

# **Officers Report**

## **Planning Application No: 141907**

**PROPOSAL:** Outline planning application for 4no. dwellings with all matters reserved

**LOCATION:** Land East of The Wolds Waddingham Gainsborough DN21 4RE

**WARD:** Waddingham and Spital

**WARD MEMBER(S):** Cllr J J Summers

**APPLICANT NAME:** Mr D Waite

**TARGET DECISION DATE:** 05/03/2021

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** Richard Green

**RECOMMENDED DECISION:** Grant with conditions attached.

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This planning application is being referred to the Planning Committee for determination following the request of the Ward Member and the level of neighbour response the application has generated.

### **Description:**

The site is part of a wider agricultural field and is located on the edge of the built footprint of Waddingham. The site is accessed off 'The Wolds' at the end of a cul-de-sac via an access between No.10 and No.19 The Wolds. To the south and east of the site is the wider agricultural field. To the west is No.10 The Wolds a two storey detached dwelling and two pairs of semi-detached two storey dwellings (No.11 to 19 The Wolds). To the north are the large rear gardens of Rosemund and Fieldview Cottage, Joshua Way which are both two storey detached dwellings.

The application seeks outline planning permission to erect four dwellings with all matters reserved (being matters of access, layout, scale, appearance and landscaping).

An amended plan (red line altered) and sequential test have been consulted upon and notice served on the owners of the access to the site as a Certificate B has been completed/required.

### **Relevant history:**

No relevant planning history.

### **The Wolds**

**M02/P/0023** – Full planning application for the erection of 13 dwellings and garages. Granted 15/10/2002.

## **Representations**

**Chairman/Ward member(s):** Cllr J J Summers: 06/11/2020 - This outline application is a common sense infill site. Which I approve. The only element which I question is the position of plot 3. The house in plot 3 I believe needs particular attention when a detailed plan is submitted because of its close proximity to the adjacent property ref overlooking.

Further Comments 05/12/2020: The width of a highway appears to be somewhat arbitrary as so much conflicting advice and confusion almost allows the planning system to approve anything. First I believe all highways with in housing developments whether single carriageway or double should contain a public kerbed footpath. If we do not protect the pedestrian, man, woman and especially child then the planning system is failing communities miserably. With no appreciable value being attributable to human life.

This proposal for 4 houses is too large for the end of this cul-de-sac location due to the amount of journeys now taking place under the present commercial situation. Ten to fifteen years ago it was claimed by the planning world the average number of daily vehicular journeys per household was 10. Today it is much increased. 4cars, post man, milk man, fuel, furniture plus the infamous white van delivery carrying who knows what! All add up to many more than 10!

Where are we creating the extra capacity for parking and vehicular movement? Personally 2 houses with a road plus footpath would be more sensible. The other alternative is no further housing on this site.

The latest Central Lincolnshire Local Plan sets out the growth figures for all communities within the plan area. Within the CLJP area, with a time span from 2012 to 2036 which is presently going through a review. This review will be setting new housing targets for some areas, some will increase others may be reduced. Waddingham is designated as a MEDIUM VILLAGE. ALLOCATED WITH 15 % GROWTH LEVEL from the plan BASE TIME LINE, which I believe has already been met!

Sadly Waddingham has not yet completed its own Neighbourhood Plan which advises and supports the Central Lincolnshire Plan. The Neighbourhood Plan is the vehicle by which communities can strongly influence where growth is to occur within their community and resist it where it is not wanted.

Due to the strong resistance to this application I respectfully request it be heard in THE PLANNING COMMITTEE for the follow reasons.

1. The large number of concerns shown by residents of THE WOLDS cul-de-sac. The people who live here and will have to endure whatever may be imposed upon them!
2. This application is for outline planning only, with insufficient detail.
3. Highways specifications required.
4. The need for a footpath.

5. The requirement of a housing needs survey to demonstrate justification.

Can I suggest Policies LP3, LP4, LP12, LP13, LP26 and LP53 all potentially have a bearing on this site for the future.

**Parish Council:** Following a request by members of the public, the council held an extraordinary meeting on 25th November. Several members of the public were present. They asked the council to add a comment about the plans for this development.

The public made a very convincing argument about the problems of vehicular access down the access to the proposed development, including emergency vehicles, refuse collectors and delivery vans. They made the point that there are many more deliveries made now than when the Wolds was built and that there have been several incidents including these vehicles.

They also commented strongly on the fact that the land is high quality agricultural land and is not infill. When the Neighbourhood plan committee carried out its consultations by questionnaire and public meetings the outcomes strongly indicated that any housing developments should include more affordable dwellings rather than large, detached houses. Although the neighbourhood plan is currently on hold these findings should carry weight on deciding the type of housing this development proposes. Another outcome was that one of the main issues in Waddingham especially in the cul-de-sacs was parking. This is an issue that we hope would be addressed if the development were to go ahead.

According to the Lincolnshire Plan and the draft Neighbourhood plan the village needs to plan for 44 new homes by 2036. As the Neighbourhood Plan has not been completed and adopted, we would ask that the developer seeks approval from the Parish by sharing his plans and listening to the Parish views in order that the right kind of development for the Parish occurs. According to Policy LP4 'a proposal within or on the edge of a village should be accompanied by demonstrable evidence of clear local community support'.

If a development in this location does go ahead would it be possible for the developer to donate a piece of land suitable for a children's play area for the benefit of the community. The parish council has already started investigating where a playground could go in the Parish. Parishioners have raised funds for equipment and the Parish council would agree to maintain and develop such a site.

**Local Residents:** 2, 4, 6, 7, 8 (x2), 10, 11, 15, 17 & 19 (x2) The Wolds, Field View Cottage and Rosemund Cottage (x2), Joshua Way, Waddingham object to the proposal for the following reasons:

- Firstly, I do not agree with Cllr Summers' comment that this application is "sensible infill".
- My concern is that if planning permission is granted for these 4 dwellings, it is quite clear from the site plan that there is more

opportunity to extend the site further. This will then be classed as infill and there will be no way of stopping future development.

- I believe this will lead to overdevelopment of the village and a field full of new dwellings thus creating a new estate and all the issues that are associated with such a large development in a small village which does not have the infrastructure to cope with the additional residents that will live here.
- I also would like to refer you to the Waddingham Neighbourhood Plan. The online update dated March 2020 states that the land submitted for more than 3 dwellings is 100% over-subscribed and the plan is currently suspended. The consensus of the village is that infill is acceptable, but not new developments, and this application will lead to a new development. There is clear opportunity to build more than the 4 houses requested on this application and create a new estate, therefore how can it be classed as infill?
- The Wolds is an established development which is not overlooked to the east or south side. By granting permission for these dwellings, I will be overlooked, overshadowed and lose privacy, not to mention the additional noise and traffic disturbance and will be caused by additional residents being in situ.
- There is a distinct lack of affordable housing in Waddingham and this proposed plan for 4 detached dwellings does not assist those trying to get on the housing ladder.
- I would also like to draw your attention to the impacts of highway safety. The Wolds is currently a cul-de-sac and not a through road to other properties. The proposed entry to the new development is adjacent to 19 The Wolds who have side access to their property, therefore a footpath will need to be installed to ensure the safety of the residents. I do not believe that after installing a footpath that there will be provision for a road wide enough for emergency vehicles to access.
- There will also be increased noise and traffic due to vehicles needing access to the proposed new dwellings.
- If you are not already aware, there are existing covenants relating to parking in place on The Wolds which need to be adhered to.
- There are already issues with irresponsible parking in The Wolds, and covenants in place; using the single carriageway private resident only road with 4 large properties has the potential to increase traffic by 8 cars daily as a minimum and all associated visitors. This will increase noise, pollution and accidents impacting on highway safety, quality of life, personal safety and wellbeing. Given the proposal is 4 large properties it is likely they will be occupied by multiple adults with cars, given the location and no public transport infrastructure, the number of 8 additional cars is a low estimate. There have already been several near misses historically.
- These properties will overlook 4 other properties and significantly reduce the light, this will significantly reduce privacy and will devalue the existing properties.
- There is no indication at this stage of application how the properties will look and if they will be in keeping with existing buildings.

- This applicant has already made a separate application opposite the entrance to The Wolds for a large detached property. Appreciate as many applications can be made as possible however this village has poor infrastructure to support additional school, places, transport and access, but most importantly affordable housing for young people who wish to remain in the village having been born here. 4 more large detached properties are not affordable for ordinary people on ordinary wages and not in keeping with government policy.
- The construction of these dwellings will involve traffic disturbance along 'The Wolds' when it is currently a busy road anyway. It can be difficult driving up or down the road when vehicles are already parked either side.
- I have a parking space outside the front of my house and to get out of the cul-de-sac I have to reverse out of it into oncoming traffic which is currently a potential hazard without the additional traffic building work would incur.
- As set out in the 2019 village plan, the planned development area is outside of the villages "developed footprint" and given there are other areas in this footprint that are yet to be developed I would not expect this plan to get permission before this happens. In particular Policy 3 of this plan states that any additional developments outside of the "footprint" should demonstrate "support from the community" and set out an explanation "that the feedback overall has been positive towards this proposal".
- There has been no consideration for public footpaths. With footpaths in place there would not be the required road width for emergency vehicles i.e. Fire engines have to have at least 3.7 metres kerb to kerb 3. using this access for construction vehicles could cause damage to homes bordering this access point especially regarding health and safety of residents in the close would any damage to any part of properties be compensated.
- I feel consideration should be given to the access for this development. The actual road which is the Wolds is very narrow, it has been purposely narrowed and would extremely difficult for two cars to pass and even harder for site traffic to have access this way.
- I would not object to new homes being built however the village has no doctors, a very irregular bus service, no senior schools, no public house or adequate shopping. Therefore increased numbers in the village will increase the amount of traffic on the roads in both the village and in general.
- I would be concerned with site traffic, large lorries and heavy loads would make walking very dangerous. As well as the increased traffic created by families having to travel outside the village for everyday living.
- The application is not infill but is in fact an application for a new development on Greenfield agricultural land.
- The planning application does not meet the requirements for planning submission as detailed in Policy LP4 of the Central Lincolnshire Local Plan.

- The application for planning has not been submitted in accordance with Policy LP2 of the Central Lincolnshire Local Plan. It does not meet the requirement for appropriate locations nor does it meet the requirements laid out for community support.
- As this planning application is for development on current Greenfield agricultural land, this planning application does not meet the sequential approach laid out in the Central Lincolnshire Local Plan
- The planning application does meet or demonstrate how it has taken into consideration the criteria laid down in Policy LP26 of the Central Lincolnshire Local Plan.
- The proposed planning application is for land currently used as Greenfield agricultural land and classed as either grade 2 or 3, therefore the proposed planning application should be rejected.
- This planning application does not come into the areas already included within the draft Waddingham and Brandy Wharf Neighbourhood Plan.
- The proposed development in this planning application does not come within the development footprint for the village of Waddingham as shown in the Neighbourhood Plan. Also does not meet section 9 and Policy 3 of the draft plan.
- The planning permission should not be granted as the application does not meet the required car parking standards identified in Section 15 of the draft neighbourhood plan.
- The planning permission should not be granted as the application would exceed the number of properties identified as being required in accordance with items 6 and 8 in the draft Neighbourhood Plan.
- WLDC have already stated on their website that development land in Waddingham is already over 100% subscribed, therefore no additional developments should be allowed?
- The planning permission should not be granted as the existing road and existing parking layout is not safe nor compatible for adding a live active road at the bottom of the cul-de-sac. The proposed access road to the new development is neither suitable nor safe to serve the proposed planning application. My driveway at number 10 which currently provides access onto the dead end of the cul-de-sac would not provide a safe access on to the proposed access road should it become a live active road.
- The proposed development does not meet with the criteria laid down in the Central Lincolnshire Housing Growth Strategy 2016-2021.
- I would like to point out that the Waddingham Village Plan dated 02/03/2020 is "stalled" at present.
- Does not seek opportunities for landscape, recreational and ecological gain whilst minimising the environmental impact of new development." I fail to see how this development would adhere to that principle of the neighbourhood plan.
- The proposed site is also not detailed on the Village Plan so has not been subject to risk assessment or public scrutiny to the same extent as other sites which are readily available for the community to see.

- Any of the proposed properties will significantly affect our enjoyment of our own land. Property one is very close to our garden, and the whole development borders the width of the bottom of our garden in entirety, so we are very much affected by this proposal. Our garden is south facing and therefore the light coming into our garden will be affected considerably by these properties.
- We have numerous plants in the south part of the garden which will be affected by the reduced levels of light.
- We have several established large trees which support a significant amount of wildlife through the year and the trees themselves are good for the environment. The construction of any properties on this site could damage the roots of the trees which may not be immediately apparent. This could affect their stability putting both our garden and any new properties at risk of damage should they fall. It is a concern that the proposed properties may not be able to get insurance easily either due to the proximity of the trees to the buildings.
- One of the established trees has a Bat Box meaning that Bats can roost in this. The construction and potential damage to the tree could severely affect their habitat. We regularly see Bats in the garden so are concerned for their future. Other wildlife often comes in from the field also such as Hedgehogs.
- The field also acts as a method of helping to absorb excess water should we see the heavy and prolonged rain which we did in 2019, further hard surfaces will surely contribute to flooding or drain systems being overwhelmed.
- We currently enjoy views across a large field in several directions which would be adversely affected by this construction.
- Presently, our house borders the field of this proposed development on two sides so we could find any further building wraps around our property. We are already aware of a further development to the side of our property at the rear of the former Marquis of Granby Public House. When that is completed it will mean our immediate surrounding environment will become more built up.
- The prospect of losing more countryside is a concern.
- I would also question whether the building of four properties on the proposed site is necessary due to the other developments I have referred to. There has also been an application for planning permission opposite The Wolds in Waddingham meaning that without consideration to the environment, the village will lose its current charm.
- In addition, the infrastructure of the village, namely roads, public services such as Refuse Collections, School places and medical services will not be increasing. There is an extremely limited bus route through the village meaning that to get anywhere, the proposed properties will need to be supported by car use. It is likely that for these properties there will be at least one car, possibly two contributing to additional wear and tear on the roads.
- Staying on top of potholes is already a huge task for the Highways Agency which will not be helped by this development.
- Unclear plans and diagrams.

- As a result of the building work, there will be increased noise pollution, traffic and a road safety risk for people and the many pets who live in The Wolds.
- It is a busy close already due to numerous cars, vans and lorries coming down here to turn around, which has caused damage to residents' private property such as gates, walls and cars.
- It would become a race track. It's already a dangerous close.
- This is a quiet close and is why we like living down here. We don't want this to change. During these challenging and uncertain times, it's been a saving grace for us all, with the stunning views from our properties. It's helped our wellbeing.
- The residents where the proposed houses are planned have beautiful views and chose this position when purchasing their properties. They will have no views if the proposal goes through. Houses will be overlooked and light will be reduced.
- Majority of the people in the Wolds have been here for a long time because of the quiet location and the views we enjoy from our properties.
- There were several areas of land marked on the Neighbourhood Plan (currently stalled), these should be considered first before any others are proposed and developed. Including the Planning application for the Land to the rear of the Marquis of Granby, 7 Houses).
- Further concern would be if this is passed then I foresee further applications for more house continuing across the same section of the field.
- Should an access road be presented to be run down the side of The Wolds, it would destroy our view from our garden and house which is one of the main reasons the property was bought in the first place.
- My other concern is the lack of and rapidly dwindling village infrastructure. In the time I have lived in the village we have lost the G.P. surgery, pub, butchers. At present time the village shop and post office is up for sale so we may be losing this amenity as well. There is no regular public transport. This development would increase strain on what is already an over stretched infrastructure, with more buildings, people and vehicles.
- Destruction of hedgerows, habitats and natural drainage – the original development of The Wolds resulted in destruction in some of the natural hedgerows and drainage ditch. This also resulted in loss of a mature tree due to groundwork work on fencing. The proposed development would continue this destruction.
- Interference of natural light - the proposed development would interfere with the natural light to south facing gardens.
- Light pollution – the property and adjacent properties lying close to the village boundary enjoy low light pollution, which would be significantly impacted by the proposed development.
- Privacy/overlook – the proposed two storey development would overlook our property, and significantly impinge on the privacy of the property and garden.



- I would like to ascertain if the access to the proposed development over the piece of land in The Wolds has been agreed as this land is a ransom strip and owned by a third party and not by the applicant.
- Added noise disturbance both from additional families in residence on completion and during the Construction Phase of the proposed Development.
- During the Construction Phase of the proposed Development existing residents would be subject to congestion and blockages on the existing narrow road from Construction traffic and some heavy goods vehicles that would not be suitable for the road could cause damage to resident's properties.
- Four of the existing Properties have off-property parking allocations on The Wolds Cul-de-Sac. The road entrance to these spaces is currently used as a turn round point for Cars, Lorries, Delivery Drivers, Waste Collection Vehicles, etc. visiting The Wolds.
- Exiting, particularly Reversing from the parking allocations is currently extremely hazardous and if this Planning Application is granted, Residents would be reversing into a live active busy road from a blind spot which is not a safe option.
- The Proposed Access Road to the new homes is much narrower than the existing Wolds Road and is bordered by 2 Properties, No 19 which has existing side gated access and No 10 whose Garage Wall and Garden Wall are sited straight on the proposed Access route.
- Footpaths will be required on either side to ensure the Personal Safety of the Residents thus making the road even narrower and therefore not suitable for Emergency Services Vehicles.
- The rear side windows of No 19 will only be 1 metre away from the proposed Access Road and is therefore open to damage from the increased heavy traffic, in the first instance
- Is the Land between the dead end of the Wolds Road which is the proposed Access Road to the new homes available for Development as I am led to understand it is owned by a third party?
- Since moving to this property 26 years ago bats have been regular visitors to our garden and have a roost at the hedgerow that borders the arable field under consideration in this planning application. The proposed development will directly impact this roost.
- The manager of DDM agriculture who is a parish councillor, said that he worked for the applicant's land agents and when asked if he was leaving the meeting [Parish meeting 25 November] due to a conflict of interest, he declined. It was stated that it was a declaration of interest rather than a conflict.
- I notice that Lincolnshire Highways have posted a comment regarding this planning application and have provided a caveat to their comments which reads as follows: "the access and layout has not been considered as part of this application." I ask the planning department to reject this application on the grounds that there are numerous concerns about the safety of the proposed access by Waddingham village residents and the proposed access and layout have not been considered by Lincolnshire Highways department, therefore the safety

concerns have not been fully reviewed or addressed by Lincolnshire Highways department.

- I cannot understand what difference highlighting this access road in red makes as the safety concerns regarding this proposed access still remain.
- I note there has been a certificate "B" uploaded on to the planning portal. I assume that this confirms that a piece of land included in the application is in fact owned by a third party and not the applicant of the planning application. However the Certificate "B" does not identify which area of the land in this application this relates too.
- The Sequential test report has been very selective in the information it has provided from Policy LP4, it has not provided the full requirements of Policy LP4.
- The Sequential test report makes three statements referring to there being no sites available within the village which meet the criteria of Policy LP4, Brownfield or infill sites within the developed footprint of the settlement or Brownfield sites at the edge of the settlement. These statements made in the Sequential test report are clearly not true and I have supplied information in more detail showing examples and details of sites which actually fall into this criteria. These sites should be taken into consideration before this application is considered.
- The Sequential test report states that it does not include residential gardens as these are greenfield sites however it is clear from the Central Lincolnshire Local Plan that the statement made in the Sequential test report that residential gardens come under greenfield sites is not correct. Residential gardens should in fact come under criteria 1) brownfield land or infill sites, therefore these should be taken into consideration before this application is considered.
- The Sequential test report uses a scoring method for sites it has identified to compare against the application site. The sequential test report has been selective in what it has reported without mentioning other criteria which should be considered in any sequential test report. Therefore on that basis this report should not be used as an accurate
- The Sequential test report uses Listed Buildings as a criteria for scoring other identified areas of land yet I cannot understand why the Sequential Test report would use the criteria of Listed buildings for all the other sites it has identified, when it has selectively not mentioned or used the fact in its scoring that the proposed application site is in the line of sight of a listed building.
- The Sequential test report has identified areas of agricultural land in or around the edge of the village to use as a comparison against this application site, however the report has been very selective to what areas it has selected to use as a comparison to the application site and has not included all suitable areas.
- In its assessment, the Sequential test report has chosen to completely ignore areas of land recently identified over the last 2 years as suitable areas for building in Waddingham.
- The sequential test report uses a method to score the sites that it has identified. One of the scoring methods used is an assessment of Public

Rights of Way (PRoW). For this application the sequential test reports states:- *“No PROWS close to give views of the site”*. This statement is totally untrue

- The Sequential test report has too many inconsistencies, is not factual in many areas, it contains statements that are not true, it is selective towards what is included in the report showing a bias towards this application, it has not reviewed all areas of suitable land for building in or around Waddingham and it does not include the full information that is a requirement of the Central Lincolnshire Local Plan Policies LP2, LP4 and LP 26.
- Taking all of the above into consideration I cannot see how the Sequential Report can be used as a supporting document to this planning application. Due to the facts, the integrity and validity of the Sequential Report has to come into question, therefore I consider this document should not be considered as an impartial or factual document when reviewing this planning application.
- In our opinion, the sequential assessment conclusion is extremely biased and vigorously disagree with the findings that the Application Site (141907) is the least sensitive of 12 sites in the Village. Approximately, 2 years ago the draft Waddingham and Brandy Wharf Neighbourhood Plan did not include the Application Site as potential development land.
- Development land in Waddingham is 100% subscribed and No additional development should be allowed
- Based on the conclusion findings of the Sequential Test Report is that if this Application is approved then being the least sensitive of all the available development land, what is there to stop the remaining houses required to achieve the 15% growth in the Village also being built on this Site. A whole new housing Estate on Greenfield arable farm land is unthinkable.
- According to Policy LP4 of the CLLP, a proposal within or on the edge of a village should be accompanied by demonstrable evidence of clear local community support. This application has not followed any of the requirement for Community Support for the scheme as none of the required supporting documentation has been supplied.

**LCC Highways and Lead Local Flood Authority:** 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 is acceptable and accordingly, does not wish to object to this planning application.

This is an outline application with all matters reserved. The principle of development is acceptable, however, the access and layout has not been considered as part of this application. One informative is suggested.

**LCC Historic Environment Officer:** Despite being located away from the historic core of the village of Waddingham, the proposed development is

situated within an area of archaeological interest. When 'The Wolds' cul-de-sac was built in the early 2000s a programme of archaeological recording was made a condition of planning consent. This recording identified middle Saxon settlement evidence across the site, including at the easternmost end adjacent to the proposed development. There is thus potential for similar remains to extend into this site, and we would recommend that a similar programme of recording be required so that any remains can be recorded prior to destruction. Recommendation: Prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works.

**LCC Minerals and Waste:** No representations received to date.

**IDOX:** Checked 11/02/2021

**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 2017) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

**Development Plan:**

**\*Central Lincolnshire Local Plan 2012-2036**

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity

LP26: Design and Amenity

LP55: Development in the Countryside

*\*With consideration to paragraph 213 of the National Planning Policy Framework (February 2019) the above policies are consistent with the NPPF (February 2019). LP1 is consistent with NPPF paragraph 11 as they both apply a presumption in favour of sustainable development. LP2, LP3 and LP4 are consistent with NPPF chapter 5 as they both seek to deliver a sufficient supply of homes. LP13 is consistent with NPPF paragraphs 108-111 as they both seek to ensure an efficient and safe transport network that offers a range of transport choices. LP14 is consistent with paragraphs 155 to 165 of the NPPF as they both seek to avoid putting inappropriate development in areas at risk of flooding. LP17 is consistent with NPPF paragraph 170 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside. LP21 is consistent with chapter 15 of the NPPF as they both seek to protect and enhance biodiversity. LP26 is consistent with section 12 of the NPPF in requiring well designed places and LP55 is consistent with paragraph 79 and paragraph 170 of the NPPF as they both seek to avoid isolated new homes in the countryside and both recognise the intrinsic character and beauty of the countryside. The above policies are therefore attributed full weight.*

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

### Central Lincolnshire Local Plan Review 2019

As part of the Central Lincolnshire Local Plan Review a new call for sites exercise has been run. A larger site which includes this site has been put forward as part of this call for sites.

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

<https://central-lincs.inconsult.uk/>

### Waddingham and Brandy Wharf Neighbourhood Plan:

Waddingham Parish Council have consulted on their draft Waddingham and Brandy Wharf Neighbourhood Plan under Regulation 14. The consultation ran for a two month period and started on the 31 March 2019 and closed on the 31 May 2019.

Neighbourhood Plans that have reached this stage should be given limited weight. This consultation is undertaken by the Parish Council and the LPA do not see the extent of any resolved objections and a judgement has therefore not been made as to whether the NDP is in conformity with the Core Strategy and national policy.

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/waddingham-and-brandy-wharf-neighbourhood-plan/>

There is the following update on the Waddingham Parish Council website dated 2 March 2020 which states that there is an impasse in progressing a Neighbourhood Plan and progress is effectively stalled:

<http://waddingham.gov.uk/neighbourhood-plan>

### 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.

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

### National policy & guidance (Material Consideration)

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in February 2019.

Paragraph 213 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this*

*Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

<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-planning-policy-framework--2>

### **Main issues**

- Principle of the Development
- Scale, Appearance and Layout
- Access and Highway Safety
- Foul and Surface Water Drainage
- Boundary Treatments, Landscaping and Trees
- Agricultural Land
- 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.

The site is greenfield land at the edge of the settlement and is therefore within the third category of land to be developed under the sequential test in Policy LP4. The Policy requires that a sequential approach be applied to prioritise the most appropriate land for housing within small villages. The land is a green field site. Therefore the site has the lowest priority for housing as a green field site on the edge of the settlement.

The applicant has submitted a comprehensive sequential test as part of this application which shows that there are no sites sequentially which are more suitable or preferable sites in Waddingham and therefore the application site is considered to be an appropriate location for growth. Furthermore, the Waddingham and Brandy Wharf Neighbourhood Plan can only be given limited weight at the moment and according to the latest update from Waddingham Parish Council is effectively stalled.

In the Central Lincolnshire Local Plan, Waddingham is designated as a Medium Village (LP2) within which it is acknowledged there can be up to 15%

growth with small scale development of a limited nature (up to 9 dwellings per site) being accommodated. As of the 05/02/2021, the following table shows that there is a remaining growth of 26 dwellings left to be accommodated:

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/housing-growth-in-medium-and-small-villages-policy-lp4/>

This proposal is in line with the limited nature of development promoted through Policy LP2 for medium villages such as Waddingham and there is growth remaining in this settlement. The site is also considered to be an appropriate location for growth as a sequential test has been undertaken which shows that there are no sites sequentially which are more suitable or preferable in Waddingham. The site also has existing dwellings to the north and the west and will not be extending the built footprint into the open countryside but will be rounding off the existing built foot print.

The principle to develop four dwellings in this location is considered acceptable as the site is considered to be an appropriate location for growth and will contribute to the allocated housing growth apportioned to Waddingham in the adopted Central Lincolnshire Local Plan.

#### Scale, Appearance and Layout

The applicant has submitted an indicative proposed site layout plan with House No.1 and No.2 located by the eastern boundary of the site in the northern most part of the site with detached garages serving these 2 houses located to the west of these proposed dwellings. House No.3 and its attached garage is located in line with No.10 The Wolds and its garage towards the south western corner of the site and House No.4 and its detached garage located towards the south eastern corner of the site. The indicative site layout shows the site accessed off the Wolds between No.10 and No.19 The Wolds with internal roads to the east of No.11 to 19 The Wolds and continuing from the existing access through to the other side of the site. The proposed access to the site will go past the blank side elevation of No.19 The Wolds with close boarded wooden fencing to the rear (east) of the property with a conservatory and rear garden beyond. The proposed access will also go past the driveway (which has a low wall on its northern boundary) of No. 10 The Wolds and the blank north elevation of a detached garage belonging to No.10 The Wolds. Each dwelling will have its own outside amenity space.

As scale, appearance and layout is a reserved matter the visual impact on the site and surrounding area will be fully considered and assessed at a future reserved matters stage. However, the site is considered large enough to accommodate four detached dwellings and associated garages, which will allow for an adequate amount of outside amenity space. Materials will be finalised at the reserved matters stage and will be conditioned accordingly.

It is therefore considered that the proposal can accommodate four detached dwellings without affecting the residential amenity of neighbouring properties or the proposed dwellings.

### Access and Highway Safety

Policy LP13 of the Central Lincolnshire Local Plans states that development proposals which contribute towards an efficient and safe transport network will be supported.

The indicative site layout plan shows that the site will be accessed off the Wolds between No.10 and No.19 The Wolds with internal roads to the east of No.11 to 19 The Wolds and continuing from the existing access through to the other side of the site.

This is an outline application with all matters reserved including access and site layout. The proposal is for 4 dwellings which is a minor planning application and as such the development will not generate significant movement or disturbance. Construction Traffic is necessary in order to develop such proposals. The proposal is of a minor nature and as such a construction management plan is not necessary.

Lincolnshire County Council Highways have indicated in principle that the proposed development is acceptable. If it is minded to grant permission the informative suggested by the Highways Authority will be attached to the decision notice.

Whilst access and layout are a reserved matter, it is considered that the proposal can achieve a suitable access, given its current width. A reserved matters application will need to show sufficient parking. However given the indicative plot sizes, it is considered that this can be achieved.

The Highways Authority will be consulted again at the Reserved Matters stage when a detailed scheme is submitted for consideration.

### Foul and Surface Water Drainage

The application form has not stated how foul sewerage will be dealt, but states that surface water will be dealt with by way of a sustainable drainage system. The appropriateness of the intended method(s) cannot be assessed at this stage. A planning condition to secure full foul and surface water drainage would need to be attached to the decision notice if it was minded to grant permission.

A condition would also need to be attached to the decision notice if permission was to be granted requiring that any hardstanding should be constructed from a porous material and be retained as such thereafter or should be drained within the site.

### Boundary Treatments, Landscaping and Trees

The site has a mixture of hedgerows, trees and fencing on its western boundary and trees and hedgerows on its northern boundary. The eastern and southern boundaries are open to the wider agricultural field.

The indicative proposed site layout plan does not indicate any boundary treatments. If it is minded to grant permission a note to the applicant will be



attached to the decision notice stating that any buildings should be kept out of the Root Protection Areas of any adjacent trees. However, landscaping is a reserved matter.

#### Agricultural Land

The High-Level Natural England maps indicate the site is in Agricultural Land Classification (ALC) 2 – Very Good, as is most of the agricultural land around Waddingham apart from to the east of the settlement which is Good to moderate (Grade 3).

Policy LP55 part G seeks to protect the best and most versatile agricultural. Whilst the site is located on Grade 2 agricultural land, the site is small in scale and is only a small part (approximately 0.26 Hectares) of a large intensively farmed agricultural field with a proportion of the site close to the western boundary not farmed.

#### **Other Matters:**

##### Ecology

The site is a small part of a large intensively farmed agricultural field, as such it is considered that the site does not have any ecological importance. The reserved matters will need to take account of root protection areas for the existing neighbouring trees as these have the potential for use by bats.

##### 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.

This requires applications for non-minerals development to assess the implications of the development on the Minerals Safeguarding Area allocation to ensure that the granting of permission would not sterilise mineral resources within the Minerals Safeguarding Area or prevent the future minerals extraction on neighbouring land.

Whilst the Minerals Safeguarding Area allocation does not mean that extraction will take place, an assessment of the impact of the proposed development on the designation is required.

A minerals assessment has been submitted and it is concluded that no limestone extraction companies would be interested in extracting from this site for the following reasons:

- the development is within the village curtilage;
- there are significant deposits of Limestone elsewhere in the region; and
- the site is not recorded as having economic value.

Although it is not considered that the site is within the built foot print of Waddingham. The potential for the recovery of mineral from within the site is

limited by pre-existing constraints, notably the presence of residential properties surrounding.

Taking into account these constraints, it is considered that the prior extraction of any significant volume of mineral from within the site would be unfeasible.

In accordance with the criteria set out in policy M11 prior extraction of the mineral would be impracticable and would have a negligible impact with respect to sterilising the mineral resource.

Overall it is concluded that the Development will not result in the sterilisation of a mineral resource worthy of safeguarding and will not prejudice the effective working of any currently permitted or proposed mineral extraction or minerals infrastructure.

#### Archaeology

The Historic Environment Officer at Lincolnshire County Council states that this site is likely to fall within an area of archaeological interest. Given this, a condition will be attached to the decision notice if it is minded to grant permission requiring the developer to undertake a scheme of archaeological monitoring and recording.

#### Ownership

A notice has been served on other owners of the access to the site as a Certificate B has been completed/required.

#### Matters raised by Objectors not covered in the above report

- Future Development – This application has been determined in accordance with the proposal applied for. Future applications will be determined on their own merits.
- Infrastructure – The Community Infrastructure Levy (CIL) will apply to this proposal (unless certain exemptions apply). CIL is a levy that local authorities can charge on new developments in their area. The money raised from CIL is used to support development by funding infrastructure. CIL will be liable when the development is built, but the liability will be calculated at Reserved Matters stage.
- Privacy – This is an outline planning application with all matters reserved. A subsequent reserved planning application which will contain detailed plans will properly assess the impact on residential amenity.
- Right to a view – There is no right to a view under the planning system.
- Covenants – This is a civil matter and not a planning matter.

#### **Conclusion and reasons for decision:**

The decision has been considered against policy LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP4: Growth in Villages, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21:

Biodiversity and Geodiversity, LP26: Design and Amenity and LP55: Development in the Countryside of the adopted Central Lincolnshire Local Plan in the first instance and the Lincolnshire Minerals and Waste Plan (Policy M11) and guidance contained in National Planning Policy Framework and National Planning Practice Guidance.

In light of this assessment it is considered that the principle of development to develop four dwellings in this location is acceptable as the site is considered to be an appropriate location for growth and will contribute to the allocated housing growth apportioned to Waddingham in the adopted Central Lincolnshire Local Plan. Furthermore, it is considered that appropriately designed dwellings in this location could protect residential amenity and the visual amenity of the street scene/countryside and could provide an appropriate amount of outside residential amenity space. The proposal is not considered to raise any unacceptable highways issues. The proposal is recommended for approval subject to the following conditions: -

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

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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

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

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

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

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

4. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local

planning authority (see notes to applicants below). The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme, at least 14 days before the said commencement. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.

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

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

5. No development other than to foundations shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme and be available for use before the first occupation of the dwellings.

**Reason:** To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

6. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

**Reason:** To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

7. The development shall proceed wholly in accordance with the approved scheme of archaeological works approved by condition 4 of this permission.

**Reason:** To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework

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

8. Following the archaeological site work referred to in condition 7 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

**9.** The report referred to in condition 8 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 and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

### **Notes to the Applicant**

#### Highways

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

#### Archaeology

For advice on the written scheme required by condition 4 please contact Lincolnshire County Council Historic Environment advisor (tel. 01522 554823).

#### Trees

As part of any subsequent reserved matters application any development should be located outside of the Root Protection Areas (RPAs) of adjacent trees.

### **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