



Officers Report

Planning Application No: 135790

PROPOSAL: Planning application to erect 64no. dwellings with roads, garages and residential parking, including community parking and public open spaces.

LOCATION: Land North of Honeyholes Lane Dunholme Lincoln LN2 3SQ

WARD: Dunholme and Welton

WARD MEMBERS: Cllr S England; Cllr M Parish; and Cllr Mrs D Rodgers

APPLICANT NAME: Cyden Homes Ltd

TARGET DECISION DATE: 07/06/2017

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Russell Clarkson

RECOMMENDED DECISION:

That the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- 16 dwellings (25%) on site delivered as affordable housing;
- Capital contribution to be used towards local education provision to accommodate the development;
- Capital contribution to be used towards local healthcare provision to accommodate the development;
- Capital contribution to be used towards local highways network to accommodate the development;
- Provisions to deliver and ensure the ongoing maintenance of landscaping and public open space (including the proposed car park).

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

Description:

The application seeks planning permission, in full, to erect 64 dwellings with associated roads, and public open space. The application also includes an area of communal car parking for 54 spaces. Access would be taken directly from Honeyholes Lane.

The application site is undeveloped open land, on the north side of Honeyholes Lane, Dunholme.

To the north and north-east are undeveloped fields allocated as a green wedge in the Central Lincolnshire Local Plan (policy LP22) and settlement break in the Dunholme Neighbourhood Plan (policy 11).

To the east is residential development – referred to as the Allwood Character Area in the Dunholme Character Assessment. Tennyson House, a three storey residential building, runs parallel to the site's eastern edge, and is notably of a differing scale to surrounding buildings.

To the south is the Merleswen character area, comprising predominantly bungalows from the later 20th Century.

To the west is the Village Hall and assorted recreational facilities. A Public Footpath (Dunh/785/1) runs along the western site boundary, in a broadly north-south direction.

The site is allocated for residential development in both the Central Lincolnshire Local Plan (policy LP52) and Dunholme Neighbourhood Plan (policy 1).

This application is referred to the Committee as it seeks permission for 30% more houses on the site than the 49 dwellings indicated or approximated in the Development Plan, and could be perceived as a potential departure.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017:

The development does not exceed the thresholds at schedule 2 (paragraph 10(b)) and is not within a sensitive area. It does not qualify as "EIA Development".

Relevant history:

131087 - Outline planning application for erection of 49no. dwellings, sports facility and additional car parking area-all matters reserved. **Granted 14/05/2015.**

A subsequent appeal (APP/N2535/W/15/3138491) was allowed, with the effect of extending the deadline to submit the subsequent reserved matters from one year, until no later than 14 May 2017.

Representations:

Dunholme Parish Council:

- With the addition of 15 extra houses compared to the original application, it contravenes the Character assessment by making the site too densely proportioned.

- There is not enough space to allow adequate parking provisions for the number of houses now being proposed
- Gardens & space between house is inadequate in comparison to original plan
- privacy between the houses should more be developed on the site.
- Honeyholes Lane is one of the main roads in the village, as well as being sited next to the village hall and indoor bowls club and William Farr School and nearby St Chad Junior School. The addition of extra houses to the site would mean an increased the amount of traffic especially the number of road users on an already busy main road.
- The Dunholme Neighbourhood Plan states that “new developments should be located and designed to operate effectively within the local highway network and should not detrimentally affect the free and safe flow of traffic on the network”. It is felt that the new application would not support this comment as HoneyHoles Lane is a primary through road.
- Dunholme village has seen a large number in housing developments granted since 2012 resulting in an additional 329 houses being already planned to be built this year.
- The figure of 329 houses equates to the number of proposed houses stated in both the Dunholme Neighbourhood Plan and WLDC Local Plan. It is therefore felt that any further houses are not needed within the village.
- A survey undertaken by Community Lincs showed that there was a need for 9 affordable houses within the village of Dunholme, However the provision has already been met by the developments from Chestnut homes, therefore a further 15 houses are not needed within the village to meet any further provision.
- If the developer wishes to increase the number of affordable homes in their development plan, then this should be included in their revised application without any increase in the number of additional houses, so we would be happy for the number of houses to remain the same with an inclusion of a further 9 more affordable homes instead of the 9 larger houses in their original submission.

LCC Highways: No formal comments received at time of writing.

Environment Agency: Does not wish to make any comments on this application.

Archaeology: No objections / comments.

Anglian Water:

Wastewater Treatment - The foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

Surface Water Disposal - The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is

unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. Recommend planning condition to secure surface water management strategy.

Internal Drainage Board:

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the future maintenance of the surface water drainage system.

Lincolnshire Police: Do not have any objections to this development. In general a good site layout which makes effective use of a cul-de-sac design which has been proven to help reduce the opportunity for crime and generate a good sense of community. Offers guidance on parking provision, perimeter, landscaping, sheds/cycle storage, lighting and other security guidance.

Objections from 46, 47, 51, 55 Honeyholes Lane; 13 Merleswen; 6 Tennyson House. In summary:

- An extra 64 homes added to the 266 homes outlined in the application for Lincoln Road/Honeyholes Lane (application number 136050) equates to 340 new homes. I do not believe these extra homes are necessary;
- Our village, as well as Welton has sufficient planning approvals granted without any additional increases. The services are stretched past breaking point now;
- This land is subject to laying water with flooding in the road;
- The deep layer of heavy yellow clay that dominates the site makes the area subject to flooding from even just a few days of persistent rain;
- Seek reassurance that proposed surface water drainage strategy and basin will not result in flooding neighbouring property (46 Honeyholes Lane);
- Part of the original permission was a condition that the public footway running between the application and Honeyholes Lane was that this would be widened to accommodate pedestrians going to and from the William Farr School, village hall etc. I cannot see this requirement in the new application;
- Large mock Georgian style homes are completely out of keeping with the estate of bungalows they would look down on;
- First floor windows would overlook existing properties;
- Please ensure new trees / hedges are suitable and do not result in subsidence;
- The land is agricultural land;
- Do not want houses spoiling our view.

General comments from 76 Beckhall; 5 Tennyson Drive.

- pleased to see the proposed development includes a 3m combined footpath and cycle way along its Honeyholes Lane frontage. This section of footpath is very busy with students going to and from William Farr school and early proper dual use of the proposed new footpath would go some way towards improving their safety and perhaps even

encouraging them to use their bicycles to go to school to reduce car journeys.

- Queries whether footpath to rear of Tennyson Drive will be affected? Will hedgerows be removed?

Relevant Planning Policies:

Planning law requires¹, to the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The Development Plan in this location comprises the provisions of the Central Lincolnshire Local Plan (April 2017) and Dunholme Neighbourhood Plan (January 2017).

The first strand of the NPPF's presumption in favour of sustainable development² is to *"approv[e] development proposals that accord with the development plan without delay"*.

Central Lincolnshire Local Plan (CLLP)

The CLLP was formally adopted on 24th April 2017, and now forms part of the Development Plan.

The following policies are considered to be most relevant to the applications:

- LP1: A Presumption in Favour of Sustainable Development
- LP3: Level and distribution of growth
- LP9: Health and wellbeing
- LP10: Meeting accommodation needs
- LP11: Affordable Housing
- LP12: Infrastructure to support growth
- LP13: Accessibility and Transport
- LP14: Managing Water Resources and Flood Risk;
- LP17: Landscape, Townscape and Views
- LP18: Climate Change and Low Carbon Living
- LP20: Green Infrastructure Network
- LP21: Biodiversity and Geodiversity
- LP22: Green Wedges
- LP24: Creation of New Open Space, Sports & Recreation Facilities
- LP26: Design and amenity
- LP52: Residential Allocations – Large Villages

The CLLP is available to view here: <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Dunholme Neighbourhood Plan (DNP)

¹ S70(2) of the Town & Country Planning Act 1990 and s38(6) of the Planning & Compulsory Purchase Act 2004

² Paragraph 14.

The DNP was formally made on 23rd January 2017, and now forms part of the Development Plan.

The following policies are considered most relevant:

Policy 1: General Housing Growth;
Policy 2: Housing Type and Mix;
Policy 4: Design Principles;
Policy 6: Public Recreational Open Space;
Policy 7: Green Infrastructure;
Policy 10: Landscape Character;
Policy 11: Settlement Breaks;
Policy 13: Reducing Flood Risk;
Policy 14: Water and Waste

The DNP, and Dunholme Character Assessment, are available to view here:

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

National Policy:

National Planning Policy Framework (NPPF)

<https://www.gov.uk/guidance/national-planning-policy-framework>

Planning Practice Guidance

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

Main issues

- Principle of Development
- Character and design
- Housing Mix and Provision
- Affordable Housing
- Flood Risk and Drainage
- Highway safety and access
- Infrastructure

Assessment:

a) Principle of Development

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

The site is allocated for residential development in both the Central Lincolnshire Local Plan (CLLP) and Dunholme Neighbourhood Plan (DNP).

CLLP policy LP52 gives an 'indicative' number of 49 dwellings on site CL4084 (the application site). DNP policy 1 states the allocation of land at CL4084 for approximately 49 dwellings.

The principle of residential development of the site will therefore be in accordance with the Development Plan. Both plans however give an 'indicative' or 'approximate' number of 49 dwellings.

It is to be noted that both plans were adopted following the grant of outline permission for 49 dwellings in 2014.

The application seeks permission for 64 dwellings – a 31% increase in capacity above that anticipated by the Development Plan.

It is to be noted that neither policy sets 49 dwellings as a cap or maximum. Thus a larger number is not necessarily a departure from the Plan, and may illustrate a more efficient use of the land in order to contribute towards housing need. This would need to be considered carefully against design and character principles.

CLLP paragraph 10.2.1 explains that the 'indicative dwellings' column is for the total number of dwellings with planning permission on a site – the application site benefitted from the 2014 outline planning permission for 49 dwellings. It states that the capacity of sites without permission *“is in most cases an estimate based on the size of the site, an assumption about the net developable area, and an assumption about the net residential density which would be appropriate for the area in which the site is located”*. The CLLP Evidence Report into residential allocations³ sets out the formula employed. Here it would assume 75% of the site to be developable (2.46ha) and a net density of at least 30 dwellings per hectare (dph) – giving the site an indicative capacity of 74 dwellings.

The application site measures 3.29 hectares in total – providing a gross density of 19.5dph. However, the layout would provide:

- 0.33ha (approximately 10% of the site) towards Public Open Space (POS) along its western edge.
- 0.13ha (approximately 4% of the site) dedicated to a 54-space public car park;
- 0.166ha (approximately 5% of site) in the south-eastern corner would also be dedicated to POS and include the attenuation basin;
- 0.12ha (4% of site) dedicated towards the frontage footpath.

This equates to a net developable area of 2.544ha (approximately 77% of the site) and a net density of 25.2dph.

It is concluded therefore that the 'indicative' 49 dwellings under policy LP52 was most likely directly derived from the extant outline permission on site. The standard formula employed for sites without permission would have derived an indicative capacity of 74 dwellings.

³ Document PSEVR48-54 LP48-LP54 Residential Allocations Evidence Report (April 2016) available at: <https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library/>

The development, at 64 dwellings, and with a net density of 25.2dph, should not therefore be concluded to be an over-development.

The CLLP does not set out any housing density requirements. Policy LP26(a) does however require, to a degree proportionate to the proposal, to “*make effective and efficient use of land*” [emphasis added]. An increased number of dwellings on site would accord with this.

The DNP does not set out or specify any density requirements.

b) Layout, character and design

CLLP policy LP26 sets out that “*All development.. must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.*”

DNP policy 4 requires that “*development proposals should preserve or enhance the village of Dunholme by recognising and reinforcing the distinct local character in relation to height, scale, spacing, layout, orientation, design, and materials of buildings.*”

Policy 5 sets out that proposals will be supported where:

- 1 their design and appearance respects and complements the Dunholme Character Assessment;*
- 2 they demonstrate that the proposed development fits into the identified character area of that part of the village;*
- 3 soft and porous edges and finishes are incorporated into development proposals on the edge of the built up area;*
- 4 where previous developments have failed to respect the landscape setting, quality and have created hard and unsatisfactory edges to the village, should explore opportunities to retrospectively include planting schemes - particularly along the gateways into the village.*

The proposed layout appears to follow the design parameters established with the earlier outline planning permission.

It provides a substantial setback from the Public Right of Way along the western edge – with an area of public open space no less than 29 metres wide (10% of the overall site). This area also provides a gated 54 space car park to serve the adjoining community facilities to the west – a public benefit.

A 3 metre wide ‘landscape buffer’ is proposed along the site’s northern boundary with the green wedge (CLLP LP22) / Settlement Break (DNP policy 11). It has been enquired of the developer whether a 5 metre wide buffer could be achieved. The applicant has responded saying:

“we must look at it from the future purchasers point, in particular its longevity and future maintenance. Whilst we have strived to control similar situations where a landscaped strip is provided by covenant in the property transfers, unless it is controlled by a management company

and outside the curtilages of the property , then it very quickly becomes neglected”

The Dunholme Character Assessment breaks Dunholme down into 10 distinct Character Areas. Adjoining the site to the east is ‘Allwood’ and to the south ‘Merleswen’.

Allwood *“has a grid-like layout which is unique to the village, with housing being arranged under the periphery block principle, whereby building frontages face onto the public realm and street, the backs of buildings face onto each other, and private space, in this case individual back gardens, are accommodated in between.”* Positive characteristics include *“Well-defined streets with a coherent, permeable layout”* and *“Consistent approach to materials and architectural styles between buildings.”* Tennyson House is identified as a negative feature, *“out of keeping with the rest of the area due to its excessively imposing scale and bulk.”*

Merleswen is of a very different character – described as being *“occupied exclusively by residential properties, most of which were constructed through the 1960’s and early 1970’s,”* *“both Merleswen and the various cul-de-sacs which latch onto it are lined on either side by single-storey, detached bungalows, with The Granthams, which also hosts a number of two-storey properties, being the only exception.”* Positive characteristics are described as *“Simple open plan character throughout makes for a spacious townscape”* and *“consistent scale of development and housing typology makes for a very coherent and unified piece of townscape.”*

To the east, a unique grid layout, to the south a very uniform bungalow development. It is considered that the proposed development would be located between two very different housing layouts and styles and that this gives freedom to derive its own character area.

Although predominantly two storey detached dwellings, a variety of house types are proposed. Buildings will be finished in buff brickwork, render and a combination of brick and render.

The layout indicates care has been taken to ensure the dwellings are so arranged as to enclose and overlook public open space and key junctions in the development.

The development is deemed to comply with CLLP policy LP26 and DNP policy 5.

Lincolnshire Police consider the development offers *“in general a good site layout which makes effective use of a cul-de-sac design which has been proven to help reduce the opportunity for crime and generate a good sense of community.”*

It is however noted that, by orientating plots 11 & 12 to overlook the open space, they are accessed both by car and foot, primarily from the rear of the

property. The applicant has stated that they are willing to reconfigure the plots to enable improved access to the front of the properties. However, revised plans have not been provided.

c) *Housing Mix and Provision*

CLLP policy LP10 requires that:

“Developers are expected to provide housing solutions that contribute to meeting the housing needs of the housing market area, as identified in the latest Strategic Housing Market Assessment (SHMA) and in any other appropriate local evidence. This means new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.”

Along similar lines, DNP policy 2 states that

“Proposals for residential dwellings should provide an appropriate type and mix of units, including styles and sizes that help address the needs of the community as required within the most up-to-date Housing Needs Assessment.”

Appendix 1 of the DNP refers to a lack of appropriate sized houses as a social problem, citing evidence that:

“21.3% of those residing in the village are retired, many still living in large 3 or 4 bedroom houses. The main requirement is for smaller accommodation for elderly villagers wishing to downsize and also for young families. The Dunholme Parish survey (2014) identified that the size and design of future housing remains a major concern.”

The most recent Strategic Housing Market Assessment (July 2015)⁴ concludes that:

“The analysis of housing need by size suggests that there is a need for property of all sizes in Central Lincolnshire... The greatest requirement under all of the scenarios, however, is for property of between 50 and 89 sqm, which generally relates to 2 or 3 bedroom flats, mews or semi-detached homes. In the context of the HMA as a whole having a comparatively high representation of detached properties this suggests the need for new stock to contribute positively to the overall balance through the provision of smaller family sized housing. This, however, will need to be balanced against the provision of all types and sizes of housing.

The housing mix presented can be summarised as follows:

⁴ Document E003 is available here: <https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library/>

	Detached	Semi-detached	Terraced	Bungalow	Flat	Total
4-bed	44	0	0	0	0	44 (69%)
3-bed	0	2	6	0	0	8 (13%)
2-bed	0	0	6	0	0	6 (9%)
1-bed	0	0	0	2	4	6 (9%)
Total	44 (69%)	2 (3%)	12 (19%)	2 (3%)	4 (6%)	64 (100%)

It has been put to the applicant that the housing mix appears to be somewhat heavily stacked in favour of detached four-bedroom properties, and enquired as to would they consider incorporating a greater number of smaller family homes.

In response the applicant refers to the indicative housing mix presented in the outline permission as having set a precedent, and reference to the developer's site at Faldingworth "which has robustly demonstrated the demand for this type of housing".

This is not altogether convincing – the outline permission predates CLLP policy LP10 and DNP policy 2, and in any event, was only in outline. Detailed matters of scale – which would establish the housing mix – were reserved for subsequent approval. Whilst the developer may be able to (although hasn't) demonstrate demand for 4 bedroom detached houses, this doesn't address whether a greater number of smaller family homes on the site would still be viable.

The applicant does put forward that there is variety in the size of the four bedroom homes which range in size from 109.72sqm to 175.42sqm in floor area.

Overall, it is considered that the development would employ some variation in housetypes and tenures. Whilst this is considered to be unbalanced in favour of four-bedroom detached properties, and misses the opportunity to provide for some smaller family homes, the SHMA does recognise a need for properties of all sizes in Central Lincolnshire.

It is considered that the housing mix is not so unbalanced that it would undermine the ability to create "*mixed, balanced and inclusive communities*", as is required by CLLP LP10 and the NPPF (paragraph 50).

d) Affordable Housing

The CLLP (paragraph 4.5.2) recognises a need for 17,400 affordable homes between 2012-2036. CLLP policy LP11 sets out a requirement within the Lincoln Strategy Area (which includes Dunholme), for 25% of the dwellings to be affordable.

DNP policy 2 states that *“Proposals should also, where possible, contribute to the provision of affordable housing as detailed within the most up-to-date Local Development Plan.”*

The development achieves the policy requirement with 16 dwellings (25%) on site offered as affordable dwellings.

	Open Market	Affordable	Total
4-bed	44	0	44 (69%)
3-bed	2	6	8 (13%)
2-bed	2	4	6 (9%)
1-bed	0	6	6 (9%)
Total	48 (75%)	16 (25%)	64

Policy LP11 does require that *“Affordable housing should integrate seamlessly into the site layout amongst the private housing.”* The application fails to achieve this with all of the affordable housing concentrated into the north-eastern corner (plot’s 13 to 28).”

The applicant again claims that such a layout was established by the indicative layout given with the earlier outline permission. This claim is however dismissed – layout was a reserved matter at that time, and in any event that permission predates policy LP11.

Pressed further the applicant has responded that:

“Registered Housing Providers prefer for logistical reasons of management and maintenance to have their dwellings in close proximity. The layout and position therefore meets with their preferred arrangements. For a small development such as this, I am unable to understand how seamless integration can be achieved or would aid layout.”

However, the applicant has not provided details of any Registered Housing provider or evidence that would substantiate the claim being made.

It is concluded that the development would run contrary to this aspect of policy LP11.

e) Flood Risk and Drainage

The site lies within flood zone 1 (low probability) and is allocated in the Development Plan. It therefore accords with the sequential test towards directing development to those areas at lower risk of flooding as is required by CLLP policy LP14 and the NPPF (paragraph 100 onwards).

CLLP policy LP14 states that developers should demonstrate *“that they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical.”*

National Planning Practice Guidance ([Paragraph: 079 Reference ID: 7-079-20150415](#)) advises *“when considering major development.. sustainable drainage systems should be provided unless demonstrated to be inappropriate.”*

National Guidance advises:

Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- 1. into the ground (infiltration);*
- 2. to a surface water body;*
- 3. to a surface water sewer, highway drain, or another drainage system;*
- 4. to a combined sewer.*

A Drainage Statement has been submitted with the application. It advises that formal soil infiltration testing has not yet been undertaken, however trial pits undertaken in 2014 *“confirm that the test holes excavated to a depth of 1.0m did not give results suitable for soakaway structures at that depth due to there being no infiltration and a water ingress at depth 1.0m below ground level.”*

This would appear to be corroborated by comments made by residents, some of whom have stated that the site is prone to standing water following periods of rainfall.

The Statement advises that based on these findings, there are no proposals for any of the impermeable areas of the development to discharge by infiltration.

It advises that *“There is a small, approximately 1.0m deep, ditch to the very west of the site however its level is such that a gravity surface water solution to this point is not achievable. Also, this ditch connects into the Anglian Water Services Ltd 450mm diameter surface water sewer in the northern verge of Honeyholes Lane flowing from west to east. There are no proposals for any of the impermeable areas of the development to discharge to watercourse due to these reasons.”*

Instead, a schematic concept proposal is to use under-drained swales to convey surface water from impermeable areas to an online balancing pond on the south-eastern corner. The pond will be wet (maximum 600mm depth) under normal conditions.

A Hydrobrake Optimum flow control device would then attenuate flows down to the permitted discharge rates (for 1 year (4.2l/s), 30 year (4.2l/s) and up to the 1 in 100 year plus 30% climate change standard (5.0l/s)), into the 450mm diameter surface water sewer in Honeyholes Lane. It advises that all proposed discharges are significantly less than the green field values.

The Statement anticipates that the surface water system including the under-drain to the swales to its point of attenuated discharge to the outfall to the existing surface water sewer will be included in a section 104 adoption

agreement with Anglian Water Services Ltd. It anticipates that the grassed surface part of the swales will be included in a section 38 adoption agreement with Lincolnshire County Council. It anticipates that the balancing pond will either be included in the Public Open Space area or adopted by a Management Company Ltd.

Anglian Water consider the Drainage Statement is unacceptable – because it does not provide the evidence to show the surface water hierarchy has been followed – such as the trial pit logs from the infiltration tests and investigations into discharging into the watercourse.

This is noted, along with the Drainage Statement acknowledging the drainage scheme is a schematic concept. Accordingly, as per Anglian Waters advice, it is recommended that a planning condition is applied to secure details of the final surface water drainage scheme.

For foul water, It is anticipated that a gravity foul water solution will be achievable and the network of foul sewers will be included in a section 104 agreement with Anglian Water Services Ltd to ensure the foul water infrastructure can be monitored and maintained to ensure it will continue to function correctly for the lifetime of the development.

Anglian Water confirm the sewerage system at present has available capacity for these flows and the foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows.

f) Highway safety and access

CLLP policy LP13 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.”* It goes on to state *“Any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.”*

The DNP does not have a specific relevant policy in this regard, but a key principle (paragraph 8.3) is *“Seeking to ensure that all new developments are located and designed to operate effectively within the local highway network and do not detrimentally affect the free and safe flow of traffic on the network.”*

The NPPF makes clear – *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

Site access would be taken directly from Honeyholes Lane and follows that indicated with the earlier outline planning permission. Access was a reserved matter at that time, but the principle of safe access has already been established.

The applicant has not supplied a Transport Statement. Nonetheless, it is an allocated site for *'indicatively/approximately'* 49 dwellings, with outline planning permission for such numbers (and sports facilities) having only just expired. Logically, access would always be taken from Honeyholes Lane.

It is noted that the Parish Council are concerned whether the development would accord with the DNP's principle.

At the time of writing, the Local Highways Authority have not made any formal comments on the application. In dialogue with the case officer, at no times have they raised any concern with the increase in housing numbers.

It is considered highly unlikely that the addition of a further 15 dwellings would be crossing the tipping point towards having a severe highways impact. Also, the granted outline permission did include provision for a 'sports facility' which no longer form part of this application.

The Parish Council have questioned whether adequate parking provision is being made. The Local Highways Authority has questioned, informally, whether 1 space per dwelling at plots 13-26 (the affordable housing units) is adequate.

The CLLP does not set out any parking standards and states "each proposal will be considered on a case by case basis" (paragraph 4.7.10). The DNP does not set out any parking standards – policy 4 does require developments to ensure *"that car parking is positioned and designed to have minimal impact on the street scene."*

For the large part, the development makes ample car parking provision – the properties have garages and parking surfaces provided. It is noted that only 1 space per plots 13-26 are provided. However, the layout would allow for additional visitor spaces if required (at the expense of soft landscaping). It should also be considered that the development does propose a dedicated 54 space car parking area.

CLLP policy LP10 places a new requirement that *"to cater for the needs of less mobile occupants, including older people and disabled people, and to deliver dwellings which are capable of meeting peoples' changing circumstances over their lifetime"* proposals must deliver housing which meets the higher access standards of Part M Building Regulations (Access to and use of buildings) by delivering 30% of dwellings to M4(2) of the Building Regulations, unless the characteristics of the site provide exceptional reasons for delivery of such dwellings to be inappropriate or impractical.

The applicant confirms that 15% of the proposed dwellings presently meet M4(2) and they are amenable to providing the 30% policy requirement. This can be secured by planning condition.

g) Infrastructure

CLLP policy LP12 states that *“Planning Permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed development.”*

Heads of Terms for a S106 planning agreement have been submitted with the application.

This includes making capital contributions towards health and education infrastructure in order to accommodate the development.

It also includes measures to make a contribution towards highways, and to deliver and manage those areas of public open space.

Despite being consulted, neither LCC Education nor NHS England have commented on the application. Nonetheless, local contributions were required (and secured by S106 agreement) with the earlier outline permission. Such contributions are therefore considered still to be necessary (in the absence of any guidance to the contrary).

The previous permission included a contribution towards improving the highway junction onto the A46. The Local Highways Authority has advised this is still relevant, and it would comply with DNP policy 16.

Other matters

The previous outline permission included provision for a new sports facility. This is absent from this latest application – but is not a requirement in either the CLLP or DNP.

A neighbour has queried how the footpath to the rear of Tennyson Drive (eastern edge of the site) will be affected. Whilst it was noted on site that there is evidence of this being well-trodden, this is not a designated Public Right of Way.

Some neighbours have raised concerns that they will lose their view across the site – loss of view is not a material planning consideration.

A resident on the south side of Honeyholes Lane has raised concerns that their properties will be overlooked from introducing first floor windows on the north side. There will be no less than 30 metres separation between the new and existing properties to the south, with a public road and footway intervening. The existing residents' properties front onto a public highway – it is not considered that the introduction of houses on the opposite side of this public road would have an unduly adverse effect on the amenities presently enjoyed at these properties.

Overall Planning Balance and Conclusions

Planning law requires that applications for planning permission must be determined in accordance with the development plan.

The first part of the NPPF's presumption in favour of sustainable development is to "approv[e] development proposals that accord with the development plan without delay".

The site is allocated for residential development in the development plan.

The plans give an indicative or approximate capacity of 49 dwellings – it is not a maximum cap. However, this number is derived from an earlier outline permission (which had included a sports facility). Applying the Local Plan's standard formula for an indicative capacity would give a greater number than the 64 dwellings now sought.

It is not considered that the proposal would amount to over-development. Nor is it considered to be out of character or keeping, in view of the very contrasting character areas to the east and south.

It is disappointing that the development does not include a greater number of smaller family homes. Nonetheless, there is some variety in house types and scale and it is not considered to be so unbalanced as to undermine the national and local policy objective of creating "sustainable, inclusive and mixed communities".

The development would deliver a policy compliant 25% of the dwellings as affordable housing – of which there is an identified need across Central Lincolnshire. It is disappointing however that it makes no attempt to "integrate seamlessly into the site layout amongst the private housing" as required by CLLP policy LP11.

The additional number of houses would not be expected to now result in a severe highways impact.

Sustainable surface water drainage should be feasible, subject to securing full details via condition.

Large areas of public open space are provided, along with a car park to assist community facilities adjacent to the site.

It is considered that the proposed development is (largely) compliant with the provisions of the development plan and it is recommended to grant planning permission, subject to a S106 agreement and planning conditions.

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

RECOMMENDED DECISION:

That the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- 16 dwellings (25%) on site delivered as affordable housing;
- Capital contribution to be used towards local education provision to accommodate the development;
- Capital contribution to be used towards local healthcare provision to accommodate the development;
- Capital contribution to be used towards local highways network to accommodate the development;
- Provisions to deliver and ensure the ongoing maintenance of landscaping and public open space (including the proposed car park).

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

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 a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the routing and management of construction traffic;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;

- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (xi) Measures for tree and hedgerow protection.

Reason: In the interests of amenity and in accordance with policy LP26 of the Central Lincolnshire Local Plan.

3. Notwithstanding **condition 5**, no development shall take place until details have been submitted to demonstrate that at least 30% of the total number of dwellings meet the required standards set out in Part M4(2) of the Building Regulations 2010 and have been agreed in writing with the local planning authority. Development shall thereafter proceed in accordance with the agreed details.

Reason: To ensure the development meets the requirements for accessibility set out in Part M4(2) of the of the Building Regulations 2010 in accordance with policy LP10 of the Central Lincolnshire Local Plan.

4. No development shall take place until details of all external and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the buildings and its surroundings and ensure the proposal uses materials and components that have a low environmental impact in accordance with in accordance with policy LP26 of the Central Lincolnshire Local Plan and policy 4 of the Dunholme Neighbourhood Plan.

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 following drawings:
178/002B – Proposed Site Layout;
178/004 – Proposed Site Layout Landscaping Plan
178/005 – Proposed Site Layout Material Plan

178/027 – Location Plan
178/101A – Proposed Plans and Elevations – dH418
178/102 – Proposed Plans and Elevations – dH418
178/103A – Proposed Plans and Elevations – dH418
178/104 – Proposed Plans and Elevations – dH417
178/105 – Proposed Plans and Elevations – dH407
178/106A – Proposed Plans and Elevations – dH414
178/107 – Proposed Plans and Elevations – dH413
178/108A – Proposed Plans and Elevations – dH409
178/109 – Proposed Plans and Elevations – dH408
178/110A – Proposed Plans and Elevations – dH404
178/111A – Proposed Plans and Elevations – dH403
178/112A – Proposed Plans and Elevations – dH403
178/113 – Proposed Plans and Elevations – dH403
178/114A – Proposed Plans and Elevations – dH402
178/115 – Proposed Plans and Elevations – dH402
178/116 – Proposed Plans and Elevations – dH401
178/117 – Proposed Plans and Elevations – sH330
178/118A – Proposed Plans and Elevations – sB102
178/119 – Proposed Plans and Elevations – sF110
178/120 – Proposed Plans and Elevations – tH330 202 201 and 323W
178/121 – Proposed Plans and Elevations – tH319 202 201 320
178/150 – Proposed Plans and Elevations – Garages
J1355 SK18B - Public Open Space and Parking Layout

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with policy LP26 of the Central Lincolnshire Local Plan.

6. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved by the Local Planning Authority.

Reason: As per the advice of the water company and to prevent environmental and amenity problems arising from flooding, to accord with policy LP14 of the Central Lincolnshire Local Plan.

7. No works shall take place involving the demolition of any existing buildings or the loss of any hedgerow, tree or shrub other than outside the bird nesting season (1st March to 31st August), unless a nesting bird survey has been undertaken by a suitably qualified person who has confirmed in writing to the Local Planning Authority that there are no active nests present.

Reason: To protect biodiversity in accordance with the recommendations of the Preliminary Ecological Survey and in

accordance with policy LP21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

8. No dwelling hereby permitted shall be occupied until a Travel Plan has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to maximise the sustainability of the development in accordance with policy LP13 of the Central Lincolnshire Local Plan and paragraph 36 of the National Planning Policy Framework.

9. Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling (or other development as specified).

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety, in accordance with policy LP13 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

10. All planting, seeding or turfing comprised in the approved details of landscaping (drawing 178/004) shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality (and occupiers of adjacent buildings – where appropriate) and in accordance with policies LP17, LP20, LP24 and LP26 of the Central Lincolnshire Local Plan.