

Guildhall Gainsborough
Lincolnshire DN21 2NA

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AGENDA

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

Planning Committee

Wednesday, 10th December, 2025 at 6.30 pm

Council Chamber - The Guildhall

Members:

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

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 - 6)

- i) Meeting of the Planning Committee held on Wednesday, 12 November 2025, previously circulated.

4. Declarations of Interest

Members may make any declarations of interest at this point but may also make them at any time during the course of the

meeting.

5. Update on Government/Local Changes in Planning Policy

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

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

6. Planning Applications for Determination

- i) WL/2025/00872 - The Hideaway Weldon Road (PAGES 7 - 22)
Hemswell
- ii) WL/2025/00960 - Oak Tree Meadows, Kettlethorpe (PAGES 23 - 42)
Road, Fenton, Lincoln, LN1 2ER
- iii) WL/2025/00850 - Norbeck Lane Welton (PAGES 43 - 80)
- iv) WL/2025/01017 - 5 Oxford Street Market Rasen, LN8 (PAGES 81 - 91)
3AL

7. Determination of Appeals (PAGES 92 - 98)

Paul Burkinshaw
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 2 December 2025

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 12 November 2025 commencing at 6.30 pm.

Present:

Councillor Ian Fleetwood (Chairman)
Councillor Jacob Flear (Vice-Chairman)
Councillor John Barrett
Councillor Matthew Boles
Councillor Karen Carless
Councillor David Dobbie
Councillor Peter Morris
Councillor Tom Smith

In Attendance:

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Russell Clarkson	Development Management Team Manager
Richard Green	Development Management Officer
Martha Rees	Legal Advisor
Molly Spencer	Democratic & Civic Officer

Apologies: Councillor Jim Snee

Also in Attendance: 10 Members of the Public

44 PUBLIC PARTICIPATION PERIOD

There was no public participation.

45 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, 15 October 2025, be confirmed and signed as an accurate record.

46 DECLARATIONS OF INTEREST

A non-pecuniary interest was declared by Councillor Dobbie as a former member of the Liberal Club on Trinity Street. Councillor Dobbie stated that he was familiar with the property and therefore considered it appropriate to declare an interest in relation to the application.

47 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Development Management Team Manager provided a brief update to the Committee. It was reported that the Planning and Infrastructure Bill had its third reading in the House of Lords, and speculation within the planning press suggested that Royal Assent could be

granted by the end of the November 2025. It was noted that many of the amendments tabled in the House of Lords were focused on nature restoration aspects proposed within the Bill.

The Committee was reminded that the Bill intended to empower Natural England to prepare a new type of plan, known as an Environmental Delivery Plan, which would set out strategic actions to address the impact of development on protected sites or species and support nature recovery beyond the current approach.

It was acknowledged that there remained considerable debate regarding the mechanisms for implementation, and the final version of the Bill was awaited.

On a local level, the Committee was advised that the Ingham Neighbourhood Plan was currently at consultation, which would conclude on 21 November 2025.

48 WL/2025/00865 - 17 GAINSBOROUGH SPORTS & SOCIAL CLUB TRINITY STREET, GAINSBOROUGH

The Officer confirmed that the Ward Members for the application were Councillor McGee and Councillor Young, and that they had been notified following the Chairman's briefing. The Officer then proceeded to present the application, which related to the former Sports and Social Club at 17 Trinity Street. The proposal before the Committee was for a change of use to a place of worship, with no external alterations.

The Officer explained that the site was located at the northern end of Trinity Street, to the south of the Tesco Superstore. It was reiterated that all proposed alterations were internal. Photographs of the building were displayed, showing its position on the eastern side of Trinity Street and its wider context.

Internal photographs provided by the applicant were also shown. It was noted that Lincolnshire County Council Archaeology had initially requested a historic building recording; however, upon reviewing the internal photographs, it was determined that no historic features remained, and the original comments were withdrawn.

Further photographs illustrated the internal layout and the surrounding area. The presentation concluded with images showing the site within its wider setting on Trinity Street.

The Chairman thanked the Officer for his presentation and with no registered speakers, opened the floor for discussion.

During the debate, it was noted that Councillor McGee, as Ward Member, had expressed full support for the application but was unable to attend due to illness.

Members acknowledged disappointment at the loss of another hospitality venue, observing that such closures were becoming increasingly common. It was commented that the property had been marketed for a considerable period without success and that the owners were relocating abroad, necessitating the sale.

Members agreed that the choice was between leaving the building vacant or allowing its use for a purpose considered beneficial to the community. Hope Church was recognised as a well-established organisation delivering positive contributions locally, and the application was supported on that basis.

Concerns were raised regarding parking provision. It was noted that although council owned car parks were available nearby, experience suggested that visitors were unlikely to use them, preferring to park on surrounding streets. Members acknowledged that this issue was difficult to resolve but wished to record the concern.

Further discussion took place regarding the historical significance of the building and whether a commemorative plaque should be installed. It was confirmed by the Officer that Lincolnshire County Council Archaeology had withdrawn its original comments following review of internal photographs, and the applicant had declined to include a plaque. It was considered that requiring a commemorative plaque would be desirable rather than necessary and therefore could not be justified as a planning condition. However, it was suggested that an informative note could be added to indicate the Committee's preference and that contact details for relevant organisations could be provided to the applicant.

Members also queried whether the premises licence would be removed. The Chairman clarified that licensing was not part of the planning process and that the licence would lapse once it expired, as the applicant was not expected to renew it.

The Legal Advisor clarified that alcohol licensing was a separate matter from planning. It was explained that the premises currently held a licence with nominated individuals assigned to it. The licence could either be maintained through the appropriate process or surrendered by the applicant if they did not wish to continue with the necessary paperwork.

With no further comments, 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:

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and documents: Proposed Floor Plans dated August 2025 and Block/Site Location Plans (showing the red line) dated August 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 of the Central Lincolnshire Local.

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

None.

49 DETERMINATION OF APPEALS

With no comments, questions or requirements for a vote the appeal decisions were **DULY NOTED**.

The meeting concluded at 6.48 pm.

Chairman

Site location plan WL/2025/00872



Officers Report

Planning Application No: WL/2025/00872

PROPOSAL: Planning application for change of use from residential to alternative educational provision with respite and the erection of a detached sensory room

LOCATION:

THE HIDEAWAY
12A WELDON ROAD
HEMSWELL
GAINSBOROUGH
DN21 5UG

WARD: HEMSWELL

WARD MEMBER(S): Cllr Howitt-Cowen

APPLICANT NAME: Illuminate Care Group

TARGET DECISION DATE: 23/10/2025 EoT 11/12/2025

CASE OFFICER: Vicky Maplethorpe

Recommended Decision: Grant permission subject to conditions

The application is referred to the planning committee for determination in line with the constitution as there are outstanding objections from the Parish Council and neighbouring residents on planning matters.

Site Description and Proposal:

The application site is located within Hemswell and is set back from Weldon Road. It is within the Conservation Area and located within an Area of Great Landscape Value. The site is surrounded by other residential dwellings to the north and east and open countryside to the east and south.

The proposal is for a change of use from a dwellinghouse (use class C3: Dwellinghouses) to an alternative educational provision for up to five young people who require a therapeutic learning environment, including the erection of a detached sensory room within the rear garden area (use class F.1 Learning and non-residential institutions).

Alternative provision settings are places that provide education for children who can't go to a mainstream school. In February 2025 the Department for Education published a substantive re-write of the Arranging Alternative Provision: A Guide for Local Authorities and Schools. Alternative provision is defined as *'education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by*

schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour’ (DfE February 2025).

Relevant Planning History

Reference	Proposal	Decision
120986	Planning Application to convert one area of flat roofing to pitched to match existing pitched roof	Granted time limit plus conditions
140636	Planning application for the removal of existing workshop and erection of 1no. bungalow - resubmission of 140123.	Granted time limit plus conditions 14/05/2020
141873	Request for confirmation of compliance with conditions 2, 6, 8, 9, 10 and 11 of planning permission 140636 granted 14 May 2020.	Condition discharged 29/10/2021
147774	Planning application to install 2no. velux roof windows to the rear elevation	Granted time limit plus conditions 08/03/2024
WL/2025/00581	Planning application for creation of 2no. additional external doors to the existing dwelling, alter fencing location on south side of building, and erect an outbuilding.	Grant with conditions 18/08/2025

Representations

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: Concerns raised:

‘1.2.1 Site Location. The planning statement refers to a private access to the site, whereas it is, and always has been a shared access with two other residential properties. Access to other properties in the immediate vicinity is not referenced in the Planning Statement. Company representatives at the PC meeting confirmed that two 7-seater vehicles would use the shared drive daily during school term times, with additional ‘trips out’ and use for respite visits/stays. Additionally, respite use would require staff or family vehicles to access the facility. The PC and residents believe the movement of vehicles to and from the property will exceed that of a typical family residence, contrary to the position given in the Planning Statement.

3.1.1. and 4.1.2 The Planning Statement refers to the ‘accessibility of services and facilities’. As has been stated by residents and the PC, Hemswell village has no ‘local services or facilities’ other than a children’s play area (pre-school/primary school age), therefore, trips to shops to support the teaching of life skills (cooking, etc.) will require transport by cars, not on foot as described by the company representatives

and not by public transport which is very limited to/from Hemswell Village. The PC and residents believe that references to accessible services and facilities within the Planning Statement are inaccurate and are not pertinent to the submitted change of use application.

4.1.2 The Planning Statement indicates the proposal will meet the existing need for alternative educational facilities in the local community. It is understood that children will be collected by car from Gainsborough, Lincoln and Nottinghamshire. The PC and residents believe it is misleading to suggest the facility is meeting a local need when no evidence has been provided by Illuminate Care Group to support this statement, and therefore does this statement is not pertinent to the change of use application.'

Local residents: 9 letters of objections received from The Old Chapel, 10a, 12 and 14 Weldon Road; Grooms Cottage, Bunkers Hill; Pear Tree House, Brook Street and Windy Ridge, Middle Street.

Objections summarised:

- Inadequate access and parking
- Illuminate Care Group, Foot Forward Property Investments and Money Stone Investments) are one entity operating under different company names.
- Hemswell is not a suitable location for 'disruptive' individuals.
- The village has no facilities and very limited bus services.
- Impact on heritage of the village.
- The nature of the respite care to be offered is extremely vague.
- Loss of privacy.
- Noise, disturbance and anti-social behaviour.

LCC Highways and Lead Local Flood Authority: The site already has permission for residential use and this will generate a comparable amount of trips. It is therefore not be possible to raise an objection to the proposals based on traffic impact, in accordance with the NPPF. There is no precise definition of "severe" with regards to NPPF Paragraph 116, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

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

LCC Archaeology: None received

Conservation Officer: None received

Date Checked: 11/11/25

Representations following reconsultation

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: None received

Local residents: None received

LCC Highways and Lead Local Flood Authority: None received

LCC Archaeology: None received

Conservation Officer: 'The change of use does not change the setting of the listed buildings, therefore, I have no objections to this application.'

Date Checked: 25/11/25

Relevant Planning Policies and Legislation:

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

Under s38(5) of the Planning & Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

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

S20 Resilient and Adaptable Design

S21 Flood Risk and Water Resources

S23 Meeting Accommodation Needs

S45 Strategic Infrastructure Requirements

S47 Accessibility and Transport

S49 Parking Provision

S53 Design and Amenity
S57 The Historic Environment
S60 Protecting Biodiversity and Geodiversity
S61 Biodiversity Opportunity and Delivering Measurable Net Gains

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

- ***Hemswell and Harpswell Neighbourhood Plan (NP)***

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

Relevant policies of the NP include:

Policy 6: Design Principles

Policy 7: Protecting Non-Designated Heritage Assets

Policy 9: Community Facilities

- ***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 225 states:

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

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

- National Planning Practice Guidance

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

- National Design Guide (2019)

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

- National Model Design Code (2021)

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

Other:

LB Legal Duty

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

CA Legal Duty

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Main Considerations:

- Principle of development
- Neighbouring/Residential amenity
- Highway safety and parking provision
- Heritage/Visual amenity
- Flood risk, Water efficiency and drainage
- Energy
- Ecology, biodiversity, and Net Gain
- 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 NPPF in paragraph 100 states '*It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. **Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:***

- a) **give great weight** to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and*
- b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*

Policy S45 of the Central Lincolnshire Local Plan states that '*Proposals for new or extended school facilities will be expected to relate well to the population that they are to serve, ensuring that they are easily accessible for all.*'

Policy 9 (2) of the Neighbourhood Plan states that "Development proposals which would improve... or expand the range of services and facilities for the local community will be supported".

The proposed school is an alternative educational provision for up to five young people who require a therapeutic learning environment for young people aged 11 to 16 years of age which will provide a specialist service for young people in Lincolnshire. During the school holidays the building will be used as a respite facility for a child and their family.

It is considered that the proposal to create a new educational facility and widen choice in education is therefore given great weight in planning policy and is supported in principle, subject to ensuring that it would "relate well" to the population it would serve.

Residential Amenity

Policy S53 of the Central Lincolnshire Local Plan states that all development must 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.

The Parish Council and local residents have raised concerns with regard to the use of the property and the impact this would have on nearby residents in terms of noise, disturbance, anti-social behaviour and overlooking.

Access to the site is via the existing shared drive off Weldon Road between number 10a and 14, which leads to a parking and turning area within the application site.

Open countryside bounds the property to the south. The residential gardens of 10, 10A and 14 adjoin the eastern boundary of the site. The dwellings themselves measure approx 20-40 metres from the boundary.

The garden of 24 Church Street adjoins both the north and western site boundaries. The house is located approx 10 metres from the boundary.

The Planning Statement details how the educational facility will be used:

'The daily routines and operational structure of the provision have been developed to reflect those of an ordinary household, ensuring that the comings and goings of staff and young people will not generate noise, traffic, air quality, or activity levels beyond what is normally expected in a residential setting. The educational use of the property will prioritise a calm, structured, and respectful interaction with the local community. Group sizes will remain small, and activities will be managed in a way that is consistent with the nature of the neighbourhood.'

The submitted Planning Statement details that up to 5 children (aged between 11-16) will be transported to the property in 2 vehicles with a maximum of 5 staff members present at the site during the daytime, between the hours of 9.30am and 2.30pm during term time. During school holidays the property will be used as a respite facility, which will operate with a maximum of 1 family at a time with an onsite carer.

It is considered that the hours and use are reasonable for vehicle movements and it is not dissimilar to vehicle movements associated with a dwelling to be coming/going at these hours.

The Planning Statement explains that *'the daily routines and operational structure of the provision have been developed to reflect those of an ordinary household, ensuring that the comings and goings of staff and young people will not generate noise, traffic, air quality, or activity levels beyond what is normally expected in a residential setting. The educational use of the property will prioritise a calm, structured, and respectful interaction with the local community. Group sizes will remain small, and activities will be managed in a way that is consistent with the nature of the neighbourhood.'*

The school will on occasion utilise the outdoor space and have play breaks where the children can play outside. However, the school is limited to five children and will only operate between the hours of 9.30am and 2.30pm.

It is considered that any increase in noise and nuisance would not be likely to be significant or result in having an unduly adverse impact upon the amenities which neighbours may reasonably expect to enjoy.

Conditions will be attached to any permission limiting the number of children and staff on site along with hours of operation.

It is understood that children will be brought to the site together, minimising vehicular movements throughout the day.

Given the number of comings and goings anticipated as detailed within the Planning Statement, along with the number of proposed occupiers, and the type of educational provision it is to provide, it is considered that the proposed use would be very similar to that of its use as a typical family home, and therefore the proposed use would not be considered an over-intensification of the site, nor excessive in nature.

Based upon the above assessment it is therefore considered that the proposal would not have an unacceptable harmful impact on the living conditions of neighbouring occupiers and would accord with Policy S53 of the CLLP, and the provisions of the NPPF.

Highway Safety and Car Parking

Local Plan Policy S47 and S49 requires well designed, safe and convenient access for all, and that appropriate vehicle parking provision is made for development users. Policy S49 states that all development apart from residential should incorporate a level of car parking that is suitable for the proposed development taking into account its location, its size and its proposed use, including the expected number of employees, customers or visitors.

Paragraph 114 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

It is stated within the supporting information that all pupils and staff will be transported to the site in two vehicles utilising the existing access and parking area.

LCC Highways have stated that the proposed use will have a comparable amount of trips as the existing use and therefore have no objections.

Overall, the proposed access, parking and turning arrangements are acceptable and the proposal is considered to accord with Policy S47 and S49 of the Central Lincolnshire Local Plan and the NPPF.

Heritage/Visual Impact

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

In the Listed Building section of Policy S57, it states that; Development proposals that affect the setting of a Listed Building will, in principle, be supported where they make a positive contribution to, or better reveal the significance of the Listed Building. Under Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 the local planning authority is required to have ‘special regard’ for the preservation of the setting of a listed building. The dwelling itself is not listed, but is within a conservation area.

Policy 7 of the NP states that ‘*The effect of a proposal on the significance of non-designated heritage assets, including their setting, will be taken into consideration when determining planning applications.*’

The application site is located within Hemswell Conservation Area and an Area of Great Landscape Value. All Saints Church, Grade II* is located 70m to the north of the site. There are also a number of buildings identified as important buildings within the conservation area including no.’s 14 and 14a Weldon Road to the east of the site. Policy 7 of the NP also identifies no. 12 Weldon Road as a Non-Designated Heritage Asset.

The site does not occupy a prominent position, being set back from Weldon Road and surrounded by other residential dwellings to the north and east.

The proposed sensory room is domestic in size and scale and replaces an existing shed. Any views of the proposed sensory room are mainly limited to those from

within the site. It has previously been deemed acceptable when planning permission was previously granted for a householder application.

The Conservation Officer has raised no objections.

It is therefore considered that the proposed change of use and sensory room will preserve the setting of the nearby Listed Buildings and conservation area and accords with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy S57 of the CLLP, and Policy 7 of the NP.

Drainage

The proposal is for the change of use of a dwelling to a children's education provision which is positively drained. The additional sensory room is small in scale and will tie into the existing drainage system. Therefore further information in regard to drainage is not required. It is therefore considered that the scheme would accord with Policy S21 of the Central Lincolnshire Local Plan.

Design for Efficient buildings

Policy S6 relates to the design expectation to enable more efficient buildings. It seeks design principles such as orientation, form, fabric, heat supply and renewable energy generation to be considered in the design of all new buildings.

In addition to this Policy S8 requires all new non-residential development proposals to include an energy statement which confirms that all development for non-residential buildings meet the following energy requirements:

1. Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as 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 70 kWh/m²/yr. No unit to have a total energy demand in excess of 90 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 building, with no deduction for renewable energy generated on site).

The Energy Statement must include details of assured performance arrangements. As a minimum, this will require:

- a) The submission of 'pre-built' estimates of energy performance; and
- b) Prior to each building being occupied, the submission of updated, accurate and verified 'as built' calculations of energy performance. Such a submission should also be provided to the first occupier (including a Non-Technical Summary of such estimates);

Policy S8 does however include an exceptional basis Clause for the policy requirements. Clause 1 is set out below:

Where, on an exceptional basis, points 1-2 cannot be met for technical (e.g. overshadowing) or other policy reasons (e.g. heritage) or other technical reason linked to the unique purpose of the building (e.g. a building that is, by the nature of its operation, an abnormally high user of energy), then the Energy Statement must demonstrate both why they cannot be met, and the degree to which each of points 1-2 are proposed to be met.

An energy statement has been submitted with the application which is summarised in the table and bullet points below:

Table 1 - Summary of fabric performance (as modelled)

Element	Construction (summary)	Representative U-value (W/m ² K)
External walls	Insulated timber frame	≈ 0.32
Roof	Insulated roof	≈ 0.26
Floor	Insulated suspended timber floor	≈ 0.20
Doors / glazing	Double-glazed doors/windows	≈ 2.66

These values are consistent with typical modern modular educational buildings and are used directly in the SBEM-based model

- The building is a small, single-room teaching space constructed as a compact modular unit with insulated timber frame, insulated roof and insulated suspended floor.
- A fabric-first approach has been adopted, supported by U-value and condensation risk calculations, and a reasonable airtightness target for the modular construction.
- Services are simple, all-electric and efficient, with:
 - Direct-acting electric heating with time and temperature control.
 - Instantaneous electric hot water.
 - LED lighting with appropriate controls.
 - Natural ventilation without mechanical cooling.
- The building has been assessed using the SBEM methodology via iSBEM for a non-domestic EPC, ensuring a recognised national method underpins the understanding of its energy use.
- The energy strategy focuses on demand reduction, efficient systems and compatibility with a decarbonising electricity grid, and is proportionate to the building's very small scale and intermittent educational use.

Although the building does not meet the full requirements of the policy when considering the nature, size and scale of the building, the energy demand and that it is to be used in association with an existing building it is considered reasonably justified. The classroom is also not capable of hosting solar panels; however, the main building does have solar panels installed.

It is because of the unique purpose of the building, the nature of its use that the development is considered to fall within exceptions clause 1 of Policy 8.

Ecology and Biodiversity Net Gain

The 10% BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10% This means a development will result in more or better-quality natural habitat than there was before development. There are some exemptions to this requirement, one of which is development proposals meeting with the de- minimis exemption, the NPPG details this as follows;

- the development must not impact on any onsite priority habitat; and
- if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow).

The proposed sensory room is replacing an existing shed on site. The additional area covered by the proposed sensory room is less than 25 square metres and as the proposal does not impact any onsite priority habitat it is considered that this proposal meets with the de-minimis definition and is exempt from being subject to the biodiversity net gain condition.

Policy 61 of the CLLP states '*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.*'

As part of the proposal a species Enhancement Plan has been submitted which shows the provision of a species rich lawn, bird box, hedgehog box and insect box within the garden area of the site.

The Ecology Officer has no objections to the proposal.

A condition will be attached to any permission to ensure the enhancements are implemented and retained.

Other matters:

Matters in relation to the applicants, their website and other companies associated with them are not material planning considerations.

This application considers only the land use planning implications in accordance with UK planning law and legislation.

Conclusion and reason for decision:

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, S20 Resilient and Adaptable Design S21 Flood Risk and Water Resources, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S53 Design and Amenity of the Central Lincolnshire Local Plan 2023 and policies 6: Design Principles, 7: Protecting Non-Designated Heritage Assets and 9: Community Facilities in the Hemswell and Harpswell Neighbourhood Plan. Furthermore, consideration has been given to guidance

contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code, as well as all other material considerations and representations received.

The application proposes an alternative education provision within the village. National policy (paragraph 100 of the NPPF) requires that the local planning authority gives great weight to the need to create, expand or alter early years, schools and post-16 facilities through decisions on applications.

The proposal is of a size and scale that will not harm the character and appearance of the street scene or countryside and will not have an unacceptable impact on the living conditions of neighbouring occupiers of the proposed school. Furthermore, the proposal will not have an unacceptable impact on the highway network or the setting of nearby listed buildings. It is considered that it would relate well to the population that it would serve.

Decision Level: Committee

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 shall be carried out in accordance with the following drawings and documents:
 - FF-213-14 dated Aug 25
 - FF-213-15 dated Aug 25
 - FF-213-16 dated Aug 25
 - FF-213-17 dated Aug 25
 - 509 01 dated November 1 2024
 - 509 02 dated November 1 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.

3. On site staffing numbers shall not exceed 5, as detailed in the submitted Planning Statement and the use shall only provide education provision for a maximum of 5 children at any one time.

Reason: In the interests of residential amenity and in accordance with the National Planning Policy Framework and policy S53 of the Central Lincolnshire Local Plan.

4. The ecological enhancements as shown on the submitted Enhancement Plan dated 16/11/2025 shall be implemented within 3 months of the building being brought into first use and retained in perpetuity thereafter.

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

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

5. The educational provision use hereby permitted shall not be open to pupils and staff outside the following times during school term time:

- Monday to Friday: 9:30 am to 14:30 pm.

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

6. The respite facility shall only be used outside of school term and will be limited to a maximum of 1 child occupant and their family and carer.

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

7. The buildings shown on Drawing No. FF-213-14 dated Aug 25 shall only be used as an 'Alternative Educational Provision' for young people aged 11 to 16 years of age and for no other use, including for any other purpose under use class F.1 Learning and non-residential institutions of the Town & Country Planning (Use Classes) Order 1987 (as amended) or its equivalent in any successive legislation, without having first obtained the planning permission of the local planning authority.

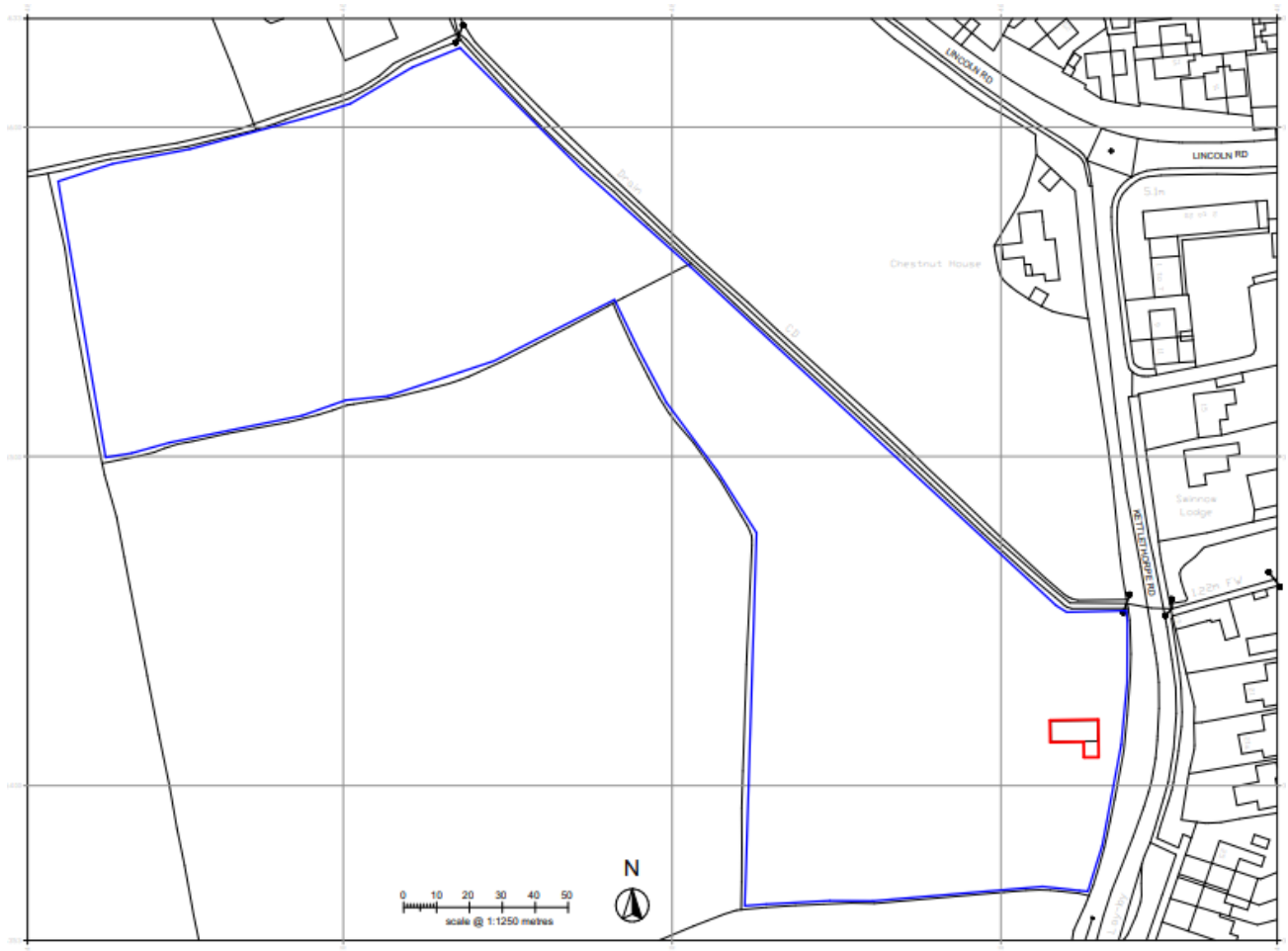
Reason: The application has been assessed and found to be acceptable in accordance with the National Planning Policy Framework and Policy S45 of the Central Lincolnshire Local Plan.

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/2025/00960

PROPOSAL: Planning application for rear extension to agricultural building.

LOCATION: OAK TREE MEADOWS KETTLETHORPE ROAD FENTON
LINCOLN LN1 2ER

WARD: Torksey (Cllr R A Pilgrim Ward Member)

APPLICANT NAME: Mr J Ranger

TARGET DECISION DATE: 12/12/2025

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

The application is referred to the planning committee for determination in line with the constitution as there are outstanding objections from the Parish Council and neighbouring residents on planning matters.

Description: The site is located in the open countryside to the west of Kettlethorpe Road and comprises an agricultural field given over to grass. There is an existing access into the field off Kettlethorpe Road. An agricultural building was given permission in 2022 (Application ref. 144120) and is located approximately 18 metres to the south west of the existing access and is surrounded by the wider field on all sides. There is a static caravan to the south of the aforementioned building.

The nearest boundary to the east is located approximately 8 metres away from the site. The eastern boundary has a mature native hedgerow upon if fronting Kettlethorpe Road. The nearest neighbouring dwelling (No.21a Kettlethorpe Road) is located approximately 42 metres to the east of the site. The site is within Flood Zone 3 (high probability).

The agricultural building given permission over 3 years ago under 144120 only, at the time of the officer's site visit, had breeze block walls erected, with the permission granting the following proposal:

'The building will be clad in steel box profile sheets in dark green with stained timber doors in dark oak colour. The building is single storey with a ridge height of approximately 4 metres, an eaves height of 3 metres, 14 metres in length and 6 metres in width. The north elevation will contain the main double doors and a personnel door and the south elevation will have a personnel door. The west and east elevations will have no openings. An area of hardstanding will be laid to the north of the building.'

It is proposed to erect a single storey extension to the aforementioned building off the southern elevation. The proposed extension would measure

approximately 5 metres by 4 metres and it is proposed it will have an eaves height of 3 metres and a ridge height of 3.8 metres. Materials would match the existing building as described above. The extension would house a maintenance area, W.C. and shower. The supporting statement states that *'the applicant lives in Peterborough which is over 65 miles away and there are no public conveniences available in Fenton for the applicant to use whilst attending the small holding.'*

Following representations from 3rd parties querying the intended use of the site, the agent for the application has also provided the following additional information in regards to the justification for the proposal:

'The agricultural building was granted Full Planning Approval ref: 144120 (not prior approval, so time limits for completion should not apply) and has been commenced within the 3yr times scale and works are ongoing to the original building. The works to the barn are mainly done over the summer months due to the applicant also being a boiler repair engineer, so the works are mainly completed in the 'off peak' season (summer months), the inclement weather also makes the summer months ideal and every year progress is being made with the build.

We are unsure why someone would state the land is not being used for agricultural purposes? The applicant is maintaining the land and erecting the building for use under the approved use class. He is registered to have sheep, goats and vegetables will also be cultivated on the site [the agent was asked for details of the registered small holding but this information was not forthcoming]. Like any agricultural enterprise the strategy will evolve over time. A caravan is on site at the moment and conversations have been had with the WLDC enforcement department confirming this is fine while building works are in progress and if a w/c was connected to the mains then planning approval would be required, this is the reason for the extension proposals to the building to provide a maintenance and w/c are for the agricultural enterprise because the main building will be used for the agricultural equipment/ stock and risk of cross contamination with a maintenance area and w/c would not be acceptable.

The applicant has only made an informal enquiry about a camping, which would be a private members club which would only allow up to a very small number of caravans/ tents. Please note this was only an informal enquiry to understand how diversification of agricultural land could potentially work in the future - this enquiry has no connection with the application to extend the agricultural building."

Relevant history:

144120 - Planning application for erection of agricultural building. Granted 06/07/2022.

143841 - Application for prior notification to erect agricultural storage building. Refused 29/10/2021 *'Based on our telephone conversation today and the information received via email on 29/10/21 I can confirm that as the agricultural holding is less than 5ha (7.5 acres) the proposal does not qualify as permitted development under Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), due to it not meeting the criteria set out in Class B - Agricultural development on units of less than 5 hectares.'* A planning application will be required.

Representations - In summary (full representations can be read on the Council website):

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

Fenton Parish Council: I have read Mr Rangers statement in which he says he needs a toilet and washing facilities. [FPC dispute this]. He has approached the Camping and Caravanning Club for permission to turn his field into a Certificated campsite. For which he requires somewhere to empty chemical toilets.

Why would he need an extension to the barn when he has a toilet and shower in the static caravan he has on site? And surely you would not give permission for this when it's been two years and no really progress has been made on finishing what's already there [FPC are concerned the applicant intends to live on the site full time]
.Myself and all the residents of Kettlethorpe Road are strongly opposing this.

I trust you do the right thing and make the right and only decision, deny permission.

Kettlethorpe Parish Council: We fully support all the comments made in objection to this planning application. The original planning application 144120 in 2022 was for an agricultural building. It was originally planned to be sited in the middle of the field, which is not a sensible site for an agricultural storage building. Intervention by WLDC Planning resulted in it being moved close to the boundary of the field.

The building has been started but, after three years is still incomplete, and there is no agricultural activity taking place on the property. In reply to a request for information about this, the Planning Consultants reply says "We are unsure why someone would state that the land is not being used for agricultural purposes" Having a grass field and letting it grow and die back does not constitute agriculture. There needs to be some production from the land in either crops or livestock for it to be classed as agricultural, otherwise it is just empty land, perhaps best described as accommodation land.

Connections to water and sewer were made in clandestine manner on a Bank Holiday weekend and with no apparent authority from Lincolnshire Highways or utility companies. The public highway was trenched to make these connections, and an inspection manhole cover was not replaced. Lincolnshire

County Council Highways and the utility companies were informed but, due to Kettlethorpe Parish Council's best efforts, surprisingly no action was taken by them at the time. The repair to the public highway eventually subsided to a pothole where the manhole should have been. This was reported to Lincolnshire County Council Highways who simply repaired the pothole. There is also still a hole in the grass verge adjacent to gateway to the property posing a danger to vehicles and pedestrians. In summer 2024 a touring caravan arrived, and was replaced by a static caravan in summer 2025.

Under local authority planning rules this is allowed for the finishing of the building, but there is no time limit on this. How long is this going to go on? This is a small building still unfinished after three years. It is not a new house build. Now a toilet and shower room has been applied for to add to an unfinished building when the static caravan provides these facilities. The applicant is playing the planning system. The letter of the law is being used, but the spirit of the law is being ignored, and a lack of moral rectitude is indicated.

The owner applied to the Caravan and Camping Club to establish a site for five touring caravans and possibly ten camping sites. The Caravan and Camping Club website states that site owners are expected to visit the site on a daily basis to ensure that the site is maintained to their standards. How is the applicant going to manage this when he lives sixty miles away? Will this be another justification for keeping a static caravan on site? The reply to a request for information about this says that "The applicant has only made an informal enquiry". Surely an informal enquiry should not result in letters being delivered to residents by The Caravan and Camping Club. This application has apparently been withdrawn, but could it reappear at a later date? The withdrawal indicates a speculative attempt to get caravans on site.

This site is situated in the parish of Kettlethorpe next to the boundary with Fenton and Torksey Lock, so it impinges on the residents of both parishes living in the vicinity of the site. The activities taking place and the lack of any agricultural activity on this site over the last three years have led to a lack of trust from local residents. In the face of this the applicant has made no attempt to communicate his intentions with local residents or the two Parish Councils, other than through WLDC Planning. Things are being done in a devious and underhand way, e.g. digging up the road on a bank holiday weekend, not finishing a small agricultural storage building over three years, and knowing that not finishing the building allows a static caravan to be kept on site with no official time limit. Could this be the stealthy use of the planning system to establish a caravan site on this land that would otherwise not get planning permission?

Local residents: No.3 Fenton Fields, No. 1, 19, 21, 21A(x2), 23, 25(x2), 27(x2), 29(x3) & Chestnut House (x3), Kettlethorpe Road, 7 Lincoln Road, 4 The Old Stackyard, the Studio, Maltkin Road, Fenton, The Old Rectory, Ivy Cottage, Kettlethorpe Lane, Kettlethorpe and No.1 Kettlethorpe Road & Sallie Bank House, Sallie Bank Lane, Laughterton: Object for the following reasons:

Static Caravan:

- In summer 2024, a touring caravan was placed on the site, later replaced by a static caravan in summer 2025.
- The applicant also maintains a static caravan on the land which has been in situ for several years. It appears to be intermittently occupied despite no permission for residential use.
- There is already static mobile home situated on the site, appears to have access to both water and sewage connections. It is unclear whether these connections are lawful or authorised.
- The mobile home will contain toilet and shower facilities so why would he need to build a permanent structure?

Agricultural Building granted under 144120:

- While local planning regulations may permit temporary accommodation for the purpose of completing a building, there appears to be no defined time limit [for the building given permission under 144120]. Given the modest scale of the building and the extended timeline, residents are understandably concerned about how long this situation will continue.
- While initial work on the structure [granted under 144120] has commenced, the building remains incomplete after three years, and there is no evidence agricultural activity taking place on the site.
- Since being granted permission for this 'barn' approximately three years ago, Mr Ranger has made little progress in the construction of the building, and has yet to show any signs of the land being used for agricultural means as originally stated in the application.
- There is no agriculture building, merely a token gesture of a building with no roof.
- No significant work has been done on this building for over two years.
- Why does he need an extension when he's barely even started on the original building.
- It appears to be a misconception that Mr Ranger travels frequently to the site to carry out 'work'. Any of the residents of Fenton would be able to tell you that this simply isn't true and that the mobile home is used by 'workers' virtually 24/7 and the rouse that he regularly travels from his 'home' in Peterborough is clearly false.

Agricultural Activity:

- There has been no activity of growing crops or raising livestock on the land during Mr Ranger's ownership, and the existing granted planning permission for an agricultural barn build has not been completed.
- The documentation suggests the applicant is registered for a small holding, to hold sheep, goats and use the land for agricultural purposes. I would ask where is the evidence of registration?
- The presence of unmanaged grassland alone does not constitute agricultural use. For land to be classified as agricultural, there should be demonstrable production; either through crop cultivation or livestock

rearing. In the absence of such activity, I think it is clear “why someone would state that the land is not being used for agricultural purposes.”

- The applicant resides approximately 65 miles away, which undermines the claim of an operational need to be present for tending animals or crops. The limited scale of activity observed does not justify permanent welfare facilities on site.
- I fail to see how adding a shower block and toilets can be deemed agricultural.
- Where is the evidence that Mr Ranger intends to run a bona fide smallholding? How do you run a smallholding whilst living 65 miles away? It is neither realistic or practical.

Camping and Caravan Club Site:

- The planning extension as described is not for the personal reasons declared, instead it is to establish a facility for Travelling campers as an ad hoc caravan & camping site and this application is to be the shower, toilet and waste disposal facility for that purpose.
- I believe the stated reason for the application was that Mr Ranger resides in Peterborough and he requires these facilities when he ‘visits the site to carry out work’. I believe this to be false and has more to do with the fact that he’s trying to get the land approved as a Caravan and Camping Club site to be used by their members.
- Over the past 2-3 years various caravans, tents and vehicles have been present at the site. Groups of adults and children appear to stay overnight for weeks at a time, particularly during the summer and school holidays. There must therefore have been washing and toilet facilities available in the caravans.
- Proposed camping - If as stated this was only an ‘informal enquiry’ then why do the letters state that the Camping and Caravan Club have received an application from Mr Ranger and give a proposed certified camp site no: 121/192.

Residential Use:

- The addition of toilet and hand washing facilities suggests a material change of use toward residential or semi-residential occupation.
- One of the first things put in place was to give the field an address and a post box for mail, when he lives 65 miles away, having no friends or relatives in the area to check this regular, as stated on his application. He then proceeds to put in place toilet facilities without consent, digging up the road which then needs to be repaired at the taxpayer expense.
- This application appears to be a disguised attempt to introduce residential facilities onto land designated for agricultural use, without genuine need or proper planning justification.
- Allowing this application would set an undesirable precedent for the gradual conversion of agricultural land into residential use by incremental additions, first a caravan, then plumbing, then partial domestic occupation.

Other Matters Raised:

- Against Central Lincolnshire Local Plan policies.
- There are also concerns regarding the installation of water and sewer connections. These appear to have been carried out without visible authorisation from Lincolnshire Highways or relevant utility providers. Notably, the public highway was closed and excavated during a Bank Holiday weekend, preventing residents from accessing nearby villages.
- The landowner has illegally dug up the road and installed drainage into a main sewer without permission or authority and subsequently does not fill in the resultant hole causing danger and hazard to vehicles and local children adults people driving vehicles.
- There is also a letter informing residents that they are being hostile to the applicant. I would refute this, I have lived in this village since 1989, there has been numerous new builds in this time, the residents are not against a new development in the village when the process is followed appropriately.
- Development within Flood Zone 3 without FRA, Sequential or Exception Test (contrary to NPPF).
- On the flood risk assessment [FRA], Mr Ranger or his agent used the word 'domestic use', which is contradictory to what he said he initially bought the land for [and amended FRA has been submitted].
- This field and the surrounding land was badly flooded during the winter of 2024 and the flood water remained for many weeks.
- Potential harm to protected trees and ecological assets.
- Adverse landscape and visual impacts.
- Conflict with overhead power infrastructure.
- Inconsistency with SHLAA evidence deeming the wider site unsuitable for development.
- The whole area now looks unsightly with rubbish and cars just left on it, and the hard standing which he put in without permission for a mobile home.
- During this time period, noise from amplified music and the use of quad bikes has disturbed residents of Fenton on Kettlethorpe Road and Lincoln Road.
- What is the environmental impact on this latest proposal? Has an ecological/wildlife survey been carried out on this land?
- Great Crested Newts on the site.

LCC Highways and Lead Local Flood Authority: The proposal will not affect the public highway. 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 and therefore does not wish to object to this planning application.

Environment Agency: The proposal can be classified as a 'minor development' in relation to flood risk and does not appear to fit any other

criteria on our consultation checklist.

Archaeology: No archaeological input required.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023) and the Lincolnshire Minerals and Waste Plan (The Core Strategy & Development Management policies (CSDMP) adopted in June 2016).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S5: Development in the Countryside

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S60: Protecting Biodiversity and Geodiversity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

Policy S67: Best and Most Versatile Agricultural Land

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

Lincolnshire Minerals and Waste Plan:

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan.

The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies. The Site Locations were adopted in December 2017. The site is not within an allocated Minerals Site or Waste Site/Area.

[Minerals and waste local plan - Core strategy and development management policies – Lincolnshire County Council](#)

Draft Minerals and Waste Local Plan (DMWLP):

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

The Draft Plan has not been adopted as yet but once adopted will cover the period to 2041.

The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources

The draft plan would have some limited weight in the decision-making process in accordance with Paragraph 49 of the NPPF.

[Minerals and waste – Updating the minerals and waste local plan - Lincolnshire County Council](#)

Neighbourhood Plan:

No plan currently being prepared.

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.

[National Planning Policy Framework](#)

- **National Planning Practice Guidance**

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

- **National Design Guide (2019)**

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

- **National Design Code (2021)**

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

Main Issues:

- Principle of Development
- Residential Amenity
- Visual Impact
- Highways
- Flood Risk
- Minerals and Waste
- Comments on energy efficiency and biodiversity net gain policies
- Agricultural Land
- Great Crested Newts
- Tree Preservation Orders (TPO's) and Hedgerows

Assessment:

Principle of Development

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

The site already benefits from an implemented planning permission to erect an agricultural building, which has been partially built. Planning permission is only being sought to extend the building with a 5m x 4m extension to house a 'maintenance area, w.c. and shower'.

The site is located in the open countryside to the west of Kettlethorpe Road, Fenton and comprises an agricultural field given over to grass. An agricultural building was given permission (application 144120) in July 2022 and has been partially built. It is located approximately 18 metres to the south west of the existing access off Kettlethorpe Road. As of the case officer's site visit [October 2025] only breeze block walls have been erected.

It is now proposed to erect a single storey extension to the aforementioned building, off its southern elevation. The extension is proposed to house a maintenance area, W.C. and shower and the application states it will be used by the applicant to maintain the surrounding agricultural land. The submitted supporting statement states that *'the applicant intends to use the main agricultural building to store machinery, equipment, seeds & fertiliser necessary for the use on the smallholding. The proposals consist of an extension to the existing building to create a maintenance area with a wc and shower facility to enable the applicant to be able to use a toilet and wash facilities as required after working the land. Machinery and equipment will also be repaired/ maintained in the Maintenance area.'* The land is not subject to any site-specific policy or allocation and is considered to be 'countryside' for planning purposes.

Policy S5 (Part G - Agricultural, forestry, horticultural or other rural land-based development) of the Central Lincolnshire Local Plan states that where permission is required, development proposals for buildings required for agriculture or other rural land based development purposes will be supported where:

- a) It is demonstrated that there is a functional need for the building which cannot be met by an existing, or recently disposed of, building;*
- b) the building is of a scale that is proportionate to the proposed functional need;*
- c) the building is designed specifically to meet the functional need identified;*
- d) the site is well related to existing buildings in terms of both physical and functional location, design and does not introduce isolated structures away from existing buildings; and*
- e) significant earthworks are not required, and there will be no harm to natural drainage and will not result in pollution of soils, water or air.*

The application seeks a modest 5m x 4m extension to the as yet partially completed building to provide on site facilities, intended for the applicants own use whilst working the land.

A number of 3rd parties have questioned the need for toilet facilities as these are currently available within the static caravan which is on the site. However, it is considered that the static caravan is only permitted as a temporary building, by virtue of the provisions of the General Permitted Development Order 2015 (Schedule 2, Part 4, Class A). This allows temporary buildings "for the duration

of operations being carried out" and with the condition that they are removed when the operations are completed.

Consequently the applicant does not have permission to retain the caravan on site after the building is completed, and providing permanent toilet facilities on site can be justified in this regard.

Third parties have also questioned whether the site's use is for agricultural purposes. They state that the building and site have not been used for agricultural purposes. They are also concerned about the applicant's intentions for the site. Some raise concerns that the applicant is seeking to make it his permanent residence. The site does not have planning permission to be used for residential purposes. The application under consideration is for an extension to an agricultural building only and if it is minded to grant permission an appropriate condition will be attached to the decision notice which states that the extended building shall be used for agricultural purposes only.

Others are concerned that the applicant intends to use the site for camping and caravanning. Third parties have provided a copy of a Camping and Caravan Club letter they have received dated 18 September 2025 which states that a proposed certified campsite site (No. 121/192) has been applied for on the field subject of this application. The letter seeks local residents views within 28 days of the aforementioned date.

Under the General Permitted Development Order 2015 (As Amended), Schedule 2, Part 5, Class C the use of land by members of certain recreational organisations (including the Camping and Caravan Club) is permitted. A camping or touring caravan exemption certificate allows a recreational organisation (including the Camping and Caravan Club) to camp or caravan on land without a site licence or the need to apply for planning permission. Such certified sites are allowed to accommodate up to five caravans and/or motorhomes at any one time and up to ten tents for a maximum of 28 consecutive days at any one time.

This has been raised with the applicant who states that:

"The applicant has only made an informal enquiry about a camping, which would be a private members club which would only allow up to a very small number of caravans/ tents. Please note this was only an informal enquiry to understand how diversification of agricultural land could potentially work in the future - this enquiry has no connection with the application to extend the agricultural building."

This matter has therefore been raised directly with the Camping and Caravanning Club who have advised that they *"do not propose to pursue an application for a Certificated Site at this address and therefore no certificate will be issued in this instance."*

In the absence of a certificate, the site would not benefit from permitted development rights under Part 5, Class C (use of land by members of certain recreational organisations).

It should also be noted that Under the General Permitted Development Order 2015 (As Amended), Schedule 2, Part 4, Class BC the use of any land as a recreational campsite for not more than 60 days in any calendar year for not more than 60 campsite pitches is permitted development. However, this site is located within Flood Zone 3 and therefore the applicant would first have to apply to the Local Planning Authority for its prior approval each year, and provide a site-specific flood risk assessment. In such an event, Environment Agency would need to be consulted.

It does not appear that the application site benefits from permitted development to be used as a campsite, without first obtaining planning permission; or, if a temporary campsite, without first obtaining the prior approval of the local planning authority.

The application under consideration is for an extension to an agricultural building only and if it is minded to grant permission an appropriate condition will be attached to the decision notice which states that the extended building shall be used for agricultural purposes only.

Section 336 of the Town and Country Planning Act 1990 provides the following definition of agriculture:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

On the Officer's Site Visit (October 2025) it was witnessed that on the land there was the aforementioned partially completed building given permission under application 144120, a static caravan, a wooden shed, a sports utility vehicle, a tent by the mature hedgerow bordering Kettlethorpe Road, and a post box and sign for 'Oak Tree Meadows' on the metal entrance gate with Kettlethorpe Road. The surrounding field was given over to grass and there appeared to be no sign of livestock or arable farming taking place.

The following questions were put to the agent for the application on the 08/10/2025 with the following responses in italics received:

- When does your client intend to complete the agricultural building given permission under 144120?

'The agricultural building was granted Full Planning Approval ref: 144120 (not prior approval, so time limits for completion should not apply) and has been commenced within the 3yr times scale and works are ongoing to the original building. The works to the barn are mainly done over the summer months due to the applicant also being a boiler repair engineer, so the works are mainly completed in the 'off peak' season (summer months), the inclement weather also makes the summer months ideal and every year progress is being made with the build.'

- It has also been brought to my attention that the field the building sits upon granted under 144120 has not been used for the purposes of agriculture since the permission was granted on the 06/07/2022. Can you please clarify this and how will the proposed extension to a half built building be necessary for the purposes of agriculture?

'We are unsure why someone would state the land is not being used for agricultural purposes? The applicant is maintaining the land and erecting the building for use under the approved use class. He is registered to have sheep, goats and vegetables will also be cultivated on the site. Like any agricultural enterprise the strategy will evolve over time. A caravan is on site at the moment and conversations have been had with the WLDC enforcement department confirming this is fine while building works are in progress and if a wc was connected to the mains then planning approval would be required, this is the reason for the extension proposals to the building to provide a maintenance and wc are for the agricultural enterprise because the main building will be used for the agricultural equipment/ stock and risk of cross contamination with a maintenance area and wc would not be acceptable.'

A further email was sent to the agent for the application on the 13/10/2025 asking for details of the registered small holding as the statements above from the agent state *'He [the applicant] is registered to have sheep, goats and vegetables will also be cultivated on the site.'* The agent for the application responded *'Please confirm why this is relevant to the planning application for the extension? The use class of the building and land will be as per the original planning approval.'*

After considering all the evidence it is considered that on a balance of probabilities there is a functional need for the proposed minor extension to an existing agricultural building (as it will provide a toilet and wash facilities for the applicant after working the land and a maintenance area for equipment) which cannot be met by an existing building and that the proposed extension is modest in scale which will meet the functional need and relate well to the existing building. However if it is minded to grant permission a condition will be attached to the decision notice which states that the extended building shall be used for agricultural purposes only. The proposal meets the above criteria to Policy S5 Part G of the Central Lincolnshire Local Plan.

The principle of development can therefore be supported as the proposed extension to an existing agricultural building is needed for the maintenance of

the surrounding agricultural land in accordance with the NPPF and Policy S5 of the Central Lincolnshire Local Plan.

Residential Amenity

Policy S53 of the Central Lincolnshire Local Plan requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

The nearest neighbouring dwelling (No.21a Kettlethorpe Road) is located approximately 42 metres to the east of the proposed extended building and there is good screening between the site and this neighbouring dwelling in the form of a mature native hedgerow on the eastern boundary of the site. Given the small scale nature of the proposed extension to an existing agricultural building and the separation to neighbouring properties, there are no anticipated residential amenity concerns with the proposal.

It is therefore considered that the proposal as will not harm the residential amenity of neighbouring occupiers in compliance with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Visual Impact

Local Plan Policy S53 states that all development *‘must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.’* Development must *‘relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area’*. It further states that development should *‘contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness’*, and should *‘be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.’* In addition, development must *‘achieve a density not only appropriate for its context but also taking into account its accessibility.’*

It is proposed to erect a small single storey extension to an existing agricultural building in materials to match which will be screened from Kettlethorpe Road, Fenton by an existing mature hedgerow.

It is therefore considered that the proposal will not harm the character and appearance of the locality including the street-scene and countryside with the proposal complying with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Highways

The proposal is for a small extension to an existing agricultural building utilising an existing access off Kettlethorpe Road, Fenton. There are no highways issues with the proposal with Lincolnshire County Council Highways having no objection to the proposal.

Flood Risk

The site is located within Flood Zone 3. Land and buildings used for agriculture and forestry are classed as 'less vulnerable' to flood risk. The proposed extension to an agricultural building is therefore an appropriate form of development within Flood Zone 3.

The whole of the site is located within Flood Zone 3 and there is no other location at lower risk of flooding to locate the proposed extension to an existing agricultural building which is a less vulnerable use. This accords with the sequential approach advocated in the NPPF (paragraph 181) that *"within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location."*

However, the applicant has provided a Flood Risk Assessment (FRA) which states that floor levels will be set no lower than existing levels and electrical sockets will be raised above the finished floor levels. If it is minded to grant permission the FRA will be conditioned.

Minerals and Waste

The application site is within a Mineral Safeguarding Area (MSA). Policy M11 of the Core Strategy & Development Management policies (CSDMP 2016) therefore applies. A minerals assessment has been submitted and it is concluded that no sand and gravel extraction companies would be interested in extracting from this site for the following reasons:

- a) The site is too close to existing dwellings and the noise, dust and vibration nuisance would be too great.
- b) The owner of the land would not be willing to make the land available for mineral extraction.
- c) In the view of the above it is highly unlikely that planning permission would be granted for this use in this location.

It is considered that the development is of a minor nature (an extension to an existing building of only 20m²) which would have a negligible impact with respect to sterilising the mineral resource.

Comments on energy efficiency and biodiversity net gain policies:

The proposed extension has a footprint of 5 metres by 4 metres (20 square metres) and is therefore exempt from the requirement to provide a biodiversity net gain which has a de minimis threshold of 25 square metres.

Given the size and scale of the proposal it is not considered reasonable to request an energy statement.

However, Policy S13 encourages the improvement of energy efficiency as stated below:

‘For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).’

Therefore, if it is minded to grant permission an informative will be added to the decision notice encouraging the applicant to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

Agricultural Land

Policy S67 seeks to protect the best and most versatile agricultural land. The High-Level Natural England maps indicate the site is in Agricultural Land Classification (ALC) 3 (see below) – Good to moderate.

There are no known other available sites of poorer agricultural quality which could serve Fenton. The proposal is also small in scale at 20 square metres and will not sterilise the future use of the rest of the field for agricultural use.

Great Crested Newts

Two residents have provided photographs of newts which they state are Great Crested Newts found on the application site with one respondent stating that a naturalist has identified the newts as Great Crested Newts. The respondent was asked for proof of where the Newts were found and clarification on the name and qualification of the Ecologist/Naturalist the respondent mentioned. These details were not forthcoming.

There are no identified records of Great Crested Newts within the field subject of this application according to the National Biodiversity Network Atlas. The proposed extension to an existing building only measures 20 square metres in size and is located within a large agricultural field. It is considered that the proposal will have a low to negligible impact on Great Crested Newts even if they are present on the site as the proposal is small in scale and the construction will only cause a temporary disturbance and will not affect or be in close proximity to surrounding field ditches and other water bodies. However, a note to the applicant will be attached to the decision notice if it is minded to grant permission stating *‘If Great Crested Newts are found, contact Natural England or a qualified ecologist for advice. It is illegal to move Great Crested Newts without a licence.’*

This matter was also not considered or previously raised as part of planning permission 144120.

Tree Preservation Orders (TPO's) and Hedgerows

There are several trees on the wider field boundaries (the western and southern boundaries) subject of TPO's the closest of which is located approximately 71 metres to the south west of the site. The closest hedgerow

is located approximately 7.5 metres to the east. It is considered that the small extension proposed will not affect the aforementioned trees and hedgerows.

Conclusion and reasons for decision:

The decision has been considered against Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S5: Development in the Countryside, Policy S13: Reducing Energy Consumption in Existing Buildings, Policy S21: Flood Risk and Water Resources, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S60: Protecting Biodiversity and Geodiversity, Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains and Policy S67: Best and Most Versatile Agricultural Land of the Central Lincolnshire Local Plan and guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

The proposal is for an agricultural use (an extension to an existing agricultural building) which is considered acceptable in this open countryside location. The proposal will not have a harmful impact on the living conditions of neighbouring dwellings or be harmful to the visual amenity of the surrounding countryside or street scene.

RECOMMENDATION- Grant planning permission with the following conditions:

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and documents: D02 Rev PL1 dated 02/09/2025 (Site Location (Red Line) and Proposed Block Plan) and D01 Rev PL1 dated 02/09/2025 (Proposed Floor Plans and Elevations). 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.

3. The materials used in the development shall match those stated on the application form and drawing No. D01 Rev PL1 dated 02/09/2025 (Proposed Floor Plans and Elevations). For the avoidance of doubt the external walls and roof shall be clad in steel box profile sheets in dark green to match the existing agricultural building granted under planning permission 144120.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

4. The development shall be carried out in accordance with the mitigation measures outlined in the submitted Flood Risk Assessment received 5 November 2025.

Reason: To reduce the risk and impact of flooding on the approved development and its occupants in accordance with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local.

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

5. The extended building shall be used for purposes incidental to the agricultural use of the site only.

Reason: To establish the scope of the permission and in the interests of safeguarding the character and amenity of the area to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

Notes to the Applicant

Planning Permission 144120:

The following condition attached to the decision notice for planning permission 144120 must still be adhered to and discharged:

'4. Prior to the agricultural storage building first being used details of the access shown on Drawing No. AP038777 (Amended Site Location/Block Plan) received 01/07/2022, the proposed hardstanding and details of the access track shall be submitted and agreed in writing with the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details and retained as such thereafter (see notes to the applicant).'

Reason: *In the interests of safety of the users of the public highway and the safety of the users of the site and in terms of visual amenity of the locality to*

accord with the National Planning Policy Framework and Policy LP13, LP17 and LP26 of the Central Lincolnshire Local Plan.'

Highways

In regards to Condition No.4 [of planning permission 144120] please contact the Head of Highways - on 01522 782070 for specification and construction information in regards to the proposed access.

Great Crested Newts

If Great Crested Newts are found, contact Natural England or a qualified ecologist for advice. It is illegal to move Great Crested Newts without a licence.

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.

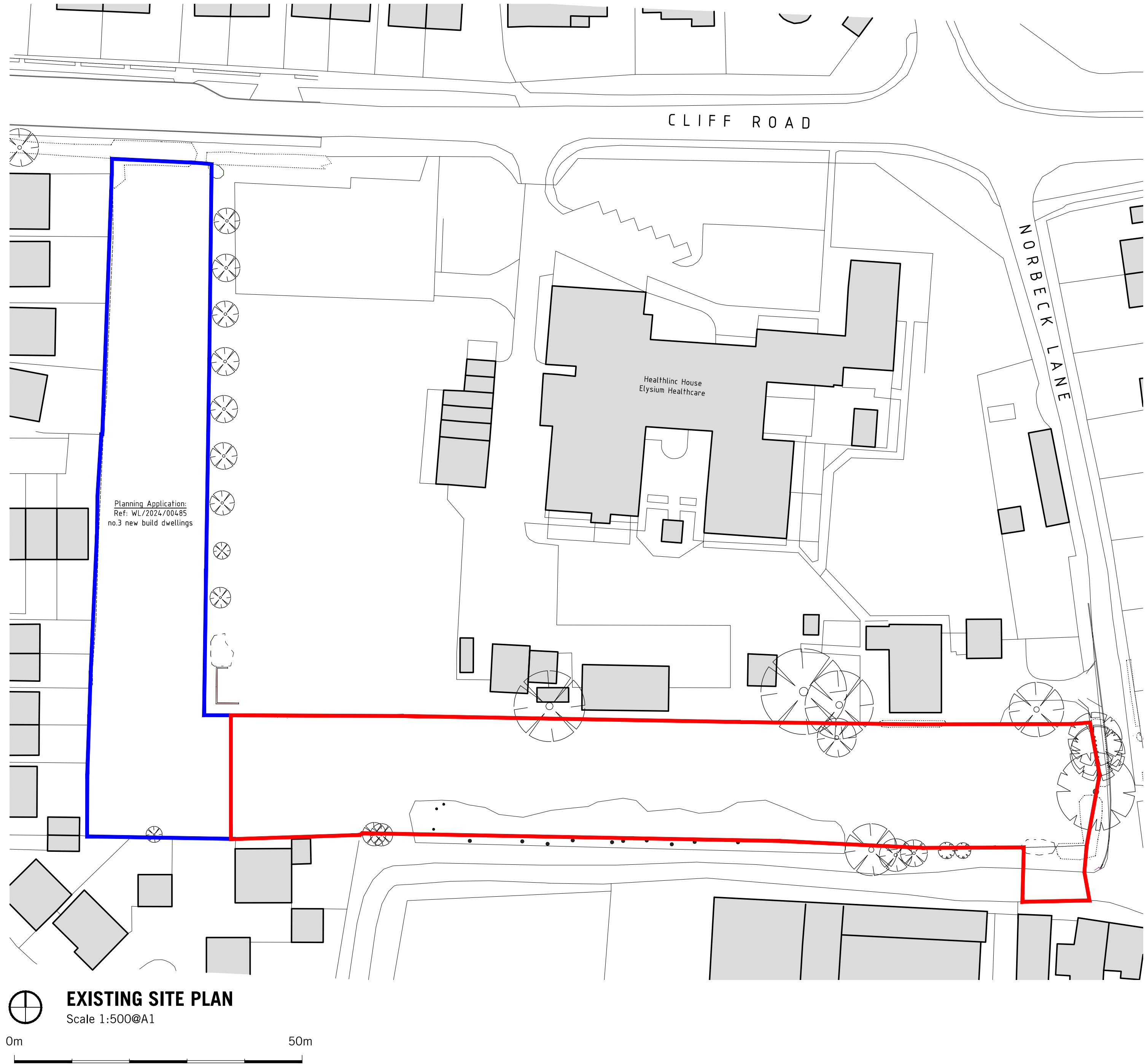
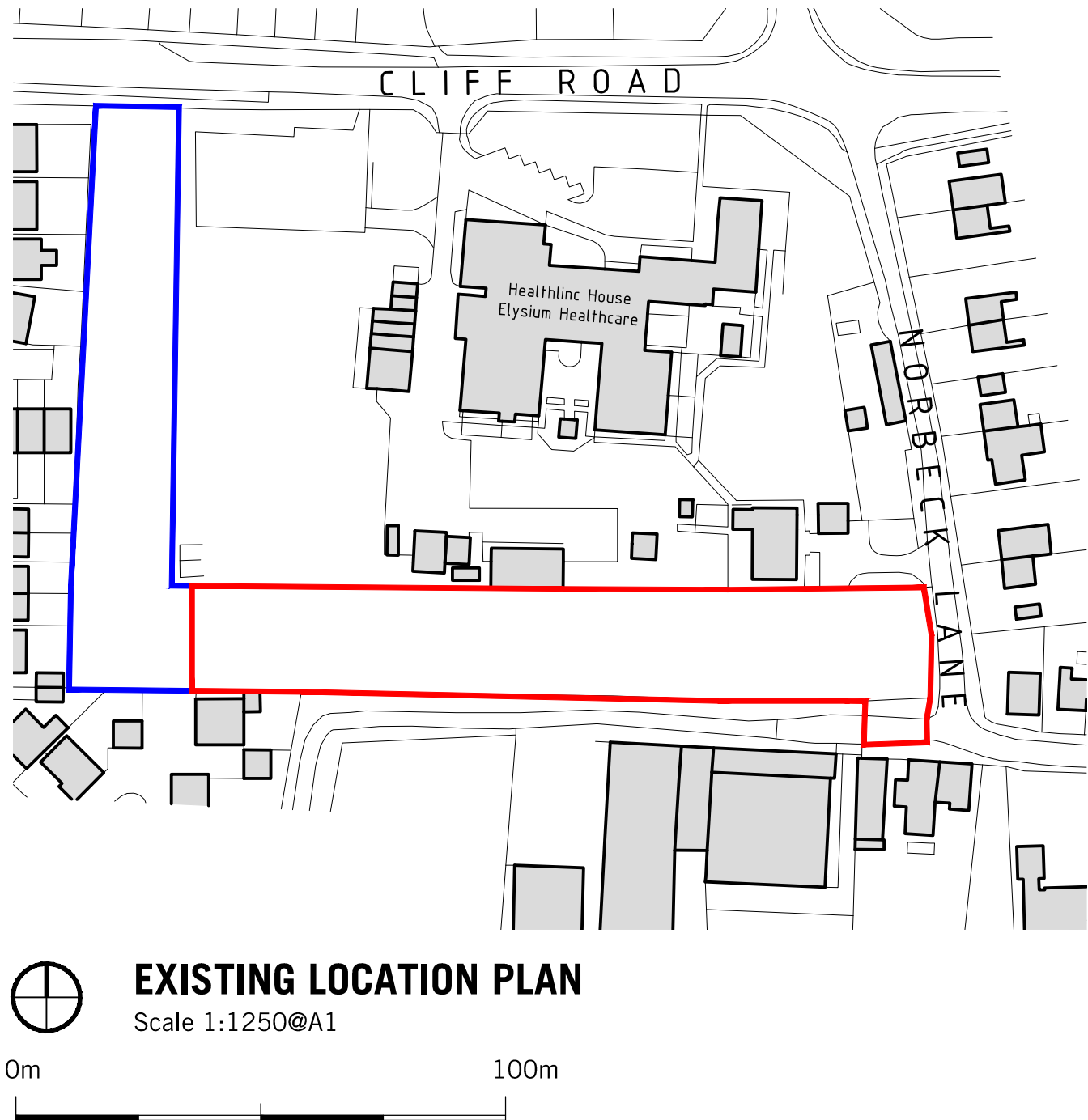
Legal Implications:

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

REV:	DRAWN:	DETAILS:	DATE:
v01	DS	Scale bar added for validation.	August 2025
v02	DS	Revised red line boundary.	September 2025
v03	DS	Revised buildings within neighboring sites.	October 2025

GENERAL NOTES
This drawing is to be read in conjunction with all relevant Architects, Engineers and specialists drawings as relevant and as noted.

All figured dimensions are to be checked on site as relevant prior to construction or fabrication. Do not scale from this or any other ID Architecture drawing. Any dimensional anomalies are to be brought to the attention of ID Architecture.



id architecture

TITLE: Existing Site and Location Plan
CLIENT: Mr Willson
PROJECT: Residential Development
LOCATION: Norbeck Lane, Welfton, LN2 3JN
DRAWN BY: DS
CHECKED BY: AI
SCALE: As Noted
SIZE: A1
DATE: © February 2025
STAGE: Survey

DRG NO: **24019/001**
REV: **v03**

T: 01472 361490 E: info@idarchitecture.co.uk W: idarchitecture.co.uk
Business Hive | 13 Dudley St. | Grimsby | North East Lincolnshire | DN31 2AW



Officers Report

Planning Application No: WL/2025/00850

PROPOSAL: Planning application to erect 3no. custom self build dwellings including creation of a new vehicle and pedestrian access, ecological enhancements, and other associated site works.

LOCATION: Land To The West Of, Norbeck Lane, Welton, Lincoln, LN2 3JP

WARD: DUNHOLME AND WELTON

WARD MEMBER(S): Cllr P Swift, Cllr D Rodgers and Cllr S Hague

APPLICANT NAME: B Wilson

TARGET DECISION DATE: 15/10/2025 Extension of time agreed until 11/12/2025.

CASE OFFICER: Joanne Sizer

Recommended Decision: Grant permission subject to conditions.

This application has been referred to the planning committee following the request of a Ward Member and objections by Welton-by-Lincoln Parish Council and neighbouring residents in regard to a number of planning matters including the adequacy of the site access and design grounds.

Site Description: The site is located within Welton (a category 4 'large village' in the Local Plan).

The site is within the developed footprint of the village, and is accessed off Norbeck Lane, on the western part of the settlement.

The site consists of a strip of grassed land which shares its north boundary with Healthlinc House, a care facility for people with learning disabilities and autism, mental health, physical disabilities and sensory impairments. There is also land allocated as important open space (IOS) in the Local Plan.

To the south sits a lane which runs west from Norbeck Lane and beyond this a Livery yard/stables and 23 Norbeck Lane. The south west aspect of the site adjoins No 23 Saxon Close.

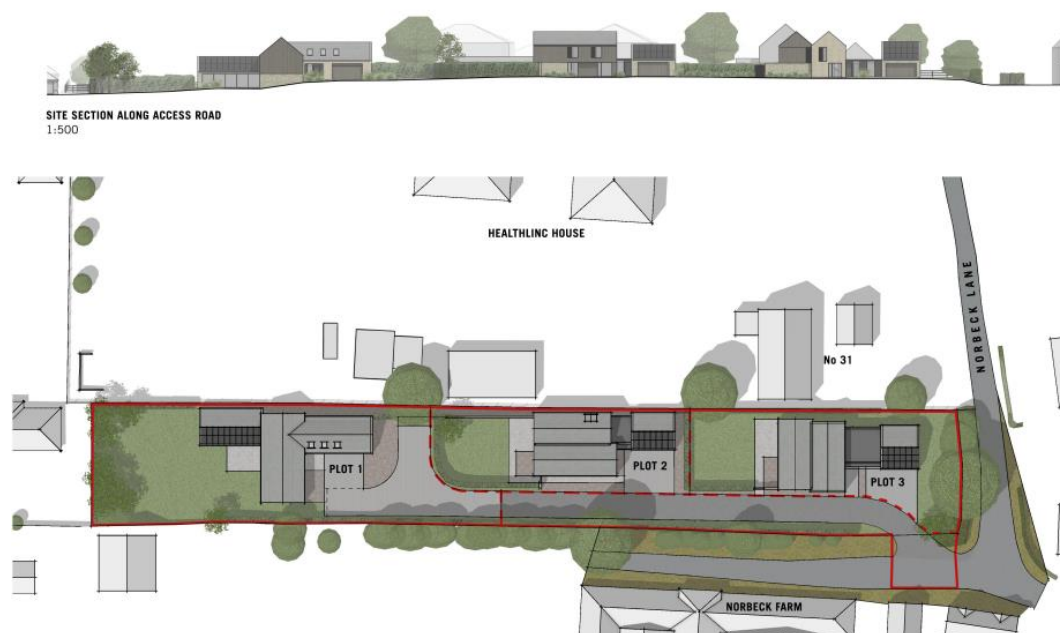
Boundary treatments are varied but predominantly consist of a post and rail fence along the shared boundary of Healthlinc House and the open space, a 1.8 high close boarded fence along the residential boundary of 23 Saxon Close and an approx. 1.6 metre high wire fence running along the boundary shared with the lane to the south. There is also trees and planting running along this boundary and the eastern boundary facing onto Norbeck Lane.

The site is also in a limestone Minerals Safeguarding area and a Central Lincolnshire Biodiversity Opportunity Mapping area associated with ecological networks and opportunities for the creation and management of them. The site is located outside of, and approximately 60 metres to the west, of the Welton Conservation Area.

Proposal:

This application seeks full planning permission for the erection of three custom self build dwellings and associated access and roadway. The three proposed dwellings are all 2 storey four bedroom properties. They are proposed to be constructed using Buff/beige brick, uncoursed limestone, thermowood cladding, slate tiles, and black aluminium framed windows.

Proposed site layout/section:



Plot 1:

The highest eaves height of the two storey element measures approximately 5.5 metres and the ridge height 8.3 metres. The Plot is however on land with varying land levels.



PLOT 1 - PRIVATE GARDEN ASPECT FROM WEST



PLOT 1 - VIEWED FROM ADJACENT LAND TO THE NORTH-WEST

Plot 2:

The highest eaves height of the two storey element measures approximately 5.5 metres and the ridge height 7.8 metres.



Plot 3:

The highest eaves height of the two storey element measures approximately 5.5 metres and the ridge height 8.0 metres.



Relevant Planning History

On-site:

147362 – Planning application for erection of 3 no dwellings – Refused 30/11/23

Reasons for refusal:

1. The proposed development is poorly designed and would have a significant harmful impact on the character of the settlement. The site is an inappropriate location for housing development. The proposed development would therefore not accord with local policy S1, S2, S4 and S53 of the Central Lincolnshire Local Plan 2023, Policy D1 of the Welton by Lincoln Neighbourhood Plan or the guidance within the National

Planning Policy Framework.

2. The proposed development would have an unacceptable harmful impact on existing neighbouring uses including the occupants of Healthlinc House and the future occupants of the site. The proposed development would therefore not accord with local policy S53 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework.

3. Insufficient information has been submitted with the application in relation to the impact of the development on protected species (fauna and flora) or provided evidence to meet the 10% net biodiversity gain. The proposed development would therefore not accord with policies S60 and S61 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework, most notably paragraphs 174, 180 and 181.

4. Insufficient information has been submitted with the application in relation to an energy statement or the principles for efficient buildings. The proposed development would therefore not accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework.

Site to the West (land):

WL/2024/00485 – Planning application to erect 3 no bungalows including provision of new access – Grant with conditions 28/04/2025.

147349 – Planning application for the erection of 4 bungalows including new access – Refused 29/11/2023

Site to the North (Healthlinc House):

135473 – Planning application to replace portacabins with new modular building – Granted 17/02/2017

M05/P/1365 – Reserved matters application for the erection of additional residential accommodation for patients – Granted 17/07/2006

M02/P/00936 – Outline application to erect additional residential accommodation for patients – Granted 29/05/2003.

Representations

Ward member(s):

Cllr P Swift – Given the public interest in this application and the documentary evidence amongst those comments from a resident relating to land ownership claims, I would like to request that the application be brought before the planning committee for determination.

Welton-by-Lincoln Parish Council]:

18/09/25 and 11/11/25 - Objects to the proposed development for the following reasons (summarised)

- The proposed development is incompatible with the Welton by Lincoln Neighbourhood Plan as it is not included in its allocated sites or those in the Central Lincolnshire Local Plan and should be refused.
- This application does not address the previous reasons for refusal of application 147349.
- Permitted development rights were removed by condition as part of the granting of planning permission WL/2024/00485 so how is it now possible for this application to propose two storey dwellings which will have adverse impacts upon the amenity of neighbouring properties and the character of the area.
- The design of the dwellings are not considered to preserve or enhance the character and appearance of the properties in the area and would harm the character of the surrounding countryside in this rural setting. The development does not therefore meet the design policy requirements of the Welton Neighbourhood Plan.
- The access into the site is adjacent to a dangerous bend and is not safe or suitable for the increase in traffic and all vehicle types. The access also forms part of a country lane and adjacent to livery stables with horses and riders coming and going on a daily basis.
- How will construction traffic also be managed to ensure that it does not block the access up and impact the surrounding area.
- There is currently insufficient capacity at Welton health Centre for existing residents.
- The infrastructure in Welton is at bursting point and the development will add to this (including drainage problems)
- The properties should be eco friendly if permission is granted.

Local residents:

Concerns and objections have been received by the following local residents:
11, 23, 15, 12 and 17 Norbeck Lane Welton
9 Prebend Lane Welton
12 Wentworth Drive Dunholme

The following matters/objections were raised (summarised):

- Impacts relating to highway safety – Traffic has increased in the village and will do further with this proposal and the proposed 200 houses at the end of the village.
- Norbeck Lane will be impacted as it is used as a cut through to avoid the gridlock experienced at Cliff Road and Ryland Road, close to the Co-op.
- Norbeck Lane is a single track road and has no footpaths. It is by horses, dog walkers, school children and residents on a regular basis who have no choice but to walk in the road.

- The road is clearly unsuitable for the additional traffic and for heavy construction vehicles and horses in the stables opposite will be distressed.
- The access is dangerous being off a blind bend and private road.
- The development does not have adequate parking and would put more pressure on the surrounding area.
- The application again seeks to shoehorn houses onto a strip of land.
- The local community is already stretched with extremely limited infrastructure in place to support the current population.
- The many new homes being built will result in flooding as the water table is high and the weather changing.
- The access is not owned by the applicant but No 23 Norbeck Lane.
- The applicant only has a right of access but does not allow the construction of the access. The right of access was only given as a field access and not to a residential development. The right of way needed for the development is therefore different to that which was given permission.
- The private lane is not to highway standards and will not withstand this kind of use, especially heavy lorries during building works.
- The new access would be location right outside my property and would create a main junction where there are no footpaths.
- The junction created by the access would also be harmful to the use of the stables for vehicles and riders.
- The reasons for refusal of the previous application and matters relating to highway safety have not been addressed in this application.

LCC Highways and Lead Local Flood Authority:

31/10/25 - The application is for the erection of 3 dwellings with the access point located on an unadopted lane. The site layout provides sufficient parking and turning arrangements within the site. The access is of suitable width to allow 2 vehicles to pass. Therefore it is not considered that proposals will have an unacceptable impact on highway safety.

Due to the narrow nature of Norbeck Lane, a Construction Management Plan will be required to limit the amount of large vehicles and manage site traffic on Norbeck Lane.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

The LHA recommend a construction management plan condition and informative(s) to the applicant relating to the creation of a new access on private land.

LCC Archaeology:

24/11/25 - The amended mitigation strategy document contains the amendments requested and is an acceptable archaeological mitigation strategy for the proposed development.

I have amended the previously recommended condition wording to what I think is more suitable wording and should ensure that the archaeological mitigation strategy is followed, both the main initial excavation plus any potential follow-up archaeological monitoring and recording of development groundworks that may be needed.

22/09/25 - We recommended conditions for an archaeological scheme of works for prior application 147362 (November 2023), if permission was to be granted. The application was refused, and we were contacted by an archaeological contractor (PCAS Archaeology) on behalf of the applicant in April 2024 seeking pre-application advice on what would be expected in terms of archaeological mitigation for the site. I provided comments to them regarding this and met with them and the applicant in person at the site.

I cannot recommend or agree to the proposed mitigation strategy submitted. I made it clear during the pre-application talks with the archaeological contractor and applicant that the proposed gardens could only be considered areas of preservation in situ, and therefore exempt from archaeological mitigation if these areas were to be established as exclusion zones during development and if permitted development rights were restricted (if agreeable to the LPA) to avoid any unwitting destruction or impact to archaeological remains known to be present on the site. The first of these conditions is not met, with tree planting proposed in the gardens and possibly other landscaping works involved.

Unless the criteria of complete exclusion of the garden areas from development works (including tree planting and landscaping) and restricting of permitted development rights for the houses can be met, we cannot agree to the proposed archaeological mitigation strategy. If this cannot be achieved, the whole of the site area will need to undergo archaeological excavation, and a new archaeological mitigation strategy will need producing.

Tree Officer:

14/10/25 – conclusions made:

I have no objections to the proposals in terms of impact on trees and hedges, as the impact would be minor or acceptable proposals are given in the Arboricultural Impact Assessment, such as tree-friendly construction methods i.e. three-dimensional cellular confinement system should be used.

It is likely that the proposed development would create future pressures for trees to be cut back as they grow because of the close proximity of some crowns to the buildings and because of the tree debris falling, and the crown spread of T3 being in front of windows of Plot 2.

If permission is minded to be granted, details should be required for tree/hedge protection measures, any pruning works, a cellular confinement system, routes of underground utilities, etc... could all be provided within an Arboricultural Method Statement (AMS) for approval prior to commencement of any works. An AMS should provide details of any actions or activities within or close to tree RPAs, and clarify how they will be constructed/installed (using tree-friendly methods where possible), materials to be used, etc... All tree protection measures should be installed before commencement of any works, including site clearance, and be retained in their approved positions until completion.

Ideally, any replacement or improvement of any boundary vegetation, specifically to the east or south boundaries such as the group of low quality sycamores at G5, should be native hedgerow species, as this would be more in keeping with the character and amenity of the surroundings.

Ecology and Wildlife Officer:

Although the development is exempt from BNG there is a need to provide an enhancement on site in accordance with Policy S60 and guidance in the NPPF. To enable the development to meet this requirement the following condition is proposed:

1. No development shall take place until a written Ecological Mitigation & Enhancement Plan (EMEP) is submitted to and approved in writing by the local planning authority. The EMEP shall include: -

- A plan showing habitat protection zones
- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy
- Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds, flowering lawns and urban greening [i.e. rain gardens])
- Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage and the wider development.
- Details, specification location of hedgehog highway within all closed panel fence boundaries
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:

? Integrated bird boxes Total across site to be equal to number of dwellings (swift bricks are preferred and should be installed in groups of 3)

? Integrated bat boxes Total across site to be equal to number of dwellings

? 2 bee/insect bricks per dwelling.

The EMEP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and 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.

Date Checked: 17/11/25

Relevant Planning Policies and Legislation:

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

Section 38(5) of Planning & Compulsory Purchase Act states that *Where a conflict exists between policies in different documents that are both part of the development plan (e.g., a local plan and a neighbourhood plan), the policy in the last document to become part of the development plan takes precedence.*

Paragraph 31 of the NPPF also advises Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

In this instance the most recent document is the Central Lincolnshire Local Plan, being adopted in 2023.

Development Plan

- **Central Lincolnshire Local Plan 2023 –**

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S12 Water Efficiency and Sustainable Water Management
- S20 Resilient and Adaptable Design
- S21 Flood Risk and Water Resources
- S23 Meeting Accommodation Needs
- S47 Accessibility and Transport
- S49 Parking Provision
- S53 Design and Amenity

S57 The Historic Environment
S59 Green and Blue Infrastructure Network
S60 Protecting Biodiversity and Geodiversity
S61 Biodiversity Opportunity and Delivering Measurable Net Gains
S66 Trees, Woodland and Hedgerows

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

- **Welton by Lincoln Neighbourhood Plan (NHP) - made September 2016**

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

Relevant policies of the NP include:

Policy D1 – Village Character (Character area C)

Policy D2 – Safe Environment

Policy EN1 – Environmental Capital Welton Character appraisal.

- **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.

Draft Local Plan/Neighbourhood Plan (Material Consideration)

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

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

A review of Welton by Lincoln Neighbourhood plan commenced on the 08/01/2024. However, at the time of writing there are not any published emerging policies that may otherwise be taken into consideration with this application and no weight is therefore afforded to the review at its early stage, applying paragraph 49 of the NPPF.

- **Draft Minerals and Waste Local Plan (DMWLP)**

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024. The Draft Plan has not been adopted as yet but once adopted would cover the period to 2041. The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources

The draft plan therefore has limited weight in the decision-making process, applying paragraph 49.

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 2023.. Paragraph 225 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>

Other:

- Schedule 7A of the Town and Country Planning Act (BNG)
- Schedule 14 of the Environment Act 2021 (BNG)

Main Considerations:

- Principle of development
- Visual Amenity
- Residential/Neighbouring Amenity
- Highway Safety and parking
- Climate Change and efficient buildings
- Flood Risk and Drainage
- Ecology, biodiversity, and Net Gain
- 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.

In this instance Policies S1 (The Spatial strategy and settlement Hierarchy) and S4 (Housing Development in or Adjacent to Villages) of the CLLP are principally relevant, with no NHP policies specifically addressing locational criteria for unallocated housing sites. Previously refused application 147362 was assessed under the current 2023 Local Plan and Policies S1 and S4. There have been no changes to the site or policies since the determination of application 147362.

As the Parish Council note - the site is not specifically allocated for residential development within the Development Plan. However, the Central Lincolnshire Local Plan contains specific policies to apply to housing on non-allocated sites, within villages.

Policy S1 of the CLLP provides a hierarchy of settlements within West Lindsey. Welton is situated within Tier 4 of the settlement hierarchy and is therefore a 'Large Village'.

Policy S1 notes that: *To maintain and enhance their role as large villages which provide housing, employment, retail, and key services and facilities for the local area, they will be a focus for accommodating an appropriate level of growth via sites allocated in this plan. **Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages** or other policies relating to non-residential development in this plan as relevant.*

The application site is not allocated within the CLLP and consequently must accord with the requirements of Policy S4: Housing Development in or Adjacent to Villages.

Policy S4 requires:

1. Large Villages, as defined in the Settlement Hierarchy in Policy S1, will experience limited growth to support their role and function through allocated sites of 10 or more dwellings in the Local Plan, sites allocated in neighbourhood plans, or on unallocated sites in appropriate locations* within the developed footprint of the village that are typically:**

- **up to 10 dwellings in Large Villages and Medium Villages; and**
- **up to 5 dwellings in Small Villages.**

Proposals on unallocated sites not meeting these criteria will not generally be supported unless there are clear material planning considerations that indicate otherwise.

2. Residential development proposals for unallocated sites within the size thresholds set out in part 1 of this policy and within the developed footprint of the village will only be supported where it would:

- a) preserve or enhance the settlement's character and appearance;*
- b) not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and*
- c) be consistent with other policies in the development plan.*

Appropriate locations and the developed footprint are defined within the glossary of the CLLP 2023 and are defined as:

Developed footprint:

"the continuous built form of the settlement and excludes:

- individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- 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;*
- agricultural buildings and associated land on the edge of the settlement; and*
- outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement."*

Appropriate locations:

"a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an 'appropriate location', the site, if developed, would:

- retain the core shape and form of the settlement;*
- not significantly harm the settlement's character and appearance; and*
- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement."*

The Welton-by-Lincoln NP does not contain any specific policies to address the principle of housing on non-allocated sites.

Principle Assessment:

The principle of development was found to be acceptable within the assessment of previous application 147362 in 2023. There have been no policy changes since this time, and the site remains predominantly the same.

That said application 147362 was refused on the basis of being an inappropriate location for the development. This was set out in refusal reason 1 but did not directly relate to the location of the site being principally unacceptable. Instead in related to the proposed development not being consistent with other policies in the development plan as required by Policy S4 and the poor design of the development not being appropriate for the site.

Policy S4 is still principally relevant to the assessment of this application and again requires where sites are not allocated within the CLLP or NHP that up to 10 dwellings within the developed footprint of the village will be supported where it would:

- a) preserve or enhance the settlement's character and appearance;*
- b) not significantly harm the character and appearance of the surrounding countryside or the rural setting of the village; and*
- c) be consistent with other policies in the development plan.*

The Parish council and local residents have raised objections to the proposed development on the basis that the site is not allocated in the CLLP or NHP and the village does not have adequate services and facilities to support further residential development.

Local plan policy is nevertheless clear that large villages will experience limited growth to support their role and function, including through unallocated sites.

There is no policy basis to support the claim that Welton could not accommodate a further 3 'windfall' dwellings.

The site is located within a built-up area of Welton village and predominantly relates to the built form of the settlement. Consequently, it is considered to be within the developed footprint of the settlement of Welton and would retain its core shape and form. The development of the site would consequently not significantly harm the character and rural setting of the village and the 3 dwellings proposed is also within the 10-dwelling limit for large villages as set out in Policy S4.

It is therefore concluded that, although the site is not allocated and despite objections being raised by residents and the Parish Council, it is considered to be an appropriate location for the proposed development and in principle accords with the policy requirements of S1 and S4 of the CLLP, subject to all other material site-specific considerations being found acceptable.

Visual Amenity:

The Parish Council and residents have cited their concerns that the development would not be in keeping with its surrounding environment.

Policy S53 of the CLLP requires that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place which demonstrates a sound understanding on their context. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting, height, scale, massing, and form. Important views into, out of and through a site should also be safeguarded.

Policy S66 relevantly advises that: proposals are expected to retain trees and hedgerows that make a significant contribution to the landscape or biodiversity value of the area, provided this can be done without compromising the achievement of good design for the site.

Policy D1 of the Neighbourhood Plan states that Development should respect local character.

Section 12 of the NPPF puts a strong emphasis on good design and well designed places. Paragraph 139 of the NPPF states that development that is not well designed should be refused.

The site is within Character area C of the Welton by Lincoln Village Character Assessment (2016) which notes that this area forms the western gateway into Welton and is structured around Cliff Road and a series of residential lanes which run parallel to each other in a north-south direction.

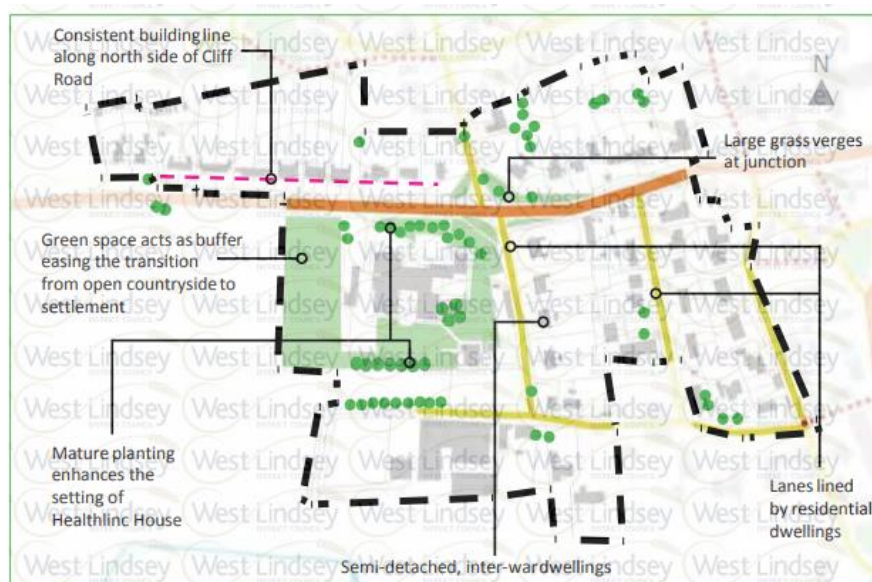


Fig. A6: Character Area C - townscape analysis map

Some of the housing along cliff road and partially along Norbeck lane are noted to be formed of inter war properties, consisting of semidetached dwellings with hipped roofs. They are set spaciouly along the street scene in regular intervals and giving a spacious feeling to development within the area. Materials within the area are noted to be predominantly red brick with some pebbledash render.

Character Area C - Welton West

- This area forms the western gateway into Welton and is structured around Cliff Road and a series of residential lanes which run parallel to each other in a north-south direction.*
- Grass verges line both sides of Cliff Road on its approach into the village, whilst its southern side is lined by a continuous band of low hedgerow, which is interspersed with more substantial deciduous trees (Fig 45). These green features help to convey a semi-rural character even after the settlement has been entered.*
- Occupied primarily by residential properties, the only exception being Healthlinc House (Fig 49), a rehabilitation hospital for those with learning difficulties. The hospital is a comparatively large building, with a relatively expansive footprint. However, despite its size and location on the edge of the settlement, it does not overly dominate the immediate townscape nor views into the village, as it is set amongst several rows and clusters of mature planting which softens its appearance.*
- Across from the hospital, Cliff Road is lined by a row of distinct red brick inter-war properties (Fig 47), which line the road at regular intervals along a consistent building line to form a coherent and pleasing entrance to the village.*
- Further along Cliff Road lie the turn-offs for Prebend Lane to the north and Norbeck Lane to the south. Four sizeable grass verges converge at this particular junction, providing a welcome green edge to these vehicular routes and combining with the roads to create a particularly open townscape which affords numerous views of the wider village setting.*
- South of Cliff Road, the routes of Norbeck Lane, Chapel Lane and Vicarage Lane host a variety of residential properties. The western part of Norbeck Lane is lined on one side by inter-war properties (Fig 50), which are of similar scale and form to those seen along Cliff Road (semi-detached with hipped roofs and a shared central chimney stack), but display a greater diversity of facade finish, with ground floors being typically of red brick and upper storeys being of painted or pebble-dash render. It should be noted that only part of Norbeck Lane falls into this character area, and the more historic stretch, which is situated towards the village centre, forms part of Character Area E*

Other parts of Norbeck Lane, further away from the site, are however within Character Area E as they relate to the more historic centre of the village and partially sits within the Conservation Area. The character area appraisal notes the characteristics of this area to be formed of narrow lanes, stone walls, 19th century cottage consisting of stonework and pantile roofing. This area is located east of the application site.

Additionally, on Page 41 of the character appraisal identifies the important open space located within the grounds of Heathlinc House and designated in the CLLP as a buffer between the settlement and the open countryside beyond. Although the important open space remains, it no longer adjoins open countryside and the Neighbourhood Plan is out of date in this regard. The application site and the strip of land to the west subject to planning permission for the erection of 3 dwellings, currently appears as a leftover

grassed land running around Healthlinc House. Trees located to the north and south of the site are also noted in the character appraisal to enhance the setting of Healthlinc House. Beyond the south boundary sits a private lane, stable buildings and livery yard, which then leads to open fields beyond.

The above policy requirements and characteristics of the area are the same as considered in the determination of application 147362. There have also been no significant changes to the site since this time. Application 147362 was refused on design and visual amenity grounds with reason for refusal No 1 stating:

1. The proposed development is poorly designed and would have a significant harmful impact on the character of the settlement. The site is an inappropriate location for housing development. The proposed development would therefore not accord with local policy S1, S2, S4 and S53 of the Central Lincolnshire Local Plan 2023, Policy D1 of the Welton by Lincoln Neighbourhood Plan or the guidance within the National Planning Policy Framework.

In the assessment of refused application 147362 it was noted that the size and layout of the plots did not relate to or reflect other residential development in the area. It was specifically identified that the relationship the plots shared with Healthlinc House and No 31 Norbeck Lane would be out of place, with their rear elevations all facing onto and being within close proximity to the north boundary and nearby buildings. There was also no details of impact upon the trees identified as important in the NHP character assessment. The size, scale and design of the dwellings were also not considered to take reference from the existing properties within the area and forming the character of it. As a result, it was concluded that the proposed development was not well designed and introduced a form of residential development that was harmfully at odds and out of place with the surrounding residential character and context of the area.

147362:



The design of the proposed development has significantly changed from that refused and details have been provided to show the development from the wider context. The Parish Council has however still raised concerns and objections and consider it to be harmful to the character of the area.

Although the layout of the development is similar to that previously proposed, it is recognised to be constrained by the size and shape of the site. However, the orientation form and design of the dwellings are now more considered. Details of the root protection areas of the trees running along the boundaries and in neighbouring sites have also been factored into the design and the development allows all to be retained. [There is however a need to secure further details through conditions in relation to roadway construction and tree protection measures.](#)

Elements of Landscaping are also shown on the proposed drawings and it is clear there is also an opportunity to enhance the landscaping and boundary treatments on site. In this regard the tree officer has recommended further native planting, especially along the southern and north boundaries. [A condition is therefore proposed to secure further details of a landscaping scheme which will enhance the area and help integrate the development into it.](#)

The design approach for the dwellings is recognised to take a modern approach but take reference from the form and vernacular of some buildings within the village and character appraisal. This is an approach considered to have been previously successful in the village, as shown on Page 51 of the NHP character assessment and Fig 72 stating:

New development has been successfully integrated into the conservation area by drawing inspiration from local vernacular building forms and using traditional materials.

In this regard the steep gable design with high eaves line and smaller roofscape are recognised to be elements that are reflective of traditional buildings shown on pages 50, 69 and 70 of the character assessment. As are the single storey offshoots with varying ridge heights and roofscapes as shown on Page 60. There is also the inclusion of stone walls to some plots. The material palette proposed is both modern and traditional with some elements being stone and slate and others thermo cladding and features such as black windows.

Consequently, the proposed development will create its own character but does make reference to and take character from valued building materials within the character appraisal. The size and scale of the dwellings is also shown to be in keeping with the surrounding area, as seen in context on Plan No 24019-P-10.



The overall design approach to the proposed development is therefore considered to be appropriate and would not be harmful to the character of the area. A condition to secure materials will however be used to ensure they are suitable. With such a condition in place the development is considered to meet the requirements of Policies S53 and S66 of the CLLP and Policy D1 of the Neighbourhood Plan.

Comments made by the parish council in relation to the approval of bungalows and removal of permitted development rights is not relevant to this application. This is because the development they refer to is on neighbouring land and not this application site.

Residential/Neighbouring Amenity:

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things. It also states that development must 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.

Furthermore, paragraph 135 of the NPPF requires that development proposals provide a high standard of residential amenity for both existing and future users.

Policy D2 – Safe Environment of the Neighbourhood Plan states that: New development should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

The above policy requirements are the same as considered in the determination of application 147362. There have also been no significant changes to the site since this time. Application 147362 was also refused on residential and neighbouring amenity grounds with reason for refusal No 2 stating:

2. The proposed development would have an unacceptable harmful impact on existing neighbouring uses including the occupants of Healthlinc House and the future occupants of the site. The proposed development would therefore not accord with local policy S53 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework.

The application site adjoins Healthlinc House to the North and includes the detached dwelling No 31 Norbeck Lane and land allocated as important open space in the CLLP. The description of this important open space in the Evidence Paper undertaken as part of the supporting the CLLP is “private grounds to apartments”

The shared boundary between the site and Healthlinc House has a post and rail fence running along the entire length of it. There are also some trees located within close proximity. The area of Healthlinc House directly adjoining the application site and in-between these appears to be bin/storage areas and a parking/service yard area. The largest of the buildings running directly along the boundary of the site is subject to planning permission 135473 and is used for staff/office accommodation. This building, along with others have windows facing directly onto the application site and it is also noted that a few air conditioning units are located on the rear elevation of the main Healthlinc House building, facing onto the site.

In the assessment of application 147362 it was noted that Plots 5 and 6 (now 1 and 2) were within very close proximity to the parking/storage/service area and ancillary buildings. It also noted they had their rear elevations facing directly onto them and their private gardens running alongside it. The boundary treatment between the two was also shown to remain open with post and rail fencing. As a result, plots 5 and 6 (now 1 and 2) would have backed directly into this area and views from the windows of the office and storage buildings would directly face onto the proposed residential plots. Additionally, users of the important open space could have also look directly into the garden area of Plot 5 and walk within 1 metre of the rear elevation of it. The provision of a 1.8/2 metre close boarded fence along the shared boundary was also not possible as it was within such close proximity to windows in the rear elevations of the proposed dwellings.

In addition to this Plot 7 (Now Plot 3) had its rear elevation backing onto the side elevation of 31 Norbeck Lane and was within 3.5 metres of it. Plot 7 also had ground and first floor windows within it. The private garden area of Plot 7 will also open onto the garden of 31 and the grounds of Healthlinc House, where storage buildings are located. Again, the provision of a 1.8/2 metre high close boarded fence would not be appropriate so close to the rear elevation and windows within Plot 7.

The design of the proposed dwellings has however now been significantly amended, and each plot shares a different relationship with Healthlinc House. No concerns or objections have been raised to the application by Healthlinc House itself.

Plot 3 sits at the east end of the site and is set approximately 1.7 metres from the boundary of No 31 Norbeck Lane. The proposed two storey gable ends of the proposed dwelling is mainly sited to run parallel with that of No 31 Norbeck Lane. The gable end of No 31 is blank with no windows/doors and the proposed dwelling also only has three ground floor windows in its north elevation. The proposed dwelling then has a single storey offshoot and

garage mainly running along the front driveway of the neighbouring dwelling. This leaves the garden area of the Plot 3 to run alongside the garden area of No 31 and the layout allows for suitable boundary treatments to be erected between the two. The relationship between Plot 3 and No 31 Norbeck Lane is therefore considered to be acceptable and does not result in harmful impacts to proposed or existing occupiers.

Plot 2 is sited adjacent to the car park and office building associated with Healthlinc House and set approximately 0.8 metres from the boundary. It has two storey and single storey elements facing onto the car parking area and is approximately 32 metres away from the main Healthlinc House building. The north elevation of the proposed dwelling facing onto the car park area only has one upper floor window serving an en-suite. The garden area of the proposed dwelling also runs alongside the existing office building and is shown to have a wall as a boundary to allow screening between the two. Additionally, the eastern aspect of Plot 2 facing towards the garden area of No 31 Norbeck lane consists of the single storey garage projecting from the two storey east gable end. The closest part of Plot 2 to the amenity area of No 31 is therefore the single storey elements and the only first floor window facing towards it serves a bathroom and will be obscured. The relationship between Plot 2 and the neighbouring site is therefore considered to be acceptable and does not result in harmful impacts to future or existing occupiers.

Plot 1 is sited alongside a small outbuilding and storage area as well as the important open space. The proposed dwelling is set between 0.5 and 1.5 metres off the boundary and the north elevation only has one upper floor window serving a landing facing onto the neighbouring site. The garden area of Plot 1 runs alongside the important open space and has room for a suitable boundary treatment to provide screening between to two. The proposed dwelling (Plot 1) also sits approximately 20 metres away from the boundary of the proposed bungalow approved under planning permission WL/2024/00485. Consequently, the relationship between Plot 1 and these neighbouring sites is considered to be acceptable and does not result in harmful impacts to future or existing occupiers.

A noise assessment has been submitted with regards to impacts on the occupiers of the proposed dwellings from the use of Healthlinc House car park, storage area, office building and the air conditioning units. The noise report was undertaken over two days in March 2025 and the results conclude that the baseline noise environment was predominantly due to birdsong in the locality and distant road traffic on the surrounding road network. The daytime and night-time noise levels across the site were within low levels and there was no significant noise created from activity at Healthlinc House. The noise reports notes that some of the plant units on the buildings were operational but noise from them was masked by the residual noise climate. Consequently, there is no evidence to suggest that the residential amenity of future occupiers of the proposed dwellings would be harmfully impact through their proximity to the boundary and associated buildings, parking and service areas within Healthlinc house.

The southern boundary of the site adjoins a private roadway and beyond that a livery yard. There is approximately 20 metres between the new dwellings and the stables/yard and it is not therefore considered that the proposed development would create an unacceptable neighbouring use to the livery yard. It is also noted that the livery yard already sits on the edge of a residential area of the village.

With regards to noise and disturbance relating to the construction phase of the proposed development, mitigation measures will be secured through a [construction management plan](#), where times, deliveries and vehicle movements will be managed to reasonably reduce impacts.

The layout of the proposed development and design of the dwellings also allows an acceptable relationship between the proposed dwellings and an acceptable level of amenity for the future occupiers of each plot.

It is therefore concluded overall that the layout and design of the proposed development does not result in harmful impacts to existing uses and future residents and is relevantly in accordance with the provisions of Policy S53 of the CLLP and Policy D2 of the NHP.

[Conditions for obscure windows and construction management plan??](#)

Historic Environment - Archaeology

Policy S57 of the CLLP requires that development proposals should take opportunities to protect and where possible, enhance the significance of heritage assets. Appropriate assessment proportional to the significance of a potential heritage asset should be submitted and where this is still sufficient, appropriate intrusive and non-intrusive mitigation should be undertaken. Similar guidance is also contained within paragraph 218 of the NPPF.

NHP Policy EN5 – Heritage states that Proposals that seek to conserve or enhance local heritage assets will be supported.

These policy requirements are the same as those considered in the determination of application 147362. The site is also subject to the same archaeological potential and sensitivity as identified in this application, where further details, investigation and recording could have been used to secure adequate mitigation and protect archaeology on site through recording.

Lincolnshire County council Archaeology have again identified that the site is known to have significant Saxon archaeological remains after a previous trial trench evaluation in the area recorded them. This application has however been submitted with an archaeological scheme of works to set out a mitigation strategy covering elements of the site but exclude undeveloped areas such as gardens and roadways. Lincolnshire County Council Archaeology have raised concerns with this strategy as the totally undeveloped nature of the garden areas could not be fully controlled through the development of the site and the occupation of the dwellings also pose a threat to the destruction of unknown archaeology within them. Consequently, it was advised that the mitigation

strategy set out in the scheme of works would need to include the whole of the site area.

The scheme of works and mitigation strategy has now been amended and LCC Archaeology agree with the proposals subject to conditions securing them. [With the recommended conditions in place the development would protect archaeology on site through appropriate mitigation and recording, that is proportional to the significance of the potential heritage asset. The proposed development, subject to conditions is therefore considered to be in accordance with the relevant requirements of Policy S57 of the CLLP, Policy EN5 of the NHP and associated guidance within the NPPF.](#)

Highway Safety and Parking Provision:

Policies S47 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. These are set out in Appendix 2 of the plan.

[Appendix 2: Car Parking Standards](#)

The Standards set out in Table A2.1. will be applied in Central Lincolnshire.

Table A2.1. Car parking standards in Central Lincolnshire

Accommodation type / size	Lincoln City Centre	Other Urban and Suburban Areas (including wider Lincoln urban area, main towns and market towns)	Villages and Rural Area
1 bed dwelling (C3)	No standards, each application considered on a case by case basis (with further detail provided in a Lincoln City specific SPD)	1	1
2 bed dwelling (C3)		2	2
3 bed dwelling (C3)		2	3
4 bed dwelling (C3)		2	3
5+ bed dwelling (C3)		3	3

Paragraph 116 of the NPPF requires that development proposals provide safe and suitable access to all users and that development proposals can only be refused on highways grounds where there is an unacceptable impact on highway safety, or the wider cumulative impact would be severe.

These policy requirements are the same as considered in the determination of application 147362 and the access point into the site also remains the same.

The proposed access for the development is located off a private track and adjacent to the entrance of the livery yard and stables sitting adjacent. The private track is accessed from Norbeck Lane and a number of objections have been raised by the local community and the Parish Council in relation to its suitability and highway safety impacts.

Information submitted also indicates that the private track is not within the ownership of the applicant and there is only a right of way over the track to

access the land. However, planning permission is attached to the land, and legislation does not require the applicant to own all of the land subject to the application. In the event that aspects of the land are within the ownership of another party the applicant is required to give formal notice to the owner and serve a certificate with their application stating this has taken place. The applicant has fulfilled their requirements through the submission of Certificate B confirming notice has been served on the owners (No 23 Norbeck Lane).

Land ownership is not a material planning consideration - the local planning authority may only consider whether or not to grant its own planning permission under the provisions of the Town & Country Planning Act 1990. This does not negate the applicant's need to secure any other rights or permissions.

The ownership rights of this access have been raised by a local Ward Member. This is however a civil matter between the relevant parties and not controlled through the planning system. The same conclusion is also reached in relation to the suitability of this non-adopted section of the road and impacts in relation to upkeep and responsibility for it.

As in the determination of application 147362 numerous objections have been received relating to the proposed access and matters of highway safety. It is seemingly one of the main reasons for local opposition to the proposed development. Residents highlight that the proposed access is located off a blind bend along Norbeck Lane. They note that this section of the highway network is narrow and does not freely allow two-way traffic to move along it. They also highlight that there are no pedestrian footways along long stretches of Norbeck Lane and that pedestrians using the route have to walk on the carriageway. The route is said to be regularly used by pedestrians including residents, dog walkers, horse riders and school children. They also note that vehicles already struggle to navigate along the lane, which is often used by agricultural vehicles and vehicles associated with the use of the livery yard. Users of the livery yard have also raised concerns in relation to the location of the access and impacts upon the safety to riders and the transporting of horses and associated goods/deliveries. It is therefore based upon these factors and the current levels and types of vehicles using Norbeck Lane that residents also feel that the addition of 3 dwellings and the increase in vehicular movements would result in further detrimental impacts to highway safety in the area.

Many of the matters raised by the local residents have also been seen by the case officer during a number of site visits. The narrow nature of the road ways, lack of footpaths, pedestrians walking in the carriageway and the blind bend in the road where the private drive is located. Vehicles moving in and out of the livery yard were also seen. It is therefore clear that extra care needs to be taken when currently using this area of Norbeck Lane. The proposed development by increasing a further access point within the area and associated vehicle movements would obviously increase the matters of concern raised by the residents. However, the level of vehicle movements associated with the proposed development would not be significant and given

that cars can pass at the access point and within the site, it is not considered that the development would substantially alter the current situation. The proposed block plan also shows that each plot could accommodate the required 3 parking spaces as set out in Policy S49 of the CLLP.

The Local Highway Authority have not also raised any concerns or objections in relation to the location of the proposed access or the impact the additional traffic would have on highway safety within the area. They specifically note that the access is of suitable width to allow 2 vehicles to pass and the site layout for three dwellings provides sufficient parking and turning arrangements within it. They have however stated that due to the narrow nature of Norbeck Lane, a Construction Management Plan should be required to limit the amount of large vehicles and manage site traffic on Nordbeck Lane.

It is therefore concluded that the proposed development, [subject to securing a construction management plan would not have an unacceptable](#) impact upon highway safety. It is not therefore reasonable to refuse permission on highway safety grounds. The proposed development is therefore considered to provide safe and suitable access and adequate parking arrangements. It is therefore in accordance with the provisions of Policies S47 and S49 of the CLLP and guidance within the NPPF.

Efficient Buildings

Policy S6 sets out the overarching principles that relate to design of energy efficient buildings. In turn, Policy S7 outlines a specific requirement for all new residential development to be accompanied by an Energy Statement. This sets out two criteria which require that new residential development provides/ generates at least the same amount of on-site renewable energy as the dwelling consumes. The second criteria sets out that a single dwelling should have a space heating demand of around 15-20kWh/m²/yr, should not exceed a total energy demand of 60 kWh/m²/yr and a site average of 35 kWh/m²/yr.

Ultimately, an Energy Statement should be provided demonstrating a level of compliance or consideration of these requirements.

These were the same policy requirements applicable to the assessment of application 147362 and as no energy statement was provided with it refusal reason 4 related to insufficient information being provided. It stated:

4. Insufficient information has been submitted with the application in relation to an energy statement or the principles for efficient buildings. The proposed development would therefore not accord with policies S6 and S7 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework.

An energy statement has been provided with the application and sets out how the design and construction of the dwelling incorporates efficiency measures and a fabric first approach in association with Policy S6. It also confirms that the use of an air source heat pump and heating demand of less than

15kWh/m2/year per dwelling in line with the requirements of Policy S7. The overall annual energy use of each dwelling is also advised to be 23.8kWh/m2/year and meets the Policy requirements. The report also sets out that the development as a whole will incorporate 56 solar panels across all three of the dwellings (average of 18 per dwelling). This will enable the generation of 25.8 kWh/m2/year of electricity for each dwelling and in excess of the annual energy demand for the whole site.

Additionally, the report confirms that a post construction verification statement including air testing results and post construction SAP calculations/EPCs will be undertaken by suitably qualified people and submitted to the LPA at post construction phase.

Consequently, it is considered that the proposed development meets the provisions of Policies S6 and S7 of the CLLP. This is nevertheless subject to the imposition of standard conditions relating to the requirement that the proposed development is undertaken in accordance with the submitted Energy Statement, performance measurements and verification statement.

Ecology & Biodiversity Net Gain (BNG):

Application 147362 was determined in 2023 and prior to the statutory BNG requirements coming into force on the 2nd April 2024. Consequently, this application was assessed against Policies S60 and S61 of the CLLP which required development proposals to not have an unacceptable impact on ecology or biodiversity and to provide a minimum of 10% Biodiversity Net Gain. In addition to this consideration was also given to Policy S66 of the CLLP which expects proposed development to retain trees and hedgerows that make a significant contribution to the landscape and biodiversity value of the area.

No BNG baseline or information was however provided with application 147362 and the arboricultural report submitted did not set out what impacts the proposed development would have on the nearby trees, hedging/planting despite being within some of their root protection areas. It was therefore concluded that the proposed development did not accord with the CLLP policy requirements and reason for refusal No 3 relevantly set out:

3. Insufficient information has been submitted with the application in relation to the impact of the development on protected species (fauna and flora) or provided evidence to meet the 10% net biodiversity gain. The proposed development would therefore not accord with policies S60 and S61 of the Central Lincolnshire Local Plan 2023 or the guidance within the National Planning Policy Framework, most notably paragraphs 174, 180 and 181.

This application is however now subject to the mandatory BNG requirements which came into effect from 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The legislation requires that development must

deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development. The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric.

There are however statutory exemptions to this statutory requirement, one of which is the development being a custom self-build dwelling in line with the definition set out in Self-build and custom housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

Provision 8 (self-build and custom build applications) of the Biodiversity Gain Requirements (Exceptions) Regulations 2024 states that:

"(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which— (a)consists of no more than 9 dwellings; (b)is carried out on a site which has an area no larger than 0.5 hectares; and (c)consists exclusively of dwellings which are self-build or custom housebuilding. (2) In this regulation "self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015(1)."

This is further confirmed in Paragraph 3 (Reference ID: 74-003-20240214) of the Biodiversity Net Gain section of the NPPG. Custom/self-build developments are therefore exempt Biodiversity Net Gain.

In this regard it is noted that the application has been submitted with a Unilateral Undertaking placing an obligation on the developer that the proposed dwellings are and will remain self-build plots. This has been checked, agreed and completed by Lincs Legal Services and the development is deemed to qualify as an exempt development from the mandatory requirements of BNG.

Nevertheless, the policy requirements relating to Policy S60 are still relevant and relates to protecting Biodiversity and Geodiversity and providing an on-site enhancement.

Additionally Policy S66 advises that: Where the proposal will result in the loss of any other tree or hedgerows, then the Council will expect the proposal to retain those trees that make a significant contribution to the landscape or biodiversity value of the area, provided this can be done without compromising the achievement of good design for the site.

The application has been submitted with an arboricultural report which shows some of the trees to be off site and in the ownership of neighbouring properties. The only trees on site are therefore a small group of sapling poplars, low quality young sycamores and an ash tree are within the site. The

arboricultural Impact Assessment also advises that no trees or hedges would be removed as part of the development but there are four trees which have their root protection areas impacted by the development and some pruning works would be required to overhanging elements. The access road and driveways are the main areas for intrusion into the root protection areas of the trees to be retained/safeguarded. Because of this the Arboricultural Impact Assessment recommends the access road should be constructed using a cellular confinement system.

West Lindsey Tree & Landscape Officer has not raised any objections in terms of the impacts on the trees and hedges as they would be minor or acceptable. This is however subject to suitable tree protection measures; a cellular confinement road system and appropriate routes of underground utilities all being secured. The tree officer has therefore recommended conditions relating to these elements of the proposed development. They have also noted that any proposed landscaping scheme should include the improvement of native boundary vegetation, specifically to the east or south boundaries, as this would improve the character of the area and result in a biodiversity enhancement.

With regards to providing a biodiversity enhancement on site, Central Lincolnshire's ecology officer has also recommended a condition to secure further details to be submitted and measures to be implemented to ensure the development meets this requirement.

With such conditions in place the development is considered to relevantly meet the requirements of Policies S60 and S66 of the CLLP and Section 15 of the NPPF.

Flood Risk/Drainage

Policy S21 of the CLLP requires that development proposals do not have an unacceptable impact on flood risk and implement appropriate mitigation (such as the use of SuDS) wherever possible.

This policy is consistent with the requirements of paragraphs 170, 172 and 173 of the NPPF and is therefore afforded full weight. These paragraphs respectively require that development should be diverted away from areas at the highest risk of flooding and that all development proposals should not increase the risk of flooding elsewhere.

These policy requirements are the same as considered in the determination of application 147362 and there has been no change to the site or risk of flooding since its determination.

A local resident has noted that the water table is high within the Norbeck Lane area and has questioned how surface water and flood risk can be adequately managed as a result of developing the site.

The application site is however located within Flood Zone 1 which is at the lowest risk of flooding. It is also within an area with a low risk of surface water flooding as indicated by the EA flood maps. Consequently, a site-specific flood risk assessment is not a requirement of this application. As the development is also minor development, the lead local flood authority does not provide advice on surface water flooding or drainage schemes.

It is therefore concluded in this particular instance, and based upon the low risk of flooding associated with the site, that should planning permission be granted there is no reason why further drainage details could not be secured via condition.

Consequently, subject to the imposition of planning condition securing the submission and approval of an appropriate drainage scheme, and its implementation; The proposed development would be relevantly meet the requirements of Policy S21 of the CLLP and Section 14 of the NPPF.

Minerals safeguarding

The proposed development is located within a Sand & Gravel Mineral Safeguarding Area and Policy M11 of the LMWLP requires that proposals for non-mineral development located within Mineral Safeguarding Areas are accompanied by a Minerals Assessment. It also requires that development proposals do not result in the unnecessary sterilisation of the potential minerals reserves.

These are the same policy requirements as those considered in the determination of application 147362. A Minerals assessment was submitted with this application and LCC Minerals and Waste confirmed that because of the small scale and location of the development, there would be negligible impact with respect to sterilising mineral resources. They consequently did not raise any safeguarding objections to the development with regards to Policy M11 and associated guidance within the NPPF.

The same minerals assessment has been submitted with this application and although LCC Minerals and Waste have not offered any further advice, the site location and scale of the development remains the same. Consequently, it is reasonable to conclude that the proposed development would still not raise any mineral safeguarding objections in line with Policy M11 and guidance within the NMPPF.

Other matters:

Policy S65: Important Open Space Although the application site adjoins important open space the proposed development is not on the land identified. As such the requirements of Policy S65 are not relevant to this application.

Policy S12: Water Efficiency and Sustainable Water Management advises that to minimise impact on the water environment all new dwellings should achieve a standard of 110 litres per day per person for water efficiency. In addition to this it also aims for all residential dwellings with gardens to include

a rain harvesting water butt of a minimum 100l capacity. Conditions are proposed to ensure the development meets these requirements.

As stated in the report, land ownership is not a material planning consideration, and the applicant has signed certificate B to confirm that they have served notice on other landowners.

The Parish Council and residents have claimed that Welton does not have the infrastructure capacity to accommodate more dwellings. The Development Plan makes no such statement - CLLP policies S1 and S4 are clear that developments of up to ten dwellings are permitted in large villages. The development proposes up to 3 dwellings with a total gross internal area of 824sqm. The Central Lincolnshire Planning Obligations Supplementary Planning Document (October 2023) makes clear that education; health and other requirements will only be sought on larger sites (10 or more; or over 1000sqm).

Conclusion and reason for decision:

The proposal has been considered in light of relevant development plan policies namely S1: The Spatial Strategy and Settlement Hierarchy, S2, Growth Levels and Distribution, S4: Housing Development in or Adjacent to Villages, S6: Design Principles for Efficient Buildings, S7: Reducing Energy Consumption – Residential Development, NS18: Electric Vehicle Charging, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S47: Accessibility and Transport, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains and S66 Trees Woodland and Hedgerows of the Central Lincolnshire Local Plan. As well as Policies D1, D2 and EN1 of the Neighbourhood plan and all other material considerations, including guidance within the NPPF and representations have also been considered in the assessment. Consideration has also been given to planning application 147362 and planning permission WL/2024/00485.

As a result of this assessment, it is concluded that the principle of development is acceptable, as it provides three additional residential properties within a sustainable and appropriate location. The proposed development, subject to conditions is also considered to be acceptable to matters relating to visual and residential amenity, highway safety and parking, flood risk and drainage, highway safety, biodiversity enhancement and efficient building design. It does not also undermine safeguarding of mineral resource. The proposed development is consequently considered to be in accordance with the provisions of the CLLP and Neighbourhood plan and grant of permission subject to the following conditions is considered 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 the commencement of development, the local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved archaeological mitigation strategy undertaken by PCAS Archaeology, Dated 2025 V8. The written notification shall be made at least 14 days before the said investigation commences. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

3. The initial pre-commencement archaeological site work (strip, map and record) shall be undertaken only in full accordance with the approved archaeological mitigation strategy undertaken by PCAS Archaeology and Dated 2025 V8.

Reason: To ensure the satisfactory preservation in situ or by record of archaeological remains in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

4. No development shall take place until details of the finished site and floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details so approved.

Reason: To ensure a satisfactory relationship with adjoining development and the character and appearance of the area in accordance with Policies S53 and S66 of the Central Lincolnshire Local Plan and guidance within the NPPF.

5. No development or archaeological investigation works shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning authority. The statement shall include the following:

- Details of all tree/hedge/ground protection measures and their location
- Details of all pruning works
- Details of the cellular confinement system for the roadway (including design, materials and installation)

- Location of underground utilities and how they will be installed (using tree friendly methods)

The development must then be carried out in accordance with the approved Arboricultural method statement, all protection measures installed before the commencement of any works/investigation and retained in their approved position until completion of the development.

Reason: To safeguard the health and vitality of the existing trees/hedging to be retained in the interest of visual amenity in accordance with Policies S53 and S66 of the 2023 Central Lincolnshire Local Plan and guidance within the NPPF.

6. No development shall take place until a written Ecological Mitigation & Enhancement Plan (EMEP) is submitted to and approved in writing by the local planning authority. The EMEP shall include: -

- A plan showing habitat protection zones
- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy
- Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds, flowering lawns and urban greening [i.e. rain gardens])
- Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage and the wider development.
- Details, specification location of hedgehog highway within all closed panel fence boundaries
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:

? Integrated bird boxes - Total across site to be equal to number of dwellings (swift bricks are preferred and should be installed in groups of 3)

? Integrated bat boxes - Total across site to be equal to number of dwellings
? 2 bee/insect bricks per dwelling.

The EMEP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and 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

7. No development must take place until a construction method statement/management plan and site plan has been submitted and agreed in writing by the local planning authority. The approved statement(s)/plan must

be adhered to throughout the demolition and construction period. The statement must provide for:

- (i) the routing and management of traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) measures to control the emission of dust and dirt;
- (vi) construction hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling, and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2012-2036 and Policy D2 of the Neighbourhood plan.

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

8. Development works shall be undertaken only in full accordance with the approved archaeological mitigation strategy undertaken by PCAS Archaeology and Dated 2025 V8.

Reason: To ensure the satisfactory preservation in situ or by record of archaeological remains in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

9. Following the archaeological site work referred to in conditions 2 3 and 8, a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

10. The report referred to in condition 9 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation, retrieval and archiving of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

11. 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 information:

24019/001v03 – Site Location Plan

24019-P-10-Rev4 – Proposed site plan
 24019-P-15 R1 – Plot 1 ground floor plan
 24019-P-16 R1 – Plot 1 first floor plan
 24019-P-17 R1 – Plot 1 proposed elevations plan
 24019-P-18 R1 – Plot 1 proposed elevations plan
 24019-P-20 - Plot 2 ground floor plan
 24019-P-21 – Plot 2 first floor plan
 24019-P-22 – Plot 2 proposed elevations plan
 24019-P-23 – Proposed elevations plan
 24019-P-25 R1 – Plot 3 proposed ground floor plan
 24019-P-26 R1 – Plot 3 proposed first floor plan
 24019-P-27 R1 – Plot 3 proposed elevations plan
 24019-P-28 R1 – Plot 3 proposed elevation plan
 24019-P-11-Rev1 – Plot 1 Site Plan
 24019-P-12 -Rev1 – Plot 2 Site Plan
 24019-P-13-Rev1 – Plot 3 Site Plan
 Arboricultural impact assessment
 Topographical survey

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with Policy S53 of the 2023 Central Lincolnshire Local Plan
 Drainage

12. Notwithstanding the details submitted, no further development other than the laying of the foundations for the proposed dwellings shall be carried out until details of all external materials for each dwelling to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the agreed materials.

Reason: To ensure appropriate materials are used for the character and appearance of the building and its surroundings, and have a low environmental impact in accordance with Policies S53 and S7 of the 2023 Central Lincolnshire Local Plan, Policy D1 of the Neighbourhood Plan and guidance within the NPPF.

13. No further development other than the laying of the foundations for the proposed dwellings shall be carried out until a scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. Consideration shall be given to root protection areas and the development shall only be carried out in accordance with the approved details and completed prior to their first occupation.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance

with Policy S21 of the 2023 Central Lincolnshire Local Plan and guidance within the NPPF and NPPG.

14. Notwithstanding, the details submitted, no occupation of the dwellings hereby approved must take place until a landscaping scheme for the development has been submitted to and approved in writing by the Local Planning Authority. Details of the scheme shall include:

- Type, height and position of all boundary treatments/means of enclosure.
- Material finish of all hardstanding (access road, driveways, patios and paths).
- Species, planting height, formation and position of new planting, trees, grassed areas and hedging.

Reason: To ensure that appropriate landscaping and boundary treatments are introduced and the development contributes to the character and appearance of the site and the surrounding area in accordance with the National Planning Policy Framework and local policies S53 of the Central Lincolnshire Local Plan 2023 and policies D1 and EN1 of the Neighbourhood Plan.

15. The development must be completed in strict accordance with the approved landscaping scheme and any planting, seeding or turfing must be fully implemented in the first planting season following the occupation of each dwelling. Any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that appropriate landscaping and boundary treatments are introduced and the development contributes to the character and appearance of the site and the surrounding area in accordance with the National Planning Policy Framework and local policies S53 of the Central Lincolnshire Local Plan 2023 and policies D1 and EN1 of the Neighbourhood Plan.

16. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement dated 30/08/2025 undertaken by The PES.

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).

17. Prior to occupation of each plot, a written verification statement shall be submitted to demonstrate that each dwelling has been implemented in full accordance with the submitted Energy Statement dated 27/09/2024 and approved in writing by the planning authority.

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

18. Prior to the occupation of each individual dwelling a rain harvesting water butt (minimum capacity of 100 litres) must be installed within its garden space and retained as such thereafter.

Reason: In order to provide a water management facility to accord with the National Planning Policy Framework and local policy S12 of the Central Lincolnshire Local Plan 2023.

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

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

20. No occupation of each dwelling must take place until the access road and driveways for the associated plot identified on site plan 24019-P-1- Rev 4 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building 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 the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023 and Policy D2 of the Neighbourhood Plan.

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

21. Notwithstanding the provisions of Classes A, AA, B, C and E of Schedule 2, Part 1, Class A and Part 2, of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revoking and reenacting that Order, the dwelling hereby permitted shall not be altered or extended, and no buildings or structures shall be erected within the curtilage of the dwelling, and no boundary treatments erected unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the residential amenity of the occupiers of the existing and proposed dwellings and in the interest of visual amenity in accordance with Policy S53 of the Central Lincolnshire Local Plan 2023 and guidance in the NPPF. 16.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic

oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling(s) hereby approved.

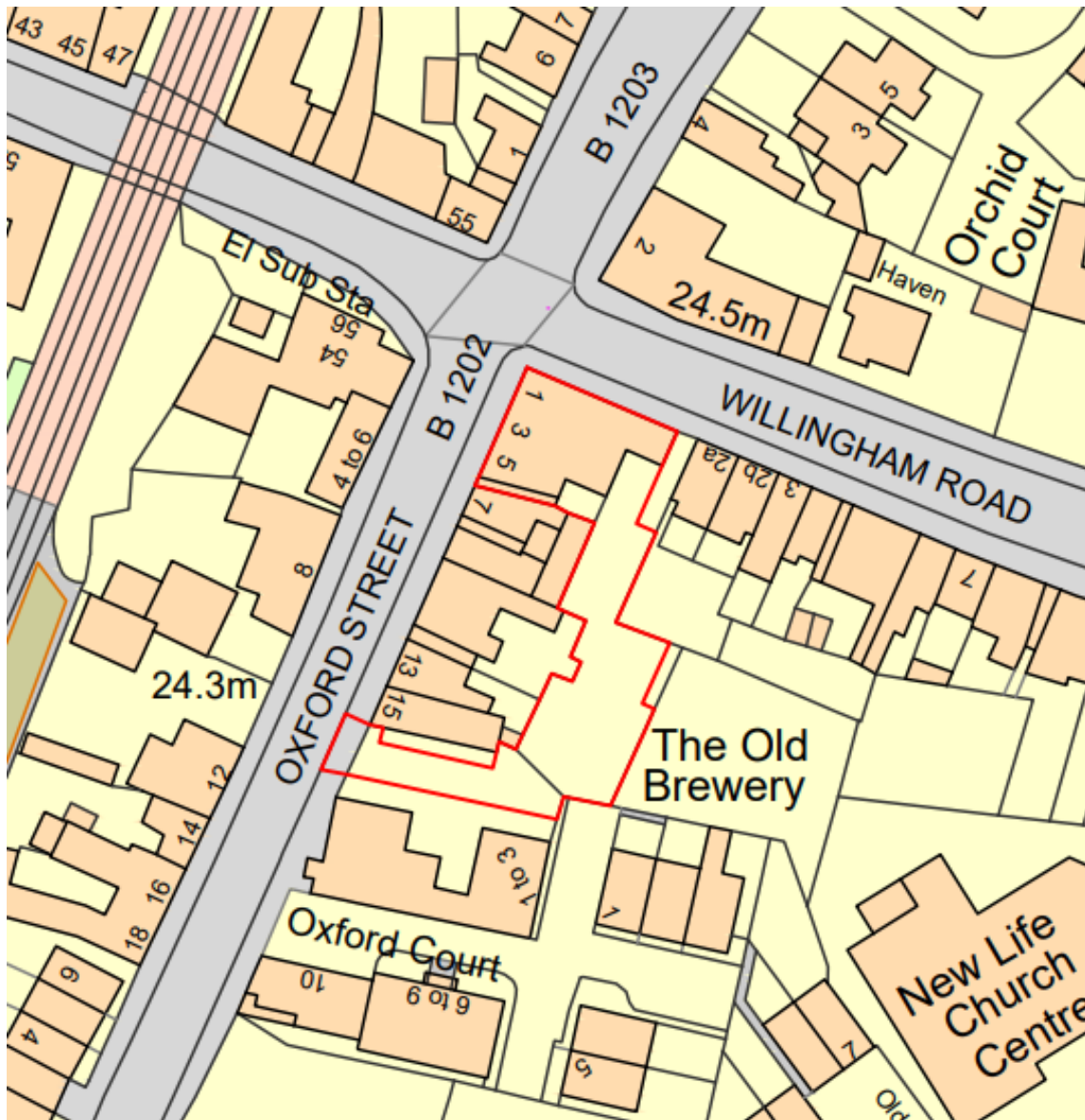
Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

Human Rights Implications:

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

Legal Implications:

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



Officers Report

Planning Application No: WL/2025/01017

PROPOSAL: Planning application for change of use of part of first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats, with new external stairs and external alterations to first and ground floor.

LOCATION: 5 OXFORD STREET MARKET RASEN LN8 3AL

WARD: Market Rasen (Cllr S Bunney, Cllr E L Bennett & Cllr M K Westley - Ward Members)

APPLICANT NAME: Willows Dental

TARGET DECISION DATE: 12/12/2025

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

The application is referred to the planning committee for determination in line with the constitution as the proposal is considered to be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan 2023.

Description: The site is located within the developed footprint of Market Rasen within the designated town centre (albeit, outside the primary shopping area).

The site comprises a two storey building on the corner of Willingham Road and Oxford Street, with a commercial unit on the ground floor and part commercial and residential uses (No.1 Flat) on the first floor. There are ground floor doors off the aforementioned roads to access the commercial unit as well as rear access via a yard which is accessed between No.15A Oxford Street and No.1 'The Old Brewery' Oxford Street.

There are residential properties to the north on the other side of Willingham Road and a mix of commercial and residential properties to the west on the other side of Oxford Street. To the east are residential properties and to the south there are a mix of residential and commercial properties. Within the rear courtyard to the south which is accessed off Oxford Street are mainly residential properties with additional entrances to commercial properties.

The application seeks permission to change the use of part of the first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats, with a new external staircase proposed within the rear yard and other external alterations to the first and ground floors. This will result in a total of 3no. 1-bedroom flats at first floor, all accessed via shared stairs, from the rear of the building.

The ground floor will remain in commercial use (Use Class E) as a dental surgery (Class E(e)), it was previously an electrical goods shop (Class E(a)).

Each of the flats will have one bedroom, a living/kitchen area and a shower room/bathroom (including the existing flat) providing 45 sq metres of living space for two of the flats and 42 square metres for the third flat . All the rooms will have openings to enable the provision of natural light apart from the proposed shower rooms/bathrooms. Two existing car parking spaces within the rear courtyard will be utilised.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015[1] a site notice was displayed on 17/11 /2025 and a notice has been placed in the local newspaper on 22/10/2025. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

[1] <https://www.legislation.gov.uk/uksi/2015/595/article/15>

Relevant history:

137100 - Planning application for change of use of vacant retail premises and existing flat, with partial demolition including alterations and extension to form 6no. dwellings. Granted 09/02/2018.

Representations:

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

Town Council: No representations received to date.

Local residents: No representations received to date.

LCC Highways and Lead Local Flood Authority: The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. The proposal will not have an unacceptable impact on the public highway.

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.

Archaeology: No representations received to date.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S39: Market Rasen and Caistor Town Centres

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S56: Development on Land Affected by Contamination

Policy S53: Design and Amenity

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

Neighbourhood Plan:

No plan currently being prepared.

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.

[National Planning Policy Framework](#)

- **National Planning Practice Guidance**

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

- **National Design Guide (2019)**

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

- **National Design Code (2021)**

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

Main Issues:

- Principle of Development
- Residential Amenity

- Visual Impact
- Highways and Parking
- Other Matters

Assessment:

Principle of Development

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

It is proposed to change the use of part of the first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats (3no. in total), with a new external staircase proposed within the rear yard and other external alterations to the first and ground floors. The ground floor will remain in commercial use (Use Class E), currently a dentists surgery. The first floor is currently given over to a commercial use (associated with the ground floor commercial use) and 1no. flat.

The site is located within the defined town centre of Market Rasen and the ground floor will remain a commercial (Class E) use/retain an active frontage which accords with Policy S35 of the Central Lincolnshire Local Plan (CLLP).

The proposal to create 2No. additional first floor flats in addition to an existing flat and an area of commercial use associated with the ground floor commercial use is also supported in principle as detailed below.

Market Rasen is designated as a Market Town within Policy S1 of the CLLP. Policy S1 states that: *'To maintain and enhance their roles as market towns, Caistor and Market Rasen will be the focus for significant, but proportionate, growth in housing, employment, retail and wider service provision. This growth will primarily be through sites allocated in this Local Plan and any applicable neighbourhood plan. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.'*

Policy S3 of the CLLP relates to new housing in the Main Towns of Central Lincolnshire and states that: Within the developed footprint of the Lincoln Urban Area and Main Towns and Market Towns, development proposals at appropriate locations not specifically identified as an allocation or an area for change in this plan will be supported in principle.

Paragraph 90 of the NPPF is supportive of residential development within Town Centre locations as it is recognised that such development often plays an important role in ensuring the vitality of such centres.

Policy S39 of the Central Lincolnshire Local Plan states that *'Proposals for residential or commercial development above town centre uses will be supported providing that the proposed use would not be likely to introduce conflict with existing uses and provided adequate off-street parking can be provided.'*

Overall, the site is located within the developed footprint of Market Rasen, being within the town centre. The proposal will maintain a retail use on its ground floor level fronting Willingham Road and Oxford Street and is not expected to conflict with existing uses, as explored below.

The residential development element of the proposal is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35 and S39 of the CLLP.

Residential Amenity

National and Local planning policy supports bringing back to use vacant and underused upper floors in town centres for residential uses in order to contribute to the vitality and viability of the town centre.

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

No external alterations are proposed to the north and west elevations fronting Willingham Road and Oxford Street respectively apart from replacement doors and windows.

On the east elevation within the rear courtyard a new external staircase is proposed with a first floor door which will be located between two existing elements of the building and will be largely screened. From the top of the proposed staircase a view of the side elevation of No.2A Willingham Road will be gained which is largely blank in this location at first floor level apart from one small first floor window to a bathroom which will be located approximately 10.5 metres away from the top of the proposed external staircase. An existing first floor door on the eastern gable end of the building opposite No.2A Willingham Road will be blocked up as well as one existing first floor window on the southern elevation of the main range of the building.

Finally, two first floor windows and a ground floor window will be blocked up in the north elevation of a rear off shoot, one new ground floor door will be made in this elevation of the rear off shoot and one ground floor opening in the south elevation of the rear off shoot will be blocked up.

Each of the flats will have one bedroom, a living/kitchen area and a shower room/bathroom (including the existing flat). All the rooms will have adequate openings to enable the provision of natural light apart from the proposed shower rooms/bathrooms.

The following details for each of the flats and relevant national space standards are stated below:

Flat 1: 45 sqm

Flat 2: 45 sqm

Flat 3: 42 sqm

National space standards 1 bed 1 person = 37 sqm

National space standards 1 bed 2 persons = 50 sqm

The agent for the application has clarified that the flats will be one bed, one person flats and will have adequate internal storage within the nationally described space standard. However, if the flats were 2 person flats then they would be slightly below the space standard of 50 square metres. However, the nationally described space standards are not binding but should be used as an indicator to ensure that an adequate level of amenity can be achieved, and to ensure compliance with policy S53(8)(a) which requires developers to:

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

It is considered that the flats would be on the smaller side if they were to be used by 2-persons but it is considered that the flats are located in a highly sustainable town centre location and would not result in a substandard level of space to the significant detriment of the amenities of the future occupants.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats/dwellings, other grassed amenity areas are available within the Market Rasen in close proximity to the proposal, most notably Market Rasen Park off Jameson Bridge Street located approximately 130 metres to the north.

The development would therefore not be expected to have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with Policy S53 and the provisions of the NPPF, particularly paragraph 130(f).

Visual Impact

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

It further states that development should *‘contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness’*, and should *‘be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.’* In addition, development must *‘achieve a density not only appropriate for its context but also taking into account its accessibility.’*

The proposed external alterations on the north and west elevations fronting Willingham Road and Oxford Street are limited to replacement doors and windows. The main external alterations including a new external staircase and changes to windows and doors are mainly located within the rear courtyard.

The building is rendered in an off white colour or has painted brickwork to match on its northern and eastern elevations and within the rear courtyard the building has either brickwork or painted brickwork. All the proposed blocked external openings will be infilled in brickwork or rendered to match the building.

It is therefore considered that the proposal will not harm the character and appearance of the street-scene and with the proposal complying with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Highways and Parking

No objection has been received from the Local Highway Authority relating to the proposed development.

Policy S39 of the CLLP requires *'Proposals for residential or commercial development above town centre uses will be supported providing... adequate off-street parking can be provided.'*

Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling, plus visitor spaces. The proposal will retain two existing car parking spaces located to the rear of the building. There would therefore be a shortfall of 1 on-site parking space for residents (plus no visitor space provision).

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including a train station and bus routes, it is considered that the undersupply of 1 car parking space could be accepted in this case.

The NPPF requires local planning authorities to recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Whilst the undersupply of on site car parking attaches some negative weight, there still is some on site provision and it is considered that the benefits of providing residential development to support town centre viability may justify a departure from the Local Plan parking policy.

Other matters:

Contamination:

The site is located within a contaminated land buffer zone. However, development is proposed for a change of use at first floor level.

Household waste

Bins for the existing and proposed flats will be kept in the rear courtyard which is screened by the surrounding development and a fence around the proposed bin store.

Foul and Surface Water Disposal

The proposal will connect into the existing system.

Comments on energy efficiency and biodiversity net gain policies:

The application being a change of use application (and the proposed external staircase is located on an existing sealed surface) is exempt from biodiversity net gain.

An energy statement is not required for a change of use application such as this proposal. However, Policy S13 encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

Therefore, if it is minded to grant permission an informative will be added to the decision notice encouraging the applicant to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

Conclusion and reasons for decision:

The decision has been considered against Policy S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S6: Design Principles for Efficient Buildings, S13: Reducing Energy Consumption in Existing Buildings, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S23: Meeting Accommodation Needs, S35: Network and Hierarchy of Centres, S39: Market Rasen and Caistor Town Centres, S47: Accessibility and Transport, S49: Parking Provision, S56: Development on Land Affected by Contamination and S53: Design and Amenity of the Central Lincolnshire Local Plan and guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

The proposal is supported in principle as it would complement the existing uses within the designated town centre of Market Rasen ensuring the continued vitality of the town centre. The proposal will also not have a harmful impact on the living conditions of neighbouring occupiers/dwellings or be harmful to the visual amenity of the street scene, nor would it have a detrimental impact on the highway network.

RECOMMENDATION- Grant planning permission with the following conditions:

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and documents: 762.04D dated 23/09/2025, 762.13A dated 23/09/2025, 762.14A dated 23/09/2025, 762.11A dated 23/09/2025 and 762.01B (Red Line) dated 23/09/2025. 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 of the Central Lincolnshire Local.

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

None.

Notes to the Applicant

Reducing Energy Consumption in Existing Buildings

Policy S13 of the Central Lincolnshire Local Plan encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

The applicant is therefore encouraged to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal. Please see the link below:

<https://knowledge.bsigroup.com/products/retrofitting-dwellings-for-improved-energy-efficiency-specification-and-guidance-1/standard>

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.

Agenda Item 7



Planning Committee

**Wednesday, 10
December 2025**

Subject: Determination of Planning Appeals

Report by:

Director – Planning, Regeneration & Communities

Contact Officer:

Molly Spencer
Democratic and Civic Officer
Molly.Spencer@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 Billy Knowles against the decision of West Lindsey District Council to refuse planning permission for the demolition of 7 existing residential chalets and static dwellings and construction of up to three replacement dwellings and associated garages at The Mount Of Olives, Sheffield Road, Drinsey Nook, Lincoln, Lincolnshire LN1 2JJ.

Appeal Dismissed – See copy letter attached as Appendix Bi.

Officer Decision – Refuse



Appeal Decision

Site visit made on 12 November 2025

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2025

Appeal Ref: APP/N2535/W/25/3367150

The Mount Of Olives, Sheffield Road, Drinsey Nook, Lincoln, Lincolnshire LN1 2JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Billy Knowles against the decision of West Lindsey District Council.
 - The application Ref is WL/2025/00263.
 - The development proposed is the demolition of 7 existing residential chalets and static dwellings and construction of up to three replacement dwellings and associated garages.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal seeks planning permission in outline with details of access and layout with all other matters reserved. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - i. whether the proposal would be in a suitable location for housing having regard to the development strategy for the area; and,
 - ii. the effect of the proposal on flood risk having regard to the application of the sequential test.

Reasons

Location

4. Policies S1 and S5 of the Central Lincolnshire Local Plan (2023) (the LP) are referred to in the Decision Notice. Policy S1 of the LP sets out the development strategy for the area, based on a settlement hierarchy. The aim is to make the most of existing services and facilities; deliver growth to where it is most needed; and provide associated opportunities to regenerate urban areas, provide new jobs and new homes in accessible locations, and focus infrastructure improvements where they will have the greatest effect.
5. The appeal site is not within a named town or village in Policy S1, nor is it immediately adjacent to the development footprint of one. For development plan purposes, the site is in the countryside.

6. Policy S5 of the LP refers to development in the countryside. Part B allows the replacement of an existing dwelling outside the “developed footprint of a settlement” subject to a number of criterion including where the residential use has not been abandoned, that the original dwelling is a permanent structured “not a temporary or mobile structure” and the replacement dwelling is of a similar size and scale to the original dwelling.
7. I saw at the site visit that the existing structures to be replaced are static caravans. I note that the static caravans were granted planning permission, subsequently amended, as a personal permission “with considerable weighting due to the lack of available sites for travellers within the district”¹. This is a matter I shall return to later.
8. Therefore, within the provision of part B of LP Policy S5 temporary or mobile structures, a description that I consider includes static caravans, are specifically excluded and therefore part B does not apply in this instance, irrespective of whether or not the replacement dwelling is of a similar size and scale to the original dwelling, as referred to by the appellant.
9. Part D of LP Policy S5, as referred to by the council in the Decision Notice, only allows for new dwellings in the countryside where they are essential to the effective operation of existing rural operations listed in tier 8 of Policy S1. There is no evidence before me to suggest that the proposed dwelling would be essential to the effective operation of any of the specified operations.
10. Based on the provisions of policy S1 the appeal scheme is in the countryside and is not allowed by any of the exceptions detailed in policy S5. Therefore, I find that the appeal scheme is not in a suitable location for housing and is contrary to the provisions of policies S1 and S5 of the LP.

Flood risk

11. Policy 21 of the LP refers to the National Planning Policy Framework (the Framework) and the requirement that inappropriate development in areas at risk of flooding should be avoided, by directing it away from areas at highest risk. Accordingly, the Framework sets out a sequential test, whereby development is not permitted in high-risk areas, unless there are no other reasonably available sites appropriate for the proposal in an area with a lower risk of flooding.
12. It is not at dispute between the parties that the appeal scheme lies within Flood Zone 3, the site is at risk of flooding should the defences at the River Trent be breached. The submitted plans show that the proposed dwellings set out in a linear fashion within the middle of the site, using the existing access point from Sheffield Road (A57). In the local area, Flood Zone 3 is extensive, and it is not suggested that a different arrangement of dwellings on the appeal site would reduce Flood Risk and no part of the site is at a lower risk of flooding.
13. I note that the Environment Agency (EA) initially objected to the appeal scheme referring to inadequate raised finished floor levels, resistance and resilience measures and safe access and egress route. The appellant refers to an updated Flood Risk Assessment (FRA) that set finished floor levels at 6.88, marginally

¹ Paragraph 5.2 Council's Written Statement

above the level required by the EA. Appellant refers to the objection from the EA as being withdrawn whereas the council refers to it as being overcome.

14. Nonetheless, the Planning Practice Guidance² makes clear that, even where development can be made safe throughout its lifetime, the sequential test still needs to be satisfied. The Framework³ details specific instances where the sequential test does not apply but the replacement of an existing dwelling is not included. Therefore, it is necessary for the sequential test to be applied to the proposal.
15. However, while the need for a sequential test is referred to in the appellant's FRA, no such test has been undertaken. Consequently, it follows that the sequential test has not been met.
16. For these reasons I conclude that it has not been demonstrated that there are not any sequentially preferable sites available for the development. As such the appeal scheme is contrary to the provisions of Policy 21 of the LP, the Framework and the guidance set out in the Planning Practice Guidance.

Other Matters

17. The appellant refers to the number of static caravans on the site exceeding seven for more than ten years and asserts⁴ that this confirms the lawfulness of the use. However, no certificate of lawfulness is before me in this regard and the lawfulness or otherwise of the number of static caravans on the appeal site is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990.
18. Nonetheless, the appellant details that the lawful use of the site has been confirmed through planning permission⁵ and asserts that this forms a fallback position.
19. However, the council details that the planning permission for the static caravans was granted as a personal permission due to the availability of accommodation for Travellers at that time. Therefore, while the site could be occupied by those named in the relevant condition, this is a significant restriction on the permission. On this basis I am not satisfied that the existing situation is equal or worse in planning terms to the appeal scheme. Therefore, the existing planning permission does not represent a valid fallback position for the appeal scheme that seeks consent for three unrestricted open market houses.
20. The appellant has referred to the precedent set by an earlier appeal decision⁶. However, I consider that the circumstances are materially different in this instance.
21. I saw at the site visit that there are a number of static caravans on the site that appeared to be in various states of disrepair. The appeal scheme, in redeveloping the site, would improve the appearance of the site and this is a material

² Paragraph: 023 Reference ID: 7-023-20220825

³ Paragraph 175 and 176, including footnote 62.

⁴ Appellant's Planning Appeal Statement – paragraph 3. Grounds of Appeal A. Established Residential Use and Planning Betterment

⁵ Planning Permission 121600 "Retrospective Planning Application for the change of use to residential caravan site for 2 gypsy families with two mobile homes and two towing caravans, hardstanding and 2 septic tanks". 18/11/2009 Also Planning Permission 130873.

⁶ APP/H0738/W/19/3242788 dated 24 February 2020

consideration that weighs in favour of the appeal scheme but does not outweigh the harm I have identified previously.

Conclusion

22. For the reasons given above the appeal should be dismissed.

Mr M Brooker

INSPECTOR