



## **Planning Application No: 131181**

**PROPOSAL:** Outline planning application for erection of 69 no. dwellings-access to be considered and not reserved for subsequent applications

**LOCATION:** Land at Brigg Road, Caistor, LN7 6QG

**WARD:** Caistor

**WARD MEMBER(S):** Councillor Lawrence, Councillor Bierley

**APPLICANT NAME:** Mr R Oxley and R Marriot

**TARGET DECISION DATE:** 22/05/2014

**DEVELOPMENT TYPE:** Large Major - Dwellings

**RECOMMENDED DECISION:** Refuse permission

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### **Description:**

This application seeks outline permission to erect 69 houses with access to be considered and all other matters reserved. The application site is located to the north of Caistor and fronts onto Brigg Road. The application site is irregular in shape with an area of 3.34ha. The site does not include an electrical substation which fronts Brigg Road and has its own access.

The layout provided is indicative but access is under consideration and would be to Brigg Road. The access would have a width of 5.5m with paving either side. Of the site, 2.41ha would be developed leaving an area of 0.93ha as open space. The proposed development would have a range of housing types from bungalows to houses (up to three storeys in height). An area of land to the front of the site would be available as open space whilst a more substantial area of open space would also be formed to the northern section of the site adjoining the stream and the open countryside.

The site is currently grazing land. Whilst relatively flat to the north western parts of the site gradients rise to the east and south east considerably. The maximum change in ground levels at its greatest would be 20m. Gradients at the site would be more severe on some parts of the site compared to others. The northern part of the site includes a stream and is the lowest part of the site.

To the north, north east and east of the site is further grazing land, part of the Waterhills area a locally designated area of nature conservation site. To the south east is residential development within the North Street area of Caistor. To the south and west is Brigg Road (A1084) which is the main road running through Caistor to the north. Beyond this road are further dwellings within the Keyworth Drive area. Also to the north west of the A1084 is Caistor Sports Ground.

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

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

**Relevant history:**

None

**Representations:**

**Original Design for 72 dwellings**

**Sir Edward Lee MP:** I oppose this development as it places too much strain on existing infrastructure.

**Chairman/Ward member:** Have received requests from Town Cllr Caine to clarify information due to a number of discrepancies within the details submitted.

**Caistor Town Council:** Object

- Traffic survey states 40 houses when there are 72 leading to approximately 144 vehicles being accommodated at the site. Close to a dangerous bend leading to more accidents. Survey done in the winter when there are no motor cycles using the roads. Access is opposite the sports ground access which will increase conflicting movements and increase danger. The road is an A road with fast moving traffic, this combined with the conflicting traffic movements from these access points would lead to a significant increase in risk for traffic. It is also narrow at this point with no verges to escape to if a collision is imminent.
- The land is part of the Great Landscape Value designation in the current Local Plan and is used by walkers and is important to tourism in Caistor. It would also harm views from the AONB. The site is also important for wildlife and a full survey should be required. The site is boggy and drainage is a concern. Archaeology in this area is important.
- Infrastructure in the area is at capacity significant concerns over sewage, doctor's surgery and schools which are oversubscribed.
- Further comments received from the Town Council include signage should be provided at the pedestrian crossing and speed limits reduced to 30mph at the onset of building. With a gated entrance to be provided further down Brigg Road. A SID speed camera should also be proposed.
- A watching brief for archaeology should be supported and the drainage report is still inaccurate.

**Local residents:**

102, 106 & Shieling Farm, Brigg Road,  
8 Spa Top,  
Chapel House, Church Street,  
22 Old Sessions House Buttermarket,  
1 The Ropewalk (x2),  
15 Cherry Holt (x2),  
2 & 154 North Kelsey Road,  
1, 3(x2), 5 & 6 Keyworth Drive,  
4 Knapton Court,  
60, 84 (x2), 86, 88 & 90(x2) North Street,  
3 (x2) & 4 Riby Road,  
6 Yarborough Rise,  
(x2), 37 & 38 Kelsway,  
20 High Street,  
20 (x3) & 43(x2) Lincoln Drive  
15 Coach House Court,  
15 Windsor Drive,  
16 Ayscough Grove,  
28 Hansard Crescent,  
15 Newbolt Close and  
9 Bobs Lane, Caistor.  
5 Draycot & 5 Woodfarm Close Nettleton,  
Holly Tree House Kirmond Road Binbrook  
Fonaby Lodge Fonaby and  
17 Buttercup Way Castleford (previous resident of Canada Lane Caistor):

Objections to the scheme as originally submitted can be summarised as:

- Highway safety and capacity  
Brigg Road is very busy and the access is in a hazardous location with a 40 mph limit. Drivers travelling out of Brigg come down hill and gather speed. Coming into Brigg there is a blind bend further reducing the ability of people to stop. There have been a number of near misses at the sports club access, this proposal will be worse. Speed limits are not observed and heavy farm machinery, HGVs, cars and motorbikes use this road. There is no footpath on the western side of the road making sports ground users to cross the road increasing the chance of accidents. At school times the road is grid locked. Other houses at 5 and 7 Brigg Road and notably the development at Keyworth Drive have had access points denied so why would it be reasonable for 72 houses to access here? Children would cross here to get to the sports field, a very bad idea.
- There are no jobs in Caistor so people will drive to Grimsby, Scunthorpe or Lincoln – there is no benefit to Caistor or its facilities.
- The report was undertaken in winter when there are fewer cars and motorcycles that focus on Caistor in the summer months. Also no account has been taken of the new caravan park at Caistor Lakes.
- Between 08:30 – 09:00 and 15:30 – 16:00 Caistor becomes grid locked with school children.
- Site is very boggy and is known locally as Waterhills. A lot of small creatures use this area for watering including: foxes, Muncjac deer

and rodents. A hawk is also noted to use the site. There are also various food plants which wildlife use on the site.

- As the site is boggy, due to the natural springs the area will lead to flooding elsewhere.
- Houses locally have been flooded with sewage in the recent past. The system cannot cope currently. Sewage tankers have to pump the waste out of the system regularly to stop over flow. Electricity supply is poor too with a number of short cuts
- Waterhills is Caistor's equivalent of Hubbard's Hills in Louth. The site is very attractive and visible and is an ancient landscape which should be protected for tourism. It is close to the Viking Way. From Caistor this site gives uninterrupted views of the vale. If this is approved other fields will follow. It is a well-loved area locally and forms part of the valley that defines Caistor. Only in a few places can you walk from a market square into the countryside within a few minutes. This is an attraction for tourists. It would also spoil the view. Local residents love to walk through the site, children play here and families' picnic. The site is known for its archaeological significance and as a result investigations should be undertaken and is part of the Area of Outstanding Natural Beauty. It will lead to further development.
- There are other brown field sites which should be used first.
- The Neighbourhood Plan does not condone development in this area. The plan previously had the site in as we were told to recognise what was in the SHLAA. To build on the lower part of Waterhills Valley would significantly detract from the whole valley.
- The schools and doctors are full and cannot cope with such a large influx of people. There is no dentist.
- People who choose to live in Caistor do so for the rural nature of the town not a built up estate environment
- Car parking is a significant problem in Caistor and this proposal will lead to more people travelling into the centre making it worse.
- Too many houses are being built in Caistor and it will de-value existing property. A lot of new houses being built are still empty.
- Policing in Caistor is poor and the proposal will place further stress on the town. A playground would introduce greater anti-social behaviour.
- Having a high voltage substation close to where children live will be a bad idea
- The proposal is an over development of the site with little area for footpaths, due to car parking. The development covers too greater area. Too many houses! The density is too high, would be better to be lower with more space to blend it with the countryside. The garage blocks to the centre of the development will appear unattractive.

- The site does not appear in the Neighbourhood Plan which whilst not approved by referendum does shown local support for retaining this open area. To approve housing would appear undemocratic.

Supporting: 59 North Kelsey Road, 66 South Street & Support Grimsby –

- Support proposal as I would like to move back to the town. Director and Chairman of Caistor Development Trust – The town has reached a water shed after a number of important projects such as the Caistor Townscape Heritage Initiative, Caistor Montessori, Co-op store and the Arts and Heritage Centre. These social and economic enterprises have provided a boost to the area but the economic and social well-being of the town is limited by its population which is less than 3000. To succeed Caistor needs more houses and jobs. There are few sites which would provide easy pedestrian access into the market square. Perhaps, however, a s106 planning legal agreement could be provided to support the Caistor Development Trust to use for the provision of additional car parking.
- Houses for sale in Caistor too expensive and with little choice, this will help
- Having to move away as so little choice.
- Still a lot of beautiful views in the town.
- Will assist to bring more facilities to the town.

**Civic Society:** Access is dangerous with a number of fatal accidents in the area. It is close to a bend and people do not abide by the speed limit. It would also make it more difficult to access Brigg Road from North Kelsey Road. There are already two large housing developments in the town and this will increase significant pressure on schools, doctors and the sewerage system. There would be a loss of attractive open countryside, wildlife will be affected by the proposal and it would prevent the land being farmed again. There are also a number of natural springs on the site leading to surface water drainage concerns Tourism would suffer as parking is at a premium in the centre bit these spaces would be taken by new residents.

**LCC Highways:** Requires additional information and amendments – A footpath should be provided along the full length of the frontage. The pedestrian link to the sports ground on the opposite side of Brigg Road would be improved with tactile paving. The proposed access should be designed to accommodate 40mph traffic and a traffic regulation order should be agreed to reduce the speed once the development is occupied.

**Archaeology:** The settlement of Caistor is known to be of Roman origin with Romano- British pottery being removed from other sites in Canada Lane and Brigg Road. The use of the town into the Anglo-Saxon period has led to burial finds in two locations on North Street. The site is also identified as having ridge and furrow on site. Further assessment is required including intrusive evaluation to identify the nature, extent and significance of any archaeological features on the site.

**Lincolnshire Police:** Do not object but offer general advice on the layout which is indicative only.

**Environmental Protection:** No objection in principle but need to address contamination from substation and potential hot spots of contamination resulting from long term burning on the site. Should also consider noise from the substation. Need to consider the terrain which would need to mitigate the surface water generated by the proposal and the ability to store, attenuated and infiltrate the surface water on site.

**Education:** A contribution of £157 870 is requested for the primary school

**Environment Agency:** Object on the grounds of no Flood Risk Assessment. Sewerage works has capacity but confirmation from Anglian Water is required. The site is within a public water supply abstraction area and a watercourse is known within the site. No surface water runoff should occur during construction. Water running into water courses during construction should be eliminated.

Following additional consultation the objection has been withdrawn subject to conditions being imposed to agree a surface water drainage strategy and limitations on surface water flows based on green field rates during a 1:100 year storm event plus climate change.

**Lincolnshire Wildlife Trust:** Object the site is close to the Waterhills Local Wildlife Site (LWS) which has a connection to the proposed development site through the stream which runs to the north. The LWS is important due to its calcareous and neutral grassland indicators as well as those of flowing and standing water associated with the springs. Given the ecological linkages between the two sites and that aerial photos indicate that the development site may be unimproved grassland, there is a possibility that the site could be of ecological interest. There is no ecological report attached and there should be a report which assesses the site for potential for protected or notable species to be present and make recommendations for mitigation or enhancement as well as providing a botanical survey of the site. Until the extent of the impacts are known the Trust objects to the proposal.

Additional comments – the additional supporting information was completed in December when the plants of interest are dormant. Therefore the assessment required should be done at the appropriate time of year.

**Anglian Water:** Have confirmed that there is capacity for a 72 house development within the sewerage network. Surface water is not a matter relevant to Anglian Water and the Environment Agency should be contacted.

Revised plans were subsequently submitted reducing the number of dwellings from 72 to 69.

#### **Comments on the revised plans:**

**Sir Edward Lee MP:** has significant objections to the proposal due to the impact on the limited infrastructure in the village: highway safety, schools, doctors and drainage (in particular flooding & lack of sewerage capacity in the area).

**Caistor Town Council:** Objects on the following grounds

*Highways safety and capacity*

- The development will generate 150 car movements a day.
- The access is dangerous
- Since the original survey undertaken Caistor Lakes has opened and all year round occupation at the Wolds Retreat this has had an effect on traffic levels.
- The report also was undertaken in winter when traffic levels were lower. An additional access of Brigg Road has been resisted.
- The Council is also aware of a number of unrecorded accidents in the area.
- Speed reduction to 30mph should take place at the commencement of development not completion.
- Footpath extension is welcomed
- Requires a right hand turn lane
- Advice note requested re construction traffic.

*Procedural*

- If outline consent granted a detailed application should follow

*Drainage*

- Concerns remain with respect to drainage and the ability of soakaways to deal with water

*Environmental*

- Concern that surface water run off would contaminate sensitive Local Wildlife Area up stream.
- An archaeological watching brief is required.

*Infrastructure*

- Concerned that foul drainage system capacity is exceeded.
- Reduction in house numbers is therefore recommended.
- Insufficient fresh water will be available to the site
- The local doctors, dentist and school cannot cope with the influx of users

Conclusion

The Council is opposed to further development in Waterhills Area as allocated in the new Local Plan.

**Local residents:**

5 Spa Top & Chapel House, Church Street,  
9 Horsemarket,  
9, 60, 82, 84 & 90 North Street,  
Hilltop Cottage & 4 Cherry Halt,  
22 Plough Hill,  
Belleau Lodge Grimsby Road,  
28 South Street,  
102a Brigg Road,  
Whitegate Hill,  
20 Lincoln Drive,  
18 Southgate,  
9 Chapel Street,



Raynesway Canada Lane,  
12 Cromwell View  
2 Eddington House Nettleton,  
1 Stainton Drive, Immingham

- Objections

Brownfield sites in Caistor should be utilised first. Caistor Hospital site has been under construction for many years and is not built out yet. Navigation Way is the same. No need for further houses

Spring water emanates in the area and flooding occurs at times. Developing this area will increase this risk and lead to damp and land fall.

There is also concerns as to contamination of spring water impacting upon drinking water.

During periods of heavy rain significant floodwater runs down North Street towards the site entrance. Drains surcharge in the area. This will make matters worse. The incidents of heavy rain is increasing due to climate change.

Potential impact on flora and fauna is not adequately assessed. Kestrels are noted in the area. Orchids are also found here. Many of the hedgehogs nursed to health are released there.

It was mentioned by the Area of Outstanding Natural Beauty contact at a meeting that views into, out of, and including views within that boundary are of equal importance. Therefore the Viking Way which enjoys National Walkway status should have views of attractive scenery from its path. The housing development will impede on this view from the Viking Way. Within the area tourism is important and this will harm it.

The area is the beginning of the end for this well-loved area which has a unique character. It is well used by locals for recreation and aesthetic value. Although in private ownership it is much appreciated by residents. Natural water in the area runs down into streams which flow by the Grammar School. Lots of people use the footpaths in the area which overlooks the site. Ruin the pleasant nature of the site.

The road is not safe at this point due to the tight bends in the road, blind spots and the rising terrain. Extra footpaths and cycle ways will increase vulnerable traffic in this location. There needs to be a pedestrian crossing to the sports field. There should be right hand turn lanes to limit safety concerns. During winter this area of the road floods and freezes increasing danger.

Changes made to the previous scheme are very minor and make no difference to the issues

Insufficient traffic assessment has been undertaken, and that a number of safety risks have not been addressed and that should consideration be given to recommending approval, the following concerns must be seriously considered on the grounds of highway safety. An access to Keyworth Drive close by has been refused on safety grounds. At least two additional

accidents have occurred with a car leaving the road and a cyclist knocked off.

The overall growth of the traffic on the A1084 has been under estimated and the increases in traffic should be investigated further. Traffic growth from the site has also been grossly underestimated at least 130 cars will be attracted. The road is used by all classes of traffic and includes: 44 tonne HGV's, children cycling to the nearby sports facilities and motorcycles. Slow moving turning vehicles are also found in the area particularly if there is an event at the sports club like a cricket/ football match. Bike nights also increase motor cycle use in the area considerably. Survey was undertaken in winter when there are no holiday traffic.

A western relief road is needed to take heavy traffic out of the town.

Not enough doctors, residents cannot get appointments within 10 days. The GP's lost a doctor recently how will the surgery cope with extra patients? Schools are full and there is no pre-school provision. There are no shops in the town so no additional dwellings should be erected until infrastructure and services are made available.

Not sustainable most journeys will be by car.

Power lines should be underground and the substation is not sufficient for the area and fails often.

Having housing next to the substation will increase vandalism and reduce security and safety.

Lack of capacity in the foul drainage system and drinking water.

Density is too great and not in keeping with the area, bungalows would be better with larger gardens – fewer more up market dwellings are required.

The issue of this application has divided the town of Caistor and has led to a lot of bad feeling and apathy. It has also stopped people getting involved with the Neighbourhood Plan.

- Support: Whitegate Hill, 18 Wood Farm Close Nettleton, 12 North Kelsey Road,

Caistor needs additional development to take the regeneration agenda forward it has now stalled. Due to its limited population the economy of the area is fragile. The site is ideally placed close to the market square and the town needs small developments such as this.

The visual impact is not as bad as made out and is mainly behind North Street. It is not on the Waterhills area

If more houses are allowed it will increase the pressure on authorities to get a new GP.

It is as infill site

Proposal has good urban design principles.

People will walk as the local centre is very close by.

**Public Rights of Way:** The Definitive Map and Statement shows Definitive Bridleway (Caistor) No. 30, Canada Lane, and Footpath No. 29, Hundon Walk, in the wider vicinity of the site although not directly affected by the proposed development.

New households will seek opportunity for fresh air and exercise and a planning condition is sought to provide a further footpath or bridleway link to Canada Lane. This would be to affect only lands in the same ownership with detail of the alignment and surface of this to be agreed in negotiation with LCC.

**Anglian Water:** Caistor recycling centre has capacity to accommodate the development. Proposals will require foul water to be pumped to the network. The foul sewerage network does not have capacity and will result in unacceptable flooding downstream. A drainage strategy will be required to determine mitigation measures. A condition is required to agree improvement works before work commences on site.

**Environment Agency:** Request condition relating to contamination to protect the aquifer.

**Lincolnshire Wildlife Trust:** Previous plans illustrated that the majority of the botanical interest in the sloping areas running down to the stream would be retained. Further information regarding water discharge and management of retained habitats would be required at a later date however. Current plans however, are now unclear about the status of these areas. The revised Design and Access Statement refers to these areas of retained vegetation as 'green space' and the landscape strategy on page 54 shows the garden areas stopping short of this. Plans, however, show the plots extending all the way down to the stream. If the retained habitat is included within individual plots then it is effectively garden land and is likely to be ultimately lost as there will be no control over management. If such areas are lost an objection would be required. Clarification is therefore required.

The provision of two new SUDS ponds within the scheme which will hold permanent water is supported and should be designed to benefit wildlife as well as serving their principal drainage function.

The terrestrial area surrounding the ponds should be managed to provide species rich grassland with features suitable for amphibians and reptiles which may be attracted to the area. It is recommended that existing grassland in these areas be retained and protected wherever possible. Advice is also given on measures to be taken if damage to such areas occurs complement habitats at the adjacent stream and nearby Water Hills Local Wildlife Site.

Details of the final surface water drainage strategy is required given the stream is at the head of the catchment. This can be conditioned. Only clean water should be discharged to the watercourse.

**Archaeology:** No further input required.

**Public Protection:** Objections remain:

- Concerns remain in relation to the contamination and noise from the substation.
- Surface water and potential for surface water flooding.

Many of the original concerns remain particularly with respect to the issue of surface water drainage. Despite a number attempt to resolve matters these issues remain.

Additional concerns include the proposed bunds which are proposed to the eastern boundary which would redirect water which currently flows onto the site. It is not detailed as to how such flows would be managed increasing the risk to others.

Despite the potential and innovation that has been apparent, it is not reflected in this application. Accordingly I cannot recommend approval.

### ***Lincolnshire County Council Highways & Lead Flood Authority:***

#### **Relevant Planning Policies:**

##### National guidance

National Planning Policy Framework (NPPF)

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

National Planning Practice Guidance (NPPG)

<http://planningguidance.communities.gov.uk/blog/guidance/>

##### West Lindsey Local Plan First Review 2006

STRAT1 – DEVELOPMENT REQUIRING PLANNING PERMISSION

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3a.htm#strat1>

STRAT3 – SETTLEMENT HIERARCHY

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3a.htm#strat3>

STRAT5 – WINDFALL AND INFILL DEVELOPMENT WITHIN MARKET RASEN & CAISTOR

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat5>

STRAT9 – PHASING OF HOUSING DEVELOPMENT AND RELEASE OF LAND

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat9>

STRAT12 – DEVELOPMENT IN THE OPEN COUNTRYSIDE

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat12>

STRAT 19 – INFRASTRUCTURE REQUIREMENTS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat19>

SUS 1 – DEVELOPMENT PROPOSALS AND TRANSPORT CHOICE

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt4.htm#sus1>

SUS 4 – CYCLE AND PEDESTRIAN ROUTES IN DEVELOPMENT PROPOSALS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt4.htm#sus4>

MT 1 - MARKET TOWNS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt5.htm#mt1>

RES1 – HOUSING LAYOUT AND DESIGN

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt6.htm#res1>

RES5 – PROVISION OF PLAY SPACE/RECREATIONAL FACILITIES IN NEW RESIDENTIAL DEVELOPMENTS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt6.htm#res5>

RES 6 – AFFORDABLE HOUSING

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt6.htm#res6>

CORE10 – OPEN SPACE AND LANDSCAPING WITHIN DEVELOPMENTS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt8.htm#core10>

NBE9 – THE LINCOLNSHIRE WOLDS – AREA OF OUTSTANDING NATURAL BEAUTY

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe9>

NBE 10 - PROTECTION OF LANDSCAPE CHARACTER IN DEVELOPMENT PROPOSALS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe10>

NBE 12 - DEVELOPMENT AFFECTING LOCALLY DESIGNATED NATURE CONSERVATION SITES AND ANCIENT WOODLANDS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe12>

NBE 14 - WASTE WATER DISPOSAL

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe14>

NBE 15 - WATER QUALITY AND SUPPLY

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe15>

NBE20 - DEVELOPMENT ON THE EDGE OF SETTLEMENTS

<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt11.htm#nbe20>

## **Submitted Central Lincolnshire Local Plan (June 2016)**

<https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/17818.pdf>

LP1: A presumption in favour of sustainable development  
LP2: The spatial strategy and settlement hierarchy  
LP9: Health and wellbeing  
LP10: Meeting housing needs  
LP11: Affordable housing  
LP12: Infrastructure to support growth  
LP13: Accessibility and transport  
LP14: Managing water resources and flood risk  
LP16: Development on land affected by contamination  
LP17: Landscape, townscape and views  
LP18: Climate change and low carbon living  
LP21: Biodiversity and geodiversity  
LP24: Creation of new open space, sports and recreation facilities  
LP25: The Historic Environment  
LP26: Design and amenity  
LP51: Residential allocations – Market Towns

The CLLP has completed its third and final round of public consultation and has now been submitted for examination by the Planning Inspectorate. The Plan will be subjected an Examination in Public (EIP) and those policies which have been objected to will be defended during this process. In accordance with paragraph 216 of the NPPF the weight afforded to policies within this draft of the Local Plan has significantly increased.

## **Caistor Neighbourhood Plan (CNP) Made Version**

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/neighbourhood-plans-being-prepared-in-west-lindsey/caistor-neighbourhood-plan/>

CNP Policies:

- 1 - Growth and the resumption in favour of sustainable development
- 2 - Type scale and location of development
- 3 - Design quality
- 4 - Housing mix and affordable housing provision
- 5 - Improved pedestrian and cycling linkages
- 8 – Leisure facilities
- 10 - Tourism
- 14 – Community infrastructure requirements

Aspiration 1 – Transport, traffic and highway infrastructure delivery and management strategy

The Caistor Neighbourhood Plan has been produced following extensive public consultation. The formal making of the plan occurred on the 6<sup>th</sup> March 2016. Through the making of the plan the CNP now forms part of the Adopted Development Plan for West Lindsey and is used to determine planning applications.

## **Main issues**

- *Principle of housing in this location (STRAT1, STRAT3, STRAT5, STRAT9, STRAT12 and MT1)*
- *Character & nature conservation issues (STRAT1, NBE10, NBE12, NBE15 and NBE20)*
- *Highway safety and capacity (STRAT1, MT1, RES1, RES3)*
- *Drainage and Flooding (STRAT1, NBE14 & NBE15)*
- *Archaeology (STRAT1)*
- *Design and residential amenity (STRAT1, STRAT5, CORE10, RES3, RES5).*

**Assessment:**

- *Principle of housing in this location (STRAT1, STRAT3, STRAT5, STRAT9, STRAT12 and MT1)*
  - i) *Provisions of the West Lindsey Local Plan First Review*

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

The Local Plan, which has a lifetime of 2006-2016, contains a suite of strategic (STRAT) and residential (RES) policies that are designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's housing provision objectives.

The site lies outside of the settlement limit for Caistor and is therefore classified as being within the open countryside. Policy STRAT12 applies and states that development should not be permitted in such locations unless there is justification for it being in an open countryside location or it can be supported by other plan policies.

Permission is sought for residential development comprising both market and affordable housing – it does not meet the exceptional criteria of STRAT12. As an undeveloped, or 'greenfield' site it also falls on the bottom rung of STRAT9's sequential approach towards prioritizing previously developed land.

The development is contrary to the development plan and falls to be refused unless there are material considerations to indicate otherwise.

*ii) National Policy*

A significant material planning consideration is the National Planning Policy Framework (NPPF). Paragraph 49 states that:

*'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'*

The latest assessment indicates that the 5 year housing land supply requirement (taking account of a 20% buffer) amounts to 11531 dwellings for Central Lincolnshire. The spatial housing policies of the adopted Local Plan fall some way short of West Lindsey's proportion of this figure and as a result

to meet the identified housing need greenfield sites not allocated in the adopted WLLP will need to be considered for development. It is therefore accepted that spatial housing policies of the WLLP should be considered out of date.

Planning Practice Guidance states that *“Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints.”*

The NPPF post-dates the development plan and requires Councils to *“identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.”* The buffer raises to 20% where there is a consistent record of under delivery.

The latest Housing Land Availability Assessment (May 2016) identifies a need of 11,531 dwellings across five years, which includes a 20% buffer due to the previous undersupply of housing land. The latest (May 2016) five year supply figures are based upon an overall housing requirement for the plan period of 36,960 dwellings – this figure is based on a published Strategic Housing Market Assessment (SHMA).

The assessment also identifies a land supply suitable for residential development. This shows a supply of 5.33 years (12,283 dwellings) in the five year period 2016/17 to 2020/21. The assessment includes:

- sites under construction;
- sites with full planning permission, but development has not started;
- sites where there is a resolution to grant planning permission;
- sites with outline planning permission;
- sites allocated in an adopted Local Plan; and
- sites not allocated in a Local Plan or without planning permission and which have no significant infrastructure constraints to overcome
- A windfall allowance (of 187 dwellings a year from the second year)

The Submitted CLLP identifies a large number of sites, including the application site, to meet the assessed housing need. As the CLLP has been submitted to the Planning Inspectorate, with the Examination in Public (EIP) expected in the autumn, it is considered that the allocation should be given additional weight in any determination. Substantial evidence reports have been published, including sustainability appraisals for all allocated sites. Such reports justify the selection of the allocated sites and show they are readily available. This site is readily available and is underlined by the submission of this application.

Nevertheless the NPPF’s presumption in favour of sustainable development (para. 14) is still activated, which for decision-taking means: *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

*– any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*



– *specific policies in the Framework indicate development should be restricted.*

### iii) Submitted Central Lincolnshire Local Plan

The Submitted Central Lincolnshire Local Plan (Jul 2016) also contains a suite of policies relating to the planning principle for the area and land allocations. The plan categorises settlements as per their function, scale, services and connections. Policy LP2 indicates that Caistor would be determined as Market Town. Here policies indicate that Caistor will be the focus for significant but proportionate, growth in housing... Most of its growth it notes will be via sites allocated in this plans, or the intensification or renewal of the existing urban area. However, additional growth on non-allocated sites in appropriate locations on the edge of these market towns may also be considered favourably though these are unlikely to be supported if over 50 dwellings/2ha per site (whichever is the smaller).

The application site includes CLLP allocation CL1888 which has an area of 2.21ha with an indicative number of dwellings being noted as 50. This allocation covers the majority of the application site with only the northern eastern corner falling outside the allocated area. The remaining part of the site is unallocated open countryside.

It is accepted, therefore, that the majority of the application site does include the allocated site but exceeds the designated site in terms of area and proposed housing numbers. Nevertheless the increased numbers required would still accord with policy LP2.

### iv) Caistor Neighbourhood Plan

Paragraph 184 of the NPPF indicates: *Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.*

The NPPF further notes that: *Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict (para 185).*

The Caistor Neighbourhood Plan should be given full weight in this application assessment as it has now been made. The CNP does not allocate development sites but its policies seek to provide a broad criteria for future development. Of particular note is policy 1 which seeks a presumption in favour of sustainable development. Policy 2 goes further and provides guidance as to the type, scale and location of development. The policy indicates, amongst other requirements, that proposals should reflect the character and appearance of the town and be within 800m of the market square where a large number of the town facilities are.

The application site falls clearly within this distance based criteria, a well-used tool for assessing sustainable access. In addition to this, the site falls

outside of the natural and semi-natural green spaces as shown within the Composite Plan.

The impact on the character of the area is an important consideration but will be assessed below.

### **Sustainability**

Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. It is important to note from paragraph 37 of the Dunholme appeal decision that *“the NPPF enjoins the planning system to seek joint and simultaneous gains across the three mutually dependent dimensions of sustainable development: social, economic and environmental”* and *“the overall balance must look across all three strands”* but that *“weakness in one dimension did not automatically render a proposal unsustainable.”*

Caistor is allocated as a Market Town (WLLP policy STRAT3, CLLP LP2). The settlement contains: primary and secondary schools, churches, community and sports facilities, shops, public houses and employment. The site is located approximately 400 - 600 metres from the centre of the village which would be a comfortable walking distance even taking account of topography. It is accepted that as a maximum distance access to some of the schools would be approximately 1km away from the site and uphill however, whilst 800m is a comfortable 10 minute walk this is not the upper limit of advice as 2km is deemed a realistic alternative to the motor car (Manual for Streets DCLG 2007). Similarly, cycling has the potential to replace motor vehicles for trips of 5km or less. The application site is also opposite the sports ground which includes play equipment increasing facilities without having to resort to the use of a motor vehicle.

Caistor is reasonably well served by bus routes and these services are considered to provide a sustainable method of connecting to Grimsby/Lincoln, Market Rasen and indeed Brigg (although with a very limited service). The bus stop closest to the site is within the Market Place within approximately 400m (600m from the furthest part) of the site.

The application site would also connect to the existing footpath network at the site. At reserved matters stage it is likely that detailed designs would be required to ensure footpath and cycle routes would permeate the site to aid accessibility. These footpaths would be enhanced. This would accord with the requirements of CLLP policy LP13 and CNP5.

NHS England have advised that a financial contribution would not be required to contribute to the capital cost of health care infrastructure in this instance. Whilst the concern over the capacity of the local GP practise is important, the issue of doctor recruitment is not a planning matter and is a national issue which cannot be rectified by individual developments or developers.

The Education Authority have stated that the development would result in a direct impact on local schools. A £157 870 contribution is therefore requested to mitigate against the impact of the development at local level. This is a valid request compliant with legislation and would need to be secured through the S106 planning obligation.

A viability assessment has been provided to your officers and has been assessed. Due to the difficulties of developing this site and low sale values the full request is not deemed viable. It is therefore recommended that a reduced value of £105 000 be agreed. The applicant has agreed this figure. Should the Planning Committee seek to support the proposal it is recommended that a s106 legal agreement be drawn up to include such a requirement.

STRAT19 of the West Lindsey Local Plan requires that infrastructure is required to serve new development. It states that development that increases demand on infrastructure that cannot be satisfactorily provided for within the existing capacity of on- and off-site service and social/community infrastructure or other services will not be permitted unless extra capacity will be provided to serve the development. This accords with policy 7 of the CNP which require support of local facilities.

The developers are offering 15% affordable units to be provided on site based on a viability assessment of the proposal. This is below the 25% affordable housing figure required by WLLP policy RES 6 and the 20% required under CLLP LP11. As noted above the applicant has submitted a viability appraisal and this has been examined by your officers and it is considered an accurate assessment of the proposal. Whilst a reduced figure it would still provide 10 affordable housing units. The provision of affordable housing would also help to provide a balanced community with a variety of housing types and tenures as required by saved WLLP policy RES6, CLLP LP11 but also Neighbourhood Plan Policy 4. Again should the planning committee support this application the requirement for the provision of 15% affordable housing units would form part of the s106 planning agreement.

- *Character & nature conservation issues (STRAT1, NBE10, NBE12, NBE15 and NBE20)*

The application site is positioned on the edge of Caistor and is located outside the town boundary. The application site falls into an Area of Great Landscape Value (AGLV). Saved Policy NBE20 indicates that *Development will not be permitted which detracts from the rural character of the settlement edge and the countryside beyond.*

*Where development on the edge of settlements is permitted the Council will require:*

- i. Design proposals which respect and maintain the existing character and appearance of the boundary of the settlement footprint, or result in the improvement of an unattractive approach;*
- ii. An agreed scheme of landscape treatment and/or open space provision.*

Similarly, saved Policy NBE 10 indicates that high priority will be given to conserving the distinctive landscape features, landscape character and the landscape amenity value of the district. Development will not be permitted if it is likely to have an adverse impact on the features, setting or general appearance of the Landscape Character Areas as defined in the Landscape Character Assessment and amplified in the Countryside Design Summary.

In cases where development is to be permitted proposals should meet the following criteria:

- i. It should respect and enhance local distinctiveness;*

- ii. The scale, design and materials used should reflect local styles and respect the local environment;
- iii. Important landscape features should be maintained or enhanced as part of the scheme;
- iv. Development should not have a detrimental effect on skylines or important views.

Areas of particularly high local landscape value because of their distinctive characteristics have been identified on the Proposals Maps as Areas of Great Landscape Value

Within the West Lindsey Landscape Character Assessment the area is noted as forming part of the North West Wolds Escarpment although the lower edge of the site adjoins the Heathland Belt character area. The Escarpment forms the backdrop to this part of the district and the slopes are steep, hummocky and indented by the action of streams and landslips. Although Caistor extends up the escarpment and punctures the skyline in places, the adopted Countryside Design Summary for the area advises that new development should be severely restricted along the prominent ridgeline and scarp face. New buildings it notes should only be accommodated on the lower slopes, following the existing settlement pattern.

It further notes that careful consideration should be given to the siting of buildings, taking account of local topography, vegetation and views. Buildings which are situated at the foot of slopes or in the folds of undulating ground are characteristic; they should be associated with substantial tree planting designed to integrate them with the surrounding contours and landscape pattern. Developments should not be linear but seek to ensure buildings contribute to the setting of the village. Substantial blocks of development would be inappropriate in this natural landscape setting.

CNP policy 2 notes that the growth of the town is welcomed but that growth needs to be at a scale and in locations that reflect the historic character of the town and avoid undue expansion.

CLLP LP17 follows similar lines indicating that proposals should seek to protect and enhance the intrinsic value of the landscape and townscape including the setting of settlements. Proposals it notes should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and town scape which positively contribute to the character of an area. It further notes that the impacts on the character of the Lincolnshire Wolds AONB and Area of Great Landscape Value (AGLV) is particularly important.

The visual impacts of this proposal on the character of the area are twofold:  
a) impact on the character of the countryside including the entrance to Caistor itself and b) the layout and design of the development.

- a) Impact on the character of the countryside including the entrance to Caistor

As noted the site is currently grazing land which extends from Brigg Road upwards along the escarpment to the east and to existing dwellings to the south, south east. To Brigg Road the site wraps around a large fenced compound that accommodates a single storey brick substation and

transformer. This compound is partially screened from the road with hedges but is nonetheless clearly seen particularly when arriving into Caistor from Brigg. It is also present in many of the views of the escarpment from Brigg Road. On a more positive note mature trees existing in the southern corner of the site currently provide a green entrance to the village.

It is considered that the proposed development would modify the character of the entrance to the village in this location but that the harm of the existing substation could be reduced through screening of some views with positive housing designs either side of the compound. This could enhance the entrance to Caistor particularly with the retention of the mature trees in southern corner of the site, the mature hedges to the site boundary and the creation of a village type green area to the Brigg Road frontage. In addition to this, the termination of the development short of the curve in the road and the stream to the north would retain some undeveloped views of the escarpment/ Waterhills beyond. The site is also partially opposite the housing to Keyworth Drive which is formed of two storey buildings. This provides a partial setting for the site along Brigg Road.

The Viking Way is positioned to the east of the site, some way up the escarpment. This well-known long distance pathway does not directly adjoin the application site which is some 120m to the west. Views from the pathway especially during the summer months is heavily screened by hedging and trees which form a canopy over the pathway. In addition to this, the topography of the land relative to this long distance footpath would considerably reduce views of large sections of the development.

Similarly, although more views of the site would be possible from Canada Lane, again hedging and mature trees would screen most views whilst from closer sections any development would be seen in the context of the housing to North Street, the substation and Keyworth Drive beyond. Therefore whilst again changing the character of this area it is not deemed significant nor sufficient to seek to resist development on landscape grounds.

Views from other public vantage points on top of the escarpment at Riby Road would be limited by the brow of the descent with the development being on the lowest levels of the hill in accordance with the West Lindsey Character Assessment.

#### b) The layout and design of the development

Although outline in form and as such any plan is indicative, the applicant has sought to consider the character of the development through assessing the layout of Caistor, its building types, position, density and spaces. It seeks to provide a unique design that follows the character of the town rather than a standard estate plan. The proposal also seeks to address the open countryside with a reduction in density towards the edges of the site. Building heights are also indicative but range from single storey to three storey in height. Similarly, detached, semi-detached and terraced formats are proposed again mimicking the town itself.

Therefore whilst the proposal would replace a greenfield site and some views from public vantage points would change, the impact on views of acknowledged importance would be limited whilst other views would benefit from the screening of the substation.

## Ecology

The site is not designated as an ecologically important site but it is close to Waterhills Local Wildlife Site (LWS). This is an area which is located above the Viking Way walk to the east of the site and is designated within the adopted Local Plan. Saved Policy NBE12 states: *Development will not be permitted which would adversely affect any of the following, unless there is a demonstrable overriding regional or local need for the development which cannot be accommodated elsewhere and the reason for the development clearly outweighs the need to safeguard the substantive nature conservation value of the site:*

- i. Site of Nature Conservation Importance;*
- ii. A Local Nature Reserve;*
- iii. A Lincolnshire Trust Nature Reserve;*
- iv. A Regionally Important Geological or Geomorphological Site;*
- v. Ancient Woodlands;*
- vi. Any species of animal or plant, or its habitat, protected under British or European Law.*

*Where development is permitted planning conditions will be imposed which will require:*

- a. That adequate opportunity is provided to enable proper recording of the site;*
- b. That before development commences measures are agreed with the Council and taken by the Developer which mitigates the effects of the development on the site, the woodland and the wildlife, and compensate for any potential loss, in order to recognise and preserve the nature conservation interest.*

## Other matters

The CCLP also includes policy LP21 which relates to biodiversity and geodiversity. It notes: *All development should:*

- protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*
- minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity.*

*Planning permission will be refused for development resulting in the loss, deterioration or fragmentation of irreplaceable habitats, including ancient woodland and aged or veteran trees, unless the need for, and benefits of, the development in that location clearly outweigh the loss or harm.*

*Proposals for major development should adopt a landscape scale and ecosystem services approach to biodiversity and geodiversity protection and enhancement identified in the Central Lincolnshire Biodiversity Opportunity Mapping Study.*

*Development proposals should create new habitats, and links between habitats, in line with Biodiversity Opportunity Mapping evidence to maintain a network of wildlife sites and corridors to minimise habitat fragmentation and provide opportunities for species to respond and adapt to climate change. Development should seek to preserve, restore and re-create priority*

*habitats, ecological networks and the protection and recovery of priority species set out in the Lincolnshire Biodiversity Action Plan and Geodiversity Action Plan.*

*Where development is within a Nature Improvement Area (NIA), it should contribute to the aims and aspirations of the NIA.*

*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.*

### **Mitigation**

*Any development which could have an adverse effect on sites with designated features and / or protected species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the biodiversity or geodiversity value of designated sites are identified, the proposal will not normally be permitted.*

*Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species.*

*In exceptional circumstances, where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with compensation measures towards loss of habitat used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they should be in place before development activities start that may disturb protected or important habitats and species.*

As noted, the proposal would not fall within the designated LWS and is separated from it by a section of field. Nevertheless, the site has value of its own and is connected to the Waterhills LWS by the watercourse. A number of ecological surveys have been undertaken which have shown that the site is generally made up of poor quality grassland but that there are areas which are species rich within the northern section of the site close to the watercourse. Whilst such areas are not sufficient to meet the LWS designation criteria such species nonetheless should be protected and enhanced. The applicant has shown the areas of interest to fall into areas of open grassland to the north of the site where the gradient of the site is greater. Although some houses within the site would have gardens extending down to the stream it is recommended that these are limited and areas shown green on the latest indicative plan be conditioned to be maintained as public open space. In addition to this, further conditions would be required to agree a management scheme at the site. Such conditions would address the concerns of the Lincolnshire Wildlife Trust.

The other issue is the potential pollution of the water course. Such pollution could impact on the Waterhills LWS. The applicant was originally seeking to direct surface water drainage directly into the watercourse which would have increased the potential for pollution. The proposal, however, has now been amended to utilise swales and attenuation ponds which allow for some water cleansing. Subject to detailed designs it is considered that such features would protect the LWS but also allow for enhanced biodiversity on site.

Consideration of wildlife using the site are noted but are not considered significant. Standing advice is therefore recommended whilst enhancement works suggested would assist the support of other animals and birds. This together with the planting recommendations of the Lincolnshire Wildlife Trust accord with policy NBE12 of the WLLP and LP21 of the CLLP.

- *Highway safety and capacity (STRAT1, MT1, RES1, RES3)*

The proposed development would be accessed from Brigg Road the A1048. Access is not a matter reserved and can be considered in detail. The proposed access would be located approximately 27m to the north of the substation access. The access road would be 5.5m wide with a pavement either side of the carriageway.

Taking account of vehicle speed at this part of Brigg Road (40mph) the visibility splays required at the access would be between 90 and 116m. Calculated stopping distance for traffic in wet weather to between 96 to 120m. This also accords with Lincolnshire County Council guidance. The applicant has shown that the proposed site access could meet a 116m visibility envelope. The applicant, however, has also agreed to apply to reduce the speed limit in the area from 40mph to 30mph which would reduce vehicle stopping distances required increasing safety. The position of nearby access to the sports club has also been noted. Taking account the nature of the site and details submitted the proposal has not been objected to by the Highway Authority. It is noted that some drivers do not always obey speed limits but this is not a matter for the planning authority and can be enforced by the police.

Accident data has been assessed from 2009 to 2015 which indicates that 31 accidents have occurred in the surrounding area but only one slight accident, occurred within the vicinity of the application site at the Brigg Road/North Kelsey Road junction. This involved a car and cyclist and took place late in the evening and is attributed to driver error and distraction. This indicates that safety concerns at this location are not significant. Concerns over motor cycles are noted, however, subject to a reduction in speed limits this is not considered significant.

Traffic counts have been undertaken at the site, with approximately just under 300 vehicles per hour passing the site at worst and typically under 200 for the rest of the day. A 69 dwellings estate is considered to generate approximately 296 trips per day, some 34 in the morning peak hour and 25 in the afternoon/evening peak hour. It is noted that a 6.1m wide road, to which the A1084 conforms, can accommodate an hourly flow of 750 vehicles in a single direction. Brigg Road would, even taking account of Caistor Lakes, the Wolds Retreat and the time of year of the survey, be sufficient to accommodate the flows proposed.

As noted above the proposal would generate pedestrian traffic due to its proximity to the Town Centre. The site is currently served by a sub-standard 1m wide footpath. In recognising this the applicant has proposed an enhanced footpath across the site and this would be supported by a condition for a 1.8m footpath. Due to the topography of the site however, the embankment in the south western corner of the site would preclude significant enhancement in this location. The reduction in speed limit in the area to 30mph from 40 mph would however improve safety for pedestrians.



To assist pedestrians it is also proposed that a tactile crossing point close to the sports field is also conditioned.

- *Drainage and Flooding (STRAT1, NBE14 & NBE15)*

The site is located within the western escarpment of the Lincolnshire Wolds. It is characterised in part by its steep gradients (1 in 10) within the site and ground levels which generally fall to the north east to the beck which runs along its northern boundary. The area is known to locals as Waterhills although the actual extend of this area is disputed by some.

The site falls within Environment Agency Zone 1 indicating it is not at significant risk from sea or river flooding. No sequential assessment is therefore required. The main issue therefore is surface water drainage both in terms of current flows but also those generated by the proposal. No significant areas of flooding/ponding were noted on site during site investigation during the month of November.

To seek meet the latest Sustainable Urban Drainage (SUDs) guidance a system of above and below ground drainage designs have been submitted. This would take the form of swales which would allow natural drainage from the development with driveways and roads being drained into cascading swales which are linked by pipes into large attenuation ponds to the northern boundary of the site. Due to the steepness of parts of the site flows would need to be attenuated within the site and would form a hybrid scheme with some piped elements being required. In addition to this, the proposal would include areas that could accommodate attenuation crates that would again hold surface water in times of extreme rainfall until it could be released at a regulated flow. These areas would include the two garage /parking court areas. Infiltration is deemed inappropriate at this site due to the steepness of the gradients as the re appearance of water cannot be ruled out.

Accepting that overground flows currently occur a serious of bunds are proposed to limit flows into the site from the east, whilst further bunds to the west would also seek to prevent water flows flowing outside of the site and would direct water to the beck.

Designs are proposed to be attenuated to greenfield runoff rates for a 100% Annual Exceedance, this amounts to 5.73 litre per second.

The design of the drainage scheme has been a key reason for the extended determination period of this application as the topography of the site and ground conditions have created a number of issues for designers and decision makers. Despite repeated attempts the designs provided have failed to address concerns that the scheme would be able to deal with the amount of surface water generated on site, or passing through it. The concerns raised include the uncertainty that houses on the site would not be subject to flooding, that existing surface water flows would not be redirected causing flooding and the capacity of the proposed system would not be exceeded by flows leading to flooding downstream.

In addition to this, insufficient evidence has been supplied that the facilities would be adequately maintained in future years.

Foul drainage would be to the main foul sewer in Brigg Road/North Street junction. A pumped system would be required and the applicant has shown

a pumping station within the north western corner of the site. Anglian Water has indicated that Caistor Water Treatment Works has capacity for the flows but that the immediate pipe network within the area is at capacity. Taking account of this Anglian Water do not object to the proposal but recommend a condition is proposed to deal with this. As with other schemes this could amount to the provision of improvements and capacity enhancements to the local network. A condition is therefore recommended to allow the development to move forward but that this issue is resolved before work commences on site. A condition is deemed appropriate and enforceable as the work is to Anglian Water network which is in their control and they are willing to work with the applicant to upgrade the system. Detailed designs would need to be agreed but again these can be conditioned to either reserved matters stage or before work commences on site.

- *Archaeology (STRAT1)*

Caistor is known to have pre-historic and Roman origins and has resulted in a number of important finds and features being identified within the town and surrounding countryside. Although there have been no finds on the application site Romano- British pottery has been identified in the garden of a bungalow at the western end of Canada Lane some 100m to the north west of the site.

Following submission of a desk top survey negotiations led to a geophysical survey being undertaken at the site. This found a number of features including buried ditches and areas of ridge and furrow. Ferrous rich materials were also found which corresponded with modern boundaries indicating they were likely to be the result of modern interventions. To be certain however, intrusive investigations in the form of dug trenches were undertaken in those areas where the geophysical survey showed potential. Eleven trenches were dug and were overseen by an officer from LCC Archaeological Service. The results of such investigations were of limited interest although some small flint finds were made which correspond with surrounding field work at Sandbraes Farm confirming the presence of low level flint working in the vicinity.

The result show that there is limited archaeological interest at the site and no further investigations or mitigation are required.

- *Design and residential amenity (STRAT1, STRAT5, CORE10, RES3, RES5).*

The outline nature of the proposal makes the assessment of the design difficult. The applicant has, however, provided an indicative layout which indicates that 69 dwellings could be accommodated on the site. The design and access statement also indicates that the proposal would take its layout and design references from the town itself with housing close to pavements and irregular street form and town green type arrangements. The density whilst higher towards the centre reduces to the edge of the development.

In a similar way, the impact on existing residents cannot be fully assessed as the layout is only indicative. What can be determined, however, that a scheme of 69 dwellings could be accommodated on site with each property having a reasonable outlook, garden space and parking areas to maintain residential amenity.

It is noted that some of the dwellings are proposed to be three storeys in height. Such heights are characteristic of Caistor and are located at the lowest part of the site. This would have the impact of making a positive character to the entrance of town but also allowing them to be seen in the context of higher ground levels and dwellings beyond. In a similar way the two and a half storey units are shown located just forward of where land rises to the rear in quite a pronounced way reducing the impact of such properties on surrounding the area. Whilst deemed acceptable such matters can be determined in more detail at reserved matters stage.

The noise of the substation is an issue but the applicant has indicated a willingness to agree to condition to mitigate noise levels through acoustic fencing/ other measures. It should be noted that in many cases housing is close to such facilities including for example Bob Reynolds Way in Gainsborough.

#### Other issues

The position of the site adjoining the substation could lead to contamination but Public Protection colleagues indicate conditions would suffice to determine the potential and remediation of such ground conditions.

The reduction in house value is not a material consideration in the planning system.

#### Planning Balance

The proposed development would provide a range of dwellings up to 69 in number. Although located within the open countryside in the adopted West Lindsey Local Plan (STRAT12) the majority of the site is designed within the Central Lincolnshire Local Plan (LP50) which is now submitted for examination. Its position close to Caistor Market Place would accord with Caistor Neighbourhood Plan policy 2 and provide good links to services without recourse to motor transport. It is considered that this should attract significant positive weight.

The design of the development whilst dense would accord with that found in the traditional areas of Caistor as would the heights and mix of housing types suggested. The proposal would, in part, screen the substation whilst views from other public vantage points, including the Viking Way would, again in part, be screened by topography or mature hedgerows and trees. Where views are possible the development would generally be seen in the context of existing housing as such it is considered the proposal would accord with WLLP policies NBE10 and NBE20 and CLLP policies LP1 and LP17.

The proposal would also provide 10 affordable housing units which should be afforded significant weight in accordance with WLLP policy RES6 and CLLP policy LP11 despite the reduced offer due to viability.

Access to the site can be achieved without harm to highway safety or capacity and improvements to footpaths and crossing points would allow easy access to the site subject to conditions and a s106 agreement.

Facilities and services within the town would be impacted upon, however, the applicant would be willing to provide an education contribution to reduce the impact on the school.

Although the site is not part of an ecologically important area it is linked to one and includes areas of grassland that are worth managing and enhancing in accordance with ecological guidelines to enhance bio-diversity. Details provided show that the designated site would be protected whilst subject to conditions the areas of grassland deemed worthy of enhancement on site are also maintained.

The proposal would, however, lead to a loss of a greenfield site and views which are cherished by some locals. Once built upon this site as an amenity, despite being in private ownership, would be lost. However, as has been noted such views are already limited and in part are eroded due to the position of the substation close to Brigg Road or protected by topography and landscaping.

The site would generate additional traffic which would reduce capacity and could increase the potential for accidents as a result. The impacts, however, relative to the design of the road, the proposed reduction in speed limit, improvements to pedestrian networks and the proposed junction geometry and sight lines would be limited.

Surface water drainage is an issue in this area and the gradients on site has led to a considerable investigation as to its impacts. Building on greenfield locations such as this increases runoff which could exacerbate flooding. Despite the considerable period that has elapsed in trying to resolve this issue, an acceptable drainage strategy based on sustainable principles has not been able to be agreed and concerns remain that flooding of the site and adjoining land would occur. In addition to this, insufficient information submitted to ascertain the ability to maintain such systems.

Foul water disposal has been known to be an issue in the area due to capacity issues. Anglian Water the network operator has not objected to the proposal in principle and has requested that conditions are attached to any permission to improve the network capacity in this location.

The occupants of 69 nine new dwellings would use local services including local schools, pre-schools and medical facilities which are under stress. The applicant has indicated a willingness to provide additional funding for schools within the limits of viability to mitigate this impact. No request has been made from the NHS despite being asked a number of times during the application process. Whilst the concern over the capacity of the local GP practise the issue of doctor recruitment is not a planning matter and is a national issue which cannot be rectified by individual developments or developers.

The proximity to the Water Hills Local Wildlife site and its connection through the beck is noted. The loss of the site to development would reduce ecological interest particularly as it is known to be used by animals and birds and is also home to various plant species some of which are afforded a level of protection. Surveys indicate however, that the proposal would not lead to a significant loss of habitat of species/types of importance or that schemes for mitigation can be agreed to protect and enhance areas of importance.

## Conclusion

The application for housing on this greenfield has courted a lot of interest and debate. The proposal for dwellings in this location would broadly accord with Local Plan policies and provide accommodation in a sustainable location, including the provision of 10% affordable housing. Subject to conditions and s106 legal agreement it is considered that the proposal would be acceptable and would not have a detrimental impact on the character of the area nor entrance to the town, highway safety/capacity, residential amenity, ecology nor the availability of services in accordance with saved policies STRAT1, RES1, RES5, RES6, NBE10 and NBE20 of the West Lindsey Local Plan.

The proposal, however, falls short of the requirements of the NPPF and NPPG which seeks development to be adequately drained utilising sustainable methods. The proposals submitted fail to adequately address the issue of drainage on the grounds that reasonable certainty that the sustainable system designed would not lead to flooding on site and to adjoining land has not been provided. In addition to this, details of future maintenance of the system has not been identified contrary to saved Policy STRAT1 of the West Lindsey Local Plan.

### **RECOMMENDATION: Refuse**

The detailed foul and surface water drainage strategy submitted is not sufficient to be able to conclude that the proposal would adequately dispose of water in a sustainable manner without increasing risk to other areas from flooding. The proposed development is therefore contrary to saved Local Plan Policies STRAT1 and RES1 of West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework.

### **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

### **Notes/Informative**

**None**