

Officers Report

Planning Application No: 146645

PROPOSAL: Planning application for removal of existing dwelling and the erection of a 1no. 1.5 storey dwelling and 5no. bungalows.

LOCATION: 77 Ryland Road Welton Lincoln LN2 3LZ

WARD: Dunholme and Welton

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

APPLICANT NAME: Mr J Woodcock

TARGET DECISION DATE: 05/07/2023 (Extension of time agreed until (05/01/2024)

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Danielle Peck

RECOMMENDED DECISION: Grant planning permission with conditions

The application is referred to the Planning Committee for determination following the objections received from Welton Parish Council and third parties which relate to material planning matters.

Description: The application site comprises of a detached dwelling (77 Ryland Road) and its associated land to the rear (north), located within the settlement of Welton. The host dwelling is a one and a half storey property, with access to its western side leading to a garden area and some detached outbuildings. Beyond this is an area of land which is flat in its nature, is laid to grass and measures approx. 0.47ha. Boundary treatments mainly consist of c. 2m high fencing and tall hedging, a small area of trees is located to the very north of the site. Other residential uses are adjacent to all boundaries.

The Proposal: The application seeks full planning permission for the erection of 5no. dwellings to the rear of 77 Ryland Road as well as the replacement of the host dwelling (77 Ryland Road) with a 1.5 storey dwelling.

The dwellings will comprise of the following;

Plot 1- Replacement of 77 Ryland Road with a 1.5 detached dormer bungalow- 10.5m in width, 15.7m in length, 3.9m max eaves height, 7.2m in max total height. Detached double garage- 6m in width, 6m in length, 2.5m to eaves and 5.5m in total height.

Plot 2- Detached 3 bedroom bungalow with single detached garage. Approximate measurements; 12.5m width, 15m length, 2.5m eaves and 6m total height.

Plot 3 and 4- Pair of semi-detached two bedroom bungalows with a pair of single detached garages. Approximate measurements; 16.8m in width, 12.1m in length, 2.5m eaves, 5m in total height.

Plot 5- Detached 3 bed bungalow with single detached garage. Approximate measurements; 12.5m width, 15m length, 2.5m eaves and 6m total height.

Plot 6- Detached 3 bed bungalow with attached single garage. Approximate measurements; 15m in length, 17.7m in width, 2.5m to eaves and 6m in total height.

Plots **2,3,4 and 5** will also have a single detached garage (set out as double garages in between plots). The garages will measure- 7.7m in width, 6.1m in length, 2.4m to the eaves and 5.4m in total height.

Relevant history:

145896- Pre-application enquiry for 5no. dwellings and 1no. replacement dwelling. Advice given December 2022.

W119/857/82- Erect double garage in accordance with amended plan received by the district planning authority on 23 December 1982. Granted.

Representations- The full responses received can be viewed through the website using the following link: <https://www.west-lindsey.gov.uk/planning-building-control/planning/view-search-planning-applications/search-planning-application-database?docid=146645>

Cllr P Swift: Due to the amount of public interest and representations received I would like to request that the application is taken to committee for determination.

Welton Parish Council- Objects:

- This application does not sit within the designated sites for development within the Welton Neighbourhood Plan or the Central Lincolnshire Local Plan; this should be taken into account and the application refused;
- This is yet another example of backland development, such development should be frowned upon and not granted; if permission is granted it would set a precedent for the other properties with equally large gardens in the village to follow suit;
- The buses have difficulty in passing parked and oncoming vehicles. The access to the proposed new properties from Ryland Road would seriously impact on the flow of traffic. If this development was granted permission, the route for and parking of construction vehicles and deliveries will need to be managed in such a way that they do not cause any disruption to the movement of traffic on Ryland Road or accessing the site through the centre of the village. There would be a significant level of nuisance resulting from the movement of vehicles to and from the proposed

development past properties leading to an unacceptable proliferation of vehicular access on to an already busy road to the detriment of highway safety;

- If permission is granted a clause should be included that NO construction or delivery vehicles should park on Ryland Road or obstruct the footway, but on site at all times to ensure the safety of pedestrians and free flowing of traffic on this busy road;
- This application does not sit within the designated sites for development in the Welton-by-Lincoln Neighbourhood Plan and this should be considered and the application should be refused; Policy S80: Housing Sites in Large Villages of the Central Lincolnshire Local Plan - Adopted April 2023;
- Removal of trees and woodland - Policy S66: Trees, Woodland and Hedgerows - The infrastructure in Welton is already at bursting point and this development will potentially increase the population by another 18, which on its own doesn't sound many, but with the development already under construction at the end of Prebend Lane and those already built the increase has been quite significant; refer to Policy S45: Strategic Infrastructure Requirements in the Central Lincolnshire Local Plan - Adopted April 2023. The drains and sewers in Welton are also at saturation point and there have been concerns regarding flooding in this area historically.
- There should be clear evidence of local community support for a scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise. If, despite a thorough, but proportionate, pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council" and Welton-by-Lincoln Parish Council does not support this application and has not been consulted by the applicant.
- The Parish Council respectfully requests that this application is put before the Planning Committee and is not a delegated decision and that a site visit is recommended.

Local residents/Third party representations- In Summary:

Objections have been received from the following addresses:

- **27 Northfield Road Welton x2**
- **85 Ryland Road Welton**
- **8 The Eshings Welton**
- **Garland Hayes 2 Dovecote Drive Welton x2**
- **25 Northfield Road Welton**
- **2 Tinkermere Close Welton**
- **11 Stewart Close Welton**

Comments summarised as follows;

- There is the potential for asbestos in the buildings to be removed;
- We need to keep some of the green spaces. This village is already the size of a town with no amenities;
- Welton and Dunholme have a considerable number of housing estates currently being built out with in excess of 250 houses still to build.

- Before any further houses are approved for development a meaningful flood risk/ infrastructure analysis should be conducted, this should also include the sites identified in the latest CLLP;
- Continual loss of green spaces will both increase flood risk to areas which, on paper, do not currently present a flood risk and compromise biodiversity;
- There must be a commitment in new builds to comply with the highest of eco standards, incorporating solar panels, ground source heat pumps, green roofs etc. This application demonstrates no such commitment;
- There is no demonstrable need for additional housing, sufficient housing is allocated and under construction;
- Inadequate assessment of flood risk, biodiversity and green infrastructure;
- The proposals would set a precedence for further back garden development;
- Construction impacts- HGV access from Ryland Road;
- Why do we need more houses in Welton;
- Replacement of the greenfield paddock with buildings, roads and paths will reduce the storage capacity of the ground, with increased storm water running off into the drains and/or the wooded area / ponded area.
- The applicant has not assessed surface water or groundwater flood risk as required under planning policy. Nor has the applicant submitted a plan for Sustainable Urban Drainage in line with the CIRIA guidance
- Clearly there are significant and ongoing developments in Welton and adjacent Dunholme that are already adding a great deal of strain to the limited existing services. Whilst this proposal is small in relative terms when compared to the many other developments it will only serve to further load the available services in the village.
- The proposal will add more cars to Ryland Road and the exit from the development onto the road will be fraught with danger of possible collision due to poor sight-lines to enable vehicles coming from the mini roundabout to be seen;
- Losing green space will I believe adversely impact these animals. I also have significant concern over water run-off from the hard areas that the development would create;
- The application needs to address flood risk;
- There is an over supply of housing in Welton and Central Lincolnshire;
- Concerns with visual amenity and character;
- Ecology and protected species concerns.

LCC Highways/Lead Local Flood Authority:

14/06/2023- No objections. The existing vehicle access will require slight alteration, the metalling of a section of highway verge, the applicant will be required to apply to the Highway Authority for a S184. The proposal is for the removal of an existing dwelling and the erection of 1no. 1.5 storey dwelling and 5no. bungalows and it does not have an unacceptable impact on the Public Highway or Surface Water Flood Risk.

01/06/2023- ADDITIONAL INFORMATION REQUIRED. Can the applicant produce a dimensioned access drawing that achieves a minimum width of 4.1m

Archaeology: There are no known archaeological implications for the above planning application.

Relevant Planning Policies:

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

Development Plan

- ***Central Lincolnshire Local Plan 2023 (CLLP)***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S4: Housing Development in or Adjacent to Villages

Policy S6: Design Principles for Efficient Buildings

Policy S7: Reducing Energy Consumption – Residential Development

Policy S11: Embodied Carbon

Policy S12: Water Efficiency and Sustainable Water Management

Policy NS18: Electric Vehicle Charging

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

Policy S66: Trees, Woodland and Hedgerows

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

- ***Welton Neighbourhood Plan (NP) 2016***

Relevant policies of the NP include:

Policy D1- Village Character

Policy D2- Safe Environment

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

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

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

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

National policy & guidance (Material Consideration)

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

https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023.

- **National Planning Practice Guidance**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**
<https://www.gov.uk/government/publications/national-model-design-code>

Main issues

- Principle of Development- 5no. new dwellings;
Principle of replacement dwelling;
- Energy Efficiency Policies;
- Impact upon Visual Amenity/ Character of the Area;
- Impact upon Residential Amenity;
- Highways and Parking;
- Impact on Ecology and Biodiversity;
- Drainage- Surface and Foul Water;
- 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.

Policy S1 of the Central Lincolnshire Local plan sets out a spatial strategy and settlement hierarchy for the District. Within this policy Welton is defined as a 'Large Village' (Tier 1).

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

Policy S4 states that:

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

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

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

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

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

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

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

Developed footprint of a settlement is defined as the continuous built form of the settlement and excludes:

- *individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*

- *gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- *agricultural buildings and associated land on the edge of the settlement; and*
- *outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.*

The proposal would accord with the ‘up to 10 dwellings in large villages’ criteria. The application site is located within an existing residential area of Welton, it is adjoined by other residential dwellings and their garden areas to all boundaries. Whilst the plot may be considered as back land, its positioning, being surrounded by other residential dwellings, would, be respectful to the character of the area, it is considered to be within the developed footprint.

The comments from the Parish Council regarding the site not being ‘allocated’ for development are noted, however this does not mean that no other sites within the village can come forward for housing. Any new site can come forward and will be assessed against the policy requirements of the principle policies S1 and S4 within the CLLP as well as the Welton Neighbourhood Plan.

Neither the Central Lincolnshire Local Plan or Welton neighbourhood Plan set out that unallocated sites should be refused – policy S4 of the CLLP sets out specific criteria for unallocated sites within large villages – which this proposal would be compliant.

Whilst the Parish Councils views of backland development, and that it “should be frowned upon and not granted” are noted – this is not planning policy, and is not a policy of the Neighbourhood Plan. Policy S4 of the CLLP encourages development on appropriate locations in the developed footprint of the village – it does not prohibit “backland” development.

The Welton by Lincoln Neighbourhood Plan is silent with regard to new housing developments under 10no. dwellings.

In principle the development of this site is considered to be acceptable and would accord to the policies S1 and S4 within the CLLP.

Principle of replacement dwelling

The Central Lincolnshire Local Plan does not have a specific policy, and is otherwise silent on the replacement of a dwelling within a settlement. However, as stated above the site is within the existing developed footprint of Welton and therefore the principle is considered to be acceptable.

As part of the application it is proposed to demolish and replace the host dwelling (77 Ryland Road). Policy S11 of the CLLP relates to embodied carbon and states that there is a presumption against development;

Presumption against demolition:

To avoid the wastage of embodied carbon in existing buildings and avoid the creation of new embodied carbon in replacement buildings, there is a presumption in favour of repairing, refurbishing, re-using and re-purposing existing buildings over their demolition. Proposals that result in the demolition of a building (in whole or a significant part) should be accompanied by a full justification for the demolition. For non-listed buildings demolition will only be acceptable where it is demonstrated to the satisfaction of the local planning authority that:

- 1. the building proposed for demolition is in a state of such disrepair that it is not practical or viable to be repaired, refurbished, re-used, or re-purposed; **or***
- 2. repairing, refurbishing, re-using, or re-purposing the building would likely result in similar or higher newly generated embodied carbon than if the building is demolished and a new building is constructed; **or***
- 3. repairing, refurbishing, re-using, or re-purposing the building would create a building with such poor thermal efficiency that on a whole life cycle basis (i.e. embodied carbon and in-use carbon emissions) would mean a lower net carbon solution would arise from demolition and re-build; **or***
- 4. demolition of the building and construction of a new building would, on an exceptional basis, deliver other significant public benefits that outweigh the carbon savings which would arise from the building being repaired, refurbished, re-used, or re-purposed.*

Applications within the countryside relating to the re-use or conversion of existing buildings will only be acceptable where they also meet the requirements of Policy S5, S34, or S43 as applicable.

The application has been accompanied with the following justification for the replacement dwelling and how it meets with the policy.

The existing dwelling, constructed sometime in the 1950's is of an un-insulated cavity wall construction, featuring aged, single glazed timber windows. It is heated by an outmoded gas heating system and the roof has very little insulation, and none at all in most places. Given the buildings age, it can be assumed that the existing floor would have a negligible amount of floor insulation of any at all, it is currently highly inefficient.

In order to properly bring the existing building up to the same energy efficient standards as the proposed, would mean extensive works to be undertaken, The existing floor would have to be removed entirely, and replaced with a completely different build up in order to me the u- values the other proposed dwellings can offer. This would also mean inspecting the foundations and ground conditions to ensure an undertaking could be achieved.

Insulation would likely have to be introduced to the cavity, with insulated layers needing to be introduced internally and more insulation will have to be introduced to the loft and ceiling spaces. These works would be impractical for the existing dwelling and will likely cause more issues during the renovations.

It will also mean the removal of an outdated gas boiler in favour of a more eco-friendly Air Source Heat Pump.

With consideration to the above, the Local Planning Authority are satisfied that the requirements of this policy have been met.

Energy Efficiency Policies

Policy S6 of the CLLP states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated.

The application has been accompanied with an Energy Statement (most recent dated 28/09/2023). Additional information to support the statement has also been submitted, this comprises of SAP Calculations, Draft EPC certificates and details of proposed renewables to be included on the dwellings.

The Statement gives detail on how the design principles of Policy S6 has been considered, as follows;

Orientation of buildings- The orientation of the dwellings within the proposals have been carefully considered to allow for significant solar gain. Whilst the site is relatively narrow, the buildings are nevertheless orientated to maximise natural daylight and sunlight through passive means.

Form of buildings- The form has been designed to be simple, but also reflecting the design of the existing dwelling and other buildings nearby. The simple form allows the dwellings to retain heat within cooler periods, and cross ventilation is utilised where possible to allow for cooling in warmer periods

Fabric of Buildings- The dwellings are designed to be built using traditional methods, utilising brickwork, an insulated cavity, and an inner skin of blockwork. By utilising dense solid material, we are providing the capacity for thermal mass storage within the building's fabric, the thermal mass will take advantage of solar gains during the day, and heat is then emitted from the thermal mass during cooler parts of the day or night.

The dwellings will also benefit from improved thermal bridging details with robust on-site monitoring in order to reduce cold bridging and target the weakest points of the thermal envelope, in turn decreasing the amount of heat loss.

Heat Supply- Each property will be heated by the use of an Air Source Heat Pump, eliminating any need for gas/oil or other non-sustainable methods.

Renewable energy generated- Supplying Air Source Heat Pumps to each plot will provide them with a low carbon, environmentally friendly heat source. Air Source Heat Pumps are also highly efficient and will generate 2.5 times more heat energy than the electrical energy it takes to function. In addition, PVs/Solar Panels are also suggested for use with the plots.

Policy S7 of the CLLP requires that all new residential development proposals must include an Energy Statement which confirms that in addition to the requirements of Policy S6 that all such residential development proposals, *can generate at least the same amount of renewable electricity on-site and to help achieve this point, target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 35 kWh/m²/yr, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m²/yr, irrespective of amount of on-site renewable energy production.*

The Energy Statement gives a summary table, with the figures for each plot below:

Plot No.	Space Heating Demand kWh/m²/yr	Total Energy Demand kWh/m²/yr
Plot 1	8.42	20.02
Plot 2	12.55	27.00
Plot 3	11.51	34.30
Plot 4	11.23	34.00
Plot 5	10.19	24.66
Plot 6	9.89	24.29
<u>Site Average</u>	<u>10.63 kWh/m²/yr</u>	<u>27.37 kWh/m²/yr</u>

The table shows that the figures would meet with the policy requirements and that no single dwelling would exceed the 60 kWh/m²/yr energy demand. Air source heat pumps and solar panels will be installed to meet the energy demand of the dwellings. The proposal would therefore accord to the aims of policies S6 and S7 of the CLLP.

Impact upon Visual Amenity/ Character of the Area

Policy S53 of the CLLP is split into ten sections requiring good design and compatibility with neighbouring land uses. Section 1 (context) of the policy states that all development proposals will:

- a) *Be based on a sound understanding of the context, integrating into the surroundings and responding to local history, culture and heritage;*
- b) *Relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area;*
- c) *Protect any important local views into, out of or through the site;*

The application site is located within Character Area I (Northfield) in the Welton Character Area assessment. The Character Assessment states that the area is;

Formed exclusively of residential development, the properties which occupy this character area are generally of two storeys, detached and set within plots which relative to their building footprint are small.

Dwellings are for the most part arranged at a density which is higher than that seen elsewhere in Welton and the minimal distances between properties means that views of the wider locality are limited.

The proposals comprise of bungalows, with a 1.5 storey replacement dwelling to be located on Ryland Road. It is considered that the proposals would generally respect the character area as described in the assessment.

Neighbourhood Plan policy D1 relates to village character and states that: *Development should respect local character. The development of design features that attract local wildlife, such as bat boxes and gable ends for nesting birds will be supported.*

As detailed in the description section of this report, the site is set back from the main highway of Ryland Road and would not be readily visible within the area. Ryland Road has a mixture of property types, with the housing development located to the west of the site having similar property types, there is no overriding character in the area.

The 5no. proposed dwellings to the rear (north) of 77 Ryland Road are all of a similar design. The layout is linear in its character running from south to north, along the eastern part of the site with the access road to the west.

The proposed 1.5 storey dormer bungalow replacement dwelling at 77 Ryland Road is of an appropriate size and scale that would not appear out of character with the area in terms of its design, it is considered to be a visual improvement within the street scene in comparison to the existing dwelling which is of no notable design.

No exact proposed material details have been provided and therefore it is considered reasonable to request that further manufacturer specifications are provided by means of condition to ensure the dwellings assimilate within their surroundings. Therefore, subject to this condition, the proposal would accord to the aims of Policy S53 of the CLLP.

Impact upon Residential Amenity

Part 8, criteria d of Policy S53 of the CLLP states that development proposals will:

d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;

The site is adjoined by other residential dwellings to all boundaries, all of which are two storey. To the west, there is a row of terraced dwellings beyond the intervening boundary fence. The proposed access road will run adjacent to this boundary with the proposed dwellings being located along the eastern side of the site. Considering that the proposed dwellings will be bungalows there are no anticipated overlooking concerns into neighbouring developments.

The development would not be expected to result in overlooking or dominating impacts between the proposed dwellings. They are all adequately positioned with acceptable separation distances and appropriately located openings as to not cause any overlooking issues. It is also considered that there is an adequate amount of outdoor amenity space to each of the proposed dwellings, including the replacement host dwelling. All of the dwellings also meet with the Nationally Described Space Standards with regard to internal measurements. It is noted that plots 3 and 4 may experience some overshadowing from Lleyandii hedge to its eastern boundary, however the rear amenity areas of these properties will still benefit from sufficient light throughout the rest of the day.

With regard to the replacement of the host dwelling this is to be replaced with a 1.5 storey dormer bungalow. The dwelling is adequately separated from the neighbouring properties as to not cause any dominating impacts. Proposed window openings to the front and rear will look over the property's own amenity areas, apart from a new ground floor bathroom window in the east elevation there are no other side openings that would cause any overlooking issues.

The comments regarding the need for a Construction Method Statement are noted. With consideration to the proximity to neighbouring dwellings and that a total of 6no. dwellings are proposed it is considered reasonable to request that one is submitted to ensure that there is no unacceptable impacts on the amenity of the occupiers of neighbouring dwellings during the construction period.

With regard to Policy D1 of the NP, this is discussed in the ecology and biodiversity section of this report below. Overall, the proposal would accord to the aims of Policy S53 of the CLLP in that there would be no unacceptable impacts upon neighbouring amenity.

Highways and Parking

Policy S47 of the CLLP states that development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.

Access to the site will be gained to the south of the site and to the west of the host dwelling, via an existing access point which measures c.17.3m in length from Ryland Road to the south boundary of Plot 2. The access has been shown to be a width of between 4.2m and 4.3m which is considered to be acceptable (above the 4.1m requested by highways). The application has been reviewed by the Highways Authority who have no objections subject to informative notes which would be added in the event permission is granted. It is considered that the proposal would not have a detrimental impact upon highway safety.

Part B of Policy S49 states that planning permission for new residential development will only be granted if the proposal makes appropriate and deliverable parking provision in accordance with the standards in Appendix 2 of the plan. It states that in Villages and Rural Areas 2 bed dwellings should have 2 parking spaces and 3 bed dwellings should have 3 parking spaces. All of the dwellings accord to these standards and therefore provide a policy compliant level of parking provision in accordance with the Policy S49.

The comments regarding a construction management plan are noted, this has not been recommended by the Highways Authority on highway safety grounds. However, it is considered necessary to condition a plan for residential amenity reasons as previously discussed. Overall, the proposals would accord to Policies S47 and S49 of the CLLP.

Impact on Ecology and Biodiversity

Policies S60 and S61 of the CLLP requires that development proposals do not have an unacceptable impact on ecology or biodiversity and should take opportunities to provide a net gain in biodiversity wherever possible. These requirements are also contained within paragraph 186 of the NPPF.

The existing site comprises of an area of grassland, areas of hedging, along with the host dwelling and its associated outbuildings. The application has been accompanied with a Preliminary Ecological Appraisal (PEA) by KJ Ecology Ltd dated August 2023 as well as the completed small sites Biodiversity Net Gain 4 metric tool.

The report includes a biodiversity net gain calculation that outlines the proposed development would achieve a 9.6% gain on site overall. Whilst this is just below the 10% required by policy S61, it is considered unreasonable to request that the remaining 0.4% gain is secured off site. No specification of the planting proposals has been submitted alongside the application. Such proposals and enhancements along with details of proposed landscaping will be secured by means of condition.

Given that a 9.6% can be assumed as a best-case scenario and the calculations were undertaken by a suitably qualified professional, it considered that the proposed development is broadly in accordance with the aims of Policies S60 and S61 of the CLLP.

With regard to protected species, the site has been determined to have potential for nesting birds. However, an additional survey would only be required if the development was to commence in the bird nesting season (March to August). The recommendations of the PEA will therefore be conditioned as part of a grant of planning permission. It is not considered necessary to require a separate pre-commencement condition for nesting bird surveys. Nesting birds are a protected species under the Wildlife and Countryside Act 1981. Therefore, it is an offence to cause undue harm to protected species independent of the planning process.

With regard to the host dwelling and the potential for bats, the PEA states the following;

3.2.3 On the outside of the building only one bat feature was found on the Southern side of the bungalow. No other bat features were found on site. The feature found on the bungalow would only support a small number of bats and the surrounding habitat is poor, which would also only support a small number of bats. For this reason, the bungalow has been classified as having low suitability for a bat roost, and so will need only one Presence/ Absence bat survey.

Further correspondence from the Ecologist has confirmed that the chance of bats being in this building is extremely low and verges on negligible.

The NPPG¹ states that;

In exceptional cases, you may need to attach a planning condition for additional surveys. For instance, to support detailed mitigation proposals or if there will be a delay between granting planning permission and the start of development. In these cases a planning condition should be used to provide additional or updated ecological surveys to make sure that the mitigation is still appropriate.

Following discussions with the applicant, a bat mitigation strategy has been submitted, this includes measures to ensure that in the event bats are found they would be protected throughout the development, including the requirement for a licence from Natural England. Given the inclusion of the proposed mitigation strategy, it is considered that the single emergence survey to be carried out at the appropriate time of year (May-September) can be secured by an appropriately worded pre-commencement condition.

¹ [Protected species and development: advice for local planning authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442222/Protected-species-and-development-advice-for-local-planning-authorities-2018.pdf)

The mitigation strategy also recommends that bat boxes and a bat brick shall be incorporated into the proposals, given that details of their proposed locations have not yet been provided, this information will also be secured by means of condition.

Drainage – Surface and Foul Water

The site is located within Flood Zone 1, therefore in a sequentially preferable location for development. Many comments received relate to issues with surface water flooding, the Environment Agency' surface water flooding maps do not show that the site is at risk of any surface water issues² It is acknowledged that there are some areas directly adjacent to the site (north and west) that show a risk of surface water flooding, however these are not within the site limits. It is therefore not considered reasonable or necessary to request that any flood risk assessment is provided at this stage, prior to the determination of the application, the application is not a major development where such an assessment would be required in Flood Zone 1. SUDs schemes are also only required where the proposal is a major development.

Whilst the proposal would increase the impermeable areas within the site, however large permeable areas would still remain. In terms of surface water drainage the submission indicates that surface water at the site would be managed soakaways, which is the preferred method within the Drainage hierarchy. No further detail has been provided and therefore would need to be secured by condition, which will include the requirement for percolation tests to be carried out to ensure that the ground is suitable for this means of drainage.

However – the correct planning policy test (NPPF paragraph 173) is that “When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.” There is no evidence to suggest that the site would be unable to meet this test with a positive drainage system in situ.

In relation to foul drainage, both the PPG and the Building Regulations 2010 (Approved Document H) set out a presumption in favour of connection to the public foul sewer wherever it is reasonable to do so. Foul water is proposed to connect to the main sewerage system, which is the most preferred option within the drainage hierarchy. Therefore, subject to conditions the proposal would be acceptable in terms of the proposed methods of drainage and accords to Policy S21.

Other Matters

Affordable Housing

Policy S22 states that; *To help maximise what the planning system can contribute to meeting affordable housing need, affordable housing will be sought on all qualifying housing development sites:*

² <https://check-long-term-flood-risk.service.gov.uk/map?eastings=501705&northings=380020&map=SurfaceWater>

a) of 10 or more dwellings or 0.5 hectares or more; or

Through the application process and various amended plans being received the site area has now been reduced to 0.47ha, below the 0.5ha threshold to qualify to provide an affordable housing contribution. The proposal therefore does not fall to be considered against policy S22 of the CLLP.

CIL

The development would be liable to a CIL payment of £25 per sqm.

Reference to the site being designated 'Open Space'

A number of objections and comments received from neighbouring occupiers with regard to the site being a 'green space' or 'open space'. To clarify the site is not designated through Policies S64 or S65 of the CLLP as Green Space or Open Space, therefore the requirement to assess the proposal against these policies is not required.

Comments regarding Green and Blue Infrastructure Network- Policy S59

Reference is made to Policy S59 and the site being part of the Green and Blue Infrastructure Network. Again, this policy is not applicable. The site is not designated as part of the network. The light green colouring on the Central Lincolnshire mapping system is for information/guidance only, the areas which are coloured dark green and dark blue are part of the network. The area directly to the north part of the site (not within the red line of the application site) has previously been noted within an assessment carried out in 2011 by the GLNP (Greater Lincolnshire Nature Partnership). This has been confirmed with the Central Lincolnshire planning policy Team.

Community Support

It is noted that the Parish Council consider that "there should be clear evidence of local community support" for the scheme evidenced through a "pre-application community consultation exercise". However, this is neither a requirement of the CLLP adopted in 2023, or the Welton NP (made in 2016).

Conclusion and reasons for decision: The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S2: Growth Levels and Distribution, Policy S4: Housing Development in or Adjacent to Villages, Policy S6: Design Principles for Efficient Buildings, Policy S7: Reducing Energy Consumption – Residential Development, Policy S12: Water Efficiency and Sustainable Water Management, Policy NS18: Electric Vehicle Charging, Policy S20: Resilient and Adaptable Design, Policy S21: Flood Risk and Water Resources, Policy S47: Accessibility and Transport, Policy S49: Parking Provision, Policy S53: Design and Amenity, Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains and Policy S66:

Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan and the policies within the Welton Neighbourhood Plan in the first instance as well as the provisions of the NPPF and guidance contained within the NPPG.

The site is considered to be within the developed footprint of Welton and would create a form of development that would not have a harmful impact upon the character of the area. The proposals would not cause any unacceptable amenity impacts and matters of highway safety. Drainage matters are considered acceptable in principle subject to conditions. The application submission has also adequately addressed the provisions of the energy and biodiversity policies within the CLLP, subject to conditions. In light of this assessment the application is recommended for approval subject to conditions.

RECOMMENDATION: Grant planning permission subject to conditions

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

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

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

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

2. No development shall take place until the results of the single bat emergence survey as recommended in Section 4.2 of the Preliminary Ecological Appraisal by KJ Ecology Ltd dated August 2023 have been submitted to and in approved in writing by the Local Planning Authority. If bats are found to be present all works shall only proceed in full accordance with the Bat Mitigation Strategy and its recommendations submitted on 08/12/2023.

Reason: In the interests of protected species in accordance with policies S60 and S61 of the Central Lincolnshire Local Plan 2023.

3. Prior to the commencement of the development, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following details:

- Details of the size, species, planting arrangement and position of all trees, hedgerows and other vegetation to be planted in accordance with the details in the submitted Preliminary Ecology Appraisal and Biodiversity Net Gain Assessment and Biodiversity Metric 4.0 Calculation dated August 2023. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

3. Prior to the commencement of construction works on any dwelling, including footings being commenced, a scheme shall be agreed in writing with the Local Planning Authority relating to the verification of the post-construction energy performance of the dwelling(s) to be constructed under this permission, including a mechanism for the provision of the verification to individual home owners. The approved scheme shall be implemented in full, including mechanisms by which any shortfall in performance against the updated Energy Statement received 25/10/2023 will be mitigated.

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

4. No development hereby permitted shall take place unless a Construction Method Statement has been submitted to, and approved by, the Local Planning Authority. The statement shall include the following:

- Construction working hours;
- Measures for the routing and parking of construction related traffic;
- Indicate areas for the loading and unloading of materials.

The development shall thereafter be undertaken in accordance with the approved Method Statement.

Reason: In order to minimise the disruption that may arise through the construction period to residential amenities in accordance with Policies S47 and S53 of the Central Lincolnshire Local Plan 2023.

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

5. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the approved plans and any other document forming part of the application:

- Existing Site Plan with Location Plan LDC4016-PL-01 B received 11/08/2023;
- Proposed Site Plan LDC4016-PL-02- C received 29/09/2023;
- Plots 1 and 2 Plans and Elevations LDC4016- PL-03 D received 25/10/2023;
- Plots 3 & 4 Plans and Elevations LDC4016- PL-04 B received 25/10/2023;
- Plots 5 and 6 Plans and Elevations LDC4016-PI- 05 B received 25/10/2023

Reason: To ensure the development proceeds in accordance with the approved plans.

6. The scheme referred to in Condition 3 shall also include a specification of solar panels to demonstrate the total energy output outlined in the submitted Energy Statement and on the submitted Site Plan LDC4016-PL-02- C, received 29/09/2023.

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

7. No development other than to foundation level shall take place until full details of foul and surface water drainage (including the results of percolation tests) has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

8. No development, other than to foundations level, shall take place until details of all external facing materials and proposed boundary treatments to be used in the dwellings and within the site hereby approved have been submitted to and approved in writing by the local planning authority. The development shall proceed only in accordance with the approved details.

Reason: In the interests of visual amenity to accord with policy S53 of the Central Lincolnshire Local Plan 2023 and Policy D1 of the Welton NP.

9. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by Lincs Design Consultancy received 25/10/2023 unless otherwise agreed in writing by the Local Planning Authority.

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

10. No development, other than to foundations level, shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the area in accordance with the NPPF and Policies S53 of the Central Lincolnshire Local Plan 2023 and Policy D1 of the Welton Neighbourhood Plan.

11. The development hereby permitted shall be undertaken in accordance with the mitigation and enhancements in the following ecological documents:

- Section 4.2 of the Preliminary Ecology Appraisal and Biodiversity Net Gain Assessment by KJ Ecology dated August 2023.

Reason: To ensure that the development proceeds in accordance with the recommended ecological enhancements in accordance with Policy S60 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

12. No development shall take place above foundation level until a scheme of ecological enhancements including the provision of Bat and Bird boxes within the site, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and Policies S60 and S61 of the Central Lincolnshire Local Plan and policy D1 of the Welton Neighbourhood Plan.

13. No services shall be laid within the development for the provision of piped natural gas.

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

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling hereby approved.

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

Notes to the applicant

Highways

1. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application.

The application form, costs and guidance documentation can be found on our website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

2. The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.
3. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences 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.

For further guidance please visit our website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

COMMUNITY INFRASTRUCTURE LEVY

Please be aware that as of the 22nd January 2018 West Lindsey District Council implemented a Community Infrastructure Levy and that eligible development granted on or after this date will be subject to this charge. The development subject to this Decision Notice could fall within the definitions held within the adopted charging schedule and as such may be liable to pay the levy. For further information on CIL, processes, calculating the levy and associated forms please visit the Planning Portal www.west-lindsey.gov.uk/cilforms and West Lindsey District Council's own website www.west-lindsey.gov.uk/CIL

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

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