



# **Officer Report**

## **Planning Application No: 135056**

**PROPOSAL:** Outline planning application for proposed development for 9no. dwellings with access to be considered and not reserved for subsequent applications.

**LOCATION:** Land south of Eastgate Scotton Gainsborough

**WARD:** Scotter and Blyton

**WARD MEMBER(S):** Cllr P Mewis, Cllr A Duguid and Cllr L Rollings

**APPLICANT NAME:** Mr Robert Littlewood

**TARGET DECISION DATE:** 29/11/2016

**DEVELOPMENT TYPE:** Minor - Dwellings

**RECOMMENDED DECISION:** Grant permission subject to conditions

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### **Description:**

The application site is an area of agricultural land to the south east of Eastgate, Scotton. The site is adjacent the settlement of Scotton which lies to the south west and north west. The site is currently used for growing crops and slopes gently downwards from south west to south east. It is set just back from and above the level of the highway which has a 30mph speed limit. The site is open to the north east and south east boundaries. The south west boundary is screened by low fencing, some trees and hedging. The north west boundary is screened by high hedging and trees. Neighbouring dwellings are opposite or adjacent to the south west and north west with open field to the north east and south east. There are two Listed Buildings to the west of the site. These are:

- Church of St Genwys – Grade 1 Listed
- Acacia Cottage – Grade 2 Listed

Planning permission is sought, in outline, for a proposed development of 9no. dwellings with access to be considered and not reserved for subsequent applications.

Some matters have been reserved for subsequent approval – therefore matters of scale, appearance, layout and landscaping will be considered through a subsequent reserved matters planning application, subject to approval of this outline application.

The original outline application additionally required scale to be considered but this was formally removed from the application by the agent. It was not considered necessary to commence a further consultation period.

It has been requested by a ward member that the application goes to the planning committee due to concerns that the proposals will have a negative impact on the character of the village and potential adverse effect on the character and setting of two listed buildings located nearby.

**Relevant history:**

None applicable.

**Representations****Councillor A Duguid:** Objections

Request that the above matter be referred to the Planning Committee. The development would have a strong and potentially negative impact on the character of the village, and would potentially adversely affect the character and setting of two listed buildings located nearby.

**Sir Edward Leigh MP:** Objections

- Unsustainable village in planning terms
- Agricultural land
- Other infill sites within the village

**Scotton Parish Council:** Objections

- Drainage and run off onto the lane
- Road safety on narrow lane
- Will not support function/sustainability of village
- 9 two storey dwelling are inappropriate given older/younger people need affordable homes
- Destruction of hedgerows
- Does not meet paragraph 4.4.1 of LP10 in relation to variety of homes
- Does not protect landscape, open views and big skies
- Against LP26(c) in relation to respecting topography and landscape character
- The process of a Scotton Neighbourhood Plan has started

The Scotton Parish Council have completed a questionnaire process of which 91 residents responded (61 disagreed and 18 agreed with application).

**Local residents:** Representation received from a number of residents.

Support:

8 Eastgate, Scotton

- This should be a mixed development of detached houses and bungalows and affordable homes.

Objections:

5a, 9, 30, 32 Eastgate, Scotton

2 Middle Street, Scotton

24 Northorpe Road, Scotton

34 Crapple Lane, Scotton  
Northlands, Eastgate, Scotton  
Bramley Lodge, Eastgate, Scotton  
Blackthorns, Eastgate, Scotton  
The Old Rectory, Eastgate, Scotton  
3 Eastgate Mews, Scotton  
Parkside Farm, Crapple Lane, Scotton  
Three Ways, High Street, Scotton

In summary:

- Unsustainable location – No public house, shop/post office
- Central Lincolnshire has a housing supply of 5.26 years
- No evidence to show no other appropriate land in village.
- The sequential document is incorrect. Sites A and B are more appropriate and there are at least four garden spaces large enough for infill dwellings near the site.
- There is no local support as required by emerging local policy LP4
- Loss of productive agricultural land for food production
- Highway safety impact as narrow and near to blind bends
- Environment Agency class as a moderate risk of surface flooding. Heavy rain turns Eastgate into a fast running river.
- Drainage is at full capacity and blocks regularly
- Central Lincolnshire Local Plan is not adopted
- There is no local support as required by emerging local policy LP4
- Impact on the setting of the Listed Church
- Block views into and within village
- Detrimental to character, setting and this open part of the village. Contrary to NBE 10.
- Extension of village footprint into the open countryside
- Inappropriate layout and size for village
- Loss of view from 32 Eastgate
- Detrimental to amenity of neighbours through loss of privacy, overshadowing and noise/disturbance
- Nearby schools are at capacity
- It is green belt and greenfield land
- No further consideration of the proposal should be given at this time until a neighbourhood plan is in place
- There is a lack of detail in the application
- The village is growing too quickly and more steady growth is required

**Historic England:** No representations received to date

**Conservation Officer:** Comments

The church has a dominant tower, and is a landmark feature, seen clearly on approach to the village, and for some distance beyond.  
There is insufficient information supplied with this application for the LPA to fully assess the impact of the proposed development upon the setting of this grade I listed

building. If the LPA is minded to grant outline planning permission, it is of the utmost importance that suitable conditions be applied to any decision notice, requiring full details be supplied at reserved matters, and that this includes the following:

- A full assessment of the setting of the church, with key views etc., annotated on a contextual plan;
- Demonstrate through the submission of full details that the setting and key views will not be harmed by any of the proposed dwellings, through either siting / location, scale, mass, design, materials or other key elements of design (including road layouts, etc.), and;
- That the opportunity be taken to frame views of the church as part of this development, both within and without the site (as per policy 137 of the NPPF);
- A heritage statement showing the significance of the church, which as a grade I listed building, will be of high significance, and how design has taken account of this setting and mitigated any harmful aspects upon significance arising from this development.

**LCC Highways/Lead Local Flood Authority:** Have no objections subject to conditions and informatives

Layout has not been considered by the Highway Authority as part of this application, as it is a reserved matter.

Recommend conditions:

- No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 1.8m metre wide footway, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before (any of) the dwelling(s) is/are occupied. Or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

- No development shall be commenced before the works to improve the public highway by means of a scheme of widening/haunching of the existing carriageway along Eastgate have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

- No dwellings (or other development as specified) shall be commenced before the first 25 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 163 sk06 02 dated May '16 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Eastgate.

Informatives:

- Where a footway is constructed on private land, that land will be required to be dedicated to the Highway Authority as public highway.

**Public Protection:** Comments

I note that the applicant has supplied a sewer plan but conversely indicated as 'unknown' on the application form as regards proposals for dealing with foul sewage; accordingly, and as there would appear to be a 'foul only' sewer in the adjacent road, justification for some other system ought to be required but in the event that some other system is intended then the applicant ought to be directed to General Binding Rules (GBRs) concerning septic tanks and small sewage treatment plants.

**Archaeology:** No objections

Response received 26<sup>th</sup> October 2016:

Initial comments sought an archaeological evaluation, comprising geophysical survey, and results may possibly require trial trenching.

Further Response received 10<sup>th</sup> November 2016:

Geophysical survey definitely shows that this site was utilised in the medieval period and suggests that this use is agricultural and peripheral to the medieval settlement of Scotton - which supports our current thinking about the extent of the medieval village. There are some records for Roman finds being found close to this site but on balance I do not think we have enough evidence to request further work in advance of determination of a planning application on this site.

**Tree and Landscape Officer:** No objections subject to conditions

- I have no objections to proposed development of this site, in relation to its potential impact to trees, hedges or landscape.
- If planning permission is eventually issued, a scheme of landscaping and boundary treatment should be required in any subsequent application. This should include infill planting of the existing frontage hedgerow, new site boundary hedges of mixed native species characteristic to this area, and some native tree planting around the SE (rear) boundary and easterly side of the site, for screening and softening of the development at this village edge position, and amenity tree and shrub planting within the site, and for improved biodiversity value of the site.
- Future management and responsibility details for the amenity area, hedgerow and tree across the front of the site should be required to be provided.
- All necessary information relating to existing trees and hedges is already provided within the Arboricultural AIS & AMS report, including RPA's of the various trees and hedges, protective fencing details and positions, and construction materials and details for using a cellular confinement system for the proposed footpath across the RPA of T1 sycamore within the site frontage boundary. These details should be conditions to be followed. If this footpath is proposed to be adopted by LCC Highways, the acceptability of use of such a system across the tree RPA should be checked with Highways as it will involve a

raised section of the footpath where it is constructed above ground across the rooting area. The edges of the cellweb would need to be pegged into position.

**Lincolnshire Fire and Rescue:** No objections with comments

- Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.
- Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5.

**Relevant Planning Policies:**

West Lindsey Local Plan First Review 2006 Saved Policies (WLLP)

This remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF), a material consideration, states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

STRAT 1 Development Requiring Planning Permission

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

STRAT 3 Settlement Hierarchy

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

STRAT 9 Phasing of Housing Development and Release of Land

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

STRAT 12 Development in the Open Countryside

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

RES 1 Housing Layout

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 6 Affordable Housing

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 10 Open Space and Landscaping within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm>

NBE 10 Protection of Landscape Character and Areas of Great Landscape Value

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE 14 Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE 20 Development on the Edge of Settlements

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

Central Lincolnshire Local plan 2012-2036 (March 2016) (CLLP)

The submitted local plan has now been submitted to the Secretary of State for examination and is currently at the hearing stage which concluded on 14<sup>th</sup> December 2016. This version of the Local Plan will therefore carry more weight in determining planning applications than the earlier draft versions. The policies relevant to this application are noted to be:

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

LP10 Meeting Accommodation Needs

LP14 Managing Water Resources and Flood Risk

LP17 Landscape, Townscape and Views

LP25 The Historic Environment

LP26 Design and Amenity

LP55 Developments in Hamlets and the Countryside

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

National Guidance

National Planning Policy Framework 2012 (NPPF)

National Planning Practice Guidance (NPPG)

Other

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

Central Lincolnshire Five Year Land Supply Report 1 April 2017 to 31 March 2022

(Published September 2016)

Proposed Submission Consultation: Report on Key Issues Raised June 2016 (PSC)

Policy LP4 Growth in Villages Evidence Report Proposed Submission April 2016

(PGIV)

Highways and Transportation are set out below from the Guidelines for Providing for Journeys on Foot 2000

Natural England's East Midlands Agricultural Land Classification Map

**Main issues:**

- Principle of the Development  
*West Lindsey Local Plan Review 2006*  
*National Planning Policy Framework*  
*Sustainability*  
*Submitted Central Lincolnshire Local Plan 2012-2036*  
*Scotton Neighbourhood Plan*  
*Agricultural Benefit*
- Access

**Assessment:**

Principle of the Development



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

The Local Plan Review 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 CLLP additionally has a similar framework set out in LP policies

The site is green field land and lies outside the settlement boundary of Middle Rasen and therefore policies STRAT 3, STRAT 9 and STRAT 12 are relevant to be considered.

*West Lindsey Local Plan Review 2006:*

Scotton is a 'subsidiary rural settlement' under policy WLLP policy STRAT3.

Saved policy STRAT 12 states that '*planning permission will not be granted for development proposals in the open countryside unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, or otherwise meets an objective supported by other plan policies*'. The proposal is not essential to the countryside area and so the proposal falls to be refused unless material considerations indicate otherwise.

The position of the proposed dwellings will be entirely on green field land which is on the lowest rung of sequential release of land advocated through policy STRAT 9 (Class E).

In principle therefore it is considered the proposal is contrary to the development plan and falls to be refused unless material considerations indicate otherwise.

*National Planning Policy Framework:*

The National Planning Policy Framework (NPPF) and online Planning Practice Guidance, are material considerations to take into account alongside the development plan.

The latest Housing Land Availability Assessment for Central Lincolnshire was published in September 2016. Taking into consideration all current sites with planning permission for Housing, all emerging allocations in the CLLP and windfall allowance (see section 4 of Central Lincolnshire Five Year Land Supply Report) Central Lincolnshire is able to identify a deliverable five year supply of housing land to deliver 12,283 dwellings which equates to a deliverable supply of 5.26 years in the five year period 2016/17 to 2020/2021.

The National Planning Policy Framework (NPPF) is a material consideration to be considered against the provisions of the statutory Development Plan. It sets out (paragraph 49) that "*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”.*

NPPF paragraph 49 is not therefore engaged. NPPF 49 states that “Housing applications should be considered in the context of the presumption in favour of sustainable development.” The NPPF presumption test (paragraph 14) for decision taking is,

approving development proposals that accord with the development plan without delay; and

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 this Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

*Sustainability:*

Scotton is a ‘subsidiary rural settlement’ under policy WLLP policy STRAT3. It is proposed as a “medium village” under LP2 of the CLLP.

The site sits adjacent the settlement of Scotton and there are adjacent or opposite residential dwellings to the south west and north west of the site. The village of Scotton has a church, village hall, public house (Three Horseshoes), a nursing home, a tennis court and a children’s playground. Therefore Scotton, although considered as a subsidiary rural settlement in the WLLP and a medium village in CLLP, has a limited range of facilities and services within the village to reduce the dependency on a vehicle to travel. It does not have a village shop, post office, school or many employment opportunities.

Scotton sits on a main public transport bus route providing a regular service to all the services and facilities in Scunthorpe, Gainsborough and Lincoln.

According to the LCC Interactive Public Transport Map there are the following bus stops in Scotton:

- Middle Street – approximately 550 metres away
- Crapple Lane - approximately 470 metres away
- The Three Horseshoes - approximately 470 metres away
- Village Hall - approximately 220 metres away

These are within the acceptable walking distance of 800 metres set out in the Guidelines for Providing for Journeys on Foot 2000. The bus stop at The Three Horseshoes provides an hourly bus service (100) between 8.06 and 18.41. The nearest railway station is in Scunthorpe approximately 8 miles away with Lea Road station in Gainsborough approximately 10 miles away. Both are accessible by bus. The level of housing is not considered to have a significant impact on local infrastructure which would trigger the requirement for contributions to local facilities. The site is not considered as a locally important plot of land.

The site is located within flood zone 1 therefore has the lowest risk of flooding and meets the NPPF sequential test to direct development to those areas at lowest risk of flooding. This is providing suitable methods of surface water disposal are utilised to suit the grounds conditions of the site.

*Submitted Central Lincolnshire Local Plan 2012-2036:*

The submitted Central Lincolnshire Local Plan is a material consideration to take into account against the policies of the statutory development plan. The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.

The plan is now formally within its examination period with the Secretary of State and is has been debated and considered at a hearing which concluded on 14<sup>th</sup> December 2016. The Submitted Local Plan is now at the most advanced stage possible, prior to consultation of any post-modifications, and publication of the Inspector's report.

Submitted policy LP2 sets out a spatial strategy and settlement hierarchy from which to focus growth. Submitted local policy LP2 states that development proposals in Scotton (Medium Village) will typically *'be on sites of up to 9 dwellings'* or *'in exceptional circumstances proposals may come forward at a larger scale on sites of up to 25 dwellings'* where it *'can be justified by local circumstances'*.

Submitted policy LP4 goes on to say that Scotton has a growth level of 10% (256 existing dwellings) which appendix B of the CLLP states this equates to 23 dwellings. This total of 23 dwellings can be reduced by completions and extant planning permissions currently totalling 3 dwellings therefore the remaining level of growth in Scotton is 20 dwellings.

Submitted policy LP4 additionally requires a sequential approach to be applied to prioritise the most appropriate land for housing within medium villages. The agent has submitted an Assessment of Alternative Sites in Scotton received 7<sup>th</sup> November 2016. This concludes that:

*'It is difficult to find any suitable land within the developed footprint of Scotton to meet classes i) and ii) in para. 1.2 above and therefore it is considered there is no room for the emerging remaining growth to be met in the confines of the Scotton settlement. There are other Edge of Settlement Greenfield sites but access is generally poor, availability is unknown and those in the north are in, or close to the Flood Zone 3 land (see EA Flood map attached).'*

The content of this assessment has been questioned in a resident's formal representation, however after looking at the village as a whole the space available for houses within the village appears limited. The larger site (site A) is still in agricultural use therefore is unlikely to come forward for housing. Sites D and E are edge of settlement sites which would not be prioritised any higher than the application site.

A summary of all the key issues raised through the consultation periods of the Draft and Further Draft Central Lincolnshire Local Plan are listed in the PSC submitted with the CLLP. The PSC summarises comments made on specific settlements, however none were made relating to Scotton. Specific issues are raised on local policy LP4 in the PGIV. The issues were a mix of positive and negative responses which lead to only minor amendments to the wording and supporting text of the CLLP. It is considered that there are not significant unresolved objections to policy LP4. It is considered that the CLLP is a material consideration which can now be attached weight in the decision making process.

#### *Scotton Neighbourhood Plan:*

Some comments from local residents and Scotton Parish Council have been made in relation to the Scotton Neighbourhood Plan. One comment states that the proposal should not be considered until this is a made document. The Scotton Neighbourhood Plan process has commenced but it is at the pre-designation meeting stage which is a very early stage. All applications are assessed on relevant planning policy and material considerations at the time of their assessment. A draft of the Neighbourhood Plan is yet to be published and cannot therefore be afforded weight in the decision making process.

#### *Agricultural Benefit:*

Guidance contained within Paragraph 143 states that '*safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources*'. The field is classed in Natural England's East Midlands Agricultural Land Classification Map as grade 3 (good to moderate). This designates the site as being fairly productive for agricultural use. The site is currently used for growing crops and the development is only building on part of the land (0.54 Hectares). The development will lead to a loss of agricultural land but the land is not of the highest quality and its loss is not considered as significant.

Consideration has been given to Central Lincolnshire having a five year housing supply, the conflict with open countryside policies (STRAT 12 and LP55), the limited sustainability credentials of Scotton and the agricultural classification (good to moderate) of the land. However the CLLP allows a remaining housing growth of 20 dwellings in Scotton, the site passes the sequential test of submitted policy LP4 and has a low risk of flooding. Therefore on balance it is considered that the principle of the development is acceptable and can be supported.

#### Access

Objections have been received in relation to highway safety. The application site is set just back from the highway which has a 30mph speed limit and has a junction on the opposite side of the road between The Old Rectory and 9 Eastgate. The highway narrows to a single vehicle width after this junction as you drive out of the village. The proposed access will be positioned within the right hand side of the north west boundary (indicative plan 163 sk06 Rev 2 dated May 2016) opposite the shared boundary of Blackthorns and Pasture Farm. From the site visit the highway does bend as you drive out of the village, however the observation views appear sufficient in both directions. The Highways Authority have not objected to the proposal but have recommended a number of conditions including highway

improvements and the introduction of a footpath link with capability of appropriately disposing of surface water. It is therefore considered that the proposal will not have an adverse impact on highway safety.

#### Foul and Surface Water Drainage

The application states that the method of dealing with foul drainage is unknown although a plan has been submitted indicating a foul only mains sewer adjacent the site along the highway. Surface water will be disposed of too soakaways which is a sustainable urban drainage system. No objections have been received by the Lead Local Flood Authority. It appears that foul and surface water can be appropriately dealt with from the site, however further details and evidence will need to be submitted and agreed through a condition on the outline permission.

Objections have been received in relation to surface water flooding of the highway. As previously stated the drainage methods proposed are considered acceptable and it is the applicant's responsibility to submit an appropriate drainage system which will not further increase the risk of surface water flooding on and around the site including the use of permeable surfacing to the access roads and driveways.

#### Heritage Impact

As stated in the description section of this report there are two Listed Buildings to the west of the site. It was not considered necessary to advertise this on the site notice due to the separation distance.

- Church of St Genwys – Grade 1 Listed
- Acacia Cottage – Grade 2 Listed

The Authority's Conservation Officer has not objected to the proposal but has requested that a condition is attached to an outline permission requesting that the following information is submitted at the reserved matters stage:

- A full assessment of the setting of the church, with key views etc., annotated on a contextual plan;
- Demonstrate through the submission of full details that the setting and key views will not be harmed by any of the proposed dwellings, through either siting/location, scale, mass, design, materials or other key elements of design (including road layouts, etc.), and;
- That the opportunity be taken to frame views of the church as part of this development, both within and without the site (as per policy 137 of the NPPF);
- A heritage statement showing the significance of the church, which as a grade I listed building, will be of high significance, and how design has taken account of this setting and mitigated any harmful aspects upon significance arising from this development.

The application is in outline – and it is considered that the site can be developed without having an adverse effect upon the character and setting of the Listed Buildings.

Due care will be required at the reserved matters stage to ensure scale and appearance do not adversely affect the setting of these heritage assets.

### Archaeology

On the request of the Historic Environment Officer (HEO) at Lincolnshire County Council the agent submitted an Archaeological Evaluation Report: Geophysical Survey by Magnetometry completed by Allen Archaeology Limited dated October 2016. Following the results of the of the survey the HEO stated that *'there are some records for Roman finds being found close to this site but on balance I do not think we have enough evidence to request further work in advance of determination of a planning application on this site'*. Therefore the proposal will not cause any significant adverse archaeological impacts.

### Tree

To the front north west boundary of the site is a substantial mature tree. It is important that the proposal does not impact on the health and future presence of the tree. The Authorities Tree and Landscape Officer (TLO) has not objected to the proposal but has accepted the details within the Arboricultural Impact Assessment and Arboricultural Method Statement (AIA/AMS) completed by Ecological Services Ltd dated September 2016.

As the layout of the proposal is a reserved matter it could be subject to change apart from the position of the vehicular access. Although alterations are possible to the indicative plan through a reserved matters planning application all of the details within the AIA/AMS are considered relevant such as root protection areas, tree protection measures and the use of a cellular confinement system where necessary. Therefore a condition will be attached to the outline permission ensuring the development is in accordance with its recommendations.

### Affordable Housing

Saved policy RES 6 of the West Lindsey Local Plan Review 2006 sets out the criteria for the provision of affordable homes within West Lindsey. This particular site meets criteria ii as the population of Scotton is below 3,000 and the proposal intends to construct 9 new dwellings.

This will amount to the inclusion of 2.25 units to be delivered on site. In this instance an off-site contribution may be acceptable and based on West Lindsey SPG off site contributions for Affordable Housing (2010 update) the contribution would equate to £108,976.50.

Nonetheless, Planning Practice Guidance<sup>1</sup> The proposal is less than 10 dwellings therefore given the recent Court of Appeal's judgement no contribution will be sought for affordable housing.

### Landscaping

Details of landscaping are not to be considered at this stage however the TLO and AIA/AMS have suggested that there is plenty of scope for opportunities to provide new planting on the boundaries of and within the site. This includes infill planting to the frontage boundary.

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<sup>1</sup> Planning Obligations (Paragraph: 031 Reference ID: 23b-031-20161116)

### Layout

An indicative plan (163 sk06 Rev 2 dated May 2016) has been submitted which provides an indicative layout to the site. This plan demonstrates that the plot is of sufficient size to accommodate 9 dwellings with reasonable garden spaces and sufficient off street car parking. The layout will need to acceptably integrate into its location on the edge of the settlement and the nearby residential form plus as previously stated preserve the setting of the nearby Listed Buildings.

### Scale and appearance

The scale and appearance of the nine dwellings has not been submitted – they are reserved for subsequent approval - however the indicative plan and received 5<sup>th</sup> October 2016 and design and access statement (DAS) received 4<sup>th</sup> October 2016 allows some comments to be made. Paragraph 2.1 of the DAS states *‘The concept of this application is for a quality development seeking to provide a “diverse varied place” to (a) be development which will have a range of housing designs which will “match” the variety of designs and sizes of the development in the village of Scotton and (b) match as is sensible some of the surrounding locality in its relatively low density of development’.*

As with the layout it is important the scale and appearance of the dwellings integrate into its location on the edge of the settlement and the nearby residential form plus as previously stated preserve the setting of the nearby Listed Buildings. It is considered necessary to add a condition limiting the site to a maximum of nine dwellings.

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

Consideration has been given to the developments confliction with STRAT 12 of the WLLP, the current housing supply position and the agricultural classification of the site. However, weight has been given to the CLLP which supports windfall development in medium villages and the site has been demonstrated as an acceptable site following the undertaking of the sequential test outlined in LP4 of the CLLP. Therefore given the support of the CLLP for some windfall development the proposal is acceptable.

The decision has been considered against saved policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement Hierarchy, STRAT 9 Phasing of Housing Development and Release of Land, STRAT 12 Development in the Open Countryside, RES 1 Housing Layout, RES 6 Affordable Housing, CORE 10 Open Space and Landscaping within Developments, NBE 10 Protection of Landscape Character and Areas of Great Landscape Value, NBE 14 Waste Water Disposal and NBE 20 Edge of Settlement of the adopted West Lindsey Local Plan First Review 2006 in the first instance and local 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, LP10 Meeting Accommodation Needs, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP25 The Historic Environment, LP26 Design and Amenity and LP55 Developments in Hamlets and the Countryside of the Submitted Central Lincolnshire Local plan 2012-2036. Furthermore consideration has been given to guidance contained within the National Planning Policy

Framework and National Planning Practice Guidance. In light of the above assessment, it is considered that the proposal is acceptable subject to certain conditions. The site is considered to be in a location which has limited sustainability credentials due to its limited services and facilities. The proposal has satisfied the sequential test in submitted local policy LP4 as an edge of settlement development and will positively contribute nine dwellings towards the housing supply in Central Lincolnshire and the remaining housing growth allocated to Scotton in submitted local policy LP4 of the Central Lincolnshire Local Plan. The proposal will not have a significant adverse impact on highway safety or increase the risk of flooding. It will not have a significant adverse impact on archaeology or adversely impact on the trees to the boundaries. The proposal is therefore acceptable subject to satisfying a number of pre-commencement conditions and submission of a reserved matters planning application.

### **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

### **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 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 details of a scheme for the disposal of foul sewage and surface water from the site (including the results of any necessary soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent the pollution of the water environment and to accord with the National Planning Policy Framework and saved policy STRAT 1 and NBE 14 of the West Lindsey Local Plan Review 2006 and LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

5. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 1.8m metre wide footway, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before any of the dwellings are occupied or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan Review 2006 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

6. No development shall be commenced until details of the works to improve the public highway by means of a scheme of widening/haunching of the existing carriageway along Eastgate has been submitted and certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan Review 2006 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

7. When application is made for approval of the 'Reserved Matters', that application shall include the following information and/or statements:
- A full assessment of the setting of the grade 1 listed church, with key views etc., annotated on a contextual plan.
  - Demonstrate that the setting and key views will not be harmed by any of the proposed dwellings, through either siting/location, scale, mass, design, materials or other key elements of design (including road layouts, etc.) and that the opportunity be taken to frame views of the church as part of this development, both within and without the site.
  - A heritage statement showing the significance of the grade 1 listed church and how design has taken account of this setting and mitigated any harmful aspects upon significance arising from this development.

Reason: To preserve the setting of the nearby listed buildings and key views towards it to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan Review 2006 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

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

8. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: Location Plan 163 011 Rev 01 dated September 2016 and access shown on Site Layout Plan 163 sk06 Rev 02 dated May 2016. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

9. The development shall comprise of a maximum of nine dwellings.

Reason: To preserve the character of the area and to integrate with the adjoining built residential form and to protect residential amenity to accord with the National Planning Policy Framework and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP17 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

10. The development shall be completed in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan completed by Ecological Services Ltd dated September 2016.

Reason: To safeguard the existing trees on and around the site during construction works, in the interest of visual amenity and the health of the protected trees to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006 and local policy LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

11. The development shall not be brought into use until the foul and surface water drainage as approved under condition 4 of this permission has been provided. It shall thereafter be retained and maintained.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

12. No dwellings (or other development as specified) shall be commenced before the first 25 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 163 sk06 02 dated May '16 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Eastgate.

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

NONE

**Informatives**

Highways

Where a footway is constructed on private land, that land will be required to be dedicated to the Highway Authority as public highway.

Landscaping

This should include infill planting of the existing frontage hedgerow, new site boundary hedges of mixed native species characteristic to this area, and some native tree planting around the south east (rear) boundary and easterly side of the site, for screening and softening of the development at this village edge position, and

amenity tree and shrub planting within the site, and for improved biodiversity value of the site.