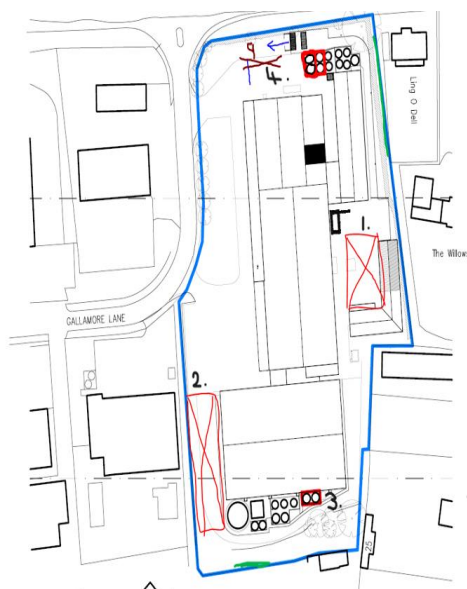
Local policy S61 of the CLLP requires *"all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management"*.

Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

The Principal Ecology and Wildlife Officer (PEWO) has verbally confirmed that the development is *“exempt from BNG under the de minimis threshold as the application although larger than 25m2 will not impact 25m2 or more of habitat with a score greater than 0 in the statutory, nor does it include habitat with a score greater than 0 that has been degraded since Jan 2020.”*

Alternative Silo Locations

Following the resolution of the planning committee at its meeting in June 2025, the applicant/agent has subsequently submitted a possible alternative location assessment document with associated plan (see below).



In summary the assessment document states that:

Location 1:

- Costly to implement as no infrastructure in place for silos.
- Relocation of bagged polymer is restricted by space.
- The location would reduce car parking and/or silo access.
- Bagged stock is kept in this location to reduce forklift noise on the neighbours which occurs 24/7. Moving the bagged stock would cause more regular and louder noise disruption for neighbours than the silos.

Location 2:

- Would require trenched pipework under the road which is expensive, limits access and presents real health and safety risks for staff.
- Would remove opportunities to expand and/or combine our warehousing, which is a priority project.
- Silos are expensive to move and there are other intentions for this area.

Location 3:

- Silo locations applied for.
- No increase in forklift traffic going near the residents.

Location 4:

- Putting two silos here loses no parking spaces.
- Putting four silos here loses 4 parking spaces and maybe more with safe reverse requirements.
- Put pressure on sites parking facilities particular with 12 new jobs that would be created
- Would cause major storage restrictions during install increases site production risk.
- Require extension infrastructure (pipework, networks, lagging and vacuum pump systems) over longer distance which would increase energy use 5 times over the submitted planning application.

In view of the above, the applicant has considered alternative locations for the silo but has dismissed these for the reasons stated. It therefore falls to the Local Planning Authority to determine the application as submitted, with the location of the silos as per site plan RD:5785/01 dated 18th December 2024 (Proposed Only)

Landscape Mitigation

The applicant/agent of the application has put forward an intention to provide additional planting to the grassed area to the south/south east of the proposed southern silos. To date no details have been submitted in terms of the species and position of the planting on a landscaping plan.

Verbal advice has been sought from the Authority's Tree and Landscape Officer (TLO) in terms of the most appropriate type of planting required to would provide effective screening. The TLO advised that low level planting that fills the gap underneath the canopy of the trees would be most appropriate. The TLO has provide some suggestions in writing such as Hazel, Holly, Guelder Rose, Wayfaring Tree and Purging Buckthorn. The planting should not be positioned against the boundaries with 25 Caistor Road and 1/2 Sunnymede.

The agent has submitted a landscaping plan to the south of the two proposed silos to the southern section of the site. The position and details of the landscaping plan has been accepted by the TLO.

It is therefore considered that conditions to ensure the landscaping scheme is implemented in a timely manner and in accordance with the approved details can be attached to the permission.

Conclusion and reasons for decision:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S20 Resilient and Adaptable Design, S21 Flood Risk and Water Resources, S31 Important Established Employment Areas, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and

Amenity, S57 The Historic Environment and S61 Biodiversity Opportunity and Delivering Measurable Net Gains of the adopted Central Lincolnshire Local Plan 2023-2043 in the first instance and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and National Design Guide. In light of this it is considered that the principle of the proposal is acceptable and will provide growth and employment opportunities to an established business on an Important Established Employment Area. The proposal will not have a harmful visual impact on the site, the surrounding area or the street scene and subject to the imposition of the conditions discussed above will not have a harmful impact on the living conditions of neighbouring dwellings, highway safety or drainage.

Recommended Conditions:

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

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

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

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

NONE

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

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

- RD:5785/01 dated 18th December 2024 – Site Plans (Proposed Only)
- RD:5785/02 dated 4th January 2018 – Elevation Plans (Proposed Only)
- RD:5785/04 Rev B dated 14th July 2025 – Site Plan
- RD:5785/05 dated 18th December 2024 – Road Widening Plans

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Local Policy S1, S31, S47, S49 and S53 of the Central Lincolnshire Local Plan 2023-2043.

3. The proposed development must be completed in strict accordance with the landscaping details identified on site plan RD:5785/04 Rev B dated 14th July 2025.

Reason: To ensure that appropriate landscaping is introduced and would provide effective additional soft landscape screening to the nearby residents to accord with the National Planning Policy Framework and local policies 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:

4. No deliveries to the silos hereby approved must take place between the hours of 19.00-8.00 on a Monday to Friday or on a Saturday, Sunday or Bank Holiday.

Reason: To preserve residential amenity to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023-2043.

5. All planting comprised in the approved details of landscaping (see condition 3 of this permission) must be carried out in the first planting and seeding season following 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 must 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. The landscaping should be retained thereafter.

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework and local policies S53 of the Central Lincolnshire Local Plan 2023

Advisory Note

Excavation Works for Road Widening

It is advised that if any roots greater than 2.5cm diameter are encountered during the excavation works, the ground below them should be excavated lower and the roots should be pushed down into the lower ground and covered with soil.

Human Rights Implications:

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

Legal Implications:

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

**Representors to be notified -
(highlight requirements):**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Standard Letter	Special Letter	Draft enclosed



Planning Committee

23 July 2025

Subject: Determination of Planning Appeals

Report by:

Director – Planning, Regeneration & Communities

Contact Officer:

Ele Snow
Senior Democratic and Civic Officer
ele.snow@west-lindsey.gov.uk

Purpose / Summary:

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

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

IMPLICATIONS

Legal: None arising from this report.

Financial: None arising from this report.

Staffing: None arising from this report.

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

Risk Assessment: None arising from this report.

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

Title and Location of any Background Papers used in the preparation of this report:

Are detailed in each individual item

Call in and Urgency:

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

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

Yes

☐

No

x

Key Decision:

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

Yes

☐

No

x

Appendix A - Summary

- i) Appeal by Mr Robin Evans of TR Property Ltd against the decision of West Lindsey District Council to refuse planning permission for a residential development comprising 36no. dwellings at Dawkins Barn, Pelham Crescent, Keelby, DN41 8EW (Planning Application Address: Land off Mill Lane Keelby, DN41 8HB).

Appeal Dismissed – See copy letter attached as Appendix Bi.

Officer Decision – Refusal



Appeal Decision

Hearing held on 18 June 2025

Site visit made on 19 June 2025

by Ann Veevers BA(Hons) Dip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/N2535/W/24/3355400

Dawkins Barn, Pelham Crescent, Keelby DN41 8EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robin Evans of TR Property Ltd against the decision of West Lindsey District Council.
 - The application Ref is 147537
 - The development proposed is residential development comprising 36no. dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address of the appeal site from the Council's decision notice, which I note is also used by the appellant in the appeal form, the Statement of Common Ground and was used for the purposes of notification of the application. As such, although different to the address provided in the planning application form, I am satisfied it accurately reflects the location of all of the appeal site and that no party will be prejudiced by my use of it.
3. The application reference in the banner heading above is that given in the appellant's original decision notice. The Council have clarified that, due to the use of a different operating system since the decision, the application reference is now WL/2024/00050. I am satisfied that references to either in the appeal submissions are one-and-the-same.
4. Additional documents were submitted at the hearing, as set out at the end of this decision. All parties agreed to the submission of the documentation. I am satisfied that in all cases the material was directly relevant to, and necessary for my decision and that no prejudice would be caused by taking the documents into account.
5. The National Planning Policy Framework (the Framework) was revised, and the 2023 Housing Delivery Test (HDT) results were published in December 2024, after the appeal was submitted. As these could affect the issues and matters in this case, the Council and the appellant were invited to make further comments. My decision reflects the latest version of these documents, and the responses received on them.
6. A signed and executed planning obligation in the form of a unilateral undertaking (UU) was submitted prior to the hearing that included provisions relating to

affordable housing and allotments but was missing plans. Having agreed with the parties that the missing plans could be provided after the hearing closed and that the Council should be afforded an opportunity to provide a written response to the UU which they were unable to address during the hearing, a final completed version of the UU was received on 25 June 2025 in accordance with an agreed timetable. I have had regard to the completed UU in my decision.

7. The proposed development was refused for three reasons. Following information submitted with the appeal by the appellant, the Council confirmed in its Statement of Case and the Statement of Common Ground (SoCG) that it no longer intended to offer evidence in relation to the second and third reasons for refusal. These relate to (2) the effects of the proposal on archaeological remains and the setting of nearby listed buildings, and (3) the effect of the proposal on great crested newts. In doing so, the Council confirmed at the hearing that, subject to the imposition of suitably worded conditions, the appeal could no longer be defended/resisted for these reasons.
8. Nevertheless, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), places a statutory duty on me to consider the desirability of preserving a listed building or its setting for myself.
9. As the proposal has potential to affect great crested newts, a European Protected Species, I must also have special regard to section 40(1) of the Natural Environment and Rural Communities Act 2006 (as amended) the provisions of the Wildlife and Habitats Act 1981 and Regulations 9(1) and 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitat Regulations) which seek to ensure that protected species and their habitats are safeguarded.

Main Issues

10. Taking account of the above, I consider the main issues are:
 - Whether the site is a suitable location for housing, with particular regard to the local development plan spatial strategy;
 - The effect of the proposed development on the character and appearance of the area, with particular regard to local policies relating to Important Open Space and landscape;
 - Whether the proposed development would preserve the settings of nearby listed buildings or any features of special architectural or historic interest which they may possess;
 - The effect of the proposed development on great crested newts (GCN); and,
 - Whether any harm identified, including conflict with the development plan, would be outweighed by other material planning considerations

Reasons

Location

11. Keelby is defined as a 'Large Village' in the settlement hierarchy set out within Policy S1 of the Central Lincolnshire Local Plan, adopted April 2023 (the CLLP) where an appropriate level of growth via sites allocated in the CLLP will be

focused. The appeal site is not an allocated housing site. Policy S1 goes on to state that beyond site allocations, residential development will be limited to that which accords with Policy S4.

12. Policy S4 includes several elements which are, to some extent, intertwined with character and appearance. Part 1 of Policy S4 sets out that in order to support their role and function, large villages will experience limited growth through allocated sites, or on unallocated sites in 'appropriate locations' within the 'developed footprint' of the village that are typically up to 10 dwellings. The policy also states that proposals on unallocated sites not meeting these criteria will not generally be supported unless there are clear material planning considerations that indicate otherwise.
13. The appellant argues that the word 'typically' would not preclude development above 10 dwellings and I agree, even if such development would not generally be supported. However, 36 dwellings would, in my opinion, be far in excess of what would reasonably be construed to be 'typically' up to 10 dwellings. Therefore, the proposal would not meet this criterion of Part 1 of Policy S4.
14. Neither would the proposal gain support from Policy 2b of the Keelby Neighbourhood Plan 2023-2024, made May 2023 (KNP) in relation to its scale. This states that residential development will be supported if it fills a gap within the existing developed footprint of Keelby (as defined by the CLLP) and, amongst other things, is for 10 homes or less.
15. There is disagreement between the parties in relation to other criteria for unallocated sites set out in Part 1 of Policy S4 of the CLLP, namely whether the site is an appropriate location within the developed footprint of the village.
16. 'Developed footprint' is defined in the glossary to the CLLP as the continuous built form of the settlement and, amongst other things, it states that it excludes individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area; gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement, and agricultural buildings and associated land on the edge of the settlement.
17. There is no defined settlement boundary to Keelby in the CLLP or NP. As such, an assessment of whether or not the appeal site is considered to be within the developed footprint of the village, is a matter of planning judgement.
18. From the evidence, both main parties agree the part of the appeal site that includes Dawkins Barn and its associated hardstanding would be within the developed footprint of the village. From observations at my site visit, I also agree since this part of the site is bound on two sides by existing housing, by housing on the opposite side of Pelham Road and does not extend into open land any further than existing rear garden boundaries off West View Close/Churchill Avenue.
19. However, the remainder of the appeal site comprises a parcel of allotment land accessed off Brocklesby Road and a large rectangular parcel of land described as grazing land/paddock accessed past Dawkins Barn. I heard that this land was originally used for agricultural purposes but subsequently had been used for the grazing of horses. At the time of my site visit there were no animals grazing on the

land and it appeared to have had a cut of grass. Regardless, the land is undeveloped.

20. There is a continuous ribbon of development along the south side of Mill Lane facing towards the appeal site and residential development immediately to the east of the site. However, in views towards the west, when at the corner of Pelham Crescent and Mill Lane and beyond the junction of Yarborough Road and Brocklesby Road, the appeal site, together with the strip of open land between the appeal site and the A18, Barton Street, are not seen as part of the continuous built form of the settlement.
21. The appeal site forms part of a clearly visible buffer of open land between the built edge of Keelby and Barton Street, regardless of the presence of The Old Coaching House at the corner of Barton Street and Mill Lane. Although the busy Barton Street provides a strong visual barrier on the edge of Keelby between open countryside to the west and the settlement, it does not define the boundary of the settlement. Although I consider this road is a contributing factor to the appeal site appearing to relate more to the built up area of the settlement, rather than to the surrounding countryside, on the evidence before me and my own observations, the appeal site is an area of open land which does not sit within the developed footprint of the settlement.
22. In terms of an 'appropriate location', a definition is also provided in the CLLP. It includes that, the site, if developed, should retain the core shape and form of the settlement and not significantly harm the character and appearance of the settlement or its rural setting, or the character and appearance of the surrounding countryside.
23. The argument is made by the appellant, and as I heard at the hearing, that the appeal site appears more connected to the built-up character of the village and would maintain its nucleated form. The appellant's Landscape and Visual Impact Assessment (LVIA)¹ sets out that whilst the appeal site is physically open in a landscape spatial sense, it lies between land uses that are part of the settlement, is divorced from the surrounding agricultural landscape and makes no notable contribution to the defined landscape character of the area. As such, it does not read as part of the swathe of open countryside that lies beyond Keelby but relates more closely to the settlement itself. Whilst I agree with this assessment, it does not mean the site is within the developed footprint of the settlement.
24. When viewed from longer public vantage points to the north, west and south, the visual impact of the proposed development would be moderated by the fact that the site lies at a lower level in the landscape and/or due to intervening vegetation, and because views would be taken against the existing built development of Keelby as a whole. The proposed development would be clearly visible when viewed from the junction of Brocklesby Road and Barton Street where there is a public bench facing towards the site. However, it would be seen against the backdrop of existing development and would be somewhat screened by proposed landscaping. Importantly, a sloping strip of open land would remain between the site and Barton Street.
25. There would be a very noticeable change to the character and appearance of the area when viewed within properties and gardens abutting the site to the east and

¹ Landscape and Visual Impact Assessment, David Jarvis Associates, 8 November 2024

for users of the allotments. But, whilst sensitive from the point of view of the occupiers of those properties and the allotments, these are not public views from which the overall landscape impact would be observed. Furthermore, the alignment of the proposed hedgerow along the west boundary of the site to match the boundary of the existing allotments would retain the core shape and form of the settlement. Thus, in this context and the limited intervisibility between the site and the surrounding countryside, the impact of the proposal on public views would be diminished.

26. Nevertheless, while these factors may weigh in favour of my determination as to whether the proposed development would be in an appropriate location, the definition of 'appropriate location' in the CLLP also carries the caveat that the location of the proposal should not conflict, when taken as a whole, with national policy or policies in the CLLP. A planning balance is therefore required in this assessment, to which I return to later in my decision.
27. Although the appeal site is not within the settlement's developed footprint, it is immediately adjacent to the developed footprint and is not allocated for residential development. As such, the support for residential development on such sites set out in Part 3 of Policy S4 does not apply in this case as the proposed development is not a first homes exception site or exclusively for a rural affordable housing exception site.
28. To conclude on this main issue, while the proposed development would meet some criteria set out in the CLLP definition of an appropriate location, this does not alter the fact that it would not be within the developed footprint of the settlement and would be significantly more than 10 dwellings. Consequently, the proposal would conflict with Part 1 of Policy S4 of the CLLP, unless there are clear material planning considerations that indicate otherwise. For the same reasons, it would conflict with Part 1 (a) of Policy 2b of the KNP. The proposal would also conflict with Policy S1 of the CLLP which seeks that an appropriate level of growth in large villages is accommodated via site allocations and development that accords with Policy S4. I consider the weight to be given to this conflict under the Planning Balance below, as well as the balancing exercise referred to above in relation to the definition of an appropriate location.

Character and appearance

29. The appeal site includes a large parcel of open grassland designated as Important Open Space (IOS) in the CLLP. This area contains a large centrally located pond with willow trees along one edge and a dense group of trees and scrub close to Dawkins Barn. Several individual trees are located along the east boundary of the IOS, the majority of which are within the gardens of adjoining residential properties.
30. Policy S65 of the CLLP states that IOS is safeguarded from development unless it can be demonstrated certain criteria are met. The appeal site is not publicly accessible, thus only criterion (a) is relevant. This requires that there are no significant detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets.
31. Policy 1 of the KNP seeks to protect the rural character and distinctiveness of the Parish and states that development should take account of, amongst other things, Important Green Spaces and the wider context of the area. Important Green

Spaces are shown on a map in Appendix 3 of the KNP as including IOS, Local Green Spaces and Village Green. The majority of the appeal site is identified as IOS. The allotments are identified as Local Green Space.

32. Policy 5 of the KNP seeks, along with other things, that development maintains the rural character of Keelby, and insofar as it relates to this case, enhances existing environmental assets such as locally valued landscapes and paths. That part of the appeal site identified as IOS is also shown in Appendix 7 of the KNP as a locally valued landscape (8-Barton Street-Paddock and Pond). The proposal would retain the allotment land but would result in the loss of land designated as IOS.
33. There is disagreement between the parties about the functional and aesthetic value of the appeal site as IOS. The Council argue that the appropriate forum to have challenged the IOS designation was during preparation of the CLLP and I note from the evidence, that the Council took a decision to reject a residential allocation on part of the appeal site and instead to designate the wider parcel of land as IOS. The reasons for this are set out in the Residential Allocations Evidence Report 2021 and relate to heritage constraints and highway issues rather than the value of the site as open space. However, I recognise that an IOS evidence report² and IOS methodology and review³ provide the justification for the designation of part of the appeal site as IOS. The appellant confirmed at the hearing that they made no representations to the Council during consultation stages of the CLLP in this regard.
34. Despite its IOS designation, Policy S65 of the CLLP does not preclude development on the land. The undeveloped, natural attributes of the appeal site form an important function in the visual transition between the settlement and the open countryside beyond and in reinforcing the rural nature and location of the settlement and allows views through to the surrounding countryside. However, the appellant's LVIA demonstrates to me that the appeal site does not incorporate many qualities or characteristics identified in the National, Regional or Local Character Areas⁴ within which the site sits or the criteria for which the designation of IOS was assessed.
35. In terms of landscape character, my site visit encompassed a number of viewpoints set out in the LVIA and suggested by the Council and local residents where it had been identified that the site would be visible. Based on the evidence before me and what I saw, the appeal site is not representative of the host landscape types. With regards the IOS designation criteria, the site is not publicly accessible and does not provide a recreational value, neither does it provide an open area within an otherwise built-up setting.
36. Nevertheless, that part of the appeal site designated as IOS is a parcel of land devoid of development containing a pond, trees and hedgerows, and in this respect, contributes to the localised pattern of vegetated gaps in and around the village. I also recognise that the local community consider the site has value in, amongst other things, its visual openness. Indeed, there are many representations from members of the public explaining the value that they place on the site in

² Central Lincolnshire Policy 65 Important Open Space Evidence Report, March 2022

³ Central Lincolnshire Local Plan Review Important Open Spaces Methodology and Review, March 2022

⁴ National Character Area No 42: Lincolnshire Coast and Marshes, 2015; East Midlands Regional Character Assessment (204): Chalk Wolds (Group 7); West Lindsey Landscape Character Assessment (1999)

visual and well-being terms. In this context, the site makes a positive contribution to the overall character and appearance of the area.

37. The development of 36 dwellings and infrastructure on land that is currently free from development and provides an, albeit not publicly accessible, verdant and open area, would intrinsically alter the use and appearance of the site. It would result in the erosion of a parcel of semi-rural land that makes a valuable contribution to the IOS designation.
38. However, for the reasons outlined in my consideration of the other main issue above, the visual effect of the proposal would be tempered by the site's location at a lower land level than Barton Street, the backdrop of existing dwellings, intervening hedges and the strip of land that would remain between the site and Barton Street which would ensure a visual buffer of open land to the settlement edge would be maintained. Proposed landscaping, although limited in depth along the north and west boundaries, would also, in time, screen views to varying degrees depending on the time of year.
39. I acknowledge the proposal would result in the loss of IOS and there would be some adverse visual incursion upon a locally valued landscape, but only to the extent of many other undeveloped edge of built settlement sites. From the information before me and my own observations, whilst the proposal would not have an overly discernible visual impact on the wider landscape setting of the settlement, there would be harm to the immediate character and appearance of the area, but this harm would be somewhat moderated by the mitigating factors I have set out above.
40. With regard to the other aspects of Policy 65 (a), I deal with the effect on ecology and heritage later on in this decision, but it is noteworthy that there is common ground between the main parties that there would be no significant detrimental impacts on ecology and heritage assets.
41. To conclude on this main issue, the proposed development would result in the loss of IOS and there would be visual harm to a locally valued landscape. However, for the reasons given above, in this particular case, I consider the harm would not constitute the significant harm Policy S65 seeks to avoid. Accordingly, I am satisfied there would be no significant detrimental impacts on the character and appearance of the area, ecology and heritage assets. Consequently, the proposed development would accord with Policy S65 of the CLLP, and Policies 1 and 5 of the KNP. Collectively, these policies, amongst the factors, seek to protect important landscapes in the wider context, maintain the rural character of Keelby, the open countryside and the overall character and appearance of the area.

Setting of Listed Buildings

42. The Old Coaching House and adjacent stable block and coach house are Grade II Listed Buildings. They are located close to the southern corner of the appeal site and front Barton Street. The Old Coach House is currently a dwelling but the evidence, including the list description (Ref. 1262683) and what I heard at the hearing suggests its original use, when constructed in the late 18th century, was as a public house and resting place for travellers and their coach and horses using the adjacent highway. It is a two-storey, 3-bay detached building with a central panelled door flanked by sash windows. It is constructed of red brick but the front elevation has been rendered.

43. Also built in the late 18th century, the neighbouring stable block and coach house is a one and half storey red brick, hipped pantile roof former coach house and stable building now in domestic use associated with The Old Coaching House. It is separated from The Old Coaching House by a drive with a timber gate and fence connecting the two buildings. The list description (Ref. 1063374) describes the building as having a 3 bay front with off-centre planked doors flanked by single blocked doorways with small fixed lights to segmental heads and two sliding glazing bar sash windows up to the eaves.
44. From the information before me and what I saw, I find the significance of The Old Coaching House is largely derived from its built fabric and its historic purpose and position along a former travelling/trading route which holds evidential, historic and aesthetic values. There is a historic functional link between the stable block and coach house and The Old Coaching House as it fulfilled a specific role in accommodating the horse-driven coaches and horses of those using the public house which is fundamental to the significance of the place. Collectively the buildings have historic group value. Indeed, I note the list description for the stable block and coach house states that this building is included as a designated heritage asset for its group value only.
45. The setting of a heritage asset is defined in Annex 2 of the Framework as the surroundings in which the heritage asset is experienced. The importance of setting lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance, whether that is by reference to views or other functional or causal factors. In this regard, due to the topography of the area, the appeal site is located to the north-west of the listed buildings at a lower ground level and separated from them by the vegetated and enclosed garden of The Old Coaching House and a narrow strip of sloping open land.
46. There was some debate about the contribution the appeal site makes to the significance of the listed buildings at the hearing. Historical mapping from 1886 shows a track leading from The Old Coaching House to Claypit Road (now Pelham Crescent) which crosses the appeal site but is not shown on the 1944 map nor currently visible on the ground. From the information available to me, the purpose or significance of the track is unclear. Similarly, I cannot be certain, from the evidence, whether the listed buildings were simply used as a resting place along a travelling route, without an associated grazing field for horses, or whether there was a functional link between the appeal site and the listed buildings in this regard.
47. Regardless, given the limited intervisibility between the appeal site and the listed buildings, and that the significance of the listed buildings essentially lies in their functional location fronting Barton Street as a staging post rather than an association with land to the rear, I consider the appeal site makes little contribution to the setting of the listed buildings and only to the extent that it enables an uncluttered appreciation of their rural surroundings.
48. The proposal would alter the character and appearance of the appeal site, eroding its open attributes. However, given the distance, topography, intervening vegetation and that the primary significance of the listed buildings arises from the highway route upon which they are located, I find, as agreed by both main parties in the SoCG, that less than substantial harm would result from the proposal to the contribution that the appeal site's qualities make to the significance of the listed buildings or their settings.

49. At the hearing, both parties agreed that whilst there would be less than substantial harm to each heritage asset, each harm would be of a low scale and I agree. The Council conceded that there are no heritage grounds for withholding planning permission for this reason alone. Nevertheless, paragraph 212 of the Framework advises that, irrespective of the level of harm, great weight should be given to the asset's conservation. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
50. Even though the Council are able to demonstrate a five year housing supply, the proposal would provide housing, including affordable housing, a key objective of the Framework. There would be construction jobs to the area and financial spend from new residents benefiting businesses and the local economy. The site would be publicly accessible, which it currently is not, and the allotment land would be offered free from encumbrances to the local community. I consider that the cumulative public benefits would be sufficient to outweigh the less than substantial harm.
51. Accordingly, for the reasons given above, I find no conflict with the Act or Policy S57 of the CLLP concerning heritage assets which states, amongst other things, that where a development proposal would result in less than substantial harm to a designated heritage asset, permission will only be granted where the public benefits, including, where appropriate, securing its optimum viable use, outweigh the harm. There would also be no conflict with Policy 1 of the KNP in this regard or the heritage protection aims of the Framework.

Great Crested Newts (GCN)

52. The planning application submission included a Preliminary Ecological Appraisal (PEA)⁵ which included details of surveys undertaken at the site in 2023 and DNA analysis of water samples⁶. The appeal submission also includes a further ecological information written statement (EIWS)⁷. As a result of this information, which was not available at the time the decision on the application was made, the Council confirmed in the SoCG and at the hearing the reason for refusal in relation to potential harm to GCN is no longer being pursued.
53. However, Regulation 9(3) of the Habitats Regulations requires me, as a competent authority to have regard to the requirements of the associated Directive so far as it may be affected by the exercise of its functions. This includes any proposal that might lead to the deterioration or destruction of the breeding sites and resting places of EPS under Article 12(1)⁸. This includes GCN and their breeding place, irrespective of whether or not they are present at the time the development is carried out.
54. The DNA analysis of water samples taken from the large pond on the site found that, despite a significant amount of the surface being covered by New Zealand pygmy weed, it supports a population of GCN with some connectivity to other habitats in the area. However, due to the dense cover of weed on the pond, which I saw at my site visit, the EIWS advises it is not possible to assess the population

⁵ Preliminary Ecological Appraisal, Wold Ecology Ltd, July 2023

⁶ SureScreen Scientifics Technical Report, July 2023

⁷ Written Statement of Robert John Frith BSc(Hons) MRSB on behalf of TR Property Ltd, November 2024

⁸ Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Directive)

size in detail but suggests it could be at the upper end of a small population with peak counts predicted to be in the range of 10-30 GCN.

55. The PEA concludes that GCN are very likely to be encountered during the development works and in the absence of mitigation, direct and indirect impacts to local GNC populations is likely to occur and an EPS licence would be required for the development to proceed as proposed. The EIWS states that it would be possible, using existing data, the DNA results and the habitat assessment, to reliably predict the impacts of the development in any EPS mitigation licence.
56. Decisions about whether a licence can be granted are the responsibility of Natural England and are under a separate process. In the absence of a District Level Licence Scheme in the area, the appellant's ecologist suggests an individual EPS Mitigation Licence would be sought under Policy 4 of Natural England's EPS licensing scheme.
57. As part of the licence application, the EIWS sets out mitigation details based upon a medium-sized population of GCN being present on the site. Mitigation measures include, but are not limited to, installation of amphibian exclusion fencing, trapping of GCN and other amphibians, placement of pitfall traps and artificial refugia along fence lines and release of captured GCN into a specified receptor site which will include the existing large pond and adjacent protected habitat.
58. In addition to mitigation, habitat enhancement and compensation measures are also proposed, including restoration of the large pond and another small pond on the site that is often dry and 100% shaded by dense vegetation, therefore unlikely to current support GCN. Specifically, this would include the removal and on-going control of invasive New Zealand pygmy weed. New hibernacula are also proposed close to the restored ponds, the enhancement of grassland habitat and scrub, planting of hedgerows, porous road surface with no manholes, open drains or steep kerbs and a 30 year habitat management plan.
59. The Courts⁹ have established that planning permission should ordinarily be granted save only in cases where a proposed development would either be likely to offend Article 12(1) or unlikely to be licensed pursuant to the derogation powers. The duty to have regard to the requirements of the Directive, as set out in Regulation 9(1), remains but the judgement establishes that there is no need to carry out a detailed assessment as to whether there would be a breach of Article 12(1) or whether derogation from that article would be permitted and a licence granted.
60. Nevertheless, I am still required to ensure that any potential harm to an EPS would be adequately mitigated and whether or not the proposed development is unlikely to be licensed. Bearing in mind the suggested mitigation measures I find that the proposal would not offend Article 12(1). I am satisfied that the mitigation hierarchy has been followed and that, subject to the securing of mitigation and compensation measures identified should the appeal be allowed, there would be no significant harm to the long-term conservation status of the GCN that are present.
61. Consequently, the proposal would not conflict with Policy S60 of the CLLP which, along with other things, seeks to protect, manage, enhance and extend the ecological network of habitats and species.

⁹ Morge v Hampshire County Council [2011] UKSC 2

Other Considerations

Housing land supply and affordable housing

62. The Council's most up to date published housing supply data for West Lindsey, taking into account the revised Framework changes to the Standard Method for assessing housing need, is as of February 2025, when the Council stated it had a 7.45 year supply. The latest HDT published in December 2024 identifies that Central Lincolnshire achieved 178% and therefore, in accordance with paragraph 78 (c) of the Framework, a 20% buffer may be required after 1 July 2026 when the Council confirmed the housing land supply position will be reassessed.
63. While the appellant agreed with this position at the hearing, it was claimed that the Council would urgently need to plan for this increase and questioned the delivery of the sites currently allocated for housing in Keelby and that very few dwellings that have been delivered in the settlement since the start of the CLLP period in 2018. The appellant's reference to the fact that the two neighbouring Councils of North Lincolnshire and North-East Lincolnshire are not delivering the required five year housing supply is not relevant, particularly since neither of these Council's form part of the Central Lincolnshire combined strategic area.
64. Appendix 1 of the CLLP lists the neighbourhood plan area of Keelby as delivering 2 dwellings between 2018 and 2021. However, two sites are allocated primarily for residential development in Keelby through Policy S80 of the CLLP, at Stallingborough Road and Church Road¹⁰. Evidence indicates the site at Stallingborough Road has planning permission for 80 dwellings¹¹ and it was confirmed by the Council at the hearing that the details relating to pre-commencement conditions on this permission had been approved. I also heard that the planning permission expires at the end of 2025, but the Council had been informed by the developer, Cyden Homes, development on the site would commence in July/August 2025. There is no compelling reason before me to doubt that this site would not be delivered within five years.
65. In terms of the Church Road allocation, this is for 100 dwellings and the Central Lincolnshire Five Year Housing Land Supply Report, published October 2024 (HLSR) indicates this site will only provide a contribution after five years (from 2029/30). I recognise that this site would only be likely to come forward at all once access through the Stallingborough Road site has been secured.
66. Even if that is the case, and that there have been very few dwelling completions in Keelby prior to 2023/2024, the HLSR indicates that past delivery of dwellings in West Lindsey has consistently exceeded the housing requirement since the start of the plan period in 2018. I note the HLSR records 3 dwellings under construction at end of March 2024¹² and others predicted to complete within five years. I was also told at the hearing by both parties that planning permission had recently been resolved to be granted for ten affordable dwellings on designated IOS off Riby Road, although I do not have any further details about this scheme or the timescales for delivery.
67. In any event, I am mindful that the appellant, in their appeal statement, agrees 'there is no conclusive evidence to disprove that Keelby's market housing

¹⁰ Ref: WL/KEE/001 and Ref: WL/KEE/003 respectively

¹¹ LPA Outline Ref: 140099 and Reserved Matters Ref: 147126

¹² LPA Refs: 133585, 143842 and 136726

requirement will not be delivered through the current development plan strategy' and I agree.

68. In terms of affordable housing, and in the absence of specific housing need data at parish level, the appellant submitted a Housing Needs Assessment¹³ as a desktop study based on housing register and supply data published nationally and locally. This identified an unmet need for 85 affordable homes in Keelby over a five-year period. Furthermore, even if the allocated sites delivered the policy compliant numbers of affordable housing units and the recent 10 dwelling scheme on Riby Road was implemented, the total amount would be well below the 129 units set out in the Keelby housing register information¹⁴. Any affordable units on the Church Road site would also not be delivered for a considerable time. This figure has not been disputed by the Council.
69. The proposal seeks to provide 20% affordable housing (7 affordable dwellings on-site and a financial contribution in lieu of the remaining 0.2 unit shortfall) in the form of 3no., 3-bedroom, semi-detached First Homes and 4no., 2-bedroom, terraced affordable rented homes. This would meet the provision required by Policy S22 (d) of the CLLP. The UU would secure the phased provision and tenure of the units, and the financial contribution. The Council acknowledge that the proposal could deliver much needed affordable housing, albeit no more than the policy requirement of 20%.
70. When asked about the delivery of the appeal proposal, the appellant confirmed this would be likely to be in the next two to three years. While the delivery of the affordable housing may be less certain as no details of a willing registered provider has been provided to me, there has clearly been a great deal of preparatory work in getting to this stage and it is reasonably likely that 36 dwellings could be delivered within five years. In view of the above, 7 affordable units would have the potential to make a positive contribution to addressing the shortfall in Keelby.
71. I note Policy S22 (a) of the CLLP seeks affordable housing only on sites of 10 or more dwellings or 0.5 hectares or more. However, Policy S4 of the CLLP limits housing development in large villages to, amongst other things, up to 10 dwellings, which is below the threshold required by Policy S22. Although this may limit some delivery of affordable units on small sites subject to Policy S4, it would not necessarily be the case that only by permitting proposals delivering more than 10 dwellings on such sites would there be any contribution towards affordable housing as suggested by the appellant. Indeed, the recent resolution to grant permission for 10 affordable dwellings off Riby Road, as referred to at the hearing, demonstrates there would be opportunities for unallocated sites to deliver affordable housing as an exception site.
72. Nevertheless, the proposed affordable housing provision in this appeal is a positive benefit of the scheme which would carry considerable weight in favour of the proposal.

Biodiversity Net Gain

73. Both parties agree that as the application was submitted before 12 February 2024, it is not subject to the statutory requirement for biodiversity net gain (BNG) and the

¹³ Housing Needs Assessment, Stage 1 Report, CNB Housing Insights, October 2023

¹⁴ Paragraph 6.35, Fig 2, appellant's appeal statement

general biodiversity gain condition would not be deemed to apply were permission to be granted. The Framework does, however, require proposals to minimise impacts on and provide net gains for biodiversity as set out in paragraph 187 (d) and the delivery of 10% measurable BNG is also a requirement of Policy S61 of the CLLP.

74. The appellant's Wold Ecology Ltd BNG Report, dated 11 January 2024, indicates the proposal would result in a 5.37 shortfall in biodiversity units. The Council's ecology adviser, Lincolnshire Wildlife Trust (LWT) advised the Council that a condition should be imposed on any planning permission to require compensation through off-site measures to mitigate for this biodiversity shortfall.
75. Following discussion at the hearing, it was apparent that the appellant submitted an updated BNG metric to the Council, dated 8 March 2024, using the Natural England 4.0 Biodiversity Metric. The Council read out an email at the hearing confirming that LWT received the updated BNG metric. However, no further response was provided by LWT. A copy of the updated BNG Metric and a timeline of correspondence was provided to me at my request after the hearing and confirmed as correct by the Council.
76. The updated BNG Metric shows an 11.22% net gain in Habitat Units and a 178.91% gain in Hedgerow Units and is not disputed by the Council. Thus, an overall net gain in biodiversity that, subject to appropriately worded conditions concerning implementation and long-term management in the event I allowed the appeal, would exceed the measurable gain required by Policy S61 of the CLLP. This would be a modest positive benefit to the scheme.

Other economic, social and environmental matters

77. The submitted UU sets out that part of the appeal site currently in use as allotment land would be offered to be transferred to the Parish Council or an appropriate local public body should they wish. This land would be offered without encumbrances, and in any event, would be retained as allotment land. The land is currently designated as Local Green Space in the CLLP which Policy S64 seeks to safeguard from development in accordance with paragraph 106 of the Framework.
78. Although offered protection from development by local policy and national guidance, the proposal would have the potential to secure the long-term protection of the currently privately-owned land as a community-owned allotment which the KNP identifies as much valued by allotment holders as a Registered Community Asset. In my view, any subsequent land transfer would meet the requirement within the relevant threshold for the provision of off-site open space set out in Appendix 3 of the CLLP and would be a considerable benefit of the proposal.
79. It is common ground that the appeal scheme would provide publicly accessible green infrastructure, including open space and restored and improved ponds. The provision of landscaping and public open space within the scheme is necessary to make the scheme acceptable in planning terms, but the open space would also plausibly be used by the wider population. I therefore give this benefit modest weight.
80. While the proposed dwellings would each be fitted with an EVC point as a requirement of The Building Regulations 2010, the proposal would also include four publicly accessible electric vehicle charging (EVC) bays at the entrance to the

site. This would facilitate the transition to net-zero carbon lifestyles envisaged by the Framework which would be of some positive benefit. However, the weight to be attached to the benefit would be limited given it is unclear from the information before me whether the facility would be regularly frequented. It would not be located close to services and facilities in the centre of the village. Rather, it would be close to existing properties in the area that largely include driveways where occupants could accommodate their own cars and charging points.

81. The proposed dwellings would help boost the Council's supply of homes through a mix of units in an accessible location immediately adjacent to the built up area of Keelby, which offers facilities and services, including a primary school, health centre, church, a few shops and other services as well as bus stops providing connections to larger centres. Siting development in sustainable locations is the fundamental thrust of national and local policy, but there is a tension between protecting the environment and delivering against local housing needs to ensure growth is appropriately managed. In these terms, I give limited positive weight to the site's sustainable location and the contribution the proposal would make to supporting the role and function of this large village.
82. There would be economic and social benefits associated with the proposal, including direct and induced employment and spend during construction as well as spending and support for local services by future occupiers. However, these have not been quantified in the evidence before me and would be likely to be modest on account of the overall scale of the development. Employment opportunities would further be largely temporary during construction, albeit not exclusively, and similar opportunities and benefits could be delivered elsewhere on sites that accord with the Council's spatial strategy. Overall, I give limited positive weight to these benefits.
83. The proposed development would be energy efficient and exceed Building Regulations minima standards in some areas of construction. Heating and hot water for all dwellings would be from air source heat pumps and there would be solar photovoltaic panels on three dwellings to minimise environmental impact and satisfy the requirement for renewable energy to meet the energy demand for the proposal required by Policies S6 and S7 of the CLLP. Although meeting the expectations of local policies in this regard, some measures go beyond the minimum requirement, to which I attribute limited weight in support of the scheme.

Other Matters

84. The appeal submission was accompanied by a scheme of archaeological evaluation consisting of a geophysical survey and targeted trenching. This followed recommendations in the written scheme of investigation for archaeological works submitted at the planning application stage. The written scheme identified that the site lay within the bounds of a medieval, post-medieval and early modern settlement. The investigations identified one probably quarry pit, sherds of pottery, ceramic building material, animal bone and a cobbled surface and concluded that while archaeological features are present on the site, the paucity of finds indicate it most likely lay in the agricultural land surrounding the settlement. In the event that the appeal was allowed, appropriately worded conditions could secure a further written scheme of investigation for archaeological work for additional site investigation and any necessary recording.

85. I have given careful consideration to written and oral representations about the proposal that have not been referred to in the Council's reason for refusal, some of which were discussed at the hearing, including in relation to flood risk, drainage and highway capacity and parking. The site lies within Flood Zone 1, at a low risk of flooding. However, the updated Flood Risk Assessment and Drainage Strategy¹⁵ (FRA) and the KNP identify the northern part of the site is at low to medium risk of pluvial flooding where water ponds on the low areas of the site, to a depth of up to 300mm where existing ground levels are approximately 18.10m above ordnance datum (AOD). The site is also located on a productive aquifer. It is proposed to construct dwellings on the site with minimum floor levels of 18.40m AOD and install other flood resistance measures to ensure that the proposal does not increase the risk of flooding within the site or elsewhere.
86. Following initial concerns from the Lead Local Flood Authority and Anglian Water (AW), infiltration tests were carried out at the site and the updated FRA reveals that soakaway would not be a suitable means of dealing with surface water drainage from the proposed development and there are no open watercourses or surface water sewers adjacent to the site. It is therefore proposed to attenuate surface water on site through use of permeable paving, water butts, the existing ponds on the site, and underground storage tanks. Verbal agreement has been obtained from AW to allow surface water to discharge to the foul sewer, provided it is at a maximum 1 litre per second discharge rate. Foul water from the development would also be discharged to the public sewer.
87. Neither the Council nor the Lead Local Flood Authority have objected to the proposed development on this basis. Given I have found the proposal to be unacceptable with regards to the main issue identified, there is no need for me to consider the implications of this matter further.
88. Policy 3 of the KNP has been referred to in the Council's first reason for refusal. As well as development proposals for house extensions, this policy concerns parking standards in new residential development. While mention is made in the Council's officer report and appeal statement to parking, and local residents have expressed concern about the impact of insufficient parking provision on the local highway network, there is no mention of parking in the decision notice. Decision notices should clearly articulate the reasons for refusal in order that unacceptable matters can be clearly understood.
89. I note the proposed 2-bedroom terraced dwellings would have one off-street parking space rather than the two required by Policy 3. However, every other proposed dwelling on the site would be provided with a detached garage and at least two drive spaces, there would be space for some on-street parking along the internal access road and occupants of the dwellings would be within walking distance of local services and facilities. In light of this and in the absence of any objection from the Highway Authority, I find sufficient parking would be provided for future occupants of the development and their visitors.
90. The proposal would result in the removal of Dawkins Barn, a building the appellant claims is unused and visually unappealing. However, this building and its associated hardstanding, whilst not in use at the time of my site visit, has a semi

¹⁵ Flood Risk Assessment and Outline Sustainable Drainage Strategy, Roy Lobley Consulting, updated February 2024

agricultural the appearance which is not at odds with or unacceptably harms the overall character of the area and its removal would not justify the proposal.

91. The appellant also draws my attention to the recent planning application on Riby Road referred to above with regards to the fact the site is also located on land designated as IOS. Oral evidence confirmed that the proposed residential development for ten dwellings on this site was resolved to be approved, subject to planning obligation, on the basis of a rural affordable housing exception site. In any event, I have determined the appeal before me exercising my planning judgement having regard to the specific merits of the proposal that is before me.

Planning Obligation

92. Paragraph 57 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) confirm that planning obligations must only be sought and be considered as a reason for granting planning permission where they are necessary to make the development acceptable in planning terms, directly related to development, and are fairly and reasonably related in scale and kind to the development. I have considered the submitted UU on this basis.
93. The UU contains obligations to provide 20% affordable housing as a mix of four affordable rented units, one shared ownership unit and two First Homes. This amount of affordable housing as part of the development is a requirement of Policy S22 of the CLLP. The UU also makes provision for a financial contribution in lieu of the 0.2 shortfall in the provision of an on-site affordable unit. The Council accepts that the UU would secure a mix of units that would address an identified need. There is no reason for me to disagree with the Council in these regards and I am satisfied the UU meets the necessary tests in relation to affordable housing.
94. The UU also contains an obligation for the ownership of the existing allotment land to be transferred to the Parish Council and/or a local public body without encumbrances. This reflects the requirement of Policy S51 of the CLLP for a development of the proposed scale to provide a contribution towards off-site allotment and outdoor public sports provision in accordance with the thresholds set out in the CLLP and the Central Developer Contributions Supplementary Planning Document, October 2023. I am therefore satisfied the obligation in this regard meets the necessary tests.

Planning Balance

95. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
96. The proposal would provide 36 new dwellings in a location with good access to services which would contribute to the overall supply and mix of housing in the District. It would also lead to a small and time-limited economic benefit during the construction phase, as well as some social and economic benefits resulting from future occupiers. The contribution of 7 affordable dwellings in Keelby is a benefit along with the potential transfer of private land used as community allotments to the Parish Council. These contributions and securing them through the UU provide considerable additional support to the appeal. These matters, when taken collectively, would attract significant weight.

97. The net gain in BNG and publicly accessible greenspace that would be created as a result of the proposal would also be of modest positive benefit as well as the benefit, albeit limited, through the provision of public EVC points and other energy efficient measures.
98. I have found the less than substantial harm to the setting of the listed buildings would be outweighed by the public benefits and that, whilst there would be some harm to the character and appearance of the area, it would not be significant in the context of 'appropriate development' or IOS. Subject to mitigation measures, there would be no harm to the long term conservation status of GCN.
99. Against this, I have found that the site would not be a suitable location for the proposed development with particular regard to the strategic policies of the development plan to manage and plan for the growth of new residential development. The Council's spatial strategy seeks a focussed approach to the provision of appropriate levels of growth in large villages. This attracts significant weight against the proposal.
100. I am aware of the Government's objective of significantly boosting the supply of homes and growing the economy, which are reflected in the recent changes to the Framework. However, the spatial strategy of the development plan is largely consistent with the provisions of the Framework which sets out the need to plan positively and set out a clear overall strategy for the pattern and scale of places for the provision of new homes. I am mindful there is nothing before me which demonstrates that the Council's housing land supply position cannot be met or that Paragraph 11(d) of the Framework is engaged.
101. Whilst there are considerations that weigh in favour of the proposed development, in my judgement, they are not sufficient to outweigh the harm I have found. The proposed development would therefore conflict with the development plan when taken as a whole, and material considerations do not indicate that the decision should be taken otherwise than in accordance with the development plan.

Conclusion

102. For the reasons given, I conclude that the appeal should be dismissed.

A Veevers

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Shemuel Sheikh	Barrister, Kings Chambers
Neil Boughey BA (Hons) Dip TP LLB Laws MRTPI	
Mike Joffe BSc DipLA CMLI	Executive Director, Acorn Planning Ltd
Rob Frith BSc (Hons) MRSB	Senior Landscape Architect, David Jarvis Assoc
Simon Coyne	Principal Ecologist, RDF Ecology
Steve Windass BSc (Hons) MSc (Eng) CEng FIHE MCIHT	CDC Architecture Ltd
Mark Strawbridge	Technical Director, Local Projects Ltd
Robin Evans	Heritage advisor
	Director, TR Property Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Russell Clarkson BA (Hons) DipTP MRTPI	Development Management Team
George Backovic BA (Hons) BTP MRTPI	Manager, West Lindsey DC
Chris Bradley	Development Management Team
Gregor Robertson Morris	Leader, West Lindsey DC
	Conservation Officer, West Lindsey DC
	Historic Environment Officer,
	Lincolnshire County Council

INTERESTED PARTIES:

Councillor Owen Bierley	Local Ward Councillor
Tony Bentham	Local resident and Parish Councillor
Susan Knight	Local resident
Patrick Wilks	Local resident
Sonia Lloyd	Local resident
Mr Knight	Local resident
Mr Wright	Local resident

Documents Submitted at the Hearing

1. Plan titled 'Keelby Assessment of Housing Land and Appropriate Location'
2. Extract of historic maps of part of the site (1944-1974) and (1887)

Documents Submitted after the Hearing

1. Email correspondence between the main party's legal teams in relation to the Unilateral Undertaking (UU)
2. Comments on the UU submitted prior to the hearing from the Council.
3. A completed and signed UU from the appellant.
4. Copy of the appellant's March 2024 Biodiversity Metric, a BNG timeline and email correspondence between the appellant and Lincolnshire Wildlife Trust.
5. Email from Council confirming appellant's BNG information accords with their records and is agreed.